

**MINUTES****FEBRUARY 11, 2003**

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 February 11, 2003 at 7:32 p.m.

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

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

Director Doherty read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF FEBRUARY 11, 2003 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. Gardner, seconded by Mr. DiMaio, the minutes of the budget hearing held January 11, 2003 were approved.

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

On motion by Mr. DiMaio, seconded by Mr. Gardner, the minutes of the budget hearing held January 15, 2003 were approved.

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, the minutes of the budget hearing held January 18, 2003 were approved.

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

On motion by Mr. DiMaio, seconded by Mr. Gardner, the minutes of the regular meeting held January 22, 2003 were approved.

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, the minutes of the executive session held January 22, 2003 were approved.

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

Director Doherty announced at 7:38 p.m. that the Warren County Community College Board of School Estimate hearing would begin.

**RESOLUTION 87-03**

On motion by Mr. DiMaio, seconded by Mr. Doherty, at 7:38 p.m. request to go into executive session for the purpose of discussion of litigation matters before the hearing begins.

**A RESOLUTION AUTHORIZING EXECUTIVE SESSION OF**

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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

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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 February 11, 2003, that an Executive Session closed to the Public shall be held on February 11, 2003, at 7:38 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.

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

The Board returned to open session at 7:45p.m.

The Warren County Community College Board of School Estimate hearing began at 7:46 p.m.  
The Board returned to regular open session at 8:14 p.m.

Director Doherty read a brief relating to the Warren County 4-H Equestrian members that were awarded outstanding achievement at the New Jersey State 4-H Trail Ride competition and at the National 4-H Horse Roundup in Louisville, KY. Mr. Doherty recognized Rutgers Cooperative Extension 4-H representatives Alayne Toretta and Ruth Reidel. He asked Coach Marge Isbrecht to explain the programs.

Ms. Isbrecht stated that the competitors are required to prepare themselves along with training their horse to be able to endure the 6-8 hour course. While training they learn the importance of balancing their time for school work, family time and physical conditioning to prepare themselves and their horse. She also wanted to recognize the family support that the competitors received to accomplish their awards.

Director Doherty presented the Certificate of Merits for Outstanding Achievement at the New Jersey State 4-H Trail Ride to Erica Hensley, Cassie VanMiddlesworth, and Megan Kinney. He also presented Certificate of Merits for Outstanding Achievement at the National 4-H Horse Roundup in Louisville, KY to Ashley McClune and Brittany Zaleski.

Mr. Gardner stated that this is a testament to each competitors dedication, and recognized the family support.

Mr. DiMaio commented all too often you only read about High School Sports with all the support systems. He recognized the dedication of the Equestrian competitors to sacrifice their own time to train.

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Director Doherty began discussion of the 2003 Budget. He stated concerns that Governor McGreevey reported shortfalls and cuts at the State level throughout the county municipalities. Mr. Doherty told the Board that he looked at the budget again and wanted to see an additional 5% reduction of the operating/expense lines of various departments. He also would like the Board to reconsider reducing the Health Insurance appropriation since it was reported that the new health insurance administrator would save the county \$750,000 through discounts.

Mr. DiMaio responded that this Board did our job in Warren County to present a lean budget. He stated that the Board should not punish the departments with a request to reduce another 5% to offset the state fiscal problems. He felt the budget process and decisions made were well thought out to maintain a balance of services and it still reduced the tax levy. If any suggestions to cut are made he asked Mr. Doherty to send them to the State through his Assembly position.

Mr. Gardner commented that budget is an on going process all year, he does not agree with any reductions to the Health Insurance appropriation.

Under public comments on agenda items only, Gloria Decker, 161 Pickford Ave., Phillipsburg and Chairwoman of the Warren County Election Board told the Board she was very disappointed about item E10 that will reduce the salaries of Election Board Members. She explained that in all her years of working with committees she has never before experienced a total lack of communication. She presented the current salary ranges from the Cumberland County, Sussex County, Hunterdon County and Salem County Election Boards, and some include health benefits and/or pension contributions. Mrs. Decker described the time spent on election days and the salaried Board members attend 22 meetings in a year. She expressed her disappointment with the Board to single out only one county department for salary reduction. Also, the Election Board was never contacted to discuss this resolution, and suggested that if the budget needed to be cut to reduce the Board salaries too.

Mr. DiMaio stated that he knew nothing of this resolution and asked where it came from. Mr. Doherty responded that he initiated the resolution and wanted to have the salaries set at the statutory minimums. All other Boards in the County are provided by volunteers who give up their time and continue providing the necessary services within their assignments. Mr. DiMaio responded that he felt this was politically motivated in light of the members on this Board, and he will not support a resolution that hurts the people that do a lot to maintain service and order during all the elections that are held every year. He then described Mr. Doherty's earnings as Freeholder and Assemblyman.

Mr. Gardner stated that he appreciates Mrs. Decker's position and what she presented regarding comparison County Election Board salaries and/or benefits. However, he found it more disturbing that there is a paid Board, he has served on the Franklin Township Planning Board for seventeen years without a salary.

Cathy Wojtowicz, Washington Boro asked about item F6, she thought the Road Department mowed all the county land including the property for the Warren County Department of Land Preservation. Mr. Marvin responded no, the Road Department does not maintain this property.

Gerry Giaimis, Washington Boro Councilman, stated that he disagrees with resolution E8. He believes that a Freeholder position is full time with part time salary and that this resolution will suspend future elected officials the opportunity to receive health benefits. Mr. Gardner responded that future Freeholder Boards can rescind this resolution if they choose.

**RESOLUTION 88-03**

On motion by Mr. Gardner, 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 February 11, 2003.

**RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2003 - 06.**

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**Be and it is hereby resolved** that Master Voucher Certificate For Certification/Ratification for **Payment No. 2003-6** dated **February 11, 2003** in the amount of **\$7,912,332.31** including bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2003-4	\$ 3,995,374.68
2003-5	\$ 808,571.75
2003-6	\$ 657,070.39
Sub Total	<b><u>\$ 5,461,016.82</u></b>

Payroll 1/23/03	\$ 1,215,923.13
Payroll 2/6/03	\$ 1,172,329.86
Uniform Payroll	\$ 63,062.50
Sub Total	<b><u>\$ 2,451,315.49</u></b>

**GRAND TOTAL**                    **\$ 7,912,332.31**

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 89-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION TO INCREASE GRANT AGREEMENT WITH THE TOWN OF HACKETTSTOWN IN THE AMOUNT OF \$53,284.46 FOR THE HISTORIC STABILIZATION OF THE WADE HOUSE PROPERTY WITH FUNDING FROM THE WARREN COUNTY OPEN SPACE, RECREATION, AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND.**

**WHEREAS**, The Town of Hackettstown, having its offices at 215 West Stiger Street, Hackettstown, NJ, hereinafter referred to as the "Town", and the Warren County Board of Chosen Freeholders, 165 County Road 519 S, Belvidere, NJ 07823-1949, hereinafter referred to as the "County", and

**WHEREAS**, the Warren County Board of Chosen Freeholders created the Warren County Open Space, Recreation, and Farmland and Historic Preservation Trust Fund, hereinafter referred to as "Trust Fund", in accordance with P.L. 1997 C. 24 (C.40:12-15.1 et seq.) and,

**WHEREAS**, the Town has entered into a grant agreement with the County for financial assistance in fiscal year 2001 under the Trust Fund; and,

**WHEREAS**, the Town has submitted a request for an increase in that grant agreement amount in accordance with the rules and regulations of the Trust Fund and the Trust Fund Committee has reviewed said request and found it to be in conformance with the scope and the mission of the Trust fund, and recommended to the Warren County Board of Chosen Freeholders that the project be awarded additional funding; and,

**WHEREAS**, the Warren County Board of Chosen Freeholders confirmed the findings of the Trust Fund Committee and approved the increase to the project titled Wade House hereinafter referred

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to as "Approved Project" for funding; and,

**WHEREAS**, the Town has agreed to hold and use the premises of the Approved Project in compliance with the rules and regulations of the Trust Fund; and

**WHEREAS**, adequate funds are available in account #03893 5065 893107 5065 (Open Space Tax Recreation and Conservation Land Acquisition) and certified by the Chief Financial Officer;

**NOW, THEREFORE, BE IT RESOLVED** that, in consideration of the award for funding, and in accordance with the application heretofore filed, and hereby incorporated this Agreement, the Town and the County agree to perform in accordance with the terms and conditions set forth in this Grant Agreement, hereinafter referred to as the "Agreement".

**BE IT FURTHER RESOLVED** that the Freeholder Director is hereby authorized to execute said agreement.

Mr. Doherty asked for an overview of this request. Mr. Marvin responded that this was a request after the Municipal and Charitable Conservancy Trust Commission met on February 3<sup>rd</sup> and reviewed additional costs from Hackettstown's original application and grant award. Mr. DiMaio stated that he was at this meeting, and explained that the original application had been approved to cover restoration repairs from the open space tax funds within the allocation of the Municipal and Charitable Conservancy Trust.

Mr. Doherty raised concerns that the open space tax funds should be used for land preservation and he asked Planning Director Dave Dech to provide some history of allowed uses of the funding. Mr. Dech explained that the open space tax fund had allowances for historic building restorations in 2000 and since this resolution is requesting to amend the original application it would be acceptable.

Mr. Gardner stated that he was able to attend part of the meeting on February 3<sup>rd</sup> and noted the request presented the important historic importance of this project. He did suggest that the plans to install an ADA handicap ramp will change the character of the building and felt a lift installed may be more appropriate to maintain the historic character and minimize the additional cost.

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

**RESOLUTION 90-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION AUTHORIZING COUNTY ADMINISTRATOR TO EXECUTE DEEDS OF EASEMENT IN THE STATE OF NEW JERSEY AGRICULTURE RETENTION AND DEVELOPMENT PROGRAM.**

**WHEREAS**, The Board of Chosen Freeholders of the County of Warren has determined that certain properties have been granted final approval for the purchase of development rights of certain properties by the State Agriculture Development Committee Based on its formula index; and

**WHEREAS**, these farms have ranked well enough to be considered for the purchase of development easements through the state's program; and

**WHEREAS**, The Warren County Agriculture Development Board has reviewed and approved these for purchase of development easements; and

**WHEREAS**, the purchase of the development easements on these will encourage the survivability of productive agriculture in Warren County; and

**WHEREAS**, the form of deed is statutorily required to be executed by the grantor and the

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county; and

**WHEREAS**, the County Administrator has sufficient information and authority to execute such deeds on behalf of the County; and

**WHEREAS**, the busy schedules of the Freeholders do not always permit the deed to be executed without considerable hardship on the part of the Freeholder who executes the deed as well as the head of the Department of Land Preservation.

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

1. The county Administrator is hereby authorized to execute Deeds of Easements for the State of New Jersey Agriculture Retention and Development Program on behalf of the County and the County Administrator shall keep a log of such deeds executed by him and render reports to the Freeholders of this actions.
2. This resolution shall take effect immediately upon passage.

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 91-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION AUTHORIZING ACQUISITION AND IMPLEMENTATION OF A LIVE SCAN FINGERPRINT DEVICE FOR THE WARREN COUNTY CORRECTIONAL CENTER.**

**WHEREAS** the Office of the Attorney General of the State of New Jersey along with the Prosecutors of the 21 Counties in the State and the United States Marshall's Service is conducting a statewide fugitive initiative; and

**WHEREAS** the fugitive initiative is of great importance to the safety and well being of the citizen of Warren County and the State of New Jersey; and

**WHEREAS** this initiative and the safe, effective intake process at the Warren County Correctional Center relies on the ability to quickly and surely ascertain the true identity of arrested persons brought to jail; and

**WHEREAS** the Office of the Attorney General has secured grant funding to support the purchase of a Live Scan Fingerprint Device for the 21 county jails in the State of New Jersey,

**THEREFORE BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that the Warden of the Warren County Department of Corrections be authorized to expend approximately \$4,675 from the operating budget of the Department of Corrections in combination with \$2,000 from the forfeiture funds of the Warren County Prosecutor to cover the Warren County portion of the \$26,500 cost of the Live Scan Machine, and

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**BE IT FURTHER RESOLVED** that the Warden of the Warren County Department of Corrections be authorized to enter into a cooperative agreement with the New Jersey Department of Law and Public Safety, Division of State Police and the New Jersey Department of the Treasury, Office of Information Technology, concerning lawful use of the fingerprint equipment, equipment ownership and support.

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 92-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION ESTABLISHING A 10 TON WEIGHT LIMIT ON COUNTY BRIDGE #22046 ON COUNTY ROUTE 651 (PORT COLDEN – CHANGEWATER ROAD) OVER A TRIBUTARY TO THE MUSCONETCONG RIVER, WASHINGTON TOWNSHIP.**

**WHEREAS**, the County Engineer has reported to the Warren County Board of Chosen Freeholders of structural deterioration of Bridge #22046, on County Route 651 (Port Colden-Changewater Road) over a tributary to the Musconetcong River, Washington Township; and

**WHEREAS**, the County Engineer recommends this structure be posted for a 10 ton weight limit.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders that the above weight limit is hereby approved.

**BE IT FURTHER RESOLVED** by the Board of Chosen Freeholders that proper notification shall be placed on said bridge advising the general public and all others that said bridge is restricted to all vehicles exceeding the prescribed limits.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Clerk of Washington Township.

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 93-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: DESIGNATING CHRISTOPHER J. PESSOLANO, WARREN COUNTY PURCHASING AGENT, AS THE PUBLIC AGENCY COMPLIANCE OFFICER (P.A.C.O.) FOR THE COUNTY OF WARREN.**

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren is required to appoint a Public Agency Compliance Officer (P.A.C.O.) pursuant to P.L. 1975, C.127 (N.J.A.C. 17:27);

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**NOW THEREFORE, BE IT RESOLVED**, by the Board of Chosen Freeholders of the County of Warren that Christopher J. Pessolano is hereby designated as Public agency Compliance Officer (P.A.C.O.) for a term retroactive to January 10, 2003 thru January 9, 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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 94-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: TERMINATION OF THE CONTRACT WITH UNITED HEALTHCARE INSURANCE COMPANY FOR PROVISION OF HEALTH INSURANCE BENEFITS ADMINISTRATION.**

**WHEREAS**, by resolution adopted January 1, 2000 the Board of Chosen Freeholders of the County of Warren entered into an agreement with United Healthcare Insurance Company for provision of health insurance benefits administration; and

**WHEREAS**, by mutual agreement between the parties said agreement will be terminated effective March 31, 2003. Run Out Services will be required for three months following the termination of contract. The fee for run out services will be determined at the time termination notice is given.

**NOW THEREFORE, BE IT RESOLVED**, that the contract between the Board of Chosen Freeholders of the County of Warren and United Healthcare Insurance Company as referenced herein shall be terminated per mutual agreement between the parties effective March 31, 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

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

**RESOLUTION 95-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: TERMINATION OF CONTRACT WITH LEHIGH VALLEY PHYSICIAN HOSPITAL ORGANIZATION INC., & EASTERN PENNSYLVANIA HEALTH NETWORK FOR PROVISION OF ADMINISTRATION AND EXPANDED NETWORK HEALTHCARE SERVICES.**

**WHEREAS**, by resolution adopted January 1, 2000 the Board of Chosen Freeholders of the County of Warren entered into an agreement with Lehigh Valley Physician Hospital Organization Inc., and Eastern Pennsylvania Health Network for provision of health insurance benefits administration and expanded network healthcare services;and

**WHEREAS**, by mutual agreement between the parties said agreement will be terminated effective March 31, 2003. The County of Warren will continue to pay access fees for three months, through June 30, 2003, to insure that all claims incurred prior to the termination date are processed accurately based on the negotiated rates. The access fee for this service will not exceed \$14,490.00.

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**NOW THEREFORE, BE IT RESOLVED**, that the contract between the Board of Chosen Freeholders of the County of Warren and Lehigh Valley Physician Hospital Organization Inc., and Eastern Pennsylvania Health Network as referenced herein shall be terminated per mutual agreement between the parties effective March 31, 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

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

**RESOLUTION 96-03**

On motion by Mr. Gardner, 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 February 11, 2003.

**RESOLUTION BARRING MEMBERS OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS FROM ELIGIBILITY FOR OR PARTICIPATION IN WARREN COUNTY'S HEALTH BENEFITS PROGRAM AND AMENDING A RESOLUTION OF DECEMBER 26, 1979 TO PROSPECTIVELY RESCIND COUNTY ELECTED OFFICIALS OPTION TO CONTINUE IN THE COUNTY HEALTH BENEFITS PROGRAM AT THE CONCLUSION OF THEIR TERM OF OFFICE.**

**BE AND IT IS HEREBY RESOLVED** that effective immediately, members of the Warren County Board of Chosen Freeholders are barred from eligibility for or participation in Warren County's health benefits program; and

**BE IT FURTHER RESOLVED** that a resolution of December 26, 1979 is hereby amended to prospectively rescind the option to continue at personal cost in the Warren County health benefits program extended to any elected official holding the title of Freeholder, County Clerk, Sheriff or Surrogate at the conclusion of their term.

Mr. DiMaio commented that he is the only Freeholder that will be impacted by this resolution. He and Mr. Doherty conversed at length about this resolution. Mr. Gardner stated that he introduced this and his intent was based on a Freeholder being a part-time position.

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. DiMaio abstain, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 97-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN, AMENDING AND SUPPLEMENTING THE COUNTY OF WARREN'S POLICY ON THE AWARD OF PROFESSIONAL SERVICE APPOINTMENTS AND CONTRACTS BY PRECLUDING THE AWARD OF APPOINTMENTS AND CONTRACTS TO THOSE INDIVIDUALS WHO HOLD A POSITION AS AN OFFICER IN A COUNTY POLITICAL COMMITTEE OR TO FIRMS, COMPANIES, OR BUSINESSES WHO EMPLOY, SUBCONTRACT OR OTHERWISE COMPENSATE SUCH INDIVIDUALS.**

**WHEREAS**, the Local Public Contracts Law's *N.J.S.A. 40A: 11-1*, et. seq., purpose is to guard

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against favoritism, improvidence, extravagance, and corruption and to secure for the public, the benefit of unfettered competition; and

**WHEREAS**, the Warren County Board of Chosen Freeholders wishes to advance the public interest in guarding against favoritism by amending and supplementing the County's policy on the Award of Professional Service Appointments and Contracts to preclude the award of said appointments and contracts to individuals holding a position as an officer in a County Political Committee or to firms, companies or businesses who employ, subcontract or otherwise compensate such individuals.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren approving the amending and supplementing of the County of Warren's policy on the Award of Professional Service Appointments and Contracts by precluding the award of appointments and contracts to individuals who hold the position of an officer in a County Political Committee or to firms, companies, or businesses who employ, subcontract or otherwise compensate such individuals.

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 98-03**

On motion by Mr. Gardner, 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 February 11, 2003.

**RESOLUTION ESTABLISHING THE SALARIES OF MEMBERS OF THE COUNTY BOARD OF ELECTIONS AT THE STATUTORILY PERMITTED MINIMUM SALARY LEVEL IN ACCORDANCE WITH N.J.S.A.19: 45-7.**

**BE AND IT IS HEREBY RESOLVED** that effective immediately, the annual salaries of the members of the Warren County Board of Elections are established at the statutorily permitted minimum salary level as described in N.J.S.A. 19: 45-7; that is two members shall each be paid \$3,200 per year, the Secretary shall be paid \$4,800 per year and the Chairperson shall be paid \$4,800 per year, and this resolution shall continue in full force and effect until amended or otherwise acted upon by the Warren County Board of Chosen Freeholders.

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

Tammy M. Lynn Deputy Clerk

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

**RESOLUTION 99-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION APPROVING THE CONTRACTOR DOCUMENTS FOR CONTRACT #WC0314P FOR ENGINEERING AND INSPECTION SERVICES FOR THE CONSTRUCTION PHASE OF THE COUNTY ROUTE #661 IMPROVEMENTS, JOHNSONBURG, FRELINGHUYSEN TOWNSHIP.**

**BE IT RESOLVED** that the contract documents for Contract #WC0314P for Engineering and Inspection Services for the construction phase of the County Route #661 Improvements, Johnsonburg, Frelinghuysen Township are hereby approved.

**BE IT FURTHER RESOLVED** that the County Engineer is hereby directed to solicit proposals

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from a qualified firm for the above project.

**TENTATIVE SCHEDULE****PROPOSAL DATE – APRIL 1, 2003****AWARD DATE – APRIL 23, 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

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

**RESOLUTION 100-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION APPROVING THE CONTRACT DOCUMENTS FOR CONTRACT #WC0312P FOR ENGINEERING SERVICES FOR CORING AND BITUMINOUS TESTING ON VARIOUS WARREN COUNTY CONSTRUCTION PROJECTS FOR 2003.**

**BE IT RESOLVED** that the contract documents for Contract #WC0312P for Engineering Services for Coring and Bituminous Testing of Various Warren County Construction Projects for 2003 are hereby approved.

**BE IT FURTHER RESOLVED** that the County Engineer is hereby directed to solicit proposals from qualified firms for the above project.

**TENTATIVE SCHEDULE****PROPOSAL DATE - Tuesday March 18, 2003****AWARD DATE – Wednesday, April 9, 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

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

**RESOLUTION 101-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION APPROVING THE CONTRACT DOCUMENTS FOR CONTRACT #WC0310P FOR ENGINEERING SERVICES FOR THE INSPECTION OF VARIOUS WARREN COUNTY ROAD CONSTRUCTION PROJECTS FOR 2003.**

**BE IT RESOLVED** that the contract documents for Contract #WC0310P for Engineering Services for the Inspection of Various Warren County Construction Projects for 2003 are hereby approved.

**BE IT FURTHER RESOLVED** that the County Engineer is hereby directed to solicit proposals from qualified firms for the above project.

**TENTATIVE SCHEDULE****PROPOSAL DATE - Tuesday March 18, 2003****AWARD DATE – To be determined by project needs**

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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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 102-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION APPROVING THE CONTRACT DOCUMENTS FOR CONTRACT #WC0313P FOR ENGINEERING AND INSPECTION SERVICES FOR THE CONSTRUCTION PHASE OF THE COUNTY ROUTE #519 IMPROVEMENTS (RT.22 TO DUMONT ROAD), GREENWICH TOWNSHIP.**

**BE IT RESOLVED** that the contract documents for Contract #WC0313P for Engineering and Inspection Services for the construction phase of the County Route #519 Improvements (Rt. 22 to Dumont Road), Greenwich Township are hereby approved.

**BE IT FURTHER RESOLVED** that the County Engineer is hereby directed to solicit proposals from a qualified firm or firms for the above project.

**TENTATIVE SCHEDULE**

**PROPOSAL DATE – MARCH 18, 2003**

**AWARD DATE – APRIL 9, 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

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

**RESOLUTION 103-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION APPROVING THE CONTRACT DOCUMENTS FOR CONTRACT #WC0311P FOR ENGINEERING SERVICES FOR THE INSPECTION OF VARIOUS WARREN COUNTY BRIDGE CONSTRUCTION PROJECTS FOR 2003.**

**BE IT RESOLVED** that the contract documents for Contract #WC0311P for Engineering Services for the Inspection of Various Warren County Bridge Construction Projects for 2003 are hereby approved.

**BE IT FURTHER RESOLVED** that the County Engineer is hereby directed to solicit proposals from qualified firms for the above project.

**TENTATIVE SCHEDULE**

**PROPOSAL DATE - Tuesday March 18, 2003**

**AWARD DATE – To be determined by project needs**

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

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**RESOLUTION 104-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: APPROVAL OF SPECIFICATION WC0315 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR MOWING OF COUNTY PROPERTY FOR THE WARREN COUNTY DEPARTMENT OF LAND PRESERVATION.**

**BE IT RESOLVED**, that specification WC0315 for mowing of county properties for the Warren County Department of Land Preservation 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 are provided in budget account 03892/5100 - Maintenance of Recreation & County Property - Program Operating Expense.

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 105-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0208 WITH DENVILLE LINE PAINTING, INC. FOR 2002 PAVEMENT MARKINGS ON VARIOUS WARREN COUNTY ROADS FOR A NET DECREASE OF \$6,879.15 AND A FINAL CONTRACT AMOUNT OF \$169,682.01.**

**WHEREAS**, Contract #WC0208 was awarded to Denville Line Painting, Inc. for 2002 Pavement Markings on Various Warren County Roads in the contract amount of \$176,561.16; and

**WHEREAS**, final as-built quantities resulted in a net decrease of \$6,879.15; and

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

**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 Denville Line Painting, Inc. for a net decrease of \$6,879.15 and a final contract amount of \$169,682.01.

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 106-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: APPROVING THE PROFESSIONAL SERVICES AGREEMENT WC0317R FOR PRE-EMPLOYMENT PHYSICALS WITH BACK COMPONENT AND SECOND OPINION**

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**EVALUATIONS TO LEHIGH VALLEY WELLNESS CENTER, FOR THE PERIOD OF MARCH 1, 2003 THROUGH DECEMBER 31, 2003, AT A RATE OF \$60.00 PER PHYSICAL NOT TO EXCEED \$10,000.**

**WHEREAS**, there exists a need for the professional services of a medical Doctor to provide medical physicals with back component as needs dictate; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-5 et. seq.) requires that a resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection; and

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

**WHEREAS**, adequate funds are available in various budget accounts 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 Lehigh Valley Wellness Center of Phillipsburg, New Jersey for professional services for the above project, in the amount not to exceed \$10,000.00 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.
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A notice of this action shall be published in the Star Gazette, as required by law, within ten days of its adoption

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

Tammy M. Lynn Deputy Clerk

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

**RESOLUTION 107-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: APPROVING THE AGREEMENT WC0316R FOR PROFESSIONAL INSURANCE**

**SERVICES TO PROVIDE THIRD PARTY ADMINISTRATION FOR THE WARREN COUNTY SELF INSURED EMPLOYEE MEDICAL INSURANCE PROGRAM FOR THE PERIOD OF APRIL 1, 2003 THROUGH DECEMBER 31, 2003 TO HORIZON BLUE CROSS BLUE SHIELD OF NEW JERSEY IN THE AMOUNT OF \$56.40 PER EMPLOYEE PER MONTH.**

**WHEREAS**, there exists a need for the professional services of an Insurance Administrator to provide Third Party Administration for the Warren County Employee Medical Insurance Program: and

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

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

**WHEREAS**, adequate funds are available in account 33105/5721 – Healthcare Trust Account, Administrative Costs and certified by the County Chief Financial Officer

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**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 Horizon Blue Cross Blue Shield of New Jersey for professional services for the above project, for the term of April 1, 2003 through December 31, 2003 in the amount not to exceed \$56.40 per employee per month, is hereby approved and the Director is hereby authorized and directed to execute the appropriate contract, and the Personnel Director is hereby authorized and directed to provide the appropriate written notice of cancellation to the County's Current Third Party Administrator.
2. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1)(a)(i) of the Local Public Contracts Law.
3. 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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 108-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: APPROVING THE AGREEMENT WC0318R FOR PROFESSIONAL INSURANCE SERVICES TO PROVIDE PRESCRIPTION ADMINISTRATION FOR THE WARREN COUNTY SELF INSURED EMPLOYEE MEDICAL INSURANCE PROGRAM FOR THE PERIOD OF APRIL 1, 2003 THROUGH DECEMBER 31, 2003 TO EXPRESS SCRIPT, INC.**

**WHEREAS**, there exists a need for the professional services of a Pharmacy Benefits Manager to provide Prescription Services for the Warren County Employee Medical Insurance Program: and

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

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

**WHEREAS**, adequate funds are available in account 33105/5721 – Healthcare Trust Account, Administrative Costs 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:

**DISPENSING FEE RETAIL**

Brand - \$2.25

Generic - \$2.25

Mail Brand - \$0.00

Generic - \$0.00

**TRANSACTION FEE**

Retail - \$0.25

Mail Order - \$0.00

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Express Script, Inc., of Maryland Heights, Missouri for professional services for the above project, for the term of April 1, 2003 through December 31, 2003, is hereby approved and the Director is hereby authorized and directed to execute the appropriate

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contract.

2. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1)(a)(i) of the Local Public Contracts Law.
3. 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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 109-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: AWARD OF PURCHASE ORDER TO SUNGARD PENTAMATION INC., TO PROVIDE COMPUTER SOFTWARE AND HARDWARE MAINTENANCE FOR THE PERIOD OF JANUARY 1, 2003 THROUGH DECEMBER 31, 2003 FOR THE WARREN COUNTY INFORMATION SYSTEMS DEPARTMENT IN THE TOTAL AMOUNT OF \$55,000.00.**

**WHEREAS**, it has been recommended that the county issue a purchase order for computer maintenance services on special licensed computer software; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-5(dd)) is an exception and requires a resolution authorizing the award of contracts without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Director of Purchasing has certified that this meets the statute and regulations governing the award of said contracts,

**NOW THEREFORE, BE IT RESOLVED**, that a contract be awarded to Sungard Pentamation Inc., of Bethlehem, Pennsylvania for providing computer hardware and software maintenance on licensed products for the Warren County Information Systems Department

**BE IT FURTHER RESOLVED** by the Board of Chosen Freeholders of the County of Warren as follows:

1. The Director of Purchasing is hereby authorized and directed to issue a purchase order to Sungard Pentamation Inc., of Bethlehem, Pennsylvania
2. This contract is awarded without competitive bidding as an "Exception" in accordance with 40A:11-5(dd) of the Local Public Contracts Law because the services provided are for proprietary computer hardware and software maintenance.
3. A notice of this action shall be published in the Star Gazette.

Funding for this contract is provided in budget account 011400/5026 – Information Systems – Contracted Equipment Maintenance

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 110-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: AWARD OF A PURCHASE ORDER TO GREENMAN-PEDERSEN, INC., TO PROVIDE COMPUTER SOFTWARE AND HARDWARE MAINTENANCE FOR THE WARREN COUNTY ENGINEERING DEPARTMENT IN THE TOTAL AMOUNT OF \$21,720.00.**

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**WHEREAS**, it has been recommended that the county issue a purchase order for computer maintenance services on special licensed computer software; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-5(dd)) is an exception and requires a resolution authorizing the award of contracts without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the Director of Purchasing has certified that this meets the statute and regulations governing the award of said contracts,

**NOW THEREFORE, BE IT RESOLVED**, that a contract be awarded to Greenman-Pedersen, Inc., of Lebanon, New Jersey for providing computer hardware and software and maintenance on licensed products for the Warren County Engineering Department

**BE IT FURTHER RESOLVED** by the Board of Chosen Freeholders of the County of Warren as follows:

4. The Director of Purchasing is hereby authorized and directed to issue a purchase order to Greenman-Pedersen Inc., of Lebanon, New Jersey
5. This contract is awarded without competitive bidding as an "Exception" in accordance with 40A:11-5(dd) of the Local Public Contracts Law because the services provided are for proprietary computer hardware and software maintenance.
6. A notice of this action shall be published in the Star Gazette.

Funding for this contract is provided in capital account 0401A302/5064 01A302/5064 – Bridge Management System – Bridge & Culvert Improvements

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 111-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: AUTHORIZATION TO ISSUE PURCHASE ORDERS TO M/A-COM INC., C/O: PROCOMM SYSTEMS, INC., UNDER NEW JERSEY STATE CONTRACT #53753 COVERING RADIO COMMUNICATION EQUIPMENT & ACCESSORIES FOR RADIO EQUIPMENT TO EXPAND COVERAGE OF EMSDISP-1 AND TO EXPAND AND RECONFIGURE BASE STATION FOR THE WARREN COUNTY COMMUNICATIONS CENTER IN THE TOTAL AMOUNT OF \$37,308.30.**

**BE IT RESOLVED**, that the purchasing department is authorized to issue purchase orders for radio equipment for various communication center radio systems and is hereby awarded

to . . . M/A-Com, Inc., Lynchburg, VA

in the amount of . . . \$37,308.30

at the prices established under New Jersey State Contract #53753

Funding for this contract has been provided in capital account 0499A40101/5054 99A401/5054 – 911 Communication Center Equipment

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 112-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: AWARD OF CONTRACT TO FINELLI CONSULTING ENGINEERS, INC. OF WASHINGTON, NEW JERSEY FOR SURVEYING SERVICES ON THE NABOZNY PROPERTY, BLOCK 39, LOT 1, FRANKLIN TOWNSHIP AND BLOCK 15, LOT 5, GREENWICH TOWNSHIP PROPOSED FOR ACQUISITION, AS LISTED IN THE PROPOSAL, IN THE TOTAL AMOUNT OF \$4,900.00.**

**WHEREAS**, The Warren County Agricultural Board has developed a list of Farms for preservation for the year 2003;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 Agricultural 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 Finelli Consulting Engineers, Inc., in the amount of \$4,900.00 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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 113-03**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2003.

**RESOLUTION RE: APPROVING CHANGE ORDER #1 FOR CONTRACT WC0245 FOR ROCK SALT WITH ATLANTIC SALT, INC., FOR AN INCREASE OF 2000 TONS AND A NET INCREASE OF \$63,380.00 AND A REVISED CONTRACT AMOUNT OF \$380,280.00.**

**WHEREAS**, Contract WC0245 was awarded to Atlantic Salt Inc., of Lowell, Massachusetts for 10,000.00 tons of Rock Salt in the contract amount of \$316,900.00; and

**WHEREAS**, additional Rock Salt is needed for all County Routes to be used for salting county roadways when icy etc; and

**WHEREAS**, adequate funds have been established in budget account 012900/5125 – Road

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Department M & R Materials and certified by the County C.F.O.

**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 contract for a net increase of \$63,380.00 and a final Contract in the amount of \$380,280.00

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

On motion by Mr. Gardner, seconded by Mr. DiMaio, a resolution is to be prepared for the next regular meeting approving the reappointments of members to the Warren County Division of Senior Services Advisory Council *Reappoint*: Miriam Allen, Mildred Carter, Margaret Dickerson, Charles Volpe, Caroline Willner, Kathy Warren, all with a terms to expire 12/31/05.

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Board accepted with regret the resignation effective immediately from John P. Delgado [White Twsp. Rep., member of the Warren County (Pequest River) Municipal Utilities Authority.

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Board accepted with regret the resignation effective immediately from John Hawk, member of the Human Services Advisory Council.

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, a resolution is to be prepared for the next regular meeting approving the reappointment of member to the Warren County Advisory Council on Disabilities, to fill the vacancy of J. Eric Pridmore, effective February 11, 2003 *Appoint*: Laura Clark Curtis, with a term to expire October 30, 2004.

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

**RESOLUTION 114-03**

On motion by Mr. Gardner, 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 February 11, 2003.

**RESOLUTION APPOINTING A MEMBER TO THE WARREN COUNTY SOLID WASTE ADVISORY COUNCIL *Appoint*: Richard Kowal as White Township Representative.**

**BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby appoint the following member to the Warren County Solid Waste Advisory Council, effective February 11, 2003, replacing William Rockafellow representing the Township of White.

Richard Kowal  
61 Beechwood Road  
Belvidere, NJ 07823  
(White Township Representative)

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

Mr. Marvin informed the Board that there are still two Freeholder appointments to the Phillipsburg Library Board of Trustees that need to be filled. He asked them to review the data sent in their packets and if they know of anyone who would be interested to apply. Mr. DiMaio responded that he knew of an individual from White Township that may be interested and he will get an application submitted for consideration.

**RESOLUTION 115-03**

On motion by Mr. Gardner, 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 February 11, 2003.

**RESOLUTION APPROVING COUNTY SERVICE TIME ADJUSTMENT FOR CURRENT WARREN COUNTY EMPLOYEES FORMERLY HIRED UNDER THE CETA, ARFA AND EEA FEDERAL GRANT PROGRAMS.**

**WHEREAS**, the Warren County Board of Chosen Freeholders has become aware of a deficit of County service time on the personnel records of current employees hired by the County during the nineteen seventies under Federal grant programs entitled CETA, ARFA and EEA; and

**WHEREAS**, the Warren County Board of Chosen Freeholders recognize an administrative oversight in the recording of employee initial dates of hire; and

**WHEREAS**, the Warren County Board of Chosen Freeholders desires to restore this lost County service time to its current employees hired under the aforementioned grants,

**NOW THEREFORE BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that all current employees hired under CETA, ARFA, and EEA Federal grant programs whose employment records reflect a deficit in service time, be awarded credit for lost service time; and

**BE IT FURTHER RESOLVED** that the employees identified as recipients of adjusted service time have their annual vacation leave and longevity benefits recalculated to reflect this adjusted time, from January 1, 2003 forward; and

**BE IT FURTHER RESOLVED** that the Warren County Personnel Department be directed to correct these records in the interest of affected employees and notify these employees of these adjustments in compliance with this resolution which shall 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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

**RESOLUTION 116-03**

On motion by Mr. Gardner, 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 February 11, 2003.

**RESOLUTION CREATING A FULL TIME POSITION OF HUMAN SERVICE SPECIALIST I, CLASSIFIED, AND ABOLISHING A FULL TIME POSITION OF HUMAN SERVICE SPECIALIST II, CLASSIFIED, IN THE DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES WITHIN**

**MINUTES****FEBRUARY 11, 2003****THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES.**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that a full time position of Human Service Specialist I, Classified, is created in the Division of Temporary Assistance and Social Services in the Warren County Human Services Department for the purpose of augmenting the efficiency and effectiveness of operations; and

**BE IT FURTHER RESOLVED** that a full time position of Human Service Specialist II, Classified, be abolished and that the full time position of Human Service Specialist I be established on CWA Local 1071, Range 14, 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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

Under reports and comments, County Counsel Joseph Bell reported that he had one litigation item to discuss in executive session.

County Engineer Dave Hicks reported that he distributed a memo to the Board that he received notice Asphalt costs were increasing dramatically, which impact the road resurfacing projects. He advised the Board that he has suspended bids until these costs become more stable.

County Planner Dave Dech reminded the Board that the next County Strategic Growth meeting will be held on February 13<sup>th</sup>, 7 p.m. at the Fish Hatchery. He also advised the Board that he distributed a memo relating to the Storm Water Management Plans from discussions at the last Warren County Planning Board meeting.

County CFO Pete Houck had nothing to report.

County Administrator Steve Marvin presented one Hiring Request from the Warren Acres Juvenile Detention Center for one part-time J.D.O. to fill a vacancy due to a recent termination. The Board approved.

Mr. Marvin noted that he received communication from Superintendent Frank Mancuso of the Warren County Technical School requesting that the Board of School Estimate Hearing be scheduled for March 26, 2003 at 7:00 p.m. The Board approved.

Mr. Marvin explained the recommendation from Personnel Director Jerry Coyle to amend the Administrator and Assistant Administrator positions at Warren Haven from classified to unclassified service. He stated that it has been determined that it is not in the best interest of the County to utilize the State Department of Personnel to determine who could best fill these crucial positions at the facility. The Board agreed and asked to have a resolution prepared for a future meeting.

Mr. Marvin began to discuss the PCFA of Warren County's Solid Waste Management Plan amendment request. He explained that this can be sent to the Solid Waste Advisory Council to review before any Board action is taken. Mr. Doherty responded that Warren County is at a very big transition point and he has concerns for this facility. He described current conditions relating to sulfur gases and requested to have a third party independent inspection and financial audit performed before any decision is made to expand and / or close this facility. He presented a draft resolution to the Board for Professional Services from Stephen Madonna, Esq. who is experienced with environmental issues. County Counsel Joseph Bell interrupted Mr. Doherty citing a need to discuss this further in executive session.

## MINUTES

FEBRUARY 11, 2003

**RESOLUTION 117-03**

On motion by Mr. Gardner, seconded by Mr. DiMaio, at 9:14 p.m. request to continue discussion in executive session relating to Mr. Doherty's request for an independent third party inspection and / or audit of the PCFAWC facility.

**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:

- (3) *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.
- (4) *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.
- (5) *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

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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 February 11, 2003, that an Executive Session closed to the Public shall be held on February 11, 2003, at 9:14 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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

The Board returned to open session at 9:46 p.m.

Director Doherty announced that after careful review of his request to hire Stephen Madonna, the Board authorizes County Counsel Bell to finalize the proper resolution authorizing a third party independent inspection and/or audit of the PCFAWC facility for the next Freeholder meeting.

On motion by Mr. DiMaio, seconded by Mr. Gardner, **AUTHORIZING COUNTY COUNSEL TO FINALIZE A PROFESSIONAL SERVICES AGREEMENT WITH STEPHEN MADONNA, ESQ. TO FACILITATE AN AUDIT OF THE WARREN COUNTY POLLUTION CONTROL FINANCE AUTHORITY FOR RESOLUTION AT THE NEXT FREEHOLDER MEETING.**

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

**RESOLUTION 118-03**

On motion by Mr. Gardner, 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 February 11, 2003.

**RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN, NEW JERSEY APPROVING SETTLEMENT OF A LAWSUIT ENTITLED AHS HOSPITAL CORP./MMH V. COUNTY OF WARREN, DOCKET NO. MRS-L-2057-01 IN THE AMOUNT OF**

**MINUTES****FEBRUARY 11, 2003****THREE HUNDRED EIGHTY-THREE THOUSAND TWENTY-EIGHT DOLLARS AND EIGHTY-TWO CENTS (\$383,028.82).**

**WHEREAS**, a lawsuit was initiated by Morristown Memorial Hospital seeking reimbursement for the care provided to a patient who sustained serious injury at the Warren County Correctional Facility; and

**WHEREAS**, Morristown Memorial Hospital sought the sum of Five Hundred Ten Thousand Seven Hundred Five Dollars and Nine Cents (\$510,705.09); and

**WHEREAS**, an arbitrator awarded the sum of Four Hundred Sixty Thousand Five Hundred Twenty-Seven Dollars and Thirty-Six Cents (\$460,527.36); and

**WHEREAS**, further negotiations by and between the County Counsel and Counsel for Morristown Memorial Hospital arriving at the amount of Three Hundred Eighty-Three Thousand Twenty-Eight Dollars and Eighty-Two Cents (\$383,028.82) as a fair and reasonable settlement of each and every claim; and

**WHEREAS**, said sums shall be payable to the hospital on approval within six (6) months of the adoption of this resolution and advisement to the Superior Court that the matter has been settled with prejudice and if in fact said sums are not paid within the six (6) month, interest shall accrue at the rate of four percent (4%) for the unpaid balance; and

**WHEREAS**, the County of Warren resolves this matter with prejudice and will continue to pursue reimbursement plus counsel fees from the County's Insurance Carrier for its failure to honor this claim.

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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

Under Freeholder comments, Mr. DiMaio had nothing to report.

Mr. Gardner reported that he attended the N.J.A.C. meeting on January 28<sup>th</sup>, which he found to be very informative as a new Freeholder. He stated that he is on the Economic Committee and is looking forward to participation and bringing back information that will help Warren County.

Mr. Doherty reported that he recently attended the Warren County Art Show on Sunday at Oxford Hall that was an enjoyable event with so many artistic displays.

Under closing public comments, there were none.

Under press comments and questions, there were none.

On motion by Mr. DiMaio, seconded by Mr. Gardner, and there being no further official business to come before the Board at this time, the meeting was adjourned at 9:50 p.m.

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

***ATTESTED TO:***

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*Tammy M. Lynn, Deputy Clerk*