

MINUTES**NOVEMBER 13, 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 November 13, 2002 at 7:30p.m.

The meeting was called to order by Director Doherty and upon roll call, the following members were present: Freeholder Michael J. Doherty, Freeholder John DiMaio, and Freeholder James DeBosh. Also attending were County Engineer David Hicks, CFO Charles Houck, County Counsel Joseph J. Bell, Jr., County Administrator Steve Marvin, and Deputy Clerk Tammy M. Lynn.

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

Director Doherty welcomed Freeholder-Elect Richard Gardner to the meeting stating that when a new Freeholder is elected, they are invited to attend the meetings and executive sessions. Mr. Gardner thanked Mr. Doherty for the introduction and mentioned that it is great to be here representing the citizens of Warren County.

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. DeBosh, the minutes of the regular meeting held on October 30, 2002 were approved as presented.

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

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the minutes of the executive session held on October 30, 2002 were approved as presented.

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

Director Doherty read the proclamation declaring November 2002 as National Hospice Month.

PROCLAMATION 681-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

NOVEMBER 2002 as NATIONAL HOSPICE MONTH.

WHEREAS, 2002 marks the 20th anniversary of the establishment of the Medicare Hospice Benefit, which has enabled more than 4 million American patients and families to receive hospice's comprehensive array of services at little or no cost;

WHEREAS, each year, approximately 775,000 terminally ill patients and their families rely on end-of-life care provided by approximately 3,200 hospice locations in communities throughout the United States;

WHEREAS, hospice care allows patients and families to receive professional medical

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services, pain and symptom control, and emotional and spiritual support, without hospitalization;

WHEREAS, hospices create a compassionate atmosphere, where patients are able to die with dignity, wherever they call home, surrounded and supported by loved ones, familiar friends, and committed caregivers;

WHEREAS, professional and compassionate hospice staff and volunteers – including physicians, nurses, social workers, therapists, and clergy – provide comprehensive care and attend to the particular needs and wishes of each patient, and family members and friends also receive counseling and bereavement care that help them cope with the loss of their loved one;

WHEREAS, providing high quality hospice care reaffirms our belief in the essential dignity of every person, regardless of age, health, or social status, and that every stage of human life deserves to be treated with the utmost respect and care;

WHEREAS, National Hospice Month recognizes those who serve in our nation's hospices, often as caregivers in the patients' homes, and caring for patients at the end of life can be emotionally painful, physically exhausting, and financially difficult;

WHEREAS, this observance is an opportunity to encourage, honor, and support the professionals, volunteers, and family caregivers who take on the challenge of caring for patients at the end of life;

NOW, THEREFORE BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby proclaim November 2002 as *NATIONAL HOSPICE MONTH* and encourage citizens to increase their awareness of the importance and availability of hospice services and to observe this month with appropriate activities and programs.

Michael J. Doherty, Director
 Board of Chosen Freeholders

John DiMaio, Deputy Director
 Board of Chosen Freeholders

James DeBosh, Freeholder
 Board of Chosen Freeholders

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

 Tammy M. Lynn Deputy Clerk

Mr. DeBosh asked for a brief discussion. He explained that he didn't have the opportunity to be involved with the Karen Ann Quinlan Hospice but had the experience of hospice care during the month of August during his mother's illness. He stated the concept of hospice care is absolutely terrific, the care givers were wonderful in all aspects the resolution talked about and he was thankful that they were there to help so she could be comfortable at home instead of in a hospital alone. He acknowledged how important it is for everyone to know that there are special people in this field of service.

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

Director Doherty presented the Proclamation to Joan Pollner of the Karen Ann Quinlan Hospice Center and thanked her for all that her organization does. Ms. Pollner thanked the Board for recognizing the care and services provided through hospice. The Karen Ann Quinlan Center considers that it is their privilege to serve the citizens of Warren County.

Director Doherty announced and read the Introduction of Bond Ordinance Number 2002-

On motion by Mr. DeBosh, seconded by Mr. DiMaio, BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF LAND TO BE ACQUIRED FOR OPEN SPACE PRESERVATION PURPOSES, IN AND BY THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$5,775,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF

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\$5,500,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF AND, UPON FINAL ADOPTION, INCREASING THE PRESENT DOLLAR AMOUNT OF GROSS COUNTY INDEBTEDNESS TO \$33,565,703.

Mr. DiMaio stated that he thinks that this ordinance will allow 1,000 acres to be secured for Open Space and the debt service will be satisfied by the dedicated Open Space Tax not the General Tax revenues. He knows this opportunity to preserve will limit development growth in Warren County. He had recently attended a North Jersey Transportation Planning Authority meeting and they talked about the density of people in Hudson County being 12,000 citizens per acre, he did some calculation for Warren County that is currently at 280 citizens per acre. Mr. DiMaio concluded that Warren County has a better standard of living and this ordinance will help to protect it.

Mr. Doherty stated that the voters sent a clear message to have Open Space by voting to increase the current rate by another two cents (2¢). He continued that the voters recognize in order to keep their taxes down we need to keep development out of Warren County and to preserve the rural character. It is important to re-emphasize what Mr. DiMaio stated that the Bond debt would be paid back by the Open Space tax.

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

Under public comments on Agenda items, Robert Shandor, Fox Farm Road, Phillipsburg, NJ thanked the Board for introducing the Bond Ordinance and mentioned that this will be a great benefit for all the residents of the county. Another Agenda Item listed is the acquisition of a property in Lopatcong Township and he wanted to point out that the appraisal was less than \$3,000 an acre for that tract of land, which will connect with two other previously purchased properties and will complete the linkage to the Marble Hill Park. The Board thanked him for that information.

RESOLUTION 682-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2002 – 44

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payment No. 2002-44 dated November 13, 2002** in the amount of **\$ 3,913,298.20** including bills and investments, is approved subject to the review of the vouchers by the Board of Chosen Freeholders.

2002-43	\$ 530,852.72
2002-44	\$ 1,787,174.58
Welfare	\$ 467,968.71
Payroll 10/31/02	\$ 1,125,202.19
Uniform Payroll 10/31/02	\$ <u>2,100.00</u>
GRAND TOTAL	\$ 3,913,298.20

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 683-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, 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 November 13, 2002

INSERTION INTO THE 2002 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$221,649.00 FROM THE NEW JERSEY TRANSIT CORPORATION, SECTION 5311 GRANT PROGRAM.

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 \$ 221,649.00, which item is now available from the New Jersey Transit Corporation, Section 5311 Grant Program.

BE IT FURTHER RESOLVED that a like sum of \$ 221,649.00 be and the same is hereby appropriated under caption:

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

New Jersey Transit Corporation, Section 5311 Grant Program (administered by the Human Service Dept.)

BE IT FURTHER RESOLVED that the above is the result of the approval by the New Jersey Transit Corporation and that two (2) certified copies of this Resolution be forwarded to the Division of Local Government Services.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 684-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

INSERTION INTO THE 2002 BUDGET OF THE COUNTY OF WARREN IN THE ADDITIONAL AMOUNT OF \$95.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH & SENIOR SERVICES, RIGHT-TO-KNOW PROJECT, FOR A TOTAL APPROPRIATION OF \$9,315.00.

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 \$ 95.00, which item is now available from the State of New Jersey, Department of Health & Senior Services, Right-To-Know Grant.

BE IT FURTHER RESOLVED that a like sum of \$ 95.00 be and the same is hereby

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appropriated under caption:

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

State of New Jersey, Department of Health & Senior Services, Right-To-Know Grant
(administered by the Health Dept.)

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

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

Tammy M. Lynn Deputy Clerk

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

On motion by Mr. DiMaio, seconded by Mr. Doherty, TRANSFER IN THE 2002 BUDGET APPROPRIATIONS:

TO VARIOUS, OE	\$191,093.00	
VARIOUS, S&W	\$ 362,450.00	\$553,543.00

FROM: PROV. FOR SALARY ADJ. & NEW EMPLOYEES \$366,543.00

VARIOUS, S&W	72,000.00	
COUNTY COUNSEL, OE	50,000.00	
BOARD OF CHOSEN FREEHOLDERS, OE	65,000.00	\$553,543.00

Mr. DeBosh stated that he wanted to explain his no vote. He still doesn't believe that the Board has satisfied the Local Public Contracts Law as discussed at prior meetings with the extra monies paid to County Counsel described in this resolution. He wants to be consistent and will be voting no. Mr. Doherty asked if the Board would be addressing that issue later. Mr. Bell responded yes.

ROLL CALL: Mr. DeBosh: no, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 685-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION APPROVING HOUSING ASSISTANCE PAYMENTS PROGRAM SERVICE AGREEMENT WITH NEW JERSEY DEPARTMENT OF LABOR.

WHEREAS, the County of Warren is administering a Housing Assistance Payments Program funded by the U.S. Department of Housing and Urban Development; and

WHEREAS, the County of Warren is identified a public housing agency pursuant to Federal Regulations for administration of the program; and

WHEREAS, it is required that the program provide verification of income data; and

WHEREAS, the required data is available from the New Jersey Department of Labor.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders accept and enter into a contract for the required services for on-line access to the New Jersey Department of Labor Unemployment Claims and Quarterly Data. The Freeholder Director is authorized to execute any an all documents required to approve the agreement for services and related documents.

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

RESOLUTION 687-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION APPROVING THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES APPLICATION FOR 2003 PERSONAL ATTENDANT SERVICES PROGRAM FUNDING WITH THE NJ DEPARTMENT OF HUMAN SERVICES, TOTALING \$99,776 FOR THE PERIOD JANUARY 1, 2003 – DECEMBER 31, 2003; SUBJECT TO THE AVAILABILITY OF FUNDS.

WHEREAS, the NJ Department of Human Services, has made Personal Attendant Services Program funding available to Warren County totaling \$99,776 for Calendar Year 2003; and

WHEREAS, the Warren County Department of Human Services has prepared a grant application to the NJ Department of Human Services for use of these funds and will retain \$ 2,475.00 of these funds for administrative purpose; and

WHEREAS, the funds will be subcontracted as follows:

Cerebral Palsy of New Jersey	\$ 97,301
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NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the application for Calendar Year 2003 Personal Attendant Services Program funding to the NJ Department of Human Services for \$99,776 is approved subject to the availability of these funds.

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

Tammy M. Lynn Deputy Clerk

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

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RESOLUTION 688-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION AUTHORIZING THE DIRECTOR OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS TO SIGN CONTRACT 03ALWN WITH THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES THROUGH THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES FOR PLANNING SERVICES IN THE AMOUNT OF \$321,397 (\$269,299 NJDHS FUNDING; \$52,098 COUNTY MATCH) FOR THE PERIOD JANUARY 1, 2003 THROUGH DECEMBER 31, 2003; SUBJECT TO THE AVAILABILITY OF FUNDS.

WHEREAS, the NJ Department of Human Services has been duly designated to administer or supervise the administration of human services programs, as defined in the New Jersey State plans for human services; and

WHEREAS, the NJ Department of Human Services desires that the Warren County Department of Human Services provide planning services in accordance with the terms and conditions contained in the attached contract;

NOW, THEREFORE BE IT RESOLVED that the Director of the Board of Chosen Freeholders is authorized to execute agreement 03ALWN with the NJ Department of Human Services for the use of funds for planning services by the Warren County Department of Human Services, in the amount of \$269,299 with a county match required of \$52,098 (\$15,045 in-kind

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"CCE" match; \$37,053 cash match) for a total program cost of \$321,397 during the period January 1, 2003 through December 31, 2003; subject to the availability of funds in the 2003 County Budget.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 689-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION APPROVING THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES APPLICATION FOR 2003 ADULT PROTECTIVE SERVICES FUNDING WITH THE NJ DEPARTMENT OF HUMAN SERVICES TOTALING \$24,656 FOR THE PERIOD JANUARY 1, 2003 – DECEMBER 31, 2003; SUBJECT TO THE AVAILABILITY OF FUNDS.

WHEREAS, the NJ Department of Human Services has made Adult Protective Services funding available to Warren County totaling \$24,656 for Calendar Year 2003; and

WHEREAS, the Warren County Department of Human Services, Division of Temporary Assistance and Social Services has prepared a grant application to the NJ Department of Human Services for use of these funds; and

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the application for Calendar Year 2003 Adult Protective Services funding to the NJ Department of Human Services for \$24,656 is approved subject to the availability of these funds.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 690-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE COMMUNITY JUSTICE GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the Warren County Prosecutor's Office wishes to apply for funding for a project under the Community Justice Grant Program, and

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

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

THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders that:

- (1) As a matter of public policy Warren County Prosecutor's Office wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
- (2) The Attorney General will receive funds on behalf of the applicant.

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- (3) The Division of Criminal Justice shall be responsible for the receipt and review of the application of said funds.
- (4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 691-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE AN APPLICATION TO THE STATE OF NEW JERSEY, THE COMMUNITY JUSTICE GRANT PROGRAM FOR THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT OF \$78,086 FOR THE PERIOD OF DECEMBER 27, 2002 THROUGH DECEMBER 26, 2003.

BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN THAT THE DIRECTOR OF THE BOARD IS AUTHORIZED TO EXECUTE AN APPLICATION TO THE STATE OF NEW JERSEY, THE COMMUNITY JUSTICE GRANT PROGRAM FOR THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT \$78,086. FOR THE PERIOD OF DECEMBER 27, 2002 THROUGH DECEMBER 26, 2003

BE IT FURTHER RESOLVED THAT THE PART-TIME DETECTIVE POSITION WILL NOT BE UTILIZED AFTER THE GRANT FUNDS HAVE BEEN EXPENDED.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 692-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION AUTHORIZING THE WARREN COUNTY CULTURAL AND HERITAGE COMMISSION TO SUBMIT A STATEWIDE CULTURAL ENRICHMENT GRANT APPLICATION IN THE AMOUNT OF \$21,500 FOR FY 2003 TO THE NEW JERSEY DEPARTMENT OF STATE.

WHEREAS, in accordance with N.J.S.A. 40:33A-1, the Warren County Board of Chosen Freeholders adopted a Resolution creating the Warren County Cultural and Heritage Commission on October 11, 1972; and

WHEREAS, the development of the arts in Warren County is deemed a valuable cultural asset and will have a positive impact on the quality of life in Warren County;

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby authorize the Warren County Cultural and Heritage Commission to apply for, accept and administer the Statewide Cultural Enrichment Grant funds from the New Jersey Department of State in the amount of \$21,500 for FY 2003.

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

RESOLUTION 693-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION TO AUTHORIZE THE FREEHOLDER DIRECTOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF BLOCK 102, LOT 2.02 LOPATCONG TOWNSHIP, WARREN COUNTY, NEW JERSEY.

WHEREAS, Warren County is interested in purchasing property along the Morris Canal; and

WHEREAS, a contract has been executed by William H. Koch and Helen B. Koch, owner of Block 102 Lot 2.02, Lopatcong Township, Warren County, New Jersey,

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren the Freeholder Director is hereby authorized to execute the attached contract.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 694-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION AUTHORIZING THE HEALTH DEPARTMENT DIRECTOR TO APPLY FOR A TOBACCO CONTROL GRANT UP TO \$60,000 FROM THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES (NJDHSS) FOR THE PERIOD MARCH 1, 2003 – FEBRUARY 29, 2004.

WHEREAS, the Surgeon General has concluded that tobacco addiction meets the primary criteria for "drug dependence" and that tobacco use is the single most preventable cause of premature death in the nation, and

WHEREAS, the Warren County Board of Chosen Freeholders supports using the resources of the County Health Department to pursue changes in the environment that discourage the use of tobacco, especially to minors, and to reduce environmental tobacco smoke, and

WHEREAS, the Warren County Board of Chosen Freeholders previously authorized a grant agreement and extension with the NJDHSS for Tobacco Settlement funds of \$60,000 to conduct tobacco control promotion activities from March 1, 2002 - February 28, 2003 and

WHEREAS, additional State Tobacco Settlement funds of up to \$60,000 are available to Warren County for a project to increase local ordinances and /or policies pertaining to tobacco use, increase the number of smoke free workplace policies, provide public education on environmental tobacco smoke and provide outreach to tobacco product merchants to assist with compliance of state laws,

NOW, THEREFORE BE IT RESOLVED, that the Health Officer for the Warren County Health Department is authorized to make application to the NJDHSS for Tobacco Settlement Funding of up to \$60,000 for the period of March 1, 2003 - February 29, 2004 to conduct said tobacco control promotion activities, and if awarded, to execute the grant agreement.

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

RESOLUTION 695-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE REVISED AGREEMENTS FOR OLDER AMERICANS ACT TITLE III FUNDED PROJECTS UNDER THE DIVISION OF SENIOR SERVICES 2002 WARREN COUNTY AREA PLAN GRANT FOR PROGRAMS ON AGING WITH: VISITING HOMEMAKERS SERVICES FOR \$245,400 AND KAREN ANN QUINLAN HOMECARE FOR \$21,499.

WHEREAS, the county of Warren has entered into an Agreement with the New Jersey Department of Health and Senior Services to carry out a program to develop a comprehensive and coordinated system of services for the elderly under the Older Americans Act, as amended; and

WHEREAS, the County of Warren has received a mid-year redistribution of funds from the NJ Department of Health & Senior Services; and

WHEREAS, there is a need for additional certified home health aides in Warren County.

NOW, THEREFORE, BE IT RESOLVED, that the Director of the Board of Chosen Freeholders of the County of Warren is authorized to execute the following agreements in accordance with the Division of Senior Services 2002 Area Plan for programs on Aging:

Agreement #02-21022 with Visiting Homemakers Service for an increase in funding of \$10,000 for Home Health Aide recruitment and scholarships for a revised total of \$245,400.

Agreement #02-21042 with Karen Ann Quinlan Homecare for an increase in funding of \$7,000 for Home Health Aide recruitment and scholarships for a revised total of \$21,499.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 696-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION APPROVING A 5-4-5 LOAN WITH THE MAGIKAL GARDEN, LLC, T/A THE MAGIKAL GARDEN.

WHEREAS, the Warren County Board of Chosen Freeholders unanimously passed a resolution on Sept. 26, 2001, enacting a Re-Use Lending Plan that created the "5-4-5 Revolving Loan Fund" and contracted with TBAC (Trenton Business Assistance Corp.) to underwrite and service the loans; and

WHEREAS, TBAC has reviewed the loan application of The Magikal Garden, LLC, t/a The Magikal Garden, and reported on that loan application to the Board of Chosen Freeholders; and

WHEREAS, The Magikal Garden, LLC, t/a The Magikal Garden, intends to use the loan to purchase equipment, inventory, office supplies, advertising, rent, fees, insurance and related expenses to open a business at 163 South Main Street, Phillipsburg, Warren County; and

WHEREAS, The Magikal Garden, LLC, t/a The Magikal Garden, intends to create 1 full-time position;

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby gives its requisite and final approval for a 5-4-5 loan to The Magikal Garden, LLC, t/a The Magikal Garden, in the amount of \$25,000 to be repaid at a rate of 5

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percent interest and a term of 60 months; with said loan to be secured by a Note, Mortgage, Guaranty and UCC Lien; and

BE IT FURTHER RESOLVED that the Chief Financial Officer of the County of Warren is hereby authorized to disburse funds for the loan from the Community Development Block Grant Economic Development Loan Trust Fund, previously approved and created by the Board of Chosen Freeholders of the County of Warren; and

BE IT FURTHER RESOLVED that approval of the loan is subject to the loan applicant's execution and delivery of said Note, Mortgage, Guaranty and UCC Lien.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 697-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION APPROVING THE CONTRACT DOCUMENTS FOR CONTRACT #WC0271P FOR ENGINEERING/SURVEYING SERVICES FOR WARREN COUNTY SIGN MANAGEMENT SYSTEM.

BE IT RESOLVED that the contract documents for Contract #WC0271P for Engineering/Surveying Services for Warren County Sign Management System are hereby approved.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to advertise for "Requests for Qualifications" in accordance with the procedures established by the North Jersey Transportation Planning Authority and the New Jersey Department of Transportation.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 698-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

AWARD OF CONTRACT TO MACE CONSULTING OF PHILLIPSBURG, NEW JERSEY FOR SURVEYING SERVICES ON THE WARREN ROD AND GUN CLUB AND ESTATE OF ELIZABETH RINEHART PROPERTIES, PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL, IN THE TOTAL AMOUNT OF \$19,500.00.

WHEREAS, the Warren County Agriculture Development Board has developed a list of Farms for preservation for the year 2002; and

WHEREAS, Warren County is interested in obtaining surveys on various farm properties throughout the County as listed in the proposal; and

WHEREAS, land surveys are required by the State Agriculture Development Committee prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for Farm Easement Purposes; and

WHEREAS, said survey will be in accordance with the Agriculture Retention Program Survey Handbook, and the Uniform Standard of Professional Surveyor's Practice;

WHEREAS, adequate funds are available in account 03895 5067 895099 5067 – Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and Mace Consulting, in the amount of \$19,500. to prepare surveys on the various farms throughout the County 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: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 699-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

AWARD OF CONTRACT L.J. BRILL LAND SURVEYOR, OF BLAIRSTOWN, NEW JERSEY FOR SURVEYING SERVICES ON THE FALK AND YOUNG PROPERTIES, PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL, IN THE TOTAL AMOUNT OF \$15,400.00.

WHEREAS, the Warren County Agriculture Development Board has developed a list of Farms for preservation for the year 2002; and

WHEREAS, Warren County is interested in obtaining surveys on various farm properties throughout the County as listed in the proposal; and

WHEREAS, land surveys are required by the State Agriculture Development Committee prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for Farm Easement Purposes; and

WHEREAS, said survey will be in accordance with the Agriculture Retention Program Survey Handbook, and the Uniform Standard of Professional Surveyor's Practice;

WHEREAS, adequate funds are available in account 03895 5067 895099 5067 – Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and L.J. Brill Land Surveyor, in the amount of \$15,400. To prepare surveys on the various farms throughout the County 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: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 700-02

On motion by Mr. DeBosh, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION RE: AWARD OF CONTRACT WC0274 FOR IMPLEMENTATION OF THE WARREN COUNTY HOUSING ASSISTANCE PAYMENTS PROGRAM FOR THE PERIOD OF

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JANUARY 1, 2003 THROUGH DECEMBER 31, 2003 WITH THE RIGHT TO EXTEND FOR ONE ADDITIONAL ONE YEAR PERIOD AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15 TO HOUSING AND COMMUNITY DEVELOPMENT SERVICES, INC., IN THE APPROXIMATE AMOUNT OF \$679,965.00 PER YEAR.

BE IT RESOLVED, that contract WC0274 for Implementation of the Warren County Housing Assistance Payments Program is hereby awarded
To.....Housing and Community Development Services Inc., Belvidere, New Jersey

in the approximate amount of.....\$679,965.00* (see attached copy of Section IV of the proposal) actual fee will be based on regulations established by the United States Department of Housing and Urban Development

as per their bid submitted.....October 28, 2002

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

Award of this contract is subject to the receipt of a Federal Grant for the Federal Housing Assistance Program

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

Mr. Doherty explained to the Board that he wanted to receive more information on this agenda item so he invited Mr. Frank Delmore, Chairman of Housing and Community Development Services, Inc. He had some questions and looked into the background of this program so he thought it would be good to review the services provided under this contract. Mr. Delmore explained that under the rental assistance program there are 673 tenants being assisted financially through the program that is funded by the Department of Housing and Urban Development. This program began May 1, 1978 with 100 units and over the years, they have applied for additional funding for his organization to provide for the 673 units they have now. Mr. Delmore explained the process involves obtaining applicants for the program, screening them to determine their eligibility, assisting them in locating suitable housing within the county, inspecting the properties to assure it meets the Federal occupancy regulations and then to review the applicants for eligibility annually with renewal certifications. He explained that there is usually a 20% turnover each year. Also, they complete all H.U.D. reports and review all development plans, which require they submit an annual plan for low-income occupancy in those developments. He has been involved with the program from the inception 24 years ago. Mr. Doherty stated that his understanding of the program is that this organization manages cases and are the liaison between applicants and the H.U.D. program. Mr. Delmore confirmed yes, low-income applicants qualify for the Section 8 housing. Mr. Doherty asked for a comparison of other county programs relating to rent assisted applicants, are there outside consultants. Mr. Delmore responded that there are approximately 80 housing authorities throughout the State of New Jersey who are independent authorities created and act as an authority would. In the case of Warren County, they are designated as a Housing Agency, because from inception of the program in 1978, there was a reluctance to have a housing authority.

Mr. Doherty asked what were the pluses and minuses between having a Housing Authority vs. having an outside consultant. Mr. Delmore explained when the program was first brought into the county there were concerns that the funding would not be consistent from year to year, creating a level of uncertainty to hire staff for the program and liability issues. He explained that their program is insured which protects the county, they specialize strictly in housing programs, the average employee has 15 years of experience which allows more applications to be processed, certified and re-certified annually. Mr. Doherty asked how many employees there are. Mr. Delmore

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responded 18 total with 10 employees working at the Warren County office located in Belvidere. All employees are full-time and occasionally they subcontract service thru title insurance companies for specific services when needed.

Mr. Doherty mentioned that this was a bid and this proposal submitted was exactly in compliance with the H.U.D. funding for reimbursement. Mr. Delmore explained that H.U.D. has a maximum limit assessed for each unit in the program for the entire year. The proposal is listing the maximum allowances, however there are times as mentioned earlier when there is the 20% turnover of applicants and the amount disbursed is regulated by their reports submitted and the H.U.D. audits. The applicants sometimes can be 800 throughout the year that are processed.

Mr. Doherty stated that after his further review of the data submitted on the proposal it is possible to have \$750,000 funds received and asked if this program was brought in house to be managed, would those funds be available for other needs and benefits for the taxpayers of Warren County. Mr. Delmore explained that it would be the same. However, the reports of how the money would be spent still would need to be approved by H.U.D. before it would be released to the county.

Mr. Doherty asked if this was a two year contract. Chris Pessolano, Warren County Purchasing Director explained that it is a one year contract with a renewable second year contract at the option of the Freeholders. Mr. DeBosh stated that he wanted to explain some of the budget descriptions from H.U.D. because of his experience with the Phillipsburg Housing Authority, for some reason H.U.D. uses the term per unit month and per unit year. If there are only 673 occupied units out of 800 applicants processed, H.U.D. funds the 673 not the 800 that applied.

Mr. DiMaio asked CFO Pete Houck, if the county theoretically brought this in house, will the county receive the same amount per unit funding or would it be based on the county's actual cost, which could be a wash? Mr. Houck responded that he doesn't know the program totally, but from what he understands, H.U.D. gives a fixed amount to administer the program. Mr. Houck commented that there is one point that Mr. Delmore didn't mention, although there are 10 fulltime employees at the Warren County office, there are also other employees with further expertise at other offices to help administer the program. Mr. Delmore confirmed Mr. Houck's explanation. Mr. DiMaio stated that we could look at some options in the future.

Mr. Doherty said it caught his attention that a bid proposal was advertised and we have a proposal submitted to equal the H.U.D. regulations and not the lowest bid. Mr. Delmore responded that they agree to the administration costs provided under the H.U.D. terms, and not every Agency is willing to agree to H.U.D. terms, and that is sufficient funding they feel to take on the liability exposures, the day to day problems, and concerns with tenants and/or landlords. The most significant issue now is the lead base paint, which has become a major focus of the program. He explained that they have been able to develop expertise in this area.

Mr. Doherty thanked him for explaining the services they provide and for answering the Boards questions.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 701-02

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On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION RE: AWARD OF CONTRACT WC0273 FOR ADMINISTRATION OF THE WARREN COUNTY SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003 WITH THE RIGHT TO EXTEND FOR ONE ADDITIONAL ONE YEAR PERIOD AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15 TO HOUSING AND COMMUNITY DEVELOPMENT SERVICES, INC., IN THE AMOUNT OF \$57,600.00 PER YEAR.

BE IT RESOLVED, that contract WC0273 for Administration of the Warren County Small Cities Community Development Block Grant Program is hereby awarded To.....Housing and Community Development Services Inc., Belvidere, New Jersey in the amount of.....\$57,600.00 as per their bid submitted.....October 28, 2002

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

Award of this contract is contingent upon the approval of Federal Grants for Small Cities Community Development Block Grant Program

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

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 702-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

APPROVING THE PURCHASE OF A 1988 FORD ECO VAN FOR THE WARREN COUNTY PROSECUTOR'S OFFICE FROM LOPATCONG TOWNSHIP, IN WARREN COUNTY, NEW JERSEY IN THE TOTAL AMOUNT OF \$7,000.00.

WHEREAS, there exists a need for the use of a van 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; 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 account 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 Lopatcong Township, Warren County, New Jersey for the sale of a 1988 Ford Eco Van in the amount of \$7,000.00 per letter of agreement currently on file in the Office of the Director

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- 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 40A11-36(2) governing the sale of property between government entities.
 4. A notice of this action shall be published in the Star Gazette, as required by law, within ten days of its adoption.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 703-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0254 WITH INTERCOUNTY PAVING ASSOC., LLC FOR THE RESURFACING OF COUNTY ROUTE #519, FEDERAL AID PROJECT #STP-327(101)CON, ALPHA BOROUGH & POHATCONG TOWNSHIP FOR A NET INCREASE OF \$24,315.41 AND A FINAL CONTRACT AMOUNT OF \$250,976.41.

WHEREAS, Contract #WC0254 was awarded to Intercounty Paving Associates, L.L.C. 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; and

WHEREAS, final as-built quantities resulted in a net increase of \$24,315.41; and

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

WHEREAS, adequate funds have been established in account S21655392 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 approve change order #1 for the above project with Intercounty Paving Associates, LLC for a net increase of \$24,315.41 and a final contract amount \$250,976.41.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 704-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION APPOINTING MEMBERS TO THE WARREN COUNTY MORRIS CANAL COMMITTEE

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoint the following individuals to the Warren County Morris Canal Committee.

APPOINT MEMBERS:

Municipality

Gina Bertoline

Washington Boro

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28 Willow Street
Washington, NJ 07882

John E. Handlos, Jr.
5 New Street
Washington, NJ 07882

Washington Boro

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

Tammy M. Lynn Deputy Clerk

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

Mr. Doherty asked for clarification of the Personnel resolution J4. It seems the others are title changes what is this one. Mr. Marvin confirmed that it is the same as J1, J3-5, however the description may be in the body, abolishing truck driver and creating road repairer which were all title changes necessary for the department described and J2 is creating five additional positions based totally on funding through the Bio-terrorism grant from the State Department of Health.

RESOLUTION 705-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION CREATING A FULL-TIME POSITION OF SUPERVISOR, TREES, CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF TREE CLIMBER, CLASSIFIED, WITHIN THE WARREN COUNTY ROAD DEPARTMENT.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *supervisor, trees*, classified, is created in the Warren County Road Department pursuant to audit and reclassification by the New Jersey Department of Personnel: and

BE IT FURTHER RESOLVED that a full-time position of *tree climber*, classified, is abolished.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *supervisor, trees* is created in the Warren County Road Department and established on AFSCME Local 0671, Range 1440 and made effective retroactive to June 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: yes, Mr. DiMaio: yes, Mr. Doherty: yes

RESOLUTION 706-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION CREATING FIVE FULL-TIME CLASSIFIED CIVIL SERVICE POSITIONS WITHIN THE WARREN COUNTY HEALTH DEPARTMENT.

WHEREAS, the Warren County Board of Chosen Freeholders has authorized the Warren County Health Department Director to apply for a health services grant entitled "Local Core Capacity Infrastructure for Bio-terrorism Preparedness" from the New Jersey Department of Health and Senior Services for the provision of bio-terrorism preparedness programs and staffing, and

WHEREAS, the director of the Warren County Health Department is in receipt of

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available funding from the New Jersey Department of Health and Senior Service (NJDHSS) to support program operations and staffing in response to bio-terrorism and other outbreaks of infectious disease, public health threats and emergencies,

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the following full-time, classified, civil service positions are created in the Warren County Health Department and made effective November 21, 2002

Public Health Epidemiologist, AFSCME Local 3287, Range 2035
Data Processing Coordinator, AFSCME Local 3287, Range 1735
Senior Sanitary Inspector, AFSCME Local 3287, Range 1935
Health Educator, AFSCME Local 3287, Range 2035
Principal Clerk Typist, AFSCME Local 3287, Range 0635

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 707-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION CREATING A FULL-TIME POSITION OF PRINCIPAL CLERK STENOGRAPHER, CLASSIFIED, AND A FULL-TIME POSITION OF SENIOR DATA CONTROL CLERK, CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF SENIOR CLERK STENOGRAPHER, CLASSIFIED, AND A FULL-TIME POSITION OF PRINCIPAL DATA CONTROL CLERK, CLASSIFIED, WITHIN THE WARREN COUNTY HEALTH DEPARTMENT, DIVISION OF PUBLIC HEALTH NURSING SERVICES.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *principal clerk stenographer*, classified, and a full-time position of *senior data control clerk*, classified, is created in the Warren County Health Department, Division of **Public Health Nursing Services**, to enhance and maintain the efficiency and effectiveness of operations; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *senior clerk stenographer*, classified, and a full-time position of *principal data control clerk*, classified be abolished, and

BE IT FURTHER RESOLVED that the abolished position of senior clerk stenographer take effect immediately and that the abolished position of principal data control clerk be made effective December 1, 2002.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the newly created full-time position of *principal clerk stenographer* is established on AFSCME Local 3287, Range 0735 and that the newly created full-time position of *senior data control clerk*, is established on AFSCME Local 3287, Range 0535, and that both positions be made effective immediately.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 708-02

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On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen

RESOLUTION CREATING A FULL-TIME POSITION OF SENIOR ROAD REPAIRER, CLASSIFIED, IN THE WARREN COUNTY ROAD DEPARTMENT.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *senior road repairer*, classified, is created in the Warren County Road Department pursuant to an audit conducted by the New Jersey Department of Personnel; and

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *senior road repairer*, classified, is created and made effective retroactive to July 27, 2002; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *truck driver*, classified, is abolished; and

BE IT FURTHER RESOLVED that the position of senior road repairer be established on AFSCME Local 3287, Range 0940.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 709-02

On motion by Mr. DiMaio, seconded by Mr. DeBosh, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

RESOLUTION CREATING THE TITLE ROAD REPAIRER, CLASSIFIED, AND ABOLISHING THE TITLE TRUCK DRIVER, CLASSIFIED, IN THE WARREN COUNTY ROAD DEPARTMENT.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that title *road repairer*, classified, is created in the Warren County Road Department to more accurately reflect the duties and responsibilities of work heretofore undertaken under the title truck driver; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that the title of *truck driver*, classified, is abolished; and

NOW, THEREFORE BE IT RESOLVED that the title of *road repairer*, classified is created in the Warren County Road Department and shall supplant the title of truck driver for all employees designated under that title; and

BE IT FURTHER RESOLVED that the newly created title of *road repairer* be established on AFSCME Local 3287 Range 0640 and made effective immediately.

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

Tammy M. Lynn Deputy Clerk

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

Under reports and comments, County Counsel Joseph J. Bell reported he has one Litigation item for executive session to review with the Board.

County Engineer Dave Hicks reported that regarding the Shurts Road Bridge, he sent an updated report last month and would like to have a public meeting added to a future Freeholder meeting to allow the residents the opportunity to come and explain their concerns before a final Bridge design is confirmed. He offered to provide additional information for the Board and Mr. Gardner's review.

Mr. Gardner responded that there are a lot of sentiments about that bridge and he was sure the local residents would appreciate knowing when that meeting will be.

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Mr. Marvin asked if there is a need to have a separate meeting date to resolve this issue? Mr. Hicks responded that he didn't think that would be necessary, there will be about 6 to 8 local residents, it is hard to say for sure. Mr. Hicks explained that the residents that are nearby the bridge primarily want a one-lane bridge. However, it will be difficult as County Engineer, to recommend it remain as a one-lane bridge. He feels that something like the Butler Park Bridge would work well for the Shurts Road location and would be better for a long term, low maintenance structure to be constructed. The residents are primarily concerned with a change of the rural environment if this is not a one-lane bridge and they believe it would help with speed control. Mr. Gardner responded that the concern of the residents is there would be an increase to truck traffic. Mr. Hicks explained that there would not be a weight restriction on the bridge if it were a one, two, four or six lane bridge. There are other measures that can be taken with local municipalities imposing weight restrictions for truck traffic. Mr. Doherty thanked him for the update.

County Planner Dave Dech reminded the Board that the public meeting for the Strategic Growth Plan will be at 7:00 p.m. at the Warren County Fish Hatchery on Route 46. Mr. Doherty thanked him.

County CFO Pete Houck had no report.

County Administrator Steve Marvin reported that he has two quick items that came in late this afternoon. The first one is a memo from Robert Resker, Director of the Warren County Department of Land Preservation. Arthur Sirkis, Associate of Special Counsel Mike Lavery, has had numerous conversations with the SADC attorney and it has been determined that some of the Warren County Farmland Preservation scheduled closings for 2003 will be delayed as they are not in a position to support our schedule. Mr. Sirkis through Mr. Resker is asking if the Board would advocate with Mr. Kuperus at the State Ag Department to attempt to get adequate staff assigned in the SADC legal counsel office to support our efforts. He explained that there was some controversy in striking the States' budget this year because this year for the first time they allocated Open Space Trust funds to pay for administrative costs. There shouldn't be any problem to add staff to assist the county submissions. Mr. Marvin stated that the Board should authorize sending a letter to Mr. Kuperus requesting that there be adequate staffing in the SADC Legal Department to support the county's 2003 Farmland Preservation closings schedule. The Board agreed to go ahead and Mr. Gardner suggested to courtesy copy the letter to Mr. Gregory Romano.

Mr. Marvin stated that the Board will need to start thinking about setting the date and time of the reorganization meeting. He explained that it is necessary for invitations to be issued, and the public notice to be advertised in the newspaper in a timely manner.

Mr. Marvin explained that the Warren County Environmental Health Department Office Lease is up for renewal. He explained that alternative sites were researched but not found to meet the needs of this department. Mr. Marvin suggested to the Board to renew the lease, however, he noted there are some changes beyond the normal inflation increases. The Landlord has offered their new construction area that he is building for the Department to move into upon its completion. Mr. DiMaio asked what the term of the lease would be and a rough idea of the cost. Mr. Marvin responded it is a three year lease, the prior annual lease was \$77,000 and the renewal would be somewhere between \$110,000 to \$115,000 mainly because the new space has more square footage. This will assist with the Departments expansion due to the Bio-Terrorism division having five additional positions arriving shortly. He explained that the property owner Mr. Iannelli needs a letter of intent so the construction loan can be approved and the elevator installed.

Mr. DiMaio stated concern for the parking, which has been limited in the past. Mr. Marvin

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responded that he believes the new site will be including additional parking on an adjoining property. Mr. Doherty commented that the increased lease cost would occur after the Department moves into the new area. Mr. Marvin confirmed yes, and asked if the Board would accept the informal approval to sign the letter of intent to lease new area. The Board agreed.

Mr. Marvin explained that Mr. Doherty asked that the report from the March, 2002 meeting with HQW/RICCI ASSOCIATES regarding the Court & County agency facilities assessment be reviewed. Mr. Doherty responded that he asked Steve to get this back on an agenda for more review. He stated he still doesn't want to give direct support yet. Mr. DiMaio responded that before they can proceed, we need to ask some questions and get the proper answers. He recalls that back in 2001 just the courthouse was addressed which was between \$38 million and \$45 million cost which generated additional direction for the consultants to look at all the county needs with a minimal amount of work on the courthouse and this is the report which changed the courthouse cost to \$17 million for four new court rooms, and to create the security entrance on the front of the building, instead of the current side entrance. Mr. DiMaio stated before we start, the Board should get some more information like availability of Federal Funds to reimburse a Welfare facility, lets open communication with the Warren County Community College Board of Trustees and Warren County Technical School to have shared services for a new Library facility at the Tech School location and think about our building rent of \$260,000 or more a year would be better used to fund new facilities. We could consider selling some of the County owned property in Belvidere too. He stated now is not the time to make a decision, but we should be looking at these alternative options. Mr. Doherty commented that he has been involved with the Diamond Hill Development problems since elected as a Freeholder, that is a perfect example of rushing into a project, having poor contractors and the result is the property owners are now picking up some of the cost to replace the sewer system amounting to \$150 every quarter. He stated he is not ready to ask the citizens of this County to pay for new facilities for the County or the Courthouse. Mr. Doherty feels the Courts are selfish to expect the taxpayers to fund a facility expansion.

Under Freeholder comments, Mr. DeBosh had no report.

Mr. DiMaio had no report.

Mr. Doherty stated that he wanted to discuss County Counsel Joseph Bell's request for payment of extra services, which are deserved despite the press articles that said he and Mr. DiMaio were trying to snooker the taxpayers. He explained that when he became a Freeholder, there were no audiotaped meetings, and now we even videotape meetings to make sure records are accurate. A regular attendee at Freeholder meetings, Mr. Reggie Regrut, raised concerns about executive session minutes and Mr. Bell fixed that concern by resolution within the first month of his contract this year. Mr. Doherty reaffirmed the discussions in closed session where the Board agreed that some of the work Mr. Bell has been asked to do was above his original contract agreement.

Mr. DeBosh responded that he did not recall ever agreeing to paying Mr. Bell \$130 an hour for the extra services. He then gave credit to prior Freeholder Susan Dickey for creating the cost containment idea to contract County Counsel at one set fee for yearly services performed.

Mr. DiMaio responded his recollection was that the whole Board agreed Mr. Bell and his Associates were performing services above and beyond the original contract agreement. He stated that much of the extra work was a direct result of prior Counsel work being incomplete when he left the position. Mr. DiMaio stated the reality is Mr. DeBosh knew of this matter long before he made his statement on October 30th which happened to be only days before the general election. He continued that he felt this was a political motivation on Mr. DeBosh's, and not anything to do with Mr. Bell's account of the additional services being performed. Mr. DiMaio told Mr. DeBosh as an attorney, you should know more about contract laws than I, and in the best interest of the people

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the Board serves, he should have timely communicated this oversight to the Board for correction.

Mr. Bell responded that he recalls a total agreement from the Board in closed session, and he stated that he takes full responsibility for not requesting there be an agreement memorialized by resolution upon returning to open session. He explained that he has drafted a resolution which describes all the cases and additional services for review tonight and to possibly take action.

Mr. Marvin mentioned that in the past it was recognized that there was a need to begin specializing some of the legal services because the County had many claims that were not being serviced. Mr. Doherty asked what other county legal costs are compared to Warren County. Mr. Marvin responded that the Star Ledger printed a report years ago which showed Warren County had \$200,000, Hunterdon County had \$400,000 and Somerset County had \$900,000 in legal costs. He concluded that when comparing Warren County to all the other counties in the State we are probably lowest with the exception of Salem County. Mr. DiMaio asked to review the resolution and have this recorded properly to correct any misunderstandings and deficiencies. Mr. DeBosh responded that he is not prepared to vote on this resolution at this time.

RESOLUTION 710-02

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 November 13, 2002

RESOLUTION AMENDING AND SUPPLEMENTING THE PROFESSIONAL SERVICES CONTRACT OF EMPLOYMENT BY AND BETWEEN THE COUNTY OF WARREN AND JOSEPH J. BELL AND ASSOCIATES AS WARREN COUNTY COUNSEL AND AUTHORIZING A SPECIAL COUNSEL AGREEMENT.

WHEREAS, Joseph J. Bell, Esq. of Joseph J. Bell & Associates was selected to serve as Warren County Counsel on January 1, 2002; and

WHEREAS, the Board of Chosen Freeholders negotiated a contract for legal services wherein County Counsel would serve in a general legal capacity; and

WHEREAS, the Board of Chosen Freeholders has reviewed the services of County Counsel and finds that County Counsel has been defending and prosecuting cases which were not contemplated between the parties as being general legal services; and

WHEREAS, the Board of Chosen Freeholders has previously authorized the appointment of Joseph J. Bell & Associates to represent the Board of Chosen Freeholders as well as its constitutional officers, agencies and departments with regard to lawsuits brought for or against the County, its officers and employees; and

WHEREAS, there are certain cases which have been undertaken under the general contract as entered into on January 1, 2002. These cases will be continued to be represented by Mr. Bell and his firm without additional compensation which are:

Paruta v. Supplee, et. al., Docket No. SOM-L-104-02 (environmental clean-up case)
AHS v. Warren County, Docket No. MRS-L-2057-01 (Morristown Hospital v. County)
Warren County Community College of Warren v. Warren County Board of Chosen Freeholders, Docket: WRN-L-377-99 (currently pending in the N.J. Supreme Court First Union National Bank v. Beatty, F-3378-98 (mortgage foreclosure)
Morristown Memorial Hospital Campus v. Malmgren, (Insurance coverage issue Mortgage Access v. Allen, F-1385-00 (Mortgage foreclosure)
NJLTA v. Mooney. 94-C-0150 (consent order relative to County Clerk Land Preservation Reorganization Issues)
Wells Fargo v. Rowe (Mortgage foreclosure)
Heritage Commission (alleged misappropriation issues)
Washington v. Summit Risk, L-199-02

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WHEREAS, lawsuits not contemplated by the parties of which Mr. Bell has begun a defense or prosecution include the following, which will be compensated at the Special County Counsel rate:

*All Bail Forfeiture proceedings requiring Court appearances**All lawsuits filed against Warren County's Constitutional**Officers, i.e. County Clerk, Sheriff and Surrogate**Unfair Labor CWA Local 1071**State v. Doug Steinhardt (matter completed)**Lebarre Adoption (County Surrogate)**Warren County v. Sal Matza (completed)**Warren County v. Guy Ryno completed)**Summatyme v. Vetter (completed)**Russo v. County of Warren, L-154-01**In the matter of Anthony Bonanno (completed)**Dosch v. Warren County**Kitchell v. Warren Hanover, DC-1638-02 (misappropriation)**Heritage Commission (misappropriation, Court appearance required)**Vetter v. Warren County**HUBCO v. County of Warren*

WHEREAS, future assignments for legal representation shall be approved by the Board of Chosen Freeholders on an "as needed" basis.

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

SECTION 1. Joseph J. Bell & Associates is hereby appointed as Special County Counsel for the purpose of representing the County of Warren, its Board of Chosen Freeholders, Agencies and Departments, in connection with such matters as the Board of Chosen Freeholders may assign from time to time. Said assignment to be made by a duly adopted Resolution of the Board of Chosen Freeholders at a public meeting.

SECTION 2. Joseph J. Bell, Esq. of Joseph J. Bell & Associates as Special Warren County Counsel shall be compensated at the rate of \$130.00 per hour and \$125.00 per hour for services performed by his associates, said agreement being in conformity with existing County Counsel contracts.

SECTION 3. Assignment of the cases listed above shall be considered assignments of Joseph J. Bell & Associates as Special County Counsel pursuant to the terms of the Special Counsel Agreement nunc pro tunc.

SECTION 4. Certain cases undertaken under the General Contract as entered into on January 1, 2002 listed above will be continued to be represented under this Contract.

BE IT FURTHER RESOLVED that any future assignments of legal representation shall be assigned as Special Counsel by the Board of Chosen Freeholders pursuant to the form of Special Counsel Agreement attached hereto relating to lawsuits filed on behalf of or against the

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County on an "as needed" basis; and 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 no, Mr. DiMaio yes, Mr. Doherty yes.

Under closing public comments, Walter Menegus, White Township Committeeman, explained to the Board that he had a conversation with the NJ DEP relating to the Natures Choice site not being in compliance, they are getting out of hand, there have been numerous fires already and the odor problems continue. Many of the senior residents nearby the facility are starting to be effected physically with breathing problems. Mr. Menegus informed the Board that the State issued a renewal permit to continue their operation mainly because they never received any documentation from the County Planning Department. He asked the Board to give the Warren County Solid Waste Advisory Council direction to deny this renewal permit for Natures Choice and to send it to the NJ DEP. He explained that the White Twsp committee has requested their Attorney Brian Smith to send an appeal also. Mr. Gardner stated that when Natures Choice applied it included truck traffic. Mr. Menegus agreed however, the DEP only approved 70 trucks and they have been exceeding that by almost double.

Mr. Marvin asked who the SWAC rep. is for White Township. Mr. Dech responded William Rockefeller. Mr. Menegus advised the Board that he has not seen nor heard from Mr. Rockefeller for a long time.

After some discussion between the Board, Mr. Marvin, Mr. Menegus and Mr. Dech it was decided that Mr. Dech will work on getting a modification of the County Solid Waste Plan that will negate the permit renewal issued to the Nature Choice facility. Mr. Dech will provide a status report as soon as possible.

Robert Shandor, Fox Farm Rd., Phillipsburg stated his appreciation that the Board is researching the Capital Improvement for the Countywide and Courthouse facilities. He offered a suggestion to bid out a construction plan to have a 100 foot by 150 foot building at the Administration building site at a cost around \$3 million, instead of spending all this money on Architect and Design fees. He explained that the construction could be paid for with the savings of the lease costs the county incurs for the particular departments not housed in county buildings. Mr. Gardner suggested organizing a committee of local builders together with the facility committee to work on presenting some alternatives with the Architects.

Scott Lacey, WC Road Dept., told the Board he was one of the Truck Driver positions that were just changed. He explained that he received a promotional notice from the NJ DOP as a Heavy Truck Driver, and he had concern that the position title change just adopted by resolution will eliminate his position. Mr. Marvin explained that the NJ DOP cannot promote, only make determination of title. Mr. Lacey was confused because the written notice he received indicated it was a promotion. Mr. Marvin asked for a copy of his promotion notice and advised he will review this with the Personnel Director Jerry Coyle for clarification.

Mr. DeBosh stated that he would like this reviewed as it appears an appeal may occur. Mr. Bell responded that the notice can be granted by the NJ DOP however, if the bargaining unit didn't negotiate the title during contract renewals, the County establishes the salary grade.

Mr. Doherty thanked Mr. Lacey for the information and assured him there will be a review.

There were no press comments or questions.

RESOLUTION 711-02

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On motion by Mr. DiMaio, seconded by Mr. DeBosh, at 9:10 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 13, 2002

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

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

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

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

(1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law of State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

(2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

(3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

(4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of possible violations of the law.

(7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that 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.

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(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 **November 13, 2002**, that an Executive Session closed to the Public shall be held on November 13, 2002 at 9:10 p.m. in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

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

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

Tammy M. Lynn Deputy Clerk

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

The Board returned to open session at 10:06 p.m.

On motion by Mr. DiMaio, seconded by Mr. DeBosh, and there being no further official business to come before the Board at this time, the meeting was adjourned at 10:06 p.m.

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

ATTESTED TO:

Tammy M. Lynn, Deputy Clerk