

MINUTES

AUGUST 21, 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 August 21, 2002 at 7:30 p.m. The meeting was called to order by Director Doherty and upon roll call, the following members were present: Freeholder Michael J. Doherty and Freeholder John DiMaio. Also attending were County Administrator Steve Marvin, County Engineer David Hicks, CFO Pete Houck, County Counsel Joseph J. Bell and Deputy Clerk Tammy M. Lynn

Freeholder James DeBosh was absent.

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. DiMaio, seconded by Mr. Doherty, the minutes of the regular meeting held July 24, 2002 were approved as presented.

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

On motion by Mr. DiMaio, seconded by Mr. Doherty, the minutes of the executive session held July 24, 2002 were approved as presented.

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

Director Doherty announced that he was pleased to begin the meeting with the presentation of Certificates to recognize local citizens Marguerite Hansen, Gail Williams, Barbara Brown for working to protect the sanctity of the Pledge of Allegiance and to preserve the wording “under God” as part of the Pledge. He also explained that resolution E12 will be presented for adoption at the same time. He further noted that these individuals raised funds to post billboards throughout the area for all to be reminded of the importance God has in all our decision making as citizens of the United States.

On motion by Mr. DiMaio, seconded by Mr. Doherty, the Certificates of Merit are to be permanent record, issued to Marguerite Hansen, Gail Williams, Barbara Brown for working to protect the sanctity of the Pledge of Allegiance and to preserve the wording “under God” as part of the Pledge.

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

Mr. Doherty stated that the Ninth District Court of Appeals outraged millions of American Citizens. He wanted to personally commend the women for their efforts and in keeping with their same spirit he presented the poster that will be displayed in the Freeholder meeting room through December 31, 2002. The poster read: “One Nation Under God”. Mr. DiMaio wanted to recognize these individuals for their tremendous effort not only to post this important message but how

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they were able to raise the funds in such a short period of time. This is an affirmation of the quality of citizenship there is in Warren County. He stated it is his honor to be able to join Mr. Doherty in presenting the Certificate of Merits.

Mrs. Hansen thanked the Freeholders and announced that there will be four (4) more billboards posting their message throughout the county next week. She also wanted to recognize the many supporters that helped to fund their efforts to have the billboards.

RESOLUTION 511-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

**RESOLUTION CONDEMNING DECISION OF FEDERAL APPEALS COURT DECLARING
THE PLEDGE OF ALLEGIANCE UNCONSTITUTIONAL BECAUSE THE PHRASE "ONE
NATION UNDER GOD" VIOLATE THE SEPARATION OF CHURCH AND STATE AND
URGING REVERSAL.**

WHEREAS, on June 26, 2002 the United States Court of Appeals for the Ninth Circuit declared the Pledge of Allegiance unconstitutional as it violates the Establishment Clause of the Constitution because it includes the phrase "...one nation under God..."; and

WHEREAS, from its very inception, references to the Deity and the Deity's importance to this nation have been included in our most sacred founding documents and political statements, from the Mayflower Compact, the Declaration of Independence, the Gettysburg Address, Lincoln's Second Inaugural Speech, and through the current crisis of September 11, 2002; and

WHEREAS, the phrase "...one Nation under God.." has been an unchallenged and cherished part of the Pledge of Allegiance and has been a part of the fabric of Warren County life for almost 50 years; and

WHEREAS, the First Amendment to the Bill of Rights states Congress shall make no law respecting an establishment of religion; and

WHEREAS, by the aforesaid phrase, the Founding Fathers were referring to the establishment of a state supported church or religion as existed at that time in the several nations of Europe, and not to references to God in communal ceremonies; and

WHEREAS, references to Deity in official government documents, speeches and mottoes, including the Pledge of Allegiance, have been a long established tradition and manifestly do not constitute the meaning of "an establishment of religion" as intended by the Founding Fathers; and

WHEREAS, the decision of the Ninth Circuit Court violates this sacred right by forbidding citizens to enunciate the phrase in question, and as the controversy has the potential for reaching the U.S. Supreme Court and could directly impact the citizens of Warren County; and

WHEREAS, the overwhelming majority of Americans and Warren County residents, support the inclusion of this phrase in the Pledge of Allegiance, and share our outrage, and no one is under any compulsion to recite that portion of the Pledge of Allegiance under dispute should they wish to exclude it;

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

- (1) This Board condemns in the strongest terms possible this imprudent decision by the United States Court of Appeals for the Ninth Circuit;
- (2) That this decision is an egregious example of the arbitrary and unconstitutional abuse of powers by the Federal Courts;
- (3) That the Board urges all of our elected Warren County officials to effectuate whatever actions may be necessary to nullify this decision;
- (4) That all of our Warren County schools be encouraged and urged to continue recitation of

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- the Pledge of Allegiance in its current format in all their classes;
- (5) That a copy of this resolution be sent to the President of the United States, the Honorable George W. Bush, to the Vice-President of the United States, the Honorable Richard Cheney, and to all our elected officials, both federal and state;
 - (6) That a copy of the resolution be sent to all the other Boards of Chosen Freeholders in the State of New Jersey and to all the Municipal Governing Bodies in the County of Warren, urging them to adopt and distribute similar resolutions addressing this execrable decision;
 - (7) That this Board, in order to demonstrate its commitment to the principles expressed herein, hereby approves the posting of a copy of the Pledge of Allegiance including especially the phrase "ONE NATION UNDER GOD" in its Freeholder Meeting Room until 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

Director Doherty introduced Martina Hoppe of the US Forest Service who will provide information relating to the HIGHLANDS REGIONAL STUDY. Ms. Hoppe thanked the Board for allowing her this opportunity. She explained the Highlands was originally funded in 1992 by Congress to look at this region that extends from Allentown, PA through New Jersey, New York and parts of Connecticut. The area is comprised of 1.5 million acres and 125 municipalities. The second study recently completed will be available in November this year. She explained there was a geographical analysis for comprehensive resources of the land, water and farmland to determine a conservation value assessment.

Ms. Hoppe stated that prediction of existing and future population changes over the next 10-20 years were assessed. If the resources are not conserved in this area valuable land will be gone forever. She explained that Congress is currently proposing some language changes to provide for additional federal funding to preserve the Highlands Region for Open Space and Farmland Preservation purposes. Senator Corzine and NY Congressman Gilman are calling it the Highlands Stewardship Act. Mr. Doherty asked how many counties are in the Highlands Region. Ms. Hoppe responded that there are two in Pennsylvania, six in New Jersey, six in New York and part of one in Connecticut. Mr. Doherty thanked her for presenting this information.

On motion by Mr. DiMaio, seconded by Mr. Doherty, at 7:50p.m. The PUBLIC HEARING was opened for discussion relating to the Allocation of Farmland Preservation, Open Space and Historic Trust Funds.

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

Mr. Doherty stated the Board has contemplated changing the allocation of funds and the purpose of the public hearing is to allow citizen of the county to state their concerns. He asked anyone commenting tonight to clearly state their name, address for the permanent record, and limit comments to three minutes.

Lou Baduini, Independence Township farmer stated much discussion at the last public hearing was made relating to the limited open space for recreation. He did some research and advised the Board that there are approximately 39,328 acres of Parklands through federal, non-profit, county and state. He also gathered press articles of public misuse of the existing Parks and distributed a copy to the Board. He urged the Board that now is the time to increase the Farmland Preservation. This will keep the rural character, vistas, and forestland, retain tax rates, and

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continue agricultural competition with no need for maintenance costs.

Mike King, Phillipsburg NJ and Chairman of the Phillipsburg Riverview Organization stated that each portion of Open Space Tax fund has a purpose for Warren County and it's citizens. He stated that any land not preserved whether for Open Space Recreation or Farmland Preservation will be lost to developers. This will create an increased cost and burden on the taxpayers for road maintenance, law enforcement, and additional schools. He asked the Board to consider increasing the current allocation by 2 cents and have a Public Question added to the November 2002 General Election ballot. He reviewed this option already with County Clerk Terrence Lee and if the Board agrees they will need to pass a resolution tonight and deliver it to Mr. Lee before end of business day Friday August 23, 2002. He encouraged the Board to step past the allocation decision and agree to his alternative option. Then there would be enough funds to cover the Farmland Preservation and Open Space concerns. He thanked the Board for listening.

Dennis Bertland, Port Murray, NJ told the Board he was one of the original members of the Morris Canal Board and a current member of the Board of Recreation Commissioners. He urged the Board not to change the funding formula, as they are equitable to each concerned group. He reminded the Board that all contribute to the tax but not every municipality has farmland, it is important to look at each municipality need and to provide funding for them. He suggested they consider Mr. Kings' proposal not to reduce any program tonight and to consider an increase 2-cent tax for voter approval or to Bond so that all the preservation needs can continue. Mr. Bertland thanked the Board for the opportunity to share his concerns.

Jane Santini, Blairstown Township, NJ and member of their Open Space Committee. She wanted the Board to know that her committee recognizes the importance of all open space needs for the citizens of Warren County. The northern part of the county has been able to preserve a lot of Farmland however, the southern portion of the county is being lost to developers already. On behalf of her committee, they are recommending the allocation remain as is to ensure preservation for all areas. She noted that Blairstown Township has a wildlife habitat for all citizens to enjoy. She thanked the Board; Mr. Doherty thanked her for stating the committees' opinion.

Jeremiah Apgar, Washington Boro, NJ, founder and President of the Washington Boro Historical Society. He told the Board that Washington Boro has no farmland to preserve along with other communities like Alpha, Phillipsburg. He commented that if the Board changes the allocation of funds there is no help for these communities to obtain Historical properties. Mr. DiMaio responded the allocation change would be for the Open Space and Farmland Preservation. The funding for historical properties would be accessible through the Municipal and Charitable Conservancy funds which will remain at 25 percent.

Bill Hann, Phillipsburg, NJ and Vice Chair of the Board of Recreation Commissioners told the Board that on August 6, 2002 the Board of Recreation passed a resolution supporting bonding and to request a two (2) cent increase of the Open Space Tax be presented on the November 2002 General Election ballot for the voters approval. A copy of the resolution was presented for permanent record.

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

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RESOLUTION

On a motion by **Mr. Detrick**, seconded by **Mr. Bertland**, the following resolution was adopted by the Warren County Board of Recreation Commissioners at a meeting held **August 6, 2002**.

**RESOLUTION TO SUPPORT BONDING AND TO PLACE A NON-BONDING
REFERENDUM ON THE BALLOT TO FUND OPEN SPACE, RECREATION,
FARMLAND AND HISTORIC PRESERVATION**

WHEREAS, the Warren County Board of Chosen Freeholders are considering the reallocation of the Open Space, Recreation, Farmland and Historic Preservation Trust Fund to 60 percent to Farmland Preservation, 25 percent to Municipal and Charitable Conservancy Trust Fund and 15 percent to open space acquisition; and

WHEREAS, the reallocation of 15 percent to the Open Space Program will stop open space and Morris Canal acquisitions in the County due to previous committed debt service on low interest loans; and

WHEREAS, land prices are at their lowest and will only continue to rise; and

WHEREAS, under the Garden State Trust Fund, there will be funding from the State of New Jersey for the next five years; and

WHEREAS, the Warren County Board of Recreation Commissioners and the Warren County Agriculture Development Board jointly agree that more funding is needed for both programs;

NOW, THEREFORE, BE IT RESOLVED that the Board of Recreation Commissioners hereby recommends that the Warren County Board of Chosen Freeholders pursue the necessary bonding to take advantage of the current bond rates and to place a non-binding referendum on this year's county ballot asking the people of Warren county to raise the tax an additional one cent or more to ensure that all programs funded by the Open Space Trust Fund Tax have the necessary funding to continue each program.

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

Mr. Hann stated that there was a shared resource between the groups to preserve as much as possible throughout the county to meet the needs of all the citizens. He explained that the debt service on the current purchases would be used up if the Freeholder Board reduces their allocation. He strongly recommends keeping the allocation as is and thanked the Board. Mr. Doherty thanked him.

Rick Gardner, Asbury, NJ asked the Board to concentrate their efforts to increase the Farmland Preservation percentage for a minimum of three (3) years. He noted that the average age of most farmers is 59, which is close to retirement for many. He feels this option will allow for quick acquisitions now to stop development sprawl. He recognized Mr. Bertlands' comments relating to municipality needs. He feels strongly that allocation increases are needed to keep competitive farming in the county, which is the 2nd or 3rd largest industry in the county.

Charles Vegh, Harmony Township Mayor and farmer his whole life, told the Board he agrees with Mr. Gardner, have the municipalities utilize the Municipal and Charitable Conservancy funds to obtain properties. He reminded the Board that if you do not have farmers, there is no food and you will turn Warren County into another Newark, NJ. He thanked the Board for having the second public hearing.

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John Dunfy, Washington Township, NJ told the Board that he recognizes the need for all open space concerns. He favors Farmland Preservation mainly because that is why he moved to Warren County 18 years ago. He told the Board he grew up in the Piscataway area when they had farms. Mr. Dunfy concluding stating he is not a farmer but feels since they were here first they need to be protected. That is what attracted him to move here. Mr. Doherty thanked him.

Joel Schnetzer, Asbury, NJ and member of the Warren County Agriculture Development Board gave an overview of his past statements at the July 10 and July 24 meetings. He understands the passion for the Open Space comments made earlier. He stated that he believes the funds need to be spent wisely without added long-term maintenance cost to the taxpayers. He does not agree with proposing a ballot question increasing the fund by two (2) cents. Mr. Schnetzer asked the Board to put Farmland first on the allocation. The facts presented at the prior meetings are true and the Warren County Agriculture Development Board has worked with what was allocated and still preserved a lot. He urged the Freeholders to recognize this and increase the Farmland Preservation fund and thanked them for listening. Mr. Doherty thanked him.

Reggie Regrut, Phillipsburg, NJ told the Board he believes the pie can be bigger. He supports Mr. King's opinion and asked the Board to let the voters decide. He further noted that if the two (2) cent increase is approved, to dedicate that solely to Farmland Preservation. He concluded this way everyone is on the same page of understanding. He urged the Board to pass a resolution tonight for the General Election Ballot. He thanked the Board for listening.

Dave Detrick, Franklin Township, NJ stated that there may be some confusion that Open Space supporters are trying to take away from Farmland. He explained the original allocation of Funds were equal with the Freeholder Board deciding where the last 25 % would be spent. There was an Open Space task force with two (2) representatives from each Board/Commission that would review applications and present resolutions to the Freeholders for final decision. Mr. Detrick stated that although farmland stays on the tax rolls the \$13.00 an acre received is not a lot. He suggested that the Freeholders look at the state reimbursement for farmland purchases soon to be approved. Also farmland is not allowed for public use and this will limit or reduce the funds available for communities without farmland. He shared two past examples where the Board of Recreation purchased farmland from their allowance and Municipal and Charitable Conservancy purchased farmland in Mansfield Township.

Mr. Detrick stated the Heritage attractions are being forgotten, this could encourage tourism and increase economics for all, not just farmers. There have been comments tonight that Farmland has a window of opportunity, so does Open Space. He suggested to obtain Farmland now, Bond for it long term. He asked the Board not to make a decision tonight and to let the voters decide in November. He thanked the Board for allowing another public hearing.

Joel McGreen, Blairstown Township, NJ stated the right percentage should be for Open Space. He told the Board now they are charged to continue both. He recommended to pass a resolution tonight asking voter approval to increase it by another two (2) cents.

On motion by Mr. DiMaio, seconded by Mr. Doherty, the public hearing was closed at 8:40 p.m.

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

Mr. DiMaio commented that he agreed we need to increase Farmland Preservation. He grew up in Hackettstown when all you saw were farmlands and now there are none. In fairness to everyone he spoke to Mr. King prior to the meeting regarding his suggestion to increase the Open

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Space tax by another two (2) cents. Mr. DiMaio stated that he believes that the voters of Warren County should be given that option to decide. Then if approved by the voters, future Freeholder Boards would be able to evaluate the appropriate percentage allowances.

On motion by Mr. DiMaio, seconded by Mr. Doherty, resolution to present a referendum on the General Election Ballot to increase the Open Space Tax by two (2) cents.

Mr. Bell stated as point of order, this resolution has to be drafted in it's entirety tonight and suggested calling for a break to allow him time to review and present an accurate resolution for passage.

Mr. Doherty called for a break at 8:45 p.m.

The Board returned to open session at 9:00 p.m. and Mr. Doherty asked Mr. Marvin to read aloud the resolution requesting voter approval to increase the Open Space Tax by two (2) cents.

RESOLUTION 512-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION REQUESTING THAT THE COUNTY CLERK PRINT UPON THE OFFICIAL BALLOTS TO BE USED AT THE NEXT ENSUING GENERAL ELECTION A PROPOSITION AUTHORIZING WARREN COUNTY TO AMEND THE WARREN COUNTY OPEN SPACE, RECREATION, AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND BY PROPOSING AN INCREASE IN THE AMOUNT OF TAX TO BE COLLECTED.

WHEREAS, the voters of Warren County, at the general election held on November 2, 1993, authorized, by public referendum, the establishment of a dedicated County Open Space and Farmland Preservation Trust Fund tax to raise up to two cents (0.02¢) per one hundred dollars (\$100) of total county equalized real property valuation; and

WHEREAS, the voters of Warren County at the general election held November 2, 1999, authorized by public referendum, an increase in the dedicated County Open Space and Farmland Preservation Trust Fund Tax to raise up to four cents (0.04¢) per one hundred dollars (\$100) of the total county equalized real property valuation; and

WHEREAS, on January 1, 1995, the Warren County Board of Chosen Freeholders enacted said County Open Space Tax and established a County Open Space Trust Fund Account for the acquisition of lands for county open space and farmland preservation purposes; and

WHEREAS, on February 28, 1997, the Legislature repealed N.J.S.A. 40:12-16 et seq. and replaced them with N.J.S.A. 40:12-15.1 et seq.; and

WHEREAS, N.J.S.A. 40:12-15.1 et seq. places no restriction on the tax rate levy that may be imposed; and

WHEREAS, increasing the tax rate must be approved by the voters in a nonbinding referendum; and

WHEREAS, the Warren County Board of Chosen Freeholders has determined that a nonbinding referendum is appropriate at the next general election in which the public shall consider whether the county should be authorized to increase the existing trust tax rate pursuant to N.J.S.A. 40:12-15.1 et seq.; and

WHEREAS, the Warren County Board of Chosen Freeholders has approved the content of the referendum question and interpretive statement to appear on the ballot;

NOW, THEREFORE, BE IT RESOLVED, the Warren County Board of Chosen Freeholders hereby requests that the County Clerk, pursuant to N.J.S.A. 19:37-1, print upon the ballots to be

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used at the next ensuing general election the following question and interpretive statement:

“Shall the County of Warren consider increasing the amount collected for the “Open Space, Recreation, and Farmland and Historic Preservation Trust Fund” by an additional 2¢ per (\$100) of total county equalized real property valuation to be used exclusively for the purpose of acquiring land and easements to preserve farmland, open space, and historic properties in order to protect agriculture, drinking water sources, provide outdoor recreation, maintain county open space properties, and to pay the debt service incurred for the acquisition of such properties in accordance with N.J.S.A. 40:12-15.1 et seq.? “

Interpretive Statement:

This nonbinding referendum will demonstrate to the Warren County Freeholders the willingness of the voters to increase that tax collected for the “Open Space, Recreation, Farmland and Historic Preservation Trust Fund”. It will be used exclusively for the acquisition of land or water areas to provide and/or protect parkland; to acquire farmland and conservation easements, to protect ecologically sensitive areas such as wetlands, stream corridors, drinking water sources, aquifers and recharge areas. It will annually determine the yearly rate, which upon approval of this referendum may not exceed 6¢ per \$100.00 of total county equalized real property valuation. As an example, at the 6¢ rate, the owner of a property assessed at \$100,000.00 would be dedicating \$60.00 to the Trust Fund. Money raised for this fund can only be used for acquisition of properties that will remain preserved and for the costs of administering and maintaining these properties. Once the objectives of this program have been achieved, the tax can be discontinued.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

Mr. Doherty concluded that this resolution has passed and will be delivered to the County Clerk before the end of business August 23, 2002 for presentation to the voters for approval.

Mr. Doherty also stated that this was the second public hearing for the allocation of funds. He asked if a change would be made.

Mr. DiMaio stated that he feels a change should be made and the effective date would be January 1, 2003.

On motion by Mr. DiMaio, seconded by Mr. Doherty, Effective January 1, 2003 the allocation of Funds will be as follows: Open Space Recreation = 20%, Farmland Preservation = 55% and Municipal and Charitable Conservancy = 25%.

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

Mr. DiMaio noted that after his review with CFO Mr. Houck, there may be bonding available for Open Space needs now and the 20% allocation would cover the debt service. He also stated that it is his hope that all Freeholder appointed Boards and Commissions will continue to work together to get financing program incentives with the state.

Mr. Doherty commented that New Jersey can be crazy at times; One Billion was set aside for Open Space and Farmland Preservation. Then look at what happened in Mt. Laurel, now looking at Greenwich Township it's horrendous and outrageous that we have developers building residential communities around high voltage power lines. He is inclined to agree with Mr. DiMaio

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regarding Farmland Preservation. He stated that Warren County is the largest milk-producing county in the state. The agriculture, heritage and economics need to remain an important role.

RESOLUTION 513-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2002 - 33.

Be and it is hereby resolved that Master Voucher Certificate For Certification/Ratification for Payment No. **2002-33** dated **August 21, 2002** In the amount of **\$ 9,466,583.75** including bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2002-30	478,751.79	
2002-31	2,832,031.52	
2002-32	2,432,512.56	
2002-33	851,738.49	
Welfare	514,800.91	
Sub Total		7,109,835.27
Payroll 7/25	1,164,958.31	
Payroll 8/8	1,152,202.67	
AFSCME Uniform	39,587.50	
Sub Total		2,356,748.48
Grand Total	9,466,583.75	

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 514-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

INSERTION INTO THE 2002 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$69,769.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE, OFFICE OF INSURANCE FRAUD.

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 \$ 69,769.00, which item is now available from the State of New Jersey, Department of Law & Public Safety, Division of Criminal Justice, Office of Insurance

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Fraud.

BE IT FURTHER RESOLVED that a like sum of \$ 69,769.00 be and the same is hereby appropriated under caption:

“UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES”

State of New Jersey, Department of Law & Public Safety, Division of Criminal Justice,
Office of Insurance Fraud (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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 515-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION AMENDING ORDINANCE 2000-B.

WHEREAS, the Board of Chosen Freeholders of the County of Warren, New Jersey (the “County”), finally adopted a Bond Ordinance on May 10, 2000 entitled,

BOND ORDINANCE PROVIDING FOR VARIOUS 2000 CAPITAL IMPROVEMENTS AND FOR THE EXPANSION AND RENOVATION OF THE WARREN COUNTY TECHNICAL SCHOOL, BY AND IN THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$7,836,575 THEREFOR; AUTHORIZING \$7,556,750 BONDS OR NOTES OF THE COUNTY TO FINANCE PART OF THE COSTS THEREOF AND INCREASING THE PRESENT DOLLAR AMOUNT OF GROSS COUNTY INDEBTEDNESS TO \$32,813,491 ” (the “Ordinance”); and

WHEREAS, the Ordinance provided for the construction, expansion and renovation of various county facility and building improvements and the Warren County Vocational Technical School (the Technical School) all engineering and design work, consulting work, surveying, preparation of plans and specifications, permits, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto including the acquisition of furniture and equipment therefor; and;

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

WHEREAS, the Board of Chosen Freeholders has determined that a portion of the building improvement projects authorized therein should be delayed due to comprehensive facilities expansion and improvement plan currently under development.

WHEREAS, the Board of Chosen Freeholders appropriated supplemental funding appropriations in the 2002 General Capital Fund Budget to fund the remainder of the projects authorized in the aforementioned ordinance; and

WHEREAS, as a result of the cancellation of building renovation and improvement projects and the appropriation of the supplemental funding, the County has determined that a portion of the improvement authorization pursuant to the Ordinance is not necessary; and

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WHEREAS, in accordance with its statutory powers set forth in the Local Bond Law, N.J.S.A. 40A: 2-1 et seq. and the Local Budget Law N.J.S.A. 40A: 4-1 et seq., the Board of Chosen Freeholders has determined that it is in the best interest of the County to cancel the appropriation authorized, 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. A portion of the \$7,836,557 appropriation authorized by the Ordinance for the construction and renovation of the Technical School is no longer needed by virtue of receipt of EDA grant funds

SECTION 2. The excess unfunded improvement appropriation authorized by the Ordinance for this purpose in the amount of \$383,799 is hereby cancelled.

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 the Clerk to the Board of Chosen Freeholders 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 516-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION OPPOSING SENATE BILL NO. 1510 (Vitale).

WHEREAS, Senate Bill No.1510 clarifies that the counties must bear full responsibility for the costs associated with county prosecutors; and

WHEREAS, the Supreme Court of the State of New Jersey concluded in Wright v. State, 169 NJ 422 (2001) that the State may be held vicariously liable under the "New Jersey Tort Claims Act" N.J.S.A. 59:1-1 et. seq. for the tortuous conduct of a county prosecutor or the prosecutor's investigative subordinates; and

WHEREAS, the Wright decision requires the State to provide a defense and indemnification in actions brought against county prosecutors when a prosecutor commits negligent acts or omissions during the investigation of criminal activity and enforcement of the law; and

WHEREAS, Senate No. 1510 invalidates the Supreme Court's decision in Wright by requiring that notwithstanding any provision of the "New Jersey Tort Claim Act" the counties bear full responsibility for all the necessary expenses incurred by the county prosecutors; and

WHEREAS, although the counties have no authority to appoint county prosecutors and no control over traditional law enforcement matters, the New Jersey statutes impose upon the counties the responsibility to pay for the operation and maintenance of the prosecutorial offices and facilities; and

WHEREAS, the Attorney General may supersede county prosecutors in any investigation, criminal action, or proceeding; and as such, county prosecutors should be

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considered agents of the State under the "New Jersey Tort Claims Act"; and

WHEREAS, the legislation's retroactive effective date of July 31, 2001 would force the counties to defend and appropriate the necessary funds to cover litigation expenses for the estimated fifty-five (55) cases the Attorney General's Office has assumed and assigned to special counsel pursuant to the Wright decision; and

WHEREAS, the legislation does not authorize the necessary resources to offset the above noted and prospective direct expenditures; and as such, creates an unfunded mandate in violation of NJ Const. (1974) Art. VIII, Sec. II, par. 2 and N.J.S.A. 52:13H-1 et. seq.; and

WHEREAS, it is in the best interest of county government to oppose this legislation.

NOW, THEREFORE, BE IT RESOLVED, that the New Jersey Association of County Counsels does in fact hereby oppose Senate Bill 1510 (Vitale); and

BE IT FURTHER RESOLVED, that certified copies of this Resolution are forwarded to the Governor of the State of New Jersey, the President of the Senate of the State of New Jersey, the Speaker of the General Assembly of the State of New Jersey, the Attorney General of the State of New Jersey, the County Freeholder Boards of the State of New Jersey, and to the New Jersey Association of Counties.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 517-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

**RESOLUTION ADOPTING THE
WARREN COUNTY DEVELOPMENT REVIEW REGULATIONS.**

WHEREAS, there is a need to revise the Warren County Planning Board's development review regulations; and

WHEREAS, the development review regulations provide guidance for the development of land affecting existing and proposed County facilities under County jurisdiction; and

WHEREAS, the regulations revises the procedures and requirements for obtaining Warren County Planning Board approval; and

WHEREAS, these regulations revises the fees for the review and approval of development applications submitted to the Warren County Planning Board; and

WHEREAS, a public hearing on the proposed revisions was held on July 24, 2002;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Warren County Development Review Regulations, dated June 2002, are hereby approved and adopted effective October 14, 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 518-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

MINUTES**AUGUST 21, 2002****RESOLUTION AUTHORIZING THE WARREN COUNTY FINANCE DEPARTMENT TO AMEND THE SCHEDULE OF ACCOUNTS OF THE HOUSING PROGRAM TO RECORD A DEFAULT AND REMOVE BALANCE DUE.**

WHEREAS, the Warren County Board of Chosen Freeholders is a participant in the New Jersey Department of Community Affairs Small Cities Program funded by the U.S. Department of Housing and Urban Development; and

WHEREAS, the Board of Chosen Freeholders has received funding under the Small Cities Program for the development and implementation of a housing rehabilitation program to assist low- and moderate-income families to address and eliminate substandard conditions in their dwellings; and

WHEREAS, the County has developed a housing program responsive to the regulations promulgated for the Small Cities Programs including provision for the establishment of a housing fund to receive the repayment of monies issued under the program; and

WHEREAS, the repayment of funds has been established as a program component administered by the U.S. Mortgage Company on behalf of the County of Warren Housing Program; and

WHEREAS, the receipt of funds from the repayment account is recorded by the County Finance Department; and

WHEREAS, a mortgage agreement by and between the County and Howard and Diane Boylan has defaulted as a result of bank foreclosure (property located at 183 E. Washington Avenue, Washington Borough, New Jersey) with an original mortgage amount recorded as \$7,000 and a balance remaining due and payable to the County of \$512.28, effective June 2002.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Chosen Freeholders authorizes the Warren County Housing Program and the Finance Department to indicate the mortgage status as a default and to remove the balance due (\$512.28) from the financial payment schedule as maintained by the County.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 519-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION APPROVING THE APPLICATION FOR 2003 STATE/COMMUNITY PARTNERSHIP FUNDS TOTALING \$178,678.00, \$95,979.00 FAMILY COURT FUNDS, AND \$25,464.00 JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT FUNDS (REQUIRED COUNTY MATCHING FUNDS OF \$2,829, SUBJECT TO THE AVAILABILITY OF FUNDS) AS AVAILABLE THROUGH THE JUVENILE JUSTICE COMMISSION FOR THE PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2003; FUNDS TO BE USED FOR PROGRAM AND ADMINISTRATIVE SERVICES.

WHEREAS, the New Jersey Juvenile Justice Commission has made available to the Warren County Board of Chosen Freeholders \$136,178 Program Services Funds and \$42,500 Program Management Funds through the State/Community Partnership Grant, \$95,979 in Family Court Funds, and \$25,464 Juvenile Accountability Incentive Block Grant Funds for the period January 1, 2003 through December 31, 2003; and

WHEREAS, the Warren County Department of Human Services has prepared a grant application for use of these anticipated funds for program and administrative services which was

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approved by the Youth Services Coordinating Council on 7/17/02 and the Warren County Mental Health Board on 8/1/02; and

NOW, THEREFORE BE IT RESOLVED the Director of the Warren County Board of Chosen Freeholders is authorized to sign the application for 2003 State/Community Partnership funding in the amount of \$178,678, \$95,979 in Family Court funds, and \$25,464 in Juvenile Accountability Incentive Block Grant Funds (required county matching funds of \$2,829, subject to the availability of funds) to be available January 1, 2003 through December 31, 2003 through the NJ Juvenile Justice Commission to be used for program and administrative 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 520-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION APPROVING THE 2003 WARREN COUNTY YOUTH SERVICES COMMISSION PLAN AS PREPARED BY THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES IN COOPERATION WITH THE YOUTH SERVICES COORDINATING COUNCIL AND THE WARREN COUNTY MENTAL HEALTH BOARD.

WHEREAS, the NJ Juvenile Justice Commission has required the Warren County Department of Human Services to prepare the 2003 County Youth Services Commission Plan to identify the needs of youth in this county; and

WHEREAS, the department developed the Plan with cooperation and approval from the Warren County Youth Services/County Inter-Agency Coordinating Council (YSCC) and Warren County Mental Health Board (WCMHB).

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders approves 2003 Warren County Youth Services Plan, as developed by the Warren County Department of Human Services and approved by the Mental Health Board and Youth Services Coordinating Council.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 521-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION SUPPORTING THE ALLAMUCHY RECREATION FUNDRAISER TO BENEFIT CHILDREN'S LEUKEMIA ON OCTOBER 5, 2002 AND APPROVING THE USE OF COUNTY ROADS.

WHEREAS, the Allamuchy Recreation intends to sponsor a 1 mile run and a 4.1 mile run on October 5, 2002 (backup date October 12, 2002) to benefit Children's Leukemia; and

WHEREAS, the event would utilize County Routes #612, #613, and #615 in Allamuchy Township.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the

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County of Warren does hereby approve and support the Allamuchy Recreation Fund Raiser to benefit Children's Leukemia with the following conditions:

1. All barricades and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.
2. Police supervision of the barricading of the roads and handling of safety shall be provided as necessary.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 522-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION AUTHORIZING THE DIVISION OF PERMANENTLY PRESERVED FARMLAND OWNED BY JAMES C. GIBBS, JR., BLOCK 106, LOT 8, BLOCK 105, LOT 12 AND BLOCK 202, LOTS 2, 3 AND 5 ALLAMUCHY TOWNSHIP.

WHEREAS, by deed recorded December 22, 1993 and pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq. (the Act), Warren County acquired from James C. Gibbs, Jr. Block 106, Lot 8; Block 202, Lots 1, 2, 3 and 5; and Block 203, Lot 1; and

WHEREAS, Mr. Gibbs now wishes to sell a portion of his farm comprised of Block 105, Lot 12 and Block 106, Lot 8 and Block 202 Lots 2, 3 and 5 to third parties who intend to maintain agricultural use of the properties; and

WHEREAS, in order for such sale to be accomplished under the Act Mr. Gibbs has applied to the state for a division of his permanently preserved farmland, has obtained approval from the Warren County Agriculture Development Board on August 1, 2002 and January 3, 2002 and now needs formal authorization from the County Freeholder Board,

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders hereby authorizes the aforesaid division of permanently preserved farmland owned by James C. Gibbs, Jr.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 523-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION APPROVING THE CLOSING OF COUNTY ROUTE #631, WASHINGTON AVENUE, OXFORD TOWNSHIP ON SATURDAY, SEPTEMBER 7, 2002 FOR THE OXFORD FOOTBALL TEAMS PARADE.

WHEREAS, the Township of Oxford has requested permission to close County Route #631, Washington Avenue, from Academy Street to Route 31, Oxford Township on Saturday, September 7, 2002 for the Oxford Football Teams Parade from 10:00 A.M. to 11:00 A.M.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the

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County of Warren does hereby approve the use and closing of County Route #631 in Oxford Township for the above mentioned event with the following conditions:

1. Approval of the event by Oxford 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 as necessary.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 524-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

**RESOLUTION: ADOPTION OF HOUSING REHABILITATION POLICY
AND PROCEDURAL MANUAL.**

WHEREAS, the County of Warren is applying for a 2002-2003 Small Cities Community Development Program Housing Rehabilitation program grant from the New Jersey Department of Community Affairs, and

WHEREAS, in accordance with contract terms and conditions, it is necessary that the Board of Chosen Freeholders prepare and approve a Housing Rehabilitation Policy and Procedural Manual for submission to the Department of Community Affairs, and

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders that the Housing Rehabilitation Policy And Procedural Manual For The Small Cities Program is approved and the County Administrator is authorized and directed to submit a copy of this resolution and the Manual to the Department of Community Affairs.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 525-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

**RESOLUTION IDENTIFYING COMMUNITY DEVELOPMENT BLOCK GRANT
FAIR HOUSING OFFICER.**

WHEREAS, the County of Warren is intending to apply for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereinafter DCA) for a housing rehabilitation project within the County of Warren; and

WHEREAS, the housing rehabilitation project will be provided on a County wide basis; and

WHEREAS, the County of Warren must make efforts to affirmatively further fair housing; and

WHEREAS, the County of Warren has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

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WHEREAS, the County of Warren has made assurances in the grant agreement that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto; and
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED, that Steve Marvin, County Administrator shall be designated as the Fair Housing Officer for the County of Warren.

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his appointment as Fair Housing Officer and request Fair Housing Information: and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the County of Warren; and

BE IT FURTHER RESOLVED that the County of Warren will publish in the local newspaper of record and post at the Administration Building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 526-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION ADOPTING THE CITIZENS PARTICIPATION PLAN FOR THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT FOR THE COUNTY OF WARREN.

WHEREAS, the County of Warren has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for a County of Warren housing rehabilitation project; and

WHEREAS, that Grant Agreement requires the County of Warren to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the County of Warren has reviewed the Citizen Participation Plan prepared for Small Cities Community Development Block Grant grantees;

NOW, THEREFORE, BE IT RESOLVED by the Freeholder Director and Board of Chosen Freeholders of the County of Warren, Warren County and State of New Jersey, that:

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted the County of Warren; and

The County of Warren will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

This is to certify that the foregoing Resolution was dully adopted at the regular meeting of the Board of Chosen Freeholders held on **August 21, 2002**.

ATTEST:

(Steve E. Marvin, Freeholder Clerk)

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Date of Approval

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

RESOLUTION 527-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0262 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR NORTHEAST LIBRARY SEPTIC SYSTEM DESIGN AND REPLACEMENT.

BE IT RESOLVED, that specification WC0262 for Northeast Library septic system design and replacement 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 capital account 0402A505/5062 – Northeast Library Septic System Design & Replacement

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 528-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0263 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR COUNTYWIDE FOOD SERVICES, CORRECTIONAL CENTER, WARREN ACRES & FOOD SERVICE FOR THE ELDERLY FOR THE PERIOD OF JANUARY 1, 2002 THROUGH DECEMBER 31, 2003 WITH THE RIGHT TO EXTEND FOR TWO ADDITIONAL ONE YEAR PERIODS AS PROVIDED FOR BY THE LOCAL PUBLIC CONTRACT LAW 40A: 11-15(10).

BE IT RESOLVED, that specification WC0263 for countywide food services, Correctional Center, Warren Acres & Food Service for the Elderly 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 012800/5029- Correctional Center – Contracted Services, 013540/5030 – Nutrition Program Operating Supplies, 013540/5029 – Nutrition Program Meals and F3352 5303 035303-M 5029 Area Plan Grant Nutrition Site Meals

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 529-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

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RESOLUTION RE: AUTHORIZATION TO ISSUE A PURCHASE ORDER TO WARNOCK FLEET & LEASING UNDER NEW JERSEY STATE CONTRACT #A45070 FOR ONE 2002 CHEVROLET IMPALA UNMARKED POLICE ADMINISTRATIVE VEHICLE FOR THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT OF \$20,451.00.

BE IT RESOLVED, that the purchasing department is authorized to issue a purchase order for one 2002 Chevrolet Impala unmarked police administrative vehicle for the Warren County Prosecutor's Office and is hereby awarded
toWarnock Fleet & Leasing, East Hanover, New Jersey

in the amount of.....\$20,451.00

at the prices established under New Jersey State Contract #A45070

Funding for this contract has been provided in grant account F22755337/5051 – Crime Victim Assistance Grant and 312758/5100 – Prosecutor's Forfeiture Account

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 530-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT #WC2019P WITH FRENCH & PARRELLO ASSOCIATES, P.A. FOR ENGINEERING / SURVEYING SERVICES FOR THE RECONSTRUCTION OF A PORTION OF COUNTY ROUTE #519 GREENWICH TOWNSHIP FOR A NET INCREASE OF \$26,490.00 AND A REVISED CONTRACT AMOUNT OF \$78,355.00.

WHEREAS, French & Parrello Associates, P.A. was awarded a contract for Engineering/Surveying Services for the Reconstruction of a portion of County Route #519, Greenwich Township in the contract amount of \$51,865.00; and

WHEREAS, it is necessary that the project limits be extended an additional 900 feet to the north and that additional survey and traffic information be obtained; and

WHEREAS, said changes are recommend by the County Engineer; 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; and

WHEREAS, adequate funds are available in account 0402A204 5063 and certified by the County Chief Financial Officer.

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. Hereby approve Contract Modification #1 for the above project for a net increase \$26,490.00 and a revised contract amount of \$75,355.00.

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. Notice of this action shall be published in The Star Gazette, as required by law, within ten days of its adoption.

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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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 531-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION ACCEPTING THE PROPOSAL BY GOULD ENVIRONMENTAL, INC., TO PERFORM A PRELIMINARY ASSESSMENT REPORT ON BLOCK 21, LOTS 46 and 49, IN HARMONY TOWNSHIP, PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$1,350.

WHEREAS, the Warren County Board of Chosen Freeholders has instituted an Open Space Tax for the acquisition of property identified in the Warren County Open Space Plan; and

WHEREAS, Warren County is interested in purchasing property known as the Hanssler-Johnston property consisting of 15.06 acres; and

WHEREAS, Preliminary Assessment Reports are required by the Green Acres Program prior to negotiations for acquisition in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said Preliminary Assessment Report will be in accordance with the guidelines as set forth by the American Society for Testing and Materials, the New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Site Assessments Practice;

WHEREAS, adequate funds are available in Account #03894-5065-894126-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

1. The agreement between the County of Warren and Gould Environmental, Inc., in the amount of \$1,350.00 to prepare a Preliminary Assessment Report of Block 21, Lots 46 and 49, in Harmony Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR GAZETTE, as required by law, within ten (10) days of 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 532-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

A RESOLUTION ACCEPTING THE PROPOSAL BY GOULD ENVIRONMENTAL, INC., TO PERFORM A PRELIMINARY ASSESSMENT REPORT ON BLOCK 801, LOT 7, IN MANSFIELD, TOWNSHIP PROPOSED FOR ACQUISITION, IN THE AMOUNT OF \$1,350.

WHEREAS, the Warren County Board of Chosen Freeholders has instituted an Open Space Tax for the acquisition of property identified in the Warren County Open Space Plan; and

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WHEREAS, Warren County is interested in purchasing property known as the Township of Mansfield property consisting of 2.55 acres; and

WHEREAS, Preliminary Assessment Reports are required by the Green Acres Program prior to negotiations for acquisition in order to be eligible to receive Green Acres funding through the Planning Incentive Grant Program; and

WHEREAS, said Preliminary Assessment Report will be in accordance with the guidelines as set forth by the American Society for Testing and Materials, the New Jersey Department of Environmental Protection, Green Acres Program, and the Uniform Standard of Professional Site Assessments Practice;

WHEREAS, adequate funds are available in Account #03894-5065-894109-5065 (Open Space Tax/Recreation & Conservation Land Acquisition) and certified by the Chief Financial Officer;

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

1. The agreement between the County of Warren and Gould Environmental, Inc., in the amount of \$1,350.00 to prepare a Preliminary Assessment Report of Block 801, Lot 7, in Mansfield Township be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR GAZETTE, as required by law, within ten (10) days of 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 533-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION RE: APPROVING THE PURCHASE OF A 1984 GMC UTILITY VEHICLE FOR THE WARREN COUNTY PROSECUTOR'S OFFICE FROM BYRAM TOWNSHIP, IN SUSSEX COUNTY, NEW JERSEY IN THE TOTAL AMOUNT OF \$15,000.00.

WHEREAS, there exists a need for the use of a Utility Vehicle for the Warren County Prosecutor's Office; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-36(2)) allows the sale of property between governmental units without sealed bids or public auction;

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 account 013150/5051 – Motor Pool Vehicles and 312758/5100 – Prosecutor's Forfeiture account and certified by the County Chief Financial Officer,

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 Byram Township, Sussex County, New Jersey for the sale of a 1984 GMC Utility Vehicle in the amount of \$15,000.00 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.

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3. This contract is awarded without competitive bidding as an exception under the provisions of the Local Public Contracts Law 40A11-36(2) governing the sale of property between government entities.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 534-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION RE: AWARD OF CONTRACT WC0249 FOR ONE 2003 CHEVROLET VENTURE SIDE ENTRY WHEELCHAIR ACCESSIBLE MINI-VAN FOR THE PARATRANSIT PROGRAM IN THE WARREN COUNTY HUMAN SERVICES DEPARTMENT TO ROHRER BUS SALES IN THE CONTRACT AMOUNT OF \$35,767.00.

BE IT RESOLVED, that contract WC0249 for one 2003 Chevrolet Venture Side Entry Wheelchair Accessible Mini-Van for the Paratransit Program in the Warren County Human Services Department is hereby awarded

to Rohrer Bus Sales, Duncannon, Pennsylvania

in the amount of\$35,767.00

as per their bid submitted July 29, 2002

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

Funding for this contract has been provided in account 013150/5051 – Motor Pool Vehicles

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 535-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION APPROVING CONTRACT MODIFICATION #2 WITH FRENCH AND PARRELLO ASSOCIATES, P.A. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE INSPECTION OF ROADWAY IMPROVEMENTS WITHIN THE RIGHT-OF-WAY OF COUNTY ROUTE #638 (PERMIT #16R96), GREENWICH TOWNSHIP FOR A NET INCREASE OF \$1,244.05 AND A REVISED CONTRACT AMOUNT \$14,244.05.

WHEREAS, French & Parrello Associates, P.A. was awarded a contract for Engineering Services for the Inspection of Roadway Improvements within the right-of-way of County Route #638, Greenwich Township, in the contract amount of \$10,500.00 plus Contract Modification #2

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of \$1,244.05; for Permit #16R96, JEM Contracting, LLC, Lots 33 and 33.01, Block 26, Greenwich Township; and

WHEREAS, additional engineering services are needed for the inspection of the remaining items of work including the final punch list items.

WHEREAS, said changes are recommended by the County Engineer; 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; and

WHEREAS, adequate funds are available in account 40165 5100 142 4834 and certified by the County Chief Financial Officer.

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. Hereby approve Contract Modification #2 for the above project for a net increase of \$1,244.05 and a revised contract amount of \$14,244.05.
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. Notice of this action shall be published in the Star Gazette, as required by law, within ten (10) 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 536-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION AWARDED CONTRACT #WC0250 TO TILCON NEW YORK, INC. FOR THE RESURFACING & REHABILITATION OF COUNTY ROUTES #519, #627 & #637 POHATCONG, GREENWICH & LOPATCONG TOWNSHIPS IN THE AMOUNT OF \$974,082.50.

WHEREAS, the County advertised for bids to be received on Tuesday, August 6, 2002 at 1:30 P.M. for Contract #WC0250 for the Resurfacing & Rehabilitation of County Routes #519, #627 & #637 in Pohatcong, Greenwich & Lopatcong Townships; and

WHEREAS, Tilcon New York, Inc. of Wharton, New Jersey submitted the lowest responsible and responsive bid of \$974,082.50; and

WHEREAS, the bid does not exceed the Engineer's estimate for the project; and

WHEREAS, adequate funds have been established in account 0402A101 5063 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to Tilcon New York, Inc. in the amount \$974,082.50.

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

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

RESOLUTION 537-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION AWARDING CONTRACT #WC0254 TO INTERCOUNTY PAVING ASSOCIATES, LLC FOR THE RESURFACING OF COUNTY ROUTE #519 FEDERAL AID PROJECT STP-327 (101) CON ALPHA BOROUGH & POHATCONG TOWNSHIP IN THE AMOUNT OF \$226,661.00.

WHEREAS, the County advertised for bids to be received on Tuesday, August 13, 2002 at 1:30 P.M. for Contract #WC0254 for the Resurfacing of County Route #519 in Alpha Borough & Pohatcong Township; and

WHEREAS, Intercounty Paving Associates, LLC of Hackettstown, New Jersey submitted the lowest responsible and responsive bid of \$226,661.00; and

WHEREAS, the bid does not exceed the Engineer's estimate for the project; and

WHEREAS, adequate funds have been established in account S2165 5392 5063 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to Intercounty Paving Associates, LLC in the amount \$226,661.00

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 538-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION AWARDING CONTRACT #WC0223P-2 TO FINELLI CONSULTING ENGINEERS, INC. FOR THE INSPECTION OF PHASE II RESURFACING & REHABILITATION, COUNTY ROUTES #519, #627 & #637, POHATCONG, GREENWICH & LOPATCONG TOWNSHIPS IN THE CONTRACT AMOUNT OF \$36,540.00.

WHEREAS, the County requested proposals to be received on May 21, 2002 for Engineering Services for the Inspection of Phase II Resurfacing & Rehabilitation of County Routes #519, #627 & #637, Pohatcong, Greenwich & Lopatcong Townships; 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; and

WHEREAS, the proposal submitted by Finelli Consulting Engineers, Inc. meets the needs of the program, price and other factors considered in the amount of 36,540.00; and

WHEREAS, adequate funds are available in account 0402A204 5063 and certified by the County Chief Financial Officer.

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 Finelli Consulting Engineers, Inc. of Washington, NJ for professional services for the above

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project in the amount of \$36,540.00, currently on file in the Office of the County Engineer, be made a 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. 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 539-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION RE: APPROVING THE PURCHASE OF VOTER REGISTRATION SOFTWARE FOR THE WARREN COUNTY ELECTION BOARD TO ELECTION SYSTEMS & SOFTWARE OF OMAHA, NEBRASKA IN THE TOTAL AMOUNT OF \$69,300.00.

WHEREAS, there exists a need for the use of voter registration software for the Warren County Election Board; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-5(l) allows the award of contracts without public advertising for bids and bidding is exempt for those goods and services necessary or required to prepare and conduct an election; 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 capital account 0402A413/5058 – Capital Account – Upgrade Election Voter System and account 35120/5100 – County Clerk Trust Account

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 Election Systems & Software of Omaha, Nebraska for the purchase of Voter Registration Software in the amount of \$69,300.00 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 an exception under the provisions of the Local Public Contracts Law 40A11-5(l) governing those goods and services necessary or required to prepare and conduct an election.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 540-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted

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by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

**RESOLUTION APPOINTING MEMBERS TO THE
WARREN COUNTY COMMUNICATIONS COMMITTEE**

WHEREAS, the Warren County Public Safety Director has reviewed applicants to fill two positions and has made a recommendation for appointment.

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby accept the recommendations to appoint the following individual/s to the Warren County Communications Committee:

APPOINT MEMBER: (*Citizen-at-Large*)

Wes Garrison
40 Harmony Station
Phillipsburg, NJ 08865

Term to expire: Not Applicable

APPOINT MEMBER: (*Freeholder Representative*)

Robert J. White
14 Barn Owl Drive
Hackettstown, NJ 07840

Term to Expire: Not Applicable

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DiMaio, seconded by Mr. Doherty, approval of the recommendation for appointment of Richard Grabowsky as member to the Warren County Division of Senior Services Advisory Council (formerly named Office on Aging Advisory Council) to fill the vacated Blairstown Township representative, term to expire December 31, 2003 and request to present a resolution at the next regular Freeholders meeting.

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

RESOLUTION 541-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

**RESOLUTION APPOINTING A MEMBER TO THE WARREN COUNTY
SOLID WASTE ADVISORY COUNCIL,**

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoints the following member to the Warren County Solid Waste Advisory Council, effective August 21, 2002, representing the Warren County Planning Board:

Mark W. Turker
932 Liberty Street
Belvidere, NJ 07823

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.

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Tammy M. Lynn Deputy Clerk

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

RESOLUTION 542-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION CREATING A FULL-TIME POSITION OF DEPUTY WARDEN, CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF COUNTY CORRECTION SERGEANT, CLASSIFIED, WITHIN THE WARREN COUNTY CORRECTIONAL CENTER.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *deputy warden*, classified, is created in the Warren County Correctional Center for the purpose of enhancing and maintaining administrative effectiveness and efficiency; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *county correction sergeant*, classified, be abolished;

BE IT FURTHER RESOLVED that the newly created position of deputy warden be established as a confidential employee.

NOW, THEREFORE BE IT RESOLVED that a newly created position of *deputy warden* is established on Grade 15 and made effective August 29, 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 543-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION CREATING A FULL-TIME POSITION OF SENIOR CLERK TYPIST, CLASSIFIED, AND A FULL-TIME POSITION OF SENIOR CLERK TRANSCRIBER, CLASSIFIED AND ABOLISHING A FULL-TIME POSITION OF PRINCIPAL CLERK TYPIST, CLASSIFIED AND A FULL-TIME POSITION OF CLERK TRANSCRIBER, CLASSIFIED, WITHIN THE WARREN COUNTY SHERIFF'S DEPARTMENT.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *senior clerk typist*, classified, and a full-time position *senior clerk transcriber*, classified, are created in the Warren County Sheriff's Department to enhance the effectiveness of administrative operations; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *principal clerk typist*, classified, and a full-time position of *clerk transcriber*, classified, are hereby abolished;

NOW, THEREFORE BE IT RESOLVED that the full-time positions of *senior clerk typist* and *senior clerk transcriber* be established on AFSCME Local 3287, Range 0540 and be made effective August 29, 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

Under reports and comments, County Counsel Joseph Bell had no report.

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County Engineer Dave Hicks had no report.

County Planner Dave Dech reported at the July 29, 2002 Planning Board meeting a presentation was given relating to the Musconetcong Wild and Scenic River Designation and they are recommending the Board send a letter to support the designation. Mr. Doherty and Mr. DiMaio agreed.

County CFO Pete Houck had no report.

County Administrator Steve Marvin presented four hiring requests for One P/T Library Trainee for WC Library Headquarters, One Truck Driver for WC Road Department, One (Temporary) Laborer for WC Road Department and One P/T Senior Library Assistant for WC Library Headquarters. The Board agreed.

Mr. Marvin asked the Board if they had made a decision from the applications presented for the vacancy on the PCFA Board. Mr. DiMaio responded that the Board needs to move on this position and after reviewing all the applications he recommends James R. Cannon for the position.

RESOLUTION 544-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 21, 2002.

RESOLUTION APPOINTING A MEMBER TO THE POLLUTION CONTROL FINANCING AUTHORITY (PCFA) OF WARREN COUNTY

BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Warren that the following individual is appointed to PCFA to fill the vacancy due to the resignation of Timothy McDonough:

James R. Cannon
26 Mountain Lake Road
Belvidere, NJ 07823

Term to Expire: February 1, 2004

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

A member of the press asked who the other applicants were. Mr. Bell confirmed that it would be acceptable to inform. Mr. Marvin stated they were Frank Leary and Christine Kowal.

Mr. Marvin proceeded with his report asking the Board if they had also made a decision regarding the Recycling Coordinator position. He summarized earlier discussions were that it would be approximately 10 hours a week, unclassified with a \$10,000 annual stipend. Mr. Doherty responded that there were numerous qualified applicants and he recommends Victor S. Camporine.

RESOLUTION 545-02

On motion by Mr. Doherty, 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 August 21, 2002.

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RESOLUTION APPOINTING VICTOR S. CAMPORINE TO THE POSITION OF WARREN COUNTY RECYCLING COORDINATOR, UNCLASSIFIED.

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that, pursuant to N.J.S.A. 11A: 3-5(L.) and in accordance with N.J.S.A. 13:1E-99.13.b. (1), Victor S. Camporine, is hereby appointed to the position of Warren County Recycling Coordinator, unclassified; and

BE IT FURTHER RESOLVED that this appointment be made effective August 22, 2002 and that the initial annual salary be established at \$10,000.

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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

Mr. Marvin advised the statutory requirement for appointment to the Warren County Community College Trustee Board. He noted there are two (2) positions that will expire November this year and recommends contacting the Trustee Search Committee to begin reviewing potential candidates. The Board agreed and asked Mr. Marvin to contact the search committee.

Mr. Marvin stated he received correspondence from Sheriff Sal Simonetti requesting approval to charge resident and non-resident hunting permit fees.

Mr. DiMaio asked how many permits have been issued in the past. Mr. Dech responded approximately 190 permits were recorded. Mr. DiMaio stated that he agrees a little extra would help. Mr. Doherty stated that he would not support government adding cost to the taxpayers and would like to discuss this further with Sheriff Simonetti.

Mr. Marvin concluded his report asking the Board if they had a topic for the September 18, 2002 work session. After some discussion, Mr. Doherty advised they would present a topic at the next regular meeting on September 4, 2002.

Under Freeholder comments, Mr. DiMaio stated there would be a Strategic Growth Development meeting to be held at the Fish Hatchery on Thursday, August 22, 2002 at 7:00 p.m. He encouraged everyone to attend. He feels this will impact the future planning needs for the county in years ahead.

Mr. Doherty stated that he appreciated all the public comments discussed tonight. It was clear the compassion of each comment relating to the open space concerns throughout the county. He stated he wanted to keep an open view and asked that each group continue to work together for the good of Warren County open space needs.

Mr. Hann asked Mr. Doherty if the Board would be willing to change the interpretive statement from \$60.00 to an additional \$20.00. His reason was the possibility of voters not understanding it. Mr. Bell responded that it would be misleading any other way and recommended leaving it as presented.

Mr. Doherty asked Purchasing Director Chris Pessolano to explain F2 the countywide food service bid. Mr. Pessolano responded last year the contract dates were not concurrent and this resolution would correct that. He also confirmed the portion relating to the Nutrition program has options, which may encourage more bids to be submitted.

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Under closing public comments Kathy Enz, Montana Mountain resident asked why the hunting permit fees collected would go to the Sheriff's Department. She felt it would be better used for Economic Tourism funds to assist the Open Space concerns in the county.

Ms. Enz then asked why the ballot referendum is non-binding. Mr. Bell responded that the voters are always asked to approve a non-binding referendum relating to tax increases. He further explained that the voters also elect their governing officials that oversee the tax and allocation of funds. Ms. Enz responded that if the Board changes in 2003 the Open Space Tax currently in effect could be removed by the new Board? Mr. Marvin confirmed yes that can occur every year.

Catherine Wojtowicz, Washington Boro, NJ asked if resolution F2 was going to affect the Warren Haven food workers. Mr. Marvin responded no.

Mrs. Wojtowicz commented that it looks like resolution J2 was a demotion for someone. Mr. Marvin responded that it was not a demotion.

Under press comments and questions Dell Dickson of WRNJ asked for the allocation of Opens Space, Recreation, Farmland Preservation and Municipal and Charitable Conservancy Trust Funds. Mr. Doherty explained that this was completed earlier in the meeting. He advised Mr. Dickson to wait a moment and he would give him a personal interview when they break before executive session.

RESOLUTION 546-02

On motion by Mr. DiMaio, seconded by Mr. Doherty, 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 August 21, 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

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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 many become a party. Any matters falling within the attorney-client privilege, to the extent that 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 August 21, 2002, that an Executive Session closed to the Public shall be held on August 21, 2002, at 9:20 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: absent, Mr. DiMaio: yes, Mr. Doherty: yes

On motion by Mr. DiMaio, seconded by Mr. Doherty, and there being no further official business to come before the Board at this time, the meeting was adjourned at 10:30 p.m.

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

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ATTESTED TO:

Tammy M. Lynn, Deputy Clerk