

MINUTES

450
JULY 24, 2002

The Board of Chosen Freeholders of the County of Warren met in regular session in its offices in the Wayne Dumont, Jr. Administration Building, Belvidere, New Jersey on July 24, 2002 at 7:32 p.m. The meeting was called to order by Director Doherty and upon roll call, the following members were present: Freeholder Michael J. Doherty, Freeholder John DiMaio and Freeholder James DeBosh. Also attending were County Administrator Steve Marvin, County Engineer David Hicks, County Counsel Joseph J. Bell and Deputy Clerk Tammy M. Lynn

The Pledge of Allegiance to the Flag was led by Director Doherty.

Director Doherty read the following statement: **“ADEQUATE NOTICE OF THIS MEETING WAS GIVEN IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT BY FORWARDING A SCHEDULE OF REGULAR MEETINGS OF THE BOARD OF CHOSEN FREEHOLDERS TO THE WARREN COUNTY CLERK, THE STAR/GAZETTE, THE EXPRESS-TIMES, STAR-LEDGER, BLAIRSTOWN PRESS, THE NEWS AND BY POSTING A COPY THEREOF ON THE BULLETIN BOARD IN THE OFFICE OF THE BOARD OF CHOSEN FREEHOLDERS. FORMAL ACTION MAY BE TAKEN BY THE BOARD OF CHOSEN FREEHOLDERS AT THIS MEETING. PUBLIC PARTICIPATION IS ENCOURAGED. IN ORDER TO ASSURE FULL PUBLIC PARTICIPATION, THOSE INDIVIDUALS WITH DISABILITIES WHO WISH TO ATTEND THE MEETING SHOULD SUBMIT ANY REQUESTS FOR SPECIAL ACCOMMODATION ONE WEEK IN ADVANCE”**.

On motion by Mr. DeBosh, seconded by Mr. DiMaio, to approve the regular meeting minutes of the Board of Chosen Freeholders held on June 26, 2002.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DiMaio, seconded by Mr. DeBosh, to approve the executive session minutes of the Board of Chosen Freeholders held on June 26, 2002.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DeBosh, seconded by Mr. DiMaio, to approve the regular meeting minutes of the Board of Chosen Freeholders held on July 10, 2002.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DiMaio, seconded by Mr. DeBosh, to approve the executive session minutes of the Board of Chosen Freeholders held on July 10, 2002.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

Director Doherty opened the public hearing at 7:36 p.m.

Planning Director Dave Dech explained to the Board the proposed revisions to County Planning Board Development Regulations were added for clarification purposes relating to the process and procedures for subdivisions and site plans. It adds delineation requirements bordering the Morris Canal. This will be in the form of easements, which are required by the Open Space Funding and filing follow up with the state. Mr. Dech added that they have proposed resubmission procedures when a subdivision or site plan has been denied. These procedures will record and track confirmation of compliance before the project will be able to proceed.

Mr. Dech explained that they have proposed an increase fee schedule on current records and added an impervious site fee back into the regulation applications. He further explained that there were some miscellaneous language clarifications and corrections made from the 1999 approved regulations.

MINUTES

451
JULY 24, 2002

Mr. Dech asked the Board of Chosen Freeholders to approve his presentation and allow him to prepare a resolution memorializing the regulation at the next regular meeting scheduled for August 21, 2002. The Board agreed.

There were no Freeholder comments or questions relating to the public hearing. Director Doherty opened public comments for this public hearing.

Mr. Dominic Comito, Phillipsburg Planning Board President and resident stated he understood the need for so many county department reviews relating to large lot requests and ones that border county roadways and properties in Phillipsburg. He questioned the need for county involvement when an application is filed for a lot size larger than an acre but is within the boundaries of Phillipsburg. Mr. Comito shared concerns that the time delays with this review process often are discouraging and that his Board has limited ability to respond in a timely manner.

Mr. Dech responded the importance for the county review relating to any municipal application that borders county roadways and properties no matter the size of the lot and or subdivision or site plan.

He further explained that his department recognizes there is time needed for proper inspections etc. Mr. Dech did confirm that when a municipal application is small or within the boundaries of the municipality and submitted 14 days prior to the Planning Board and Development Commission meetings, the Planning and Engineering Departments review them and if all is acceptable the application is approved without all the usual inspections. He concluded that theoretically this is completed and back to the municipality within 30 days.

Mr. Comito complimented Mr. Dech and his department for all the rigorous inspections and details which helps the municipal Planning Boards.

Director Doherty closed the public hearing at 7:45 p.m.

Director Doherty presented the N.J.A.C. Scholarship award to Andrew Nemeč the Warren County student recipient. He read Mr. Nemeč's biography of accomplishments and awards in cabinetry. He is the son of Stephen and Yvonne Nemeč and a graduate of the Warren County Technical School. Mr. Nemeč will be pursuing a career in Law Enforcement through the Warren County Community College. Director Doherty recognized Dr. DeSanctis, President of Warren County Community College and Dirk Swaneveld, Vice Principal of Warren County Technical School in the audience and asked them to come forward during the presentation.

Director Doherty read the Proclamation recognizing the 75th Anniversary of Boy Scout Troop #51, Phillipsburg, NJ. He announced the Proclamation would be delivered to them on August 10, 2002.

PROCLAMATION 478-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

PROCLAMATION RECOGNIZING THE 75TH ANNIVERSARY OF BOY SCOUT TROOP #51 - AUGUST 10, 2002.

WHEREAS, on August 10, 2002, Boy Scout Troop #51 will celebrate the 75th Anniversary of its establishment under the sponsorship of Grace Lutheran Church, Phillipsburg, NJ; and

WHEREAS, Boy Scout Troop #51 received its charter just 17 years after the Boy Scouts of America was founded in 1910, and has operated continuously and with distinction since that time; and

WHEREAS, the unbroken 75-year relationship between Boy Scout Troop #51 and Grace Lutheran Church is truly a commitment that is to be recognized and encouraged; and

JULY 24, 2002

MINUTES

WHEREAS, throughout its history this Boy Scout Troop has been very prominent in civic and scout council events such as county roadside clean-ups, can food drives for the needy, and town clean-ups; and

WHEREAS, Boy Scout Troop #51 seeks to center its service projects around the needs of its sponsor church and community in Phillipsburg, NJ; and

WHEREAS, the members of Boy Scout Troop #51 have upheld the words of the Boy Scout Oath, which calls upon scouts to do their duty to God and their county, and to help other people at all times;

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby recognize the 75th Anniversary of **Boy Scout Troop #51 of Phillipsburg, NJ**, which will be celebrated on August 10, 2002.

Michael J. Doherty, Director
Board of Chosen Freeholders

John DiMaio, Deputy Director
Board of Chosen Freeholders

James DeBosh, Freeholder
Board of Chosen Freeholders

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

Director Doherty deviated from the agenda to recognize Warren County 4-H Agent Alayne Torretta for receipt of the \$1,000 Grant Award from the National 4-H Council to the Warren County 4-H. Mrs. Torretta introduced the NJ Youth Corps members that were with her, Phillipsburg Branch Director Michael Muckle and his Youth Corps workers Brian, Allan and Jonathan. She explained the September 11th Memorial Garden has plantings already installed by the Warren County Shade Tree Commission. She explained this project is the joint efforts of all three groups, Shade Tree Commission, NJ Youth Corps and the 4-H Teen Council. This grant will enable them to purchase the supplies to install a brick path, park and picnic benches as well as a slate memorial. She requested approval so the installation could be completed for a ceremony on September 11th this year. Mrs. Torretta confirmed the location is off the lower parking lot at the Wayne Dumont, Jr. Administration Building. Mr. DeBosh stated he thought this was a great idea. Mr. DiMaio agreed and was happy to know the location will be visible for all to enjoy. Mr. Doherty concurred and stated their request is approved.

Mrs. Torretta and Mr. Muckle left the meeting at 7:58 p.m.

Director Doherty opened the public hearing for the HCDS Small Cities Application Information at 8:00 p.m.

Carol Hertweck-Lowy, Special Consultant representing the Warren County Housing Program, distributed a written summary of the Small Cities Housing Rehabilitation Program, contract number 02-0794-00 and gave a brief report of the program history. Warren County had an award amount of \$500,000 for 2002. She described the funding was provided under an agreement with the New Jersey Department of Community Affairs and utilized the Community Development Block Grant resources from the US Department of Housing and Urban Development. The program was established for the purpose of assistance to benefit low to moderate-income households in the county. The participating municipalities include: Belvidere, Blairstown, Franklin, Greenwich, Hackettstown, Hardwick, Hope, Independence, Knowlton, Liberty, Mansfield, Oxford, Pohatcong, Washington Borough, Washington Township and White Township. She explained 31

JULY 24, 2002

MINUTES

applications covering the sixteen municipalities in the county were processed in order of receipt. However, with some exception, an application might be placed as priority only when a property has immediate need.

Mrs. Lowy informed the Board of Chosen Freeholders and the audience that each homeowner is provided financing on a case-by-case basis for the amount necessary to correct all code violations. She also confirmed each homeowner is required to repay the assistance received, at the time of sale or transfer of the property. This way the grant funds ultimately are repaid to the county and are available to assist other property owners on an on-going basis. The Board had no questions for Mrs. Lowy. She opened the hearing for public questions and a woman from the audience asked if the \$500,000 was equally divided amongst the sixteen municipalities. Mrs. Lowy responded the division of funds is based on the applications that are received, not all municipalities have the same amount or same number of homes being rehabilitated. The woman asked how would people know it is available. Mrs. Lowy explained the public notice that is advertised annually and property owners can go to their local municipal office to see if they are in the target areas and to get applications. Mr. Lowy explained names of applicants cannot be released under the Federal privacy act regulations.

Director Doherty closed the public hearing at 8:15 p.m.

Director Doherty opened another public hearing at 8:15 p.m. for the HCDS Small Cities Programs.

Carol Hertweck-Lowy, Special Consultant representing the Warren County Housing Program, explained two years ago the state began a matching fund requirement. She informed the Board and the audience that Warren County has a 30 percent match requirement. She further noted there is no cost to the County, as the loan repayment fund will cover the \$150,000 match. Mrs. Lowy explained the proposed Community Development Block Grant project would address the Housing Rehabilitation and Public Facilities in the County. The amount requested is \$500,000 to be expended or committed over twelve months with a 30 percent matching component. The budget activity anticipated is \$592,400 for housing Rehabilitation emphasizing fund recapture and use of Fund recapture monies to refinance additional housing assistance for lower-income households and \$57,600 for administration expenses including program management, insurance/fidelity Bond and related costs.

Mrs. Lowy also reported that public facilities benefit by the refinancing in addition, there is \$1,448,000 for Warren County road rehabilitation / reconstruction and drainage improvement and \$350,000 for Warren County Bridge and Culvert reconstruction funding affecting the target area of the 31 dwelling units. Mrs. Lowy thanked the Board for allowing a public hearing. She requested approval of the resolutions presented to the Board. Mr. Doherty thanked her for the information presented and advised the resolution for the 2003 application would be included with the regular agenda items for adoption and approval.

There were no questions or concerns from the public and Director Doherty closed the public hearing at 8:20 p.m.

Under public comments on agenda items Catherine Wojtowicz, 17 E. Church Street, Washington, NJ asked what agenda item D5 is. Mr. Marvin responded that this is only title and text correction relating to the Human Services Department and there is no appropriation change in the current budget. She thanked him.

Nancy Mason, Recycling Coordinator in Belvidere, NJ asked about County Administrator Report item showing County Recycling Coordinator applications and asked if this was going for

JULY 24, 2002

MINUTES

a full/time or part/time position. Both Mr. Doherty and Mr. DiMaio responded part/time is the plan. Ms. Mason told them as a municipal coordinator she spends allot of time with all the necessary paperwork filings for a municipality and has concern they are limiting the county Recycling Coordinator position to part/time. She suggested to the Board that they reconsider this as a full/time position, Ms. Mason also asked that when they review the applications for this position they keep in mind the applicant should have experience and a recycling certification which is offered by Rutgers University and she thanked the Board for listening to her.

RESOLUTION 479-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2002 - 29.

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payment No. 2002-29** dated July 24, 2002 in the amount of \$ 2,474,151.74 including bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2002-28	\$ 863,730.84
2002-29	\$ 496,362.99
Payroll 7/11/02	<u>\$ 1,114,057.91</u>
Grand Total	\$ 2,474,151.74

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 480-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

INSERTION INTO THE 2002 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$191,724.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE, SPECIALIZED DOMESTIC VIOLENCE UNIT #01VAWA-03.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been available by Law and the amount thereof was not determined at the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2002 in the sum of \$ 191,724.00, which item is now available from the State of New Jersey, Department of Law & Public Safety, Division of Criminal Justice, Specialized Domestic Violence Unit #01VAWA-03.

BE IT FURTHER RESOLVED that a like sum of \$191,724.00 be and the same is hereby appropriated under caption:

MINUTES

455
JULY 24, 2002

"UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES"

State of New Jersey, Department of Law & Public Safety,
Division of Criminal Justice, Specialized
Domestic Violence Unit #01VAWA-03 (administered by the Prosecutor's Office)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Law & Public Safety and that two (2) certified copies of this Resolution be forwarded to the Division of Local Government Services.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 481-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

INSERTION INTO THE 2002 BUDGET OF THE COUNTY OF WARREN IN THE ADDITIONAL AMOUNT OF \$455,079.00 FROM THE STATE OF NJ, DEPT. OF HEALTH AND SENIOR SERVICES, DIVISION OF SENIOR SERVICES AREA PLAN GRANT PROGRAM, FOR A TOTAL APPROPRIATION OF \$1,013,241.

WHEREAS, N.J.S.A.40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or municipality when such item shall have been available by Law and the amount thereof was not determined at the adoption of the Budget: and

WHEREAS, said Director may also approve the insertion of any item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2002 in the sum of \$455,079 which item is now available from the State of N.J., Dept. of Health and Senior Services, Div. of Senior Services Area Plan Grant Program.

BE IT FURTHER RESOLVED that a like sum of \$455,079 be and the same is hereby appropriated under caption:

"UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES"

State of NJ., Dept. of Health and Senior Services, Div. of Senior Affairs,
Area Plan Grant Program.

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of NJ., Dept. of Health and Senior Services, Division of Senior Affairs that two (2) certified copies of this Resolution be forwarded to the Division of Local Government Services.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 482-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION CANCELLING THE AMENDING RESOLUTION APPROVED DECEMBER 13, 2000 AND REAPPROPRIATING \$ 388,000 EXCESS BOND PROCEEDS FROM A BOND ORDINANCE FINALLY ADOPTED ON FEBRUARY 10, 1999 TO THE ACQUISITION OF

JULY 24, 2002

MINUTES

REAL PROPERTY FOR THE NEW JERSEY RAILROAD MUSEUM AS DESCRIBED IN THE BOND ORDINANCE BY AND IN THE COUNTY OF WARREN, NEW JERSEY.

WHEREAS, the Board of Chosen Freeholders of the County of Warren, New Jersey (the "County"), finally adopted a Bond Ordinance on February 10, 1999 entitled, "BOND ORDINANCE OF THE COUNTY OF WARREN, NEW JERSEY, APPROPRIATING \$5,393,075 AND AUTHORIZING THE ISSUANCE OF \$4,999,921 BONDS OR NOTES OF THE COUNTY FOR THE ACQUISITION OF EQUIPMENT AND VARIOUS CAPITAL IMPROVEMENTS, IN, BY AND FOR THE COUNTY OF WARREN, NEW JERSEY, INCREASING THE PRESENT DOLLAR AMOUNT OF GROSS COUNTY INDEBTEDNESS TO \$29,490,345." (the "Ordinance"); and

WHEREAS, following the effective date of the Ordinance, the County issued obligations to fully fund the Ordinance and to finance the improvements or purposes authorized therein; and

WHEREAS, the Ordinance, as amended December 12, 2000, provided for the total amount of \$388,000 in Excess Proceeds to be reappropriated, pursuant to N.J.S.A. 40A: 2-39, and used to finance the cost of various building and structure renovations at the Phillipsburg Library Renovation and Expansion Construction Project, (the "Library Project") including all work, materials, equipment and appurtenances necessary therefor or incidental thereto.

WHEREAS, the Phillipsburg Library subsequently received monies for the purpose stated above in the amount of \$388,000 (the "Grant Proceeds") in the Public Library Construction Bond Fund; and

WHEREAS, as a result of the appropriation of the Grant Proceeds, the County has determined that a portion of the proceeds of the obligations issued pursuant to the Amended Ordinance for the Library Project (the "Excess Proceeds") are not necessary for the Library Project; and

WHEREAS, in accordance with its statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 et seq., the Board of Chosen Freeholders has determined that it is in the best interest of the County to reappropriate the Excess Proceeds to finance the cost of a purpose for which bonds may be issued, and, thereby, avoiding the need to incur additional County debt to finance such purpose;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN, NEW JERSEY, AS FOLLOWS:

SECTION 1. The Excess Proceeds of the Amended Ordinance in the amount of \$388,000 are no longer necessary for the purposes for which they were authorized and issued which purpose was the Library Project

SECTION 2. The total amount of \$388,000 in Excess Proceeds is hereby reappropriated, pursuant to N.J.S.A. 40A:2-39, and shall be used to finance the cost of acquisition of real property for the New Jersey Railroad Museum (Transportation Heritage Center).

SECTION 3. The capital budget of the County is hereby amended to conform with the provisions of this resolution to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, shall be on file in the office of the County Clerk and will be available for public inspection.

SECTION 4. This resolution shall take effect immediately.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 483-02

JULY 24, 2002

MINUTES

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION AUTHORIZING CHANGE OF THE TITLE OF AN ITEM OF APPROPRIATION (S) IN THE 2002 WARREN COUNTY BUDGET.

WHEREAS, certain items of appropriations(s) which appear in the adopted County Budget as entitled:

Center on Aging (Sheet 20b)
Mental Health Administration (Sheet 20c)
County Welfare Board (Sheet 20d)

WHEREAS, the Freeholder Board has reorganized the department structure within the budget category of Health & Human Services of the Warren County Budget.

WHEREAS, the Freeholder has determined it is necessary to change the title of the aforesaid items.

NOW, THEREFORE, BE IT RESOLVED that the Freeholder Board authorizes change of the titles of the said appropriations

<u>FROM</u>	<u>TO</u>
Center on Aging	Department of Human Services, Division of Senior Services
Mental Health Administration	Department of Human Services, Contracted Administration
County Welfare Board	Department of Human Services, Division of Temporary Assistance & & Social Services

subject to approval of the Director of the Division of Local Government Services, Department of Community Affairs, pursuant to N.J.S.A. 40A:4-85; and

BE IT FURTHER RESOLVED that the Deputy Clerk of the Board be and is hereby authorized and directed to transmit a copy of the Resolution to the Director for review and approval.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 484-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION TO RESCIND THE RESOLUTION ACCEPTING THE PROPOSAL OF CURRAN REALTY ADVISORS, TO PREPARE AN APPRAISAL OF A PROPERTY IN MANSFIELD TOWNSHIP, BLOCK 601.3, LOT 62.08, AS PART OF THE MORRIS CANAL ACQUISITION.

WHEREAS, the proposal of Curran Realty Advisors, to prepare an appraisal of Block 601.3, Lot 62.08, in Mansfield Township, in the amount of \$1,975, was accepted; and

WHEREAS, the initial scope of the project was changed; and

WHEREAS, only the canal portion of this property will be considered for funding from the Green Acres Program; and

JULY 24, 2002

MINUTES

WHEREAS, because the acquisition cost will be less than \$250,000, the County is only required to perform one appraisal under the Green Acres Program requirements; and

WHEREAS, Curran Realty Advisors submitted the second lowest qualified quotation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders that the resolution to accept the proposal is hereby rescinded and the agreement is cancelled.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 485-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION THAT NO PASSING ZONES BE ESTABLISHED AND MAINTAINED ALONG COUNTY ROUTE #519 (BRIDGEVILLE-HOPE ROAD) WHITE, HOPE AND FRELINGHUYSEN TOWNSHIPS.

BE IT RESOLVED that no Passing Zones be established and maintained along County Route #519 (Bridgeville-Hope Road), White, Hope, and Frelinghuysen Townships as authorized by the New Jersey Department of Transportation in accordance with the sketch dated June 6, 2002 bearing drawing number NPZ-2770-C; and

BE IT FURTHER RESOLVED that this resolution shall take effect upon approval by the Commissioner of the Department of Transportation.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 486-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION APPROVING THE CLOSING OF A SECTION OF THE COUNTY ROUTE #660, MAIN STREET FROM THE POST OFFICE TO WATER STREET, BLAIRSTOWN TOWNSHIP ON SUNDAY, SEPTEMBER 22, 2002 FOR THE FALL FESTIVAL.

WHEREAS, Blairstown Main Street Village Association has requested permission to close a section of County Route #660, Main Street, from just before the Post Office to Water Street, on Sunday, September 22, 2002 from 11:00 AM to 4:00 PM for a Street Festival.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the use and closing of a section of Main Street, Blairstown Township for the above mentioned event with the following conditions:

1. Approval of the event by the Township.
2. All barricades, detours, and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.
3. Police supervision of the barricading of the roads and handling of safety shall be provided.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

MINUTES

459
JULY 24, 2002
RESOLUTION 487-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO SIGN AN AGREEMENT TO PURCHASE & DEMOLISH A FARM STRUCTURE ADJACENT TO COUNTY ROUTE #637 ON BLOCK 20, LOT 24, GREENWICH TOWNSHIP OWNED BY CLIFFORD K. & MARGARET M. OBERLY FOR AN AMOUNT OF \$12,500.00.

WHEREAS, a farm structure along County Route #637 on Block 20, Lot 24 in Greenwich Township owned by Clifford K. & Margaret M. Oberly has a foundation wall which supports the building and acts as a retaining wall for County Route #637; and

WHEREAS, the foundation wall has partially collapsed and has required County Route #637 to be temporarily narrowed to protect the traveling public; and

WHEREAS, the County Engineer has recommended for safety that the structure be removed rather than repaired; and

WHEREAS, the Owners, Clifford K. & Margaret Oberly agree to allow the County to demolish the building for a price of \$12,500.00 as compensation for loss of building use; and

WHEREAS, the County Engineer has reported this price is fair based on costs to replace the building; and

WHEREAS, adequate funds are available in account 0402A204 5063 and certified by the chief financial officer; and,

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey approves the purchase of the farm structure for a price of \$12,500.00.

BE IT FURTHER RESOLVED that the Director and Clerk of the Board are hereby authorized and directed to execute said agreement hereto and made a part of this resolution.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 488-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION PROVIDING FOR THE DEFENSE AND INDEMNIFICATION OF OFFICERS AND EMPLOYEES.

WHEREAS, the Warren County Board of Chosen Freeholders wishes to provide for the defense and indemnification of officers and employees as follows:

SECTION 1.

A. Except as provided herein, the County of Warren may, upon the request of any present or former employee of the County, provide for the defense of any civil action brought against such employee on account of an act or omission in the scope of his or her employment or service to the County.

B. For purposes of this Chapter, the term "employee" shall include any employee, official or appointee.

(i) The provisions of this Chapter shall apply to all employees irrespective of the number of hours worked per week, and whether they are elected or appointed, and shall also include an employee, whether or not such employee holds a professional license or certificate, being paid a fixed salary or hourly rate for the performance of his or her duties, but shall not include any person furnishing professional or extraordinary unspecifiable services under

MINUTES

separate appointment, retainer, agreement or contract.

(ii) This Chapter shall also cover employees formerly holding office or employment, provided that the events giving rise to the cause of action or claim hereunder occur after the effective date of this Section.

C. For purposes of this Chapter, the County's authority to defend and indemnify shall extend to a cross-action, counterclaim or cross-complaint against an employee.

D. Where the County provides for the defense of an employee or former employee pursuant to this section, the County shall provide indemnification for such employee. However, nothing in this Chapter shall require the County to pay for punitive or exemplary damages or damages resulting from the commission of a crime. The County may, however, indemnify an employee for exemplary or punitive damages resulting from the employee's civil violation of state or federal law if, in the opinion of the County, the acts committed by the employee on which the damages are based did not constitute actual fraud, actual malice, willful misconduct, or an intentional wrong.

SECTION 2.

A. The County shall provide for the defense of and indemnify an employee in a civil action if the employee acted or failed to act:

- (i) in a matter in which the County has or had an interest;
- (ii) in the discharge of a duty imposed or authorized by State law, rule or regulation, or local ordinance or policy and procedures; and
- (iii) in good faith.

B. The County may refuse to provide for the defense and indemnification provided for in this Chapter if the County determines that:

- (i) the act or omission was not within the scope of employment;
- (ii) the act or omission was because of actual fraud, actual malice, or willful misconduct; or
- (iii) the defense of the action or proceeding by the County would create a conflict of interest between the County and the person or persons involved.

C. Under no circumstances shall the County provide for the defense and indemnification of an employee related to any civil, criminal or administrative action instituted by, or on behalf of, the County.

SECTION 3.

A. If the County provides for the defense and indemnification of an employee under the provisions of this Chapter, the County shall pay or reimburse the employee for any bona fide settlement agreements entered into by the employee, and shall pay or reimburse the employee for any judgments entered against the employee, and shall pay or reimburse the employee for all costs of defending the action, including reasonable counsel fees and expenses, together with costs of an appeal, if any.

B. Nothing in this section requires the County to pay for punitive or exemplary damages or damages resulting from the commission of a crime. The County may indemnify an employee for exemplary or punitive damages resulting from the employee's civil violation of state or federal law if, in the opinion of the County, the acts committed by the County Employee upon which the damages are based, did not constitute actual fraud, actual malice, willful misconduct, or an intentional wrong.

SECTION 4.

A. If any criminal action is instituted against any employee based upon an act or omission of that employee arising out of and directly related to the lawful exercise of the employee's official duties under color of his or her authority, and that action is dismissed or results a final disposition in favor of that officer, the County shall reimburse the employee for the cost of

JULY 24, 2002

MINUTES

defending the action, including reasonable counsel fees and expenses, together with costs of appeal, if any.

B. Notwithstanding the provisions of this section, the County shall not be liable for reimbursement where it determines there is a cause to dismiss the employee arising out of the incident or related incident(s) of the criminal proceedings.

C. This section will apply to claims arising prior to the effective date of this act, provided they are filed within two (2) years of the dismissal or final disposition of the criminal action.

SECTION 5.

An employee shall not be entitled to defense and indemnification under this chapter, unless within ten (10) calendar days of the time he or she is served with any summons, complaint, process, notice, demand, or pleading, the employee delivers the original or a copy thereof, to the County Administrator, via personal service, or certified mail.

SECTION 6.

A. Whenever the County provides for the defense of any action set forth in this Chapter, and as a condition of such defense, the County may assume exclusive control over the representation of such person defended, and such person shall cooperate with the County.

B. The County may provide for the defense pursuant to this Chapter by authorizing the County attorney to act on behalf of the employee being defended, or by employing other counsel for such purpose, or by asserting the County's right under an appropriate insurance policy which requires the insurance to provide for such defense.

NOW THEREFORE, BE IT RESOLVED, BY THE FREEHOLDERS OF THE COUNTY OF WARREN, STATE OF NEW JERSEY, that said Defense and Indemnification policy for the County's Officers and Employees having been reviewed and accepted shall be as set forth above.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 489-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION AUTHORIZING THE WARREN COUNTY SHERIFF'S OFFICE TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT, TO PARTICIPATE IN THE FISCAL YEAR FFY2003 TITLE IV-D PROGRAM.

WHEREAS, the New Jersey Department of Human Services, Division of Family Development is accepting applications for funding under the FFY2003 Title IV-D Program.

WHEREAS, the purpose of the program is to establish a procedure with the Sheriff's Office for arrest services in those Title IV-D cases where a bench warrant pertaining to child support has been issued by a court.

WHEREAS, the Sheriff's Office, as per the bench warrant, will take the non-custodial parent into custody for the purpose of establishing support obligation.

WHEREAS, the Sheriff's Office will be reimbursed based on the approved Collection Performance Standard with the cost of arrest services for the period October 1, 2002 through September 30, 2003(not to exceed \$153,395.24).

NOW, THEREFORE, BE IT RESOLVED that the County Sheriff's Office is authorized to apply for the aforementioned Title IV-D funding.

JULY 24, 2002

MINUTES

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 490-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION IN SUPPORT OF THE FY'03 VENDOR AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF YOUTH AND FAMILY SERVICES, FOR PARATRANSIT SERVICES TO BE PROVIDED THROUGH THE WARREN COUNTY TRANSPORTATION SYSTEM, AGREEMENT CEILING \$3,000.

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren supports the submission of the FY'03 Vendor Agreement for anticipated funding through the New Jersey Department of Human Services, Division of Youth and Family Services (DYFS), for the period July 1, 2002 through June 30, 2003; paratransit services to be provided through the Warren County Transportation System; contract ceiling \$3,000.

BE IT FURTHER RESOLVED that the Director of the Board of Chosen Freeholders is authorized to sign the FY'03 Vendor Agreement for \$3,000 anticipated funding through the New Jersey Department of Human Services; subject to availability.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 491-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE NEW JERSEY DEPARTMENT OF TRANSPORTATION AND THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN.

WHEREAS, the New Jersey Department of Transportation is authorized by N.J.S.A. 28:2-29 to acquire real property for the purpose of effectuating a state railroad and transportation museum; and

WHEREAS, the Board of Chosen Freeholder of the County of Warren, by Ordinance 1999-B, has appropriated \$875,000.00 for the purpose of the acquisition of real property, within the County of Warren, for the aforementioned state railroad and transportation museum.

NOW, THEREFORE, BE IT RESOLVED the Board of Chosen Freeholders of the County of Warren hereby authorize the Director to execute the Memorandum of Understanding with the New Jersey Department of Transportation.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 492-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

MINUTES**JULY 24, 2002**

RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE AN APPLICATION TO THE NJ DIV. OF CRIMINAL JUSTICE TO RENEW THE MULTI-JURISDICTIONAL NARCOTICS TASK FORCE GRANT FOR THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT OF \$194,184.00 FEDERAL MONEY AND \$71,821.00 COUNTY MATCH FOR A TOTAL AMOUNT OF \$266,005.00 FOR THE PERIOD OF JANUARY 1, 2002 THROUGH DECEMBER 31, 2002.

BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN THAT THE DIRECTOR OF THE BOARD IS AUTHORIZED TO EXECUTE AN APPLICATION TO THE NJ DIVISION OF CRIMINAL JUSTICE TO RENEW THE MULTI-JURISDICTIONAL NARCOTICS TASK FORCE GRANT FOR THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT OF \$194,184.00 IN FEDERAL MONEY WITH COUNTY MATCHING FUNDS OF \$71,821.00 FOR A TOTAL AMOUNT OF \$266,005.00 FOR THE PERIOD OF JANUARY 1, 2002 THROUGH DECEMBER 31, 2002.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 493-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM ADMINISTERED BY THE DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the Attorney General has been designated by the Governor to implement the Edward Byrne Memorial state and Local law Enforcement Assistance formula Grant Program for state and local assistance funded by the Anti-Drug Abuse Act of 1986, pub. L.99-570, Subtitle K as part of the Omnibus Crime Control and Safe Streets Act of 1968, 42 U.S.C. 3711, et seq., as amended; and

WHEREAS, the Warren County Prosecutor's Office wishes to apply for funding for a project under the subtitle Multi-Jurisdictional Narcotics Task Force; and

WHEREAS, the Board of Chosen Freeholders of the County of Warren has reviewed an accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Warren County Prosecutor's Office for the purpose described therein the application;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren as follows:

1. As a matter of public policy the Warren County Prosecutor's Office wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt, review and approval of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 494-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION AUTHORIZING THE APPLICATION FOR A GRANT IN THE AMOUNT OF \$500,000 FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS TO CARRY OUT A PROJECT TO REHABILITATE DWELLING UNITS IN WARREN COUNTY TARGET AREAS.

WHEREAS, the County of Warren desires to apply for a grant from the NJ Department of Community Affairs for approximately \$500,000 to carry out a project to rehabilitate dwelling units in County of Warren target areas; and

BE IT FURTHER RESOLVED, the application will annex herewith the additional resolutions as part of the application:

- RESOLUTION RE: CITIZEN PARTICIPATION PLAN COUNTY OF WARREN STATE OF NEW JERSEY, duly adopted by the Board of Chosen Freeholders on February 27, 2002.
- RESOLUTION IDENTIFYING CDBG FAIR HOUSING OFFICER duly adopted by the Board of Chosen Freeholders on February 27, 2002.
- ADOPTION OF HOUSING REHABILITATION POLICY AND PROCEDURE MANUAL duly adopted by the Board of Chosen Freeholders on February 27, 2002.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby authorize the application for such a grant; and, upon receipt of the grant agreement from the NJ Department of Community Affairs, does further authorize the execution of the grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the County of Warren and the NJ Department of Community Affairs.

BE IT FURTHER RESOLVED that the Freeholder Director and the County Administrator are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 495-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION RE: AUTHORIZATION TO AUCTION SURPLUS EQUIPMENT, VEHICLES, PARTS, FURNITURE, AND SUPPLIES OF THE COUNTY OF WARREN AND OTHER APPROVED AGENCIES.

WHEREAS, the County of Warren is presently storing various items no longer needed for public use by county departments and agencies;

BE IT RESOLVED, by the County of Warren pursuant to the provisions of N.J.S.A. 40A:11-36, that the said equipment, vehicles and supplies be and the same are hereby ordered to be disposed of by Public Auction, to be held Saturday, September 7, 2002 beginning at 10:00 A.M. prevailing time at the Warren County Road Department facility, Route 519, White Township, New Jersey.

BE IT FURTHER RESOLVED, that Notice of said sale be published and in newspapers at least seven (7) days prior to sale;

BE IT FURTHER RESOLVED, that all items shall be sold to the highest bidder, and the terms of the sale shall be sold as is and where is, without warranty or guarantee of any kind, upon payment of the full amount, subject to all lawfully advertised terms and restriction:

JULY 24, 2002

MINUTES

NOW THEREFORE BE IT RESOLVED, that the Director of Purchasing is hereby authorized and directed to perform all acts and to execute, on behalf of this body, all documents required by Statute or this Resolution to effectuate said sale.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 496-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE WARREN COUNTY SPECIAL SERVICES SCHOOL DISTRICT TO PROVIDE CORE CURRICULUM TEACHING SERVICES AT THE WARREN COUNTY JUVENILE DETENTION FACILITY.

WHEREAS, the Warren County Special Services School District provides core curriculum educational and teaching services for pupils within the County of Warren; and

WHEREAS, the Warren County Board of Chosen Freeholders is desirous of providing appropriate and sufficient educational services for juveniles housed in Warren Acres, the Warren County Juvenile Detention Center; and

WHEREAS, The County of Warren and the Warren County Special Services School District are desirous of executing an Interlocal Services Agreement for providing Core Curriculum Teaching Services at Warren Acres pursuant to N.J.S.A. 40:8A-1 et seq.;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Freeholder Director and the County Administrator are hereby authorized to execute an agreement, copy attached, with the Warren County Special Services School District for Core Curriculum Teaching Services at the Warren County Juvenile Detention Facility; and

BE IT FURTHER RESOLVED that this agreement will be for a period of one year commencing on July 1, 2002 and ending on June 30, 2003 and will take effect immediately.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 497-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION AUTHORIZING THE HEALTH DEPARTMENT DIRECTOR TO APPLY FOR A HEALTH SERVICE GRANT ENTITLED "LOCAL CORE CAPACITY INFRASTRUCTURE FOR BIOTERRORISM PREPAREDNESS" FOR THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES IN THE AMOUNT OF \$385,669 FOR THE PERIOD SEPTEMBER 1, 2002 – AUGUST 30, 2003.

WHEREAS, the New Jersey Department of Health and Senior Service (NJDHSS) announces the availability of funds to upgrade regional local public health preparedness for and response to bioterrorism, other outbreaks of infectious disease, and public health threats and emergencies, and

WHEREAS, funding to support this program has been awarded to the NJDHSS by the Centers for Disease Control and Prevention (CDC) *Public Health Preparedness and Response*

JULY 24, 2002

MINUTES

for Bioterrorism Cooperative Agreement, and

WHEREAS, through this program, local core capacity and infrastructure for bioterrorism preparedness and response will be built or supplemented at Local Information Network and Communication System (LINCS) agencies, statewide, and

WHEREAS, these capacities and infrastructure will closely mirror those being built at the NJDHSS; will be developed and implemented in close collaboration with NJDHSS, other local health departments and other public health care partners within the LINCS region; and will provide services for the benefit of protecting the entire population within Warren County.

THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders acknowledges and supports the Warren County Health Department (LINCS Agency) roles and responsibilities for countywide bioterrorism, infectious disease, and other public health threats and emergencies planning and response, and

BE IT FURTHER RESOLVED that the Warren County Board of Chosen Freeholders authorizes the Health Department Director to apply for an \$385,669 "Local Core Capacity Infrastructure for Bioterrorism Preparedness" grant for the period September 1, 2002 – August 30, 2003, and if approved, to execute a grant contract for the project with the New Jersey Department of Health and Senior Services.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 498-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE SUPPLY OF A GLUE LAMINATED WOOD SUPERSTRUCTURE FOR THE WARREN COUNTY BRIDGE #07028, LOWS HOLLOW ROAD OVER MERRILL CREEK, GREENWICH TOWNSHIP CONTRACT #WC0257.

BE IT RESOLVED that the plans and specifications for Contract #WC0257 for the Supply of a Glue Laminated Wood Superstructure for Warren County Bridge #07028, Lows Hollow Road over the Merrill Creek, Greenwich Township are hereby approved.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to advertise for proposals for the above project at least 10 days prior to the receipt of bids in

THE STAR GAZETTE

papers printed in the County.

TENTATIVE SCHEDULE

ADVERTISING DATE - THURSDAY, AUGUST 1, 2002
BIDS TO BE RECEIVED - TUESDAY, AUGUST 27, 2002
AWARD DATE - WEDNESDAY, SEPTEMBER 4, 2002

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 499-02

JULY 24, 2002

MINUTES

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0259 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR LIBRARY COMPUTER SUPPORT SERVICES.

BE IT RESOLVED, that specification WC0259 for library computer support services is hereby approved

BE IT FURTHER RESOLVED, that the Director of Purchasing is hereby directed to advertise for bids for the above in the Star Gazette.

Funds for this contract will be provided in budget accounts 153901/5026 Library Contracted Equipment Maint, 153901/5058 Library Other Equipment and 153901/5028 Library Professional Consulting Services

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 500-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0260 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE SALE OF COUNTY CULVERT #2112018 ON BLOCK 21, LOT 20.02, INDEPENDENCE TOWNSHIP.

BE IT RESOLVED, that specification WC0260 for sale of County Culvert #2112018, on Block 21, Lot 20.02, Independence Township is hereby approved

BE IT FURTHER RESOLVED, that the Director of Purchasing is hereby directed to advertise for bids for the above in the Star Gazette.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 501-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION RE: APPROVING THE PROFESSIONAL SERVICES AGREEMENT WC0258R FOR DENTAL SERVICES AT THE WARREN COUNTY CORRECTIONAL CENTER TO DENTRUST DENTAL, FOR THE PERIOD OF SEPTEMBER 1, 2002 THROUGH AUGUST 31, 2003 IN THE TOTAL CONTRACT AMOUNT OF \$27,900.00.

WHEREAS, there exists a need for the professional services of a dental service at the Warren County Correctional Center; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. Seq.) requires that a resolution authorizing the award of contracts for "professional services" without competitive bidding must be publicly advertised and the contract itself must be available for public inspection; and

WHEREAS, the Director of Purchasing has certified that this contract meets the statute and regulations governing the award of such contracts; and

WHEREAS, adequate funds are available in budget account 012800/5093 – Correctional Center - Medical Expenses and Physicals and certified by the County Chief Financial Officer,

JULY 24, 2002

MINUTES

NOW THEREFORE BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Warren in the state of New Jersey as follows:

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Dentrust Dental, PA of Richboro, Pennsylvania for professional services for the above project in the amount of \$27,900.00 per letter of agreement currently on file in the Office of the Director of Purchasing, be made part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of Agreement by signing same.
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A notice of this action shall be published in the Star Gazette, as required by law, within ten days of its adoption.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 502-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION RE: EXTENSION OF CONTRACT WC9853P FOR INMATE TELEPHONE SERVICES AT THE WARREN COUNTY CORRECTIONAL CENTER TO INMATE TELEPHONE INC., FOR THE PERIOD OF SEPTEMBER 1, 2002 THROUGH AUGUST 31, 2003, FOR THE FIFTH AND FINAL YEAR OF A FIVE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A: 11-15(8) AT A COMMISSION RATE OF 31%.

BE IT RESOLVED, that Warren County Contract WC9853P for inmate telephone services for the Warren County Correctional Center is hereby extended for the fifth year of a five year contract, for the period of September 1, 2002 through August 31, 2003 as provided by the Local Public Contract Law 40A:11-15(8)

toInmate Telephone Inc., Altoona, Pennsylvania

Contractor will pay a commission to Warren County at the Rate of 31%

as per their bid submittedAugust 3, 1998

No county funds are required for this contract.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 503-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION RE: EXTENSION OF CONTRACT WC0167 WITH AGWAY ENERGY PRODUCTS LLC, FOR COMMERCIAL PROPANE, FOR THE PERIOD OF SEPTEMBER 1, 2002 THROUGH AUGUST 31, 2003, FOR THE SECOND AND FINAL YEAR OF A TWO YEAR CONTRACT AS

MINUTES

JULY 24, 2002

PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A: 11-15(1) IN THE APPROXIMATE CONTRACT AMOUNT OF \$45,400.00.

BE IT RESOLVED, that Warren County Contract WC0167 for commercial propane is hereby extended for the period of September 1, 2002 through August 31, 2003 as provided by the Local Public Contract Law 40A:11-15(1)

toAgway Energy Products LLC., Syracuse, New York

in the approximate contract amount of \$45,400.00

as per their bid submitted August 13, 2001

Funding for this contract will be provided in budget accounts 013100/5070 Bldgs & Grds – Heating Fuel, 012900/5070 Roads – Heating Fuel, and 013510/5030 – Warren Haven Utilities – Operating Supplies

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 504-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION RE: AWARD OF CONTRACT WC0246 LUMBER FOR THE PERIOD OF SEPTEMBER 1, 2002 THROUGH AUGUST 31, 2003 TO L.E. RITTER LUMBER COMPANY AT THE UNIT PRICES AND DISCOUNTS OFFERED, NO GUARANTEED ANNUAL AMOUNT.

BE IT RESOLVED, that contract WC0246 for lumber is hereby awarded

toL.E. Ritter Lumber Co., Belvidere, New Jersey

this contract establishes unit pricing and discounts

NOTE: New Jersey State Contract is the primary source of supply for lumber. This contract is to provide a local supply contract in the event that items are not readily available under the state contract when needed.

as per their bid submitted July 15, 2002

and reviewed and recommended by the Director of Purchasing as the lowest responsible and responsive bid submitted.

Funding for this contract has been provided in various department OE budget accounts.

BE IT FURTHER RESOLVED, that the Director of the Board of Chosen Freeholders be authorized and directed to execute the necessary contract.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 505-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION RE: AWARD OF CONTRACT WC0245 FOR 10,000 TONS OF ROCKSALT FOR

JULY 24, 2002

MINUTES

THE WARREN COUNTY ROAD DEPARTMENT FOR THE PERIOD OF SEPTEMBER 1, 2002 THROUGH AUGUST 31, 2003 TO ATLANTIC SALT, INC. AT THE UNIT PRICE OF \$31.69 PER TON AND AN APPROXIMATE TOTAL CONTRACT AMOUNT OF \$316,900.00.

BE IT RESOLVED, that contract WC0245 for 10,000 tons of rock salt for the Warren County Road Department is hereby awarded

toAtlantic Salt Inc., Lowell, Massachusetts

in the approximate amount of \$316,900.00

as per their bid submitted July 15, 2002

and reviewed and recommended by the Director of Purchasing as the lowest responsible and responsive bid submitted.

Funds for this contract will be provided in budget account 012900/5125 – Road Department M & R Materials

BE IT FURTHER RESOLVED, that the Director of the Board of Chosen Freeholders be authorized and directed to execute the necessary contract.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 506-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE AGREEMENTS WITH VARIOUS AGENCIES TO PROVIDE HEALTH CARE THROUGH THE WARREN COUNTY PUBLIC HEALTH NURSING AGENCY FOR THE PERIOD JULY 1, 2002 THROUGH JUNE 30, 2003.

WHEREAS, there exists a need for home health aides, nursing services, through the Warren County Public Health Nursing agency for the period 7/1/02 through 6/30/03; and

WHEREAS, the Local Public Contracts Law (N.J.S.A.40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bidding must be publicly advertised:

WHEREAS, adequate funds are available in account numbers #193310-05615, 193310-05717, 193310-05718 and 193310-15719 certified by the Warren County Treasurer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren and the contractors are on file in the Office of the Clerk of the Board of Chosen Freeholders and are made a part hereof by reference, are hereby approved and shall be entered into by this Board on behalf of the County of Warren:

A. CERTIFIED HOME HEALTH AIDE SERVICES:

Visiting Homemaker Service of Warren County, 18 Broad Street, Washington, NJ 07882 at \$19.00 per hour regular time and \$19.50 per hour overtime/holiday, weekends \$19.50 per hour.

Visiting Nurse Association of Sussex County, Sparta Plaza, 191 Woodport Road, Sparta, NJ 07871 at \$18.00 per hour regular time and \$27.00 per hour overtime/holiday, weekends \$27.00 per hour.

GenCare Home Health Agency, 134 Broad Street, Stroudsburg, PA 18360 at \$18.00 per hour regular time and Time and one-half hourly rate overtime/holiday, weekends \$19.00 per hour.

JULY 24, 2002

MINUTES

In Home Care, 376 Lafayette Road, Sparta, NJ 07871 at \$18.50 per hour regular time and \$21.00 per hour overtime/holiday, weekends \$21.00 per hour.

1. The Director is hereby authorized to execute said agreements.
2. Notice of this action shall be published in the Star Gazette/Forum as required by law, within ten days of its adoption.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DiMaio, seconded by Mr. DeBosh, ACCEPT RESIGNATION OF PHILIP C. HOMES AS A MEMBER OF THE WARREN COUNTY CULTURAL AND HERITAGE COMMISSION EFFECTIVE IMMEDIATELY.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the recommendation to appoint members to the Warren County Communications Committee and have a resolution prepared for the next regular meeting. *Appoint:* Wes Garrison as member Citizen-at-Large and Jay White to fill position held by Neil Corley as member-Freeholder Representative.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 507-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION APPOINTING TWO MEMBERS TO THE WARREN COUNTY MUNICIPAL AND CHARITABLE CONSERVANCY TRUST FUND COMMITTEE

WHEREAS, the Warren County Board of Chosen Freeholders adopted the Warren County Open Space and Farmland Preservation Trust Fund Procedures and Rules on June 26, 1996; and

WHEREAS, recommendations for membership on the committee have been received from the Township of Harmony of the Municipal Region 2 whose previous term from Greenwich Township expired on March 25, 2001; and

WHEREAS, recommendations for membership on the committee have been received from the Township of Oxford of the Municipal Region 4 whose previous term from Washington Township expired on March 25, 2002;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren hereby appoint the following persons to the Warren County Municipal and Charitable Conservancy Trust Fund Committee:

Region 2: Gilbert K. Greene, Township of Harmony
Rotation Order: Harmony, Lopatcong, Greenwich
Term: 7/25/02 to 3/25/03

Region 4: Angelo Accetturo, Township of Oxford
Rotation Order: Oxford, Washington Borough, Franklin, Washington Township
Term: 7/25/02 to 3/25/04

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 508-02

JULY 24, 2002

MINUTES

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION CREATING THE FULL-TIME POSITION OF SUPERVISOR OF NURSES, CLASSIFIED, AND ABOLISHING THE POSITION OF ASSISTANT DIRECTOR OF NURSING, CLASSIFIED, WITHIN WARREN HAVEN.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the position of *supervisor of nurses*, classified, is created within Warren Haven for the purpose of enhancing the efficiency and effectiveness of nursing operations and patient care; and

BE IT FURTHER RESOLVED that the position of assistant director of nursing, classified, is abolished

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the position of *supervisor of nurses* is created and established on Grade 16 and made effective July 25, 2002.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 509-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

RESOLUTION CREATING A FULL-TIME POSITION OF SUPERVISING MAINTENANCE REPAIRER LOW PRESSURE LICENSE, CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF GENERAL SUPERVISING MAINTENANCE REPAIRER, CLASSIFIED, WITHIN WARREN HAVEN.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *supervising maintenance repairer low pressure license*, classified, is created within Warren Haven as a result of a recent reorganization of the facility's personnel and administration; and

BE IT FURTHER RESOLVED that the position of general supervising maintenance repairer, classified, is abolished; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that the position of *supervising maintenance repairer low pressure license* be established on AFSCME Local 0671 Range 13 and be made effective July 25, 2002.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

Under reports and comments, County Counsel Joseph Bell reported that he would like to provide status of litigation matters in executive session.

County Engineer Dave Hicks reported that he would provide to the Board a written report relating to the Knowlton Twsp. Bridge status and history. He explained that the Engineering Department is working with Knowlton Twsp. regarding the bridge and the information sent will allow the Board to make a decision at the next regular meeting.

County Planner Dave Dech reported that now that they have consultants the first official meeting for the Warren County Strategic Plan will be at 7:00 p.m. on Thursday, August 22, 2002 at the Warren County Fish Hatchery. He stated Mr. DiMaio is the Freeholder liaison however, he

MINUTES

wanted to extend an invitation to all the Board.

County CFO Pete Houck was absent, Mr. Marvin reported on his behalf relating to the Sale of Bond Anticipation Notes, series 2002A that Mr. Houck sent in their meeting packet. The Board unanimously approved the report as presented.

County Administrator Steve Marvin presented four hiring requests for One Part/Time Library Trainee (18 hours a week) at the WC Library, Franklin Branch, One Part/Time Library Trainee (18 hours a week) at the WC Library, CDH Branch, One Full/Time Clerk Typist for the Warren County Clerks Office due to retirement of a Principal Clerk Typist, and last minute request One Full/Time Clerk Typist for the Surrogates Office. The Board approved.

Mr. Marvin asked for discussion relating to the Warren County Prosecutors' Office request for an additional vehicle. Cost of purchase would be covered by a Grant, however the maintenance, insurance and fuel would be paid out of budget allowance for this department. The Prosecutor advised this vehicle would be dedicated to the Crime Victim Witness Unit for interviewing, court hearing and necessary travel relating to the cases. Mr. Doherty asked what happened to the five attorney vehicles that were suppose to be removed. Mr. Marvin explained they have been pulled for the upcoming auction in August. Mr. DiMaio responded that this is grant money to purchase this vehicle. Mr. Doherty asked if we could apply for the grant to use for the current vehicle maintenance, insurance and fuel.

Mr. Marvin also explained that a preliminary resolution is attached to the grant documents and if the Board would like to act on this, they can. Mr. DeBosh stated that he thought the Prosecutors Department had a pool of vehicles for general use and suggested that the prosecutor add this unit on the share list for those vehicles. Mr. Doherty stated that he will not support this application, the Board discussion resulted in consensus to present a resolution request for the August 21, 2002 meeting, which will allow them time to review.

Mr. Marvin reminded the Board that the Prosecutor had described the condition of his Special Emergency Response Team panel truck during the budget hearings. He explained that one of the volunteers knew of a vehicle from Byram Township that was available to purchase for \$15,000. Prosecutor Laky advised he has \$5,000 in a trust fund and would like approval to obtain the balance.

Mr. Marvin explained there is \$10,000 available because some of the prior vehicle purchases were lower than anticipated. This can be processed as a government to government vehicle transfer. Mr. DiMaio stated that he recalls the condition of the current vehicle as not being safe and it should be replaced. He feels the importance of this Special Emergency Response Team is too crucial a service to be unavailable under this circumstance.

On motion by Mr. DiMaio, seconded by Mr. DeBosh, he recommends that \$10,000 from the unencumbered vehicle account balance be used as the balance payment after Prosecutor Laky provides the first \$5,000 to secure a replacement vehicle for the Warren County Special Emergency Response Team.

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

Mr. Marvin reminded the Board that the applications for the Warren County Pollution Control Finance Authority Board were sent for their review as requested.

Mr. Doherty responded that he would encourage his fellow Board members to contact the applicants and they will have discussion at the August 21, 2002 meeting to select the appointment.

Mr. Marvin confirmed that the advertisement for the Recycling Coordinator position was placed and all applications received to date were forwarded to the Board. He asked the Board to review so that an appointment of the unclassified position can be presented at the August 21, 2002 meeting. Mr. DeBosh asked if the county residency is required. Mr. Marvin noted that we have a residency preference.

Mr. Marvin stated that the N.J.A.C. Conference coming up has an early registration discount, deadline August 15, 2002. He asked the Board to check their schedules and let him or Admin. Secretary Barbara Mc Henry know for the registrations. He also advised the Board that the annual meeting schedules included September 11, 2002 and recommends changing it to September 4, 2002. The Board agreed and requested public notice to be advertised.

Under Freeholder comments, Mr. DeBosh had no report.

Mr. DiMaio had no report.

Mr. Doherty had no report.

Under closing public comments Louis Baudini, Independence Township farmer asked for the Boards position on the Farmland Preservation and Open Space Fund allocations. He explained it is common knowledge Sussex County dedicated 90 percent of their fund for Farmland Preservation and it was a very successful program. Mr. Doherty responded that initially the funds were divided almost equally and at the last meeting they were going to increase Farmland Preservation to 45 or 60 percent however, the Board did not adopt a percentage. He further explained that is why they rescheduled a new public hearing for August 21, 2002.

Mr. Baudini thanked the Board for the information and public hearing schedule.

Bill Hann, Vice Chairman of the Warren County Board of Recreation Commissioners stated they just met this evening and adopted the following resolution for presentation to the Board. He read the resolution aloud and provided a copy of the resolution for the record. He asked the Freeholders to recognize all the needs of the citizens for open space in Warren County. Mr. Doherty thanked him for sharing their concerns and presenting their resolution.

**“WARREN COUNTY BOARD OF RECREATION COMMISSIONERS
165 COUNTY ROAD 519, SOUTH
WAYNE DUMONT JR. ADMINISTRATION BUILDING,
BELVIDERE, NEW JERSEY 07823
RESOLUTION**

On a motion by **Mr. Hann**, seconded by **Mr. Detrick**, the following resolution was adopted by the Warren County Board of Recreation Commissioners at a meeting held **July 24, 2002**.

**RESOLUTION TO SUPPORT AN EQUITABLE ALLOCATION OF FUNDS WITHIN THE
COUNTY OPEN SPACE, RECREATION, FARMLAND AND HISTORIC PRESERVATION
TRUST FUND**

WHEREAS, in 1993 and 1998, the voters of Warren County, passed, by a 2 to 1 margin, the ballot question that read: “Shall the County of Warren consider establishing an open space trust fund to be used exclusively for the purpose of acquiring land for preservation as open

JULY 24, 2002

MINUTES

space in order to protect drinking water resources, provide outdoor recreation and preserve farmland, in accordance with P.L. 1991, c. 283, to be funded at a rate not to exceed \$.04 per \$100.00 of total county equalized real property valuation;" and

WHEREAS, the current funding allocation percentages were established as the result of a unanimous recommendation of the Open Space Task Force (established by the Warren County Board of Chosen Freeholders), and this recommendation was approved by the Board of Chosen Freeholders on May 16, 2001. The Open Space Task Force consisted of representatives of the Warren County Board of Recreation Commissioners, the Municipal and Charitable Conservancy Trust Fund and the Warren County Agriculture Development Board; and

WHEREAS, since the initiation of the open space program, the Board of Recreation Commissioners has followed all of the program requirements established by the Warren County Board of Chosen Freeholders, in accordance with the Open Space Trust Fund Procedures and Rules and as approved by the voters of Warren County in the non-binding referendum; and

WHEREAS, the Board of Recreation Commissioners, through the County Planning Department, have negotiated in good faith a potential of 908 additional acres to be acquired over the next three years, at a cost of \$6,000,000 in open space and Morris Canal acquisition projects; and

WHEREAS, the County of Warren, through the Warren County Planning Department and under the guidance of the Warren County Board of Recreation Commissioners, has received \$500,000 in low-interest loans and \$2,750,000 in grants from the Green Acres Planning Incentive Program over the last three years, including this year, for the acquisition of open space and Morris Canal properties; and

WHEREAS, of the potential 908 acres of land to be acquired for open space and Morris Canal acquisition projects, 598 acres are currently, and, for the foreseeable future, will continue to remain in active farmland production; and

WHEREAS, all projects the Board of Recreation Commissioners considers for open space acquisition are in compliance with the 1999 Warren County Open Space Plan adopted as part of the County's Master Plan; and

WHEREAS, the 1999 Warren County Open Space Plan to acquire 9,000 acres has been approved by the Warren County Board of Chosen Freeholders and New Jersey Department of Environmental Protection in the Warren County Planning Incentive Grant Application in 1999; and

WHEREAS, the average real estate tax per acre of current County owned farmland easements is \$12.70 per acre or only \$1,270 per 100 acres; and

WHEREAS, municipalities do receive a tax incentive for open space properties under the Garden State Trust Fund, a Green Acres Program called, "In Lieu of Taxes;" and

WHEREAS, the County's population from 1990 to 2000 has increased 11.82 percent to a population of 102,437; and

WHEREAS, the County needs to provide both active and passive recreation for these residents, the County Open Space Plan defines a projected need of 9,000 acres of county open space; and

WHEREAS, the Board of Recreation Commissioners has entered into cooperative projects, both in funding, with non-profit associations and Green Acres, and maintenance, with countless hours of volunteer services, of open space and Morris Canal properties, thereby relieving the taxpayers of additional cost for open space; and

WHEREAS, the proposal to fund open space acquisition through bonding is being reviewed the Warren County Board of Chosen Freeholders with debt service provided by the County Open Space Tax, in order to acquire desired properties before developers express an interest; and

WHEREAS, at the May 15, 2002, meeting of the Warren County Board of Chosen Freeholders, all three members supported the request to bond for these open space and Morris

JULY 24, 2002

MINUTES

Canal projects; and

WHEREAS, the Morris Canal Greenway, Liberty-Water Gap Trail and Warren Trail, as part of the Highlands Trail, will bring in significant ecotourism dollars to the county; and

WHEREAS, as an example, the New Jersey Canal Society held a recent bus tour estimated to bring in as much as \$20,000 of tourism dollars to county businesses.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Recreation Commissioners supports continuing the current allocation of funds from the County Open Space, Recreation, and Farmland and Historic Preservation Trust Fund to include a commitment of 37 ½ percent to Farmland Preservation purposes, 37 ½ percent to open space in order to protect drinking water sources and to provide outdoor recreation, and 25 percent to the Warren County Municipal and Charitable Conservancy Trust Fund purposes

I hereby certify the above to be a true copy of a resolution adopted by the Board of Recreation Commissioners of the County of Warren on the date above mentioned.

Mary C. Baldwin Secretary to the Board “

Joel Schnetzer, Asbury farmer commented briefly about all the discussion from the July 10, 2002 Freeholder meeting. He understands the Open Space funds will be reduced if the Board decides to increase the Farmland Preservation portion. He told the Board he is adamant that they take those measures to allow Warren County to remain the rural, farmland environment for years to come. He failed to remind the Board last time that there is a lot of Open Space already in the county with the State Parks for recreation. If the Board continues to fund Open Space there will be a long-term maintenance cost affiliated with the option. He concluded with that in mind, he stated he believes 60 percent of the allocation should go to Farmland Preservation and he thanked the Board for allowing him to share his concerns again.

Jane Bullis, Belvidere, NJ told the Freeholders she wears many hats. She told the Board she was disappointed to hear that the Board was ready to reduce the Open Space allocation at their last meeting. Also the ridges provide for the bird species habitat in the area and the forests provide for the natural resources that support the lower plains with the Farmland. They both must exist to be prosperous.

Mr. DiMaio responded that she was not being fair, there is more state owned land in this county already to help with the Open Space requirements. What we are lacking is Farmland preservation and the opportunity to keep farming competitive. He stated that without the small farmers, the competition is lessened and that affects the county economics for everyone.

Ms. Bullis stated that Warren County is a gold mine for developers. She told the Board she is a Professional Naturalist and Warren County needs to keep Open Space to keep out the developers. She asked the Board to reinstate the Farmland, Open Space and Municipal and Charitable Conservation Task Force which will create a better communication for priority needs and what areas to preserve. Mr. Doherty thanked her for bringing the added information to their attention.

Harry Noble, member with Environmental Commission, stated he opposed the reduction of the Open Space allocation from 37.5 percent to 25 percent as proposed at the last meeting. He has major concern about the Morris Canal restoration programs. Mr. Noble said this is public money and should be used to purchase land for the public. He would like to see more funds allocated to Open Space, which will help with the Morris Canal restoration programs.

Dennis Bertland, Mansfield Twsp., NJ and member of the WC Board of Recreation Commissioners told the Board that he voted for the resolution Mr. Hann presented earlier to them. This proves the 20 plus years of planning and commitment for Open Space in Warren County. Mr. Bertland distributed a letter from the NJ Conservation Foundation May15, 2002 and he stated some

JULY 24, 2002**MINUTES**

of the highlights were, 1) Farmland cannot be protected properly without bordering forest, 2) All of these diverse resources need to be protected in the county, 3) Establish a specific maintenance level in order to qualify for more matching State funds, 4) Consider increasing the tax which would need to be presented to the voters for approval and 5) Consider the Farmland purchase installment program for the farmers. He thanked the Board for allowing him to share his concerns. Mr. Doherty thanked him for his information.

Orrie Terpstra, Knowlton Township farmer and Chairman of the Warren County Agriculture Development Board stated he is an endangered species. The window of opportunity to receive State funding is closing, he doesn't want to sound repetitive but they have five years to commit and urged the Freeholders to increase the allocation for Farmland Preservation now; in order to control and keep the developers out. Mr. Doherty thanked him for speaking to the Board.

Rick Gardner, Asbury farmer asked the Board to increase the Farmland Preservation allocation now. He stated the Garden State Preservation Trust program will not be available forever so now is the time to apply aggressively. He stated the developers are slick, they develop around farm properties leaving the farmer only one choice but to sell. We cannot lose another farm to developers. Mr. Gardner stated he reinforces that the Farmland Preservation allocation needs to be increased for the short term advantage to purchase and guarantee less maintenance cost for land preservation. He concluded saying the Municipal and Charitable Conservancy Trust can increase recreation areas with their allocation of funds for the citizens of Warren County.

Dave Detrick, Franklin Township resident and Chairman of the Warren County Morris Canal Committee. He explained since the Morris Canal project began in 1981, the charge was to preserve as much of the canal as possible. This is a vital part of the county history and there is a growing interest in increased tourism possibilities, which would increase the county economic resources too. Mr. Detrick stated the Morris Canal is recognized as a historic site worldwide and the county economics would benefit for future generations. He understands the allocation of funds will be an awkward debate for the Board and asked they recognize the economic benefits that go along with preserving the Morris Canal aggressively.

Mr. Doherty thanked Mr. Detrick for providing his information.

Dave Balsbaugh, Lopatcong Township resident and member of their Development Committee told the Board that Lopatcong Township has very limited farmland to be preserved however, what is available would allow access to the Highland Trail and Morris Canal in Harmony Township. He told the Board Open Space allocations are needed to maintain some opportunities in municipalities where there is no farmland to preserve. Mr. Balsbaugh shared his views of the Morris Canal history and the reality of increased tourism and economics for the county business owners. He reminded the Board the Morris Canal is getting Federal recognition as a historic site and the beginnings of American trade and commerce travel. Mr. Balsbaugh further noted that the Open Space funds have also been used for Farmland Preservation in some portion of the county and he thanked the Board for hearing his concerns.

Nancy Mason, Belvidere, NJ Recycling Coordinator told the Board she was not familiar with the allocations of funds for the Farmland Preservation, Open Space and Historic Trust Funds and stated they are all important areas of the county. She commented after hearing all the concerns and comments tonight the only real solution it to keep an equitable split. Ms. Mason encouraged the Board to keep an open mind relating to all the divisions and their importance to keep balance in the county. She also thanked the Board for the Recycling Coordinator position getting back on track; she appreciates the support she will have when the position is filled and asked to keep this position active now and for the future.

Mr. Doherty thanked her for the comments made.

There were no comments or questions from the press.

RESOLUTION 510-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, at 9:20 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 24, 2002.

A RESOLUTION AUTHORIZING EXECUTIVE SESSION OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

WHEREAS, the Warren County Board of Chosen Freeholders is subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.*, and

WHEREAS, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Warren County Board of Chosen Freeholders to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law of State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- (5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property of the Investment or Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- (6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of possible violations of the law.
- (7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that

JULY 24, 2002

MINUTES

confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

- (8) *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
- (9) *Matters Relating to the Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bearing responsibility

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders, assembled in public session on July 24, 2002, that an Executive Session closed to the Public shall be held on July 24, 2002, at 10:06 p.m. in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Warren County Board of Chosen Freeholders that the public interest will no longer be served by such confidentiality.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

ROLL CALL: Mr. DeBosh: yes, Mr. DiMaio: yes, Mr. Doherty: yes

The Board returned to open session at 10:15 p.m.

On motion by Mr. DiMaio, seconded by Mr. DeBosh, and there being no further official business to come before the Board at this time, the meeting was adjourned at 10:15 p.m.

ATTESTED TO:

Tammy M. Lynn, Deputy Clerk