

MINUTES**FEBRUARY 26, 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 26, 2003 at 7:30 p.m.

The meeting was called to order by Director Doherty and upon roll call, the following members were present: Freeholder Michael J. Doherty, and Freeholder Richard D. Gardner. Also attending were County Administrator Steve Marvin, Assistant County Counsel Nancy Gage, CFO Charles Houck, Fiscal Analyst Daniel Olshefski and Deputy Clerk Tammy M. Lynn.

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

Freeholder John DiMaio arrived at 7:32 p.m.

Director Doherty read the following statement: “ **ADEQUATE NOTICE OF THIS MEETING OF FEBRUARY 26, 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. IN ADDITION A NOTICE OF THE CONTINUATION OF THE PUBLIC HEARING ON THE 2003 WARREN COUNTY BUDGET WAS PUBLISHED IN THE FEBRUARY 21, 2003 EDITION OF THE EXPRESS-TIMES. 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 regular meeting held February 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 executive session held February 11, 2003 were approved.

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

Director Doherty read the Proclamation declaring March 2003 as Nutrition Month.

On motion by Mr. Gardner, seconded by Mr. DiMaio, PROCLAMATION - NATIONAL NUTRITION MONTH for MARCH 2003 request from Rutgers

Cooperative Extension, Family and Consumer Sciences Program Associate - Jeri Lynn Flynn.

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

Mr. Doherty presented the proclamation to Ms. Flynn, she thanked him and the Board for the support in promoting proper nutrition.

Director Doherty read the Proclamation marking the 12th Anniversary of Operation Desert Storm and the Persian Gulf War and the Liberation of Kuwait on February 26, 2003.

PROCLAMATION 121-03

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

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Board of Chosen Freeholders of the County of Warren at a meeting held on February 26, 2003.

PROCLAMATION - MARKING THE 12TH ANNIVERSARY OF OPERATION DESERT STORM AND THE PERSIAN GULF WAR, AND THE LIBERATION OF KUWAIT on FEBRUARY 26, 2003.

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

Mr. Doherty presented the Proclamation to Leo Becker, Supervisor of the Warren County Veterans Interment. Mr. Becker thanked the Board for recognizing the Veterans and their families.

Director Doherty re-opened the Public Hearing on the 2003 Warren County Budget at 7:38 p.m. and asked the County Tax Administrator and Warren County Tax Board President to come forward for discussion. He thanked both of them for attending the meeting. Mr. Orcutt introduced himself and Melissa Pritchett, County Tax Administrator.

Mr. Doherty asked Mrs. Pritchett and Mr. Orcutt what happened with the anticipated tax report between January and February that caused the reduction in anticipated revenue of almost \$2,000,000.00.

Mrs. Pritchett responded that the first notice was only an estimate, which was confirmed in the notice. She explained that seven municipalities had reassessments completed in 2002 these created a huge change in the county tax anticipated revenue that was shown in the last notice.

Mr. Doherty asked why that was not reported in January. Mrs. Pritchett explained that the State regulations do not allow the changes to be reported until they certify them in February.

The Board, Mrs. Pritchett and Mr. Orcutt discussed at length the market trends between the Warren County Municipalities and neighboring Hunterdon County. In addition, they discussed how the ratios on assessments changed substantially during the reassessment of the seven county municipalities.

It was explained that in most cases the municipal ratios would usually vary between municipalities because of the real estate market and desirability of a specific community. The difference between the January and February anticipated revenue reports were directly due to the ratios changing after the revaluations and the State regulations concerning establishment of final rates. Mr. Orcutt and Mrs. Pritchett concluded the main difference this year was that there were seven municipalities revalued last year, when normally there are on average three performed annually.

Mrs. Pritchett and Mr. Orcutt left the public hearing at 7:57 p.m.

Director Doherty stated that he would like to discuss options for the purpose of reducing the 2003 County Budget. He stated that the Board hired Randy May as Insurance Risk Manager for searching programs that would offer insurance savings. After the Health Insurance presentation and approval to change third party administrators, it is still showing an increase in the budget. Mr. May recently provided an updated report to Mr. Doherty and it states that there will be a savings and he would like to reduce that part of the budget by \$750,000.

After Mr. Doherty distributed a copy of Mr. May's report Mr. Olshefski responded that the report notes an estimated savings of \$1.5 million annually. Mr. Olshefski explained that Mr. May was able to reduce the anticipated increase costs by \$1.5 million.

Mr. DiMaio commented that the Board discussed this item at length during the Budget Hearings and concluded that the Board agreed it would be more prudent to keep the anticipated costs as is and if not used reduce this amount next year and this would allow the new third party administrator to have actual claims history.

Director Doherty called for a break at 8:10 p.m. to call Mr. May and confirm the facts of his report versus what Mr. Olshefski just reported as the total amount paid out for medical costs in the month of January.

The Board returned to open session at 8:22 p.m. Director Doherty reported that he was unable to

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reach Mr. May however, prior conversation with him concluded that the health insurance was factored with an \$80,000 increase a month and he would still like to see this item reduced.

Mr. DiMaio stated that the report is based on estimates of discounts and if there are a couple of large claims not anticipated, we would be unprepared. He would like to wait until the new administrator has some time to report current expenditures.

Mr. Gardner stated that he also spoke with Mr. May and he restated the potential for \$1.5 million in savings through the Horizon Blue discounts. However, when it comes to health care he is more conservative. Mr. Gardner stated that this has potential to affect the county employees and their families; there is no crystal ball to foresee that the discounts will generate \$1.5 million savings. He concluded that if the year ends as anticipated then the adjustment can be made in 2004.

Mr. Doherty concluded that he was disappointed that the Board would not consider

this option to reduce the budget. He then explained that he asked the Treasurers office to prepare new reductions to the surplus account. Mr. Doherty distributed the report and commented about the historical trends over the past ten years. He stated that for two years he agreed with Mr. DiMaio and the need to keep the surplus account as is, but now with the reductions to the anticipated tax revenue and the state aid cuts, he feels the surplus should be reduced and not be more than 10%. He contacted N.J.A.C. for some guidelines and maximum allowance of surplus and was advised there are none. He then contacted the Director of Community Affairs; and Mark Pfeiffer told him that there is no written guideline; he stated that in most counties the amount kept in surplus is determined by the fiscal need and/or anticipated costs in the future.

Mr. DiMaio commented that based on his prior mayor experiences and looking at the county trend he still believes that the tax revenues will no longer increase and having foresight to place some reserve in surplus will lead to stabilization of long-term tax control for the property owners of Warren County.

Mr. Doherty responded that the State of New Jersey revenue is based on sales and income tax revenues, while the county is solely based on property tax. He noted that with the growth that is occurring in the southern areas of the county there is confirmation of increased revenues in future years. Mr. Doherty noted that he agreed with Mr. DiMaio in past budgets but the property owners are saying that Government should not be for profit. He agrees and stated that lowering taxes allows the people to utilize their money and, hopefully they would be stimulated to return it into the economy. He noted that economists say that by allowing people to stimulate the local economy, it will come back seven times. Mr. Doherty proposed to lower the budgeted surplus amount to \$4,000,000 noting that there is an anticipated \$4,800,000 to arrive throughout the year and the combined total will be 11.4% of the 2003 budget.

Director Doherty asked for public comments on the public hearing for the budget.

Marsha Marasco, Washington Township resident asked Mr. Doherty if the surplus is decreased would the tax reduction be spread out over a number of years or a one time immediate reduction to the property owners. Mr. Doherty responded that it would be a one time immediate tax reduction. She thanked him.

Mike Selby, Blairstown Township, told the Board that he is a certified Economist and agrees with Mr. Doherty's description that surplus is profit. He doesn't see a problem with retaining 10% of the tax levy in surplus for emergency situations that may arise in a given year. However, he noted that the 10% currently calculated was based on the annual budget which shows federal and state funds so, the actual amount the Board is holding is almost 20% of the tax revenues funded portion of the budget.

Mr. DiMaio responded that a surplus allows for long term rate stabilization and his record as Mayor of Hackettstown for almost 20 years proves his reasons, he only had a 9¢ rate increase during his tenure. Mr. Selby thanked the Board for allowing him to share his understanding and professional

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concerns relating to the economy and use of a surplus account.

John Hauck, Blirstown resident, stated that returning surplus with a onetime tax reduction may create an interest in the real estate market and generate more revenue to the county. He thanked the Board.

Fred Cook, Blirstown resident, wanted to commend Mr. DiMaio's explanation of surplus. He sees the real estate market slowing down and knows that if there is a substantial surplus the property owner will be guaranteed long-term tax stabilization. He thanked the Board.

Mr. Doherty requested a motion to reduce the surplus account by \$1,455,634 and have the reduction returned to the taxpayers. Mr. Olshefski responded that it would be best to reduce this amount over two years to maintain accounts as some have strict requirements.

Mr. Gardner thanked the County staff for providing all the necessary information during the budget hearing meetings. He stated that this is his first county budget, as a businessman he has a tendency to be conservative, he agrees that government should be smaller. However, he has concerns about reducing the surplus in one year and would rather it be reduced over two years. He would also like to suggest that the Board hold quarterly budget meetings for informational purposes and make any necessary adjustments throughout the year.

Mr. DiMaio stated that after reviewing the report Mr. Doherty distributed he noted that there were tax increases almost all thru the 1990's and the first tax reduction occurred in 2001 and 2002. He commented that this budget can be cut up anyway the Board wants, he was comfortable with the budget that was introduced and knows that for the last two years the taxes were reduced, while services were maintained and the surplus was increased slightly to prepare for rate stabilization.

Mr. Doherty stated that the Board needs to get out and speak with the people in the county and hear their struggles, mostly the southern part in the Greenwich Township area that has school taxes through the roof, we need to help offset the struggles for these taxpayers. He stated that he promised to cut taxes and that is what he would like done.

Mr. Doherty and Mr. Gardner discussed at length each of their individual concerns relating to the anticipated revenue and budget changes proposed. Mr. DiMaio stated that he was satisfied with the original budget introduction.

On motion by Mr. Gardner, seconded by Mr. Doherty, move to reduce the amount raised by taxation to \$45,500,000.

Mr. Marvin suggested that the Director call a break to allow the CFO and Fiscal Analyst time to prepare the amended budget documents.

Director Doherty called for a break at 9:32 p.m.

The Board returned to open session at 9:52 p.m.

Mr. Doherty offered one last public comment on the public hearing. Ann Berberich, Mansfield Twsp told the Board that she is 67 years old and on a fixed income. She appreciated what Freeholders Doherty and Gardner are doing to control taxes.

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Public Hearing was closed at 9:55p.m.

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

Director Doherty read the amended budget resolution in its' entirety and requested Freeholder comments.

Mr. DiMaio stated that he doesn't agree with what was done at the end with the budget, and feels mostly this was to make the press. He is not opposed to cutting taxes, his past performance has proven that, but to change this years' budget to save \$30.00 to a home assessed at \$100,000 is not in his opinion the most prudent decision for long-term tax rate stabilization or to stimulate the local economy. He concluded that in the interest of completing the budget, he will support this proposal.

Mr. Gardner stated that Warren County is fortunate to have revenues increasing with the growth that is occurring in comparison to some other counties in the state. He was happy to be able to move forward with a fair compromise that offers benefits to everyone. He concluded that he would like the Board to seriously consider the quarterly budget meetings.

Mr. Doherty stated that he is not pleased with the end result of this budget. He has an agenda and that is to reduce taxes. He thanked the Board for the time spent during the budget hearings and noted that a portion of the budget increases were for departments that were not previously within the county, for example welfare and the additional cost to the Health Insurance for the welfare staff.

RESOLUTION 122-03

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 26, 2003.

RESOLUTION AMENDING 2003 COUNTY BUDGET PER WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS.

WHEREAS, The Board of Chosen Freeholders approved the 2003 county budget on January 22, 2003, and

WHEREAS, NJSA 40A: 4-9 states that the governing body may amend the budget prior to adoption during or after the public hearing.

WHEREAS, all amendments shall be read in full and shall be forthwith submitted to the director.

NOW THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren, New Jersey that the following amendments to the approved budget of 2003 be incorporated into the Adopted 2003 Budget as required by the Director:

GENERAL REVENUES

Sheet	Account Title	FOCA #	<u>FROM</u>	<u>TO</u>
2	Less: Anticipated Revenues (Item 5, Sheet 9)	None	\$32,691,097.24	\$33,605,111.24
	Amount to be Raised by Taxation - County Purpose Tax	07-190	\$46,414,014.00	\$45,500,000.00
4	Surplus Anticipated	08-101	\$ 6,898,831.76	\$ 7,812,845.76
	Total Surplus Anticipated	08-100	\$ 6,898,831.76	\$ 7,812,845.76

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9	3. Summary of Revenues			
	1. Surplus Anticipated (Sheet 4, #1)	None	\$ 6,898,831.76	\$ 7,812,845.76
	5. Subtotal General Revenues (Items 1,2,3,and 4)	40001-00	\$32,691,097.24	\$33,605,111.24
	6. Amount to be Raised by Taxation - County Purpose Tax	07-190	\$46,414,014.00	\$45,500,000.00
	7. Total General Revenues	40000-00	\$79,105,111.24	\$79,105,111.24

APPENDIX TO BUDGET STATEMENT

Sheet	Account Title	FOCA #	FROM	TO
38.	Proposed Use of Current Fund Surplus in 2003 Budget			
	Current Surplus Anticipated in 2003 Budget	23116-00	\$ 6,898,832.00	\$ 7,812,846.00
	Surplus Balance Remaining	23116-00	\$ 5,455,632.00	\$ 4,541,618.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed in the office of the Director for certification of the 2003 county budget so amended as prescribed by law. 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 123-03

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 26, 2003.

RESOLUTION APPROVING THE 2003 BUDGET FOR THE WARREN COUNTY LIBRARY AND ESTABLISHING THE AMOUNT TO BE RAISED BY TAXATION FOR THE USE OF THE WARREN COUNTY FREE PUBLIC LIBRARY.

BE IT HEREBY RESOLVED that the budget for the Warren County Library is approved in the amount of \$3,564,104.00; and

BE IT FURTHER RESOLVED that in accordance with N.J.S.A. 40:33-9, the sum of \$3,247,226.00 is hereby authorized to be raised by taxation for the use of the Warren County Free Public Library; and

BE IT FURTHER RESOLVED that the Deputy Clerk of the Board of Chosen Freeholders is hereby instructed to notify the Warren County Board of Taxation of this action.

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 124-03

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

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Board of Chosen Freeholders of the County of Warren at a meeting held on February 26, 2003.

RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR ACCUMULATED ABSENCES, PURSUANT TO N.J.A.C.5:30-15.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.A.C. 5:30-15 permits counties to receive amounts for costs incurred for Accumulated Absences; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the County of Warren, State of New Jersey as follows:

1. The governing body hereby requests permission of the Director of the Division of Local Government Services to pay expenditures for Accumulated Absences created in accordance with the provisions of N.J.A.C. 5:30-15 as per N.J.S.A. 40A:4-39; and
2. The Board Clerk of the County of Warren is hereby directed to forward two certified copies of this resolution to the Director of 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. DiMaio yes, Mr. Gardner yes, Mr. Doherty yes

RESOLUTION 125-03

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 26, 2003.

RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR SNOW REMOVAL, PURSUANT TO P.L.2001 C.138.

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, P.L. 2001, c.138 permits counties to lapse unexpended balances budgeted annually for snow removal; and

WHEREAS, N.J.S.A. 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider;

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the County of Warren, State of New Jersey as follows:

1. The governing body hereby requests permission of the Director of the Division of Local

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Government Services to pay expenditures for Snow Removal created in accordance with the provisions of P.L. 2001, c.138 as per N.J.S.A. 40A:4-39; d

- 2. The Board Clerk of the County of Warren is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

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

RESOLUTION 126-03

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 26, 2003.

**INTRODUCTION - CAPITAL IMPROVEMENT ORDINANCE NUMBER 2003-A FIRST READING:
**AN ORDINANCE AUTHORIZING CERTAIN CAPITAL IMPROVEMENTS AND THE
 APPROPRIATION OF \$3,435,100 FROM THE WARREN COUNTY GENERAL CAPITAL FUND
 BUDGET FOR SUCH PURPOSES.****

BE IT ORDAINED AND ENACTED by the Board of Chosen Freeholders of the County of Warren, State of New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The capital improvements described in Section 2(A) of this Ordinance are hereby authorized as General Improvements to be made by the County of Warren, New Jersey. There is hereby appropriated the sum of \$3,435,100 from the Capital Improvement Fund account in the General Capital Fund of the County of Warren for the said improvements or purposes stated in Section 2(A).

Section 2(A). The improvements hereby authorized and the proposed appropriations are for the following purposes:

- | | | |
|-----|--|--------------|
| (1) | Road Resurfacing Improvements | \$ 1,584,000 |
| (2) | Road and Drainage Improvements | \$ 369,000 |
| | Design, construct or reconstruct and improve various county roads and intersections. | |
| (3) | Bridge and Culvert Improvements | \$ 400,000 |
| | Design, construct or reconstruct and improve various county bridges and culverts | |
| (4) | Equipment and Furnishings | \$ 427,100 |
| | Acquisition of office, communications, safety & security, maintenance equipment, furniture & furnishings, and computer hardware and software | |
| (5) | Buildings & Grounds Improvements | \$ 221,000 |
| | Design, construct or renovate and improve various county facilities | |

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(6)	Specialty Vehicles and Maintenance and Construction Equipment Trucks, snowplows, sanders, tractors, mowers, and maintenance and heavy construction equipment	\$ 434,000
(7)	Building and Land Acquisitions	\$ <u> 0</u>
	Total appropriations	<u>\$ 3,435,100</u>

2.

Section 2(B). The maximum amount of money to be appropriated for said purposes is \$3,435,100, no part of which is to be borrowed.

Section 3. The said purposes described in Section 2(A) of this Ordinance is not a Current Expense and are for the improvements or purposes as stated above, no part of the cost thereof has been or shall be specially assessed on the property benefited thereby.

Section 4. These appropriations are made as a result of the need to improve existing county infrastructure and facilities.

Section 5. This Ordinance shall be published, together with a Notice of Introduction thereof and of the Date of Final Passage in the manner provided by law. Final Passage is scheduled for Wednesday, March 12, 2003 at 7:45 PM., in the Freeholders Meeting Room, Wayne Dumont Jr. Administration Building, 165 County Road 519 South, Belvidere, New Jersey or at such other date and time to which it may be adjourned.

Section 6. At least one (1) week prior to the date set for Final Passage of this Ordinance, there shall be posted on the bulletin board of the Board of Chosen Freeholders, a copy of this Ordinance and a notice that copies of same will be made available upon request during the ensuing week up to and including the date set for final passage and the notice shall set forth the place at which such copies may be made available; and

Section 7. This Ordinance shall take effect upon final passage as provided herein.

Mr. Doherty commented that many counties bond for all the capital improvements and he was pleased to report that Warren County prefers to pay as the improvements are made, eliminating added debt service.

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 public comments on agenda items only, there was none.

RESOLUTION 127-03

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 26, 2003.

RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2003 - 08.

Be and it is hereby resolved that Master Voucher Certificate For Certification/Ratification for Payment No. 2003-8 dated February 26, 2003 in the amount of

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\$2,564,764.37 including bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2003-7	\$ 665,382.48
2003-8	\$ 699,894.67
Sub Total	<u>\$ 1,365,277.15</u>

Payroll 2/20/03 \$ 1,199,487.22

GRAND TOTAL \$ 2,564,764.37

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

RESOLUTION 128-03

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 26, 2003.

TRANSFER IN THE 2002 RESERVED APPROPRIATIONS:

TO:	COUNTY SURROGATE, S&W	\$	2,000.00	
	PROSECUTOR'S OFFICE, S&W		5,911.00	
	NUTRITION PROGRAM, S&W		6,000.00	\$ 13,911.00
FROM:	PROSECUTOR'S OFFICE, OE	\$	5,955.00	
	DEPT. OF HUMAN SERV.,			
	DIVISION OF SENIOR SERVICES, S&W		8,000.00	\$ 13,911.00

WHEREAS, NJSA 40A:4-59 states that transfers can be made to Reserved Appropriations through March 31, and

WHEREAS, by unforeseen demand there has arisen the necessity for expenditures to fulfill the purposes of the appropriations as stated in the 2002 Budget and Tax Levy in the following accounts:

County Surrogate, S&W	\$ 2,000.00	
Prosecutor's Office, S&W	5,955.00	
Nutrition Program, S&W	6,000.00	\$ 13,955.00

and there being an excess in appropriations heretofore made as follows:

Prosecutor's Office, OE	\$ 5,955.00	
Dept. of Human Services, Div. of Senior Services, S&W	8,000.00	\$ 13,955.00

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that by a Majority Vote of this Board that the following transfers in the 2002 Reserved Appropriations be made:

TO				
011600 R5011	County Surrogate, S&W	\$	2,000.00	
012750 R5011	Prosecutor's Office, S&W		5,955.00	
013540 R5011	Nutrition Program, S&W		6,000.00	\$ 13,955.00
FROM				
012750 R5085	Prosecutor's Office, OE	\$	5,955.00	
013520 R5011	Dept. of Human Services,			

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Div. of Senior Services, S&W

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8,000.00 \$ 13,955.00

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

RESOLUTION 129-03

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 26, 2003.

RESOLUTION APPROVING THE APPLICATION FOR COUNTY 9-1-1 CENTER COORDINATOR FUNDING IN THE YEAR 2003 FOR THE AMOUNT OF \$25,000.00.

WHEREAS, there are monies available in fiscal year 2002 budget with the New Jersey Office of Information Technology for County 9-1-1 Coordinator funding; and

WHEREAS, on August 21, 2000, Administrative Regulation, N.J.A.C. 17:24-6.2 was adopted to indicate the process of applying for annual County 9-1-1 Coordinator Funding; and

WHEREAS, as part of the state budget process for fiscal year 2002, the Office of Emergency Telecommunications Services (OETS), within the Office of Information Technology (OIT), has placed funding in a line item entitled "grants and aid to local municipalities: for the purpose of distributing these funds to all 21 counties in New Jersey; and

WHEREAS, it would be in the best interest of the County of Warren to apply for said monies,

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Director of the Board and the Clerk are hereby authorized to sign any and all documents in order to effectuate with the New Jersey Office of Information Technology 9-1-1 Coordinator funding in the amount of \$25,000.00 for the period of January 1, 2003 to December 31, 2003.

BE IT FURTHER RESOLVED, the Board of Chosen Freeholders of the County of Warren hereby directs the County 9-1-1 Coordinator to maintain 9-1-1 program funding expenditure documentation required by OETS for future year's requests and funds distribution.

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 130-03

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 26, 2003.

RESOLUTION AMENDING THE RESOLUTION ENTITLED 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 FOR THE INCLUSION OF LABOR AND EMPLOYMENT SERVICES.

WHEREAS, Joseph J. Bell, Esq. of Joseph J. Bell & Associates was selected to serve as Warren County Counsel on January 1, 2003; and

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WHEREAS, there are certain cases which have been undertaken under the general contract as outlined in said resolution along with other matters not contemplated by the parties which are defended by Joseph J. Bell & Associates at a Special Counsel rate; and

WHEREAS, the Board of Chosen Freeholders have now assigned labor and employment services to the law firm of Joseph J. Bell & Associates to be compensated at the rate of \$130.00 per hour.

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

SECTION 1. 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 for all labor and employment services.

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

RESOLUTION 131-03

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 26, 2003.

RESOLUTION APPOINTING CONNELL FOLEY LLP AS SPECIAL LABOR COUNSEL TO WARREN COUNTY AND AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT.

WHEREAS, it is in the public interest to maintain effective legal representation of Warren County; and

WHEREAS, in furtherance thereof the Board has determined that Connell Foley, LLP, should be retained to perform professional labor counsel services on behalf of the county.

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

1. The Agreement between the Board and Connell Foley, LLP, setting forth the terms and conditions of said appointment in regard to duties, responsibilities and compensation, which agreement is made a part of this resolution by reference and is incorporated herein as if set forth verbatim, is hereby approved by the Board, and the Director of the Board is hereby authorized to execute said Agreement on behalf of the Board.

2. Said Agreement is made, negotiated and awarded by the Board without public advertising for bids and bidding therefore, as said Agreement is for professional services under the provisions of the Local Public Contracts Law inasmuch as the services thereunder are rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law.

3. Notice of this action, stating the nature, duration, service and amount of said Agreement are on file and available for public inspection in the office of the Clerk of the Board, shall be published in the Star Gazette as required by law within ten (10) days of the adoption of this resolution.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen

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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. DiMaio, seconded by Mr. Gardner, after a discussion between the Board and Mr. Bernaski, Assistant County Engineer, authorization to table resolution for further information relating to establishing and maintaining a.. no passing zone along County Route #632, Greenwich, Franklin, Washington and Mansfield Townships.

Mr. Gardner stated he believes there are too many no passing zones already along County Route 632 and there is good site view at this intersection. He commented some motorists have long waits for the farm equipment to travel from one field to another and he doesn't want to see that whole area regulated as a no passing zone.

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

RESOLUTION 132-03

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 26, 2003.

RESOLUTION TO AUTHORIZE THE FREEHOLDER DIRECTOR TO EXECUTE A GRANT AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF ACQUIRING LANDS IN THE ROUTE 57 VIEWSHED.

WHEREAS, Warren County is interested in purchasing property along the Route 57 Viewshed to preserve the historic and agricultural character of same; and

WHEREAS, the purchase of such property is consistent with the interests of the State of New Jersey, Department of Transportation in maintaining the scenic corridor along the aforesaid State Highway; and

WHEREAS, the State Department of Transportation has offered to provide funding to support this program and provision has been made in the Open Space Trust Fund to contribute to the costs

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 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

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

RESOLUTION 133-03

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 26, 2003.

RESOLUTION TO AUTHORIZE FREEHOLDER DIRECTOR TO EXECUTE DEEDS PERFECTING THE MINOR SUBDIVISION OF BLOCK 23, LOT 7, IN GREENWICH TOWNSHIP, AND BLOCK 98, LOT 2 IN LOPATCONG TOWNSHIP.

WHEREAS, the County of Warren has obtained minor subdivision approval from the Greenwich Township Planning Board; and

WHEREAS, the County of Warren presented the minor subdivision for courtesy review to the Lopatcong Township Planning Board; and

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WHEREAS, it is necessary to execute the deeds to perfect the minor subdivision approval;

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the annexed deeds are approved and the Freeholder Director is authorized to execute said deeds.

BE IT FURTHER RESOLVED that Warren County Counsel is authorized to record same deeds with the Warren County Clerk.

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 134-03

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 26, 2003.

RESOLUTION AMENDING THE RESOLUTION OF APRIL 10, 2002, REGARDING WARREN COUNTY EMPLOYEES CALLED TO ACTIVE MILITARY DUTY.

WHEREAS, the Warren County Board of Chosen Freeholders desires to amend the resolution of April 10, 2002, regarding Warren County employees called to active military duty as members of the Reserve and National Guard units during domestic or international crises; and

WHEREAS, the Warren County Board of Chosen Freeholders desires to recognize the contribution to our national defense of Reserve and National Guard members who are activated during such crises in service of our national interests for which they deserve full support, gratitude and the admiration of all citizens; and

WHEREAS, the Warren County Board of Chosen Freeholders wishes to revise it's current County policy regarding military leave of absence to address the potential disparity of pay between that which an employee receives as a result of his or her active military service and actual County pay.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the County's policy on military leaves of absence is hereby amended to extend differential pay without time limit to all County employees who are Reservists or members of the National Guard for the duration of their active duty in response to a military crisis following the exhaustion of statutory entitlements to full pay; and

BE IT FURTHER RESOLVED that this amendment be made effective retroactively to September, 2001 and be made part of the County policy regarding military leave affixed hereto.

Mr. Doherty asked if this was for employees called to active military duties. Mr. Marvin responded yes. He reported that this resolution will affect one employee that has been active since September 2001, Environmental Health Director John Hawk, who was recently called to active duty and there is one employee from the Sheriff's office also called up recently.

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

MINUTES**FEBRUARY 26, 2003****RESOLUTION 135-03**

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 26, 2003.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE 2003 MAINTENANCE, REPAIR AND CONSTRUCTION MATERIALS FOR ROAD, BRIDGE AND MAINTENANCE DEPARTMENTS, WARREN COUNTY - CONTRACT #WC0319.

BE IT RESOLVED, that the plans and specifications for the following Maintenance, Repair and Construction Materials:

- | | |
|---------------------------|--|
| 1. 3/8" Broken Stone | 7. Bituminous Surface Course, Mix I-5 |
| 2. Abrasive Grits | 8. Bituminous Stabilized Base, Mix I-2 |
| 3. Transit Mix Concrete | 9. UPM High Performance Bit. Cold Patch |
| 4. Dense Graded Aggregate | 10. Corrugated Polyethylene Pipe |
| 5. Curb Mix | 11. Soil Aggregate, I-5 |
| 6. Emulsified Asphalt | 12. Reinforced Concrete Storm Sewer Pipe |

for the Warren County Road, Bridge and Maintenance Departments for the 2003-2004 construction year are hereby approved.

BE IT FURTHER RESOLVED, that the Director of Purchasing is hereby directed to advertise for proposals for the above project at least ten (10) days prior to the receipt of bids in THE STAR GAZETTE papers printed in the County.

TENTATIVE SCHEDULE

ADVERTISING DATE - Thursday, March 6, 2003

BIDS TO BE RECEIVED - Thursday, March 27, 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 136-03

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 26, 2003.

RESOLUTION RE: AWARDING THE PROFESSIONAL SERVICES AGREEMENT WC0321R FOR PSYCHIATRIC SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER TO DR. DESANTIS, FOR THE PERIOD OF APRIL 1, 2003 THROUGH MARCH 31, 2004 IN THE HOURLY RATE OF \$125.00 PER HOUR AND AN APPROXIMATE YEARLY AMOUNT OF \$12,000.00.

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

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and

WHEREAS, adequate funds are available in budget account 012800/5029 – Correctional Center – Contracted Services 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 Dr. DeSantis, of Port Reading, New Jersey for professional services for the above project, in the approximate amount of \$12,000.00 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 137-03

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 26, 2003.

RESOLUTION RE: EXTENSION OF CONTRACT WC0202 FOR THE LEASE OF COUNTY PROPERTY (PROPERTY ADJACENT TO ADMINISTRATON BUILDING) FOR THE SECOND YEAR OF A THREE YEAR CONTRACT FOR THE PERIOD OF APRIL 1, 2003 THROUGH MARCH 31, 2004 WITH DON & JIM SMITH FARMS, FOR ANNUAL RENT IN THE AMOUNT OF \$1,020.00.

BE IT RESOLVED, that Contract WC0302 for lease of county property for agricultural purposes in White Township, Landfill property identified as Block 32, Lot 18, approximately 43.14 acres is hereby awarded

to . . . Don & Jim Smith Farms, Belvidere, New Jersey

annual rent of \$26.00 per acre for a total amount of \$1,121.64

as per his bid submitted February 10, 2003

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

BE IT FURTHER RESOLVED, that there were no bids received for county property in Mansfield Twsp Warren Haven identified as Parcel A- 1, and A-2

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

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

RESOLUTION 138-03

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 26, 2003.

RESOLUTION RE: AWARD OF CONTRACT WC0302 FOR THE LEASE OF COUNTY PROPERTY (LANDFILL PROPERTY) FOR THE PERIOD OF APRIL 1, 2003 THROUGH MARCH 31, 2004 WITH THE RIGHT TO EXTEND FOR TWO ADDITIONAL YEARS TO DON & JIM SMITH FARMS, FOR ANNUAL RENT IN THE AMOUNT OF \$1,121.64).

BE IT RESOLVED, that Contract WC0302 for lease of county property for agricultural purposes in White Township, Landfill property identified as Block 32, Lot 18, approximately 43.14 acres is hereby awarded

to . . . Don & Jim Smith Farms, Belvidere, New Jersey

annual rent of \$26.00 per acre for a total amount of \$1,121.64

as per his bid submitted February 10, 2003

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

BE IT FURTHER RESOLVED, that there were no bids received for county property in Mansfield Twsp Warren Haven identified as Parcel A-1, and A-2

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

RESOLUTION 139-03

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 26, 2003.

RESOLUTION RE: AWARD OF PROFESSIONAL SERVICE CONTRACT WC0320R FOR PRESCRIPTION DRUG SERVICE FOR THE WARREN COUNTY CORRECTIONAL CENTER TO BACH'S PHARMACY EAST OF POMPTON PLAINS, NEW JERSEY, FOR THE PERIOD OF APRIL 1, 2003 THROUGH MARCH 31, 2004, IN THE APPROXIMATE AMOUNT OF \$55,000.00, ACTUAL AMOUNT TO BE DETERMINED BY ACTUAL USE.

WHEREAS, there exists a need for the professional services of a "Pharmacist, Pharmacy Prescription Drug Service at the Warren County Correctional Center; 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

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

WHEREAS, adequate funds are available in budget account 012800/5093 – Correctional Center – Medical Expenses Including Physicals 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:

4. The agreement between the Board of Chosen Freeholders of the County of Warren and Bach's Pharmacy East, Pompton Plains, New Jersey for professional services for the above project, in the approximate amount of \$55,000.00 actual amount to be determined by actual use 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.
5. The Director is hereby authorized to execute said letter of Agreement by signing same.
6. 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 140-03

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 26, 2003.

RESOLUTION REAPPOINTING MEMBERS TO THE WARREN COUNTY DIVISION OF SENIOR SERVICES ADVISORY COUNCIL *Reappoint: Miriam Allen, Margaret Dickerson, Mildred Carter, Charles Volpe, Caroline Willner, and Kathy Warren all with terms to expire December 31, 2005.*

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following individuals to the Warren County Division of Senior Services Advisory Council for a three-year term:

RE-APPOINT MEMBERS:

Miriam Allen

Term to expire: 12/31/05

3 Gardner's Court

Washington, NJ 07882

Mildred Carter

Term to expire: 12/31/05

267 Silverlake Road

Blairstown, NJ 07825

Margaret Dickerson

Term to expire: 12/31/05

61 Adams St., P.O. Box 25

Port Murray, NJ 07865

Charles Volpe as Vice Chairman

Term to expire: 12/31/05

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554 Elder Avenue
Phillipsburg, NJ 08865

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Caroline Willner
19 Heath Village Schooleys Mountain Road
Hackettstown, NJ 07840

Term to expire: 12/31/05

Kathy Warren
264 Harvard Drive
Hackettstown, NJ 07840

Term to expire: 12/31/05

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 141-03

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 26, 2003.

RESOLUTION APPOINTING A MEMBER TO THE WARREN COUNTY ADVISORY COUNCIL ON DISABILITIES *Appoint: Laura Clark Curtis to fill recent vacancy with term to expire October 30, 2004.*

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoint the following individual to fill recent vacancy on the Warren County Advisory Council on Disabilities with term to expire October 30, 2004:

APPOINT MEMBER:

Laura Clark Curtis
DAWN, Inc.
400 S. Main Street
Wharton, NJ 07885-2043

Term to expire: October 30, 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

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Board accepted with regret the resignation effective immediately from John H. Fitzgerald, member of the Warren County Housing Committee.

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

RESOLUTION 142-03

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 26, 2003.

RESOLUTION CREATING THE TITLES ADMINISTRATOR, NURSING HOME, UNCLASSIFIED, AND ASSISTANT ADMINISTRATOR, NURSING HOME, UNCLASSIFIED, AND ABOLISHING THE TITLES ADMINISTRATOR, NURSING HOME, CLASSIFIED AND ASSISTANT NURSING HOME ADMINISTRATOR, CLASSIFIED, IN THE WARREN COUNTY NURSING HOME, WARREN HAVEN.

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BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the titles Administrator, Nursing Home, unclassified, and Assistant Administrator, Nursing Home, unclassified, are created in the Warren County Nursing Home, Warren Haven, under provisions set forth in N.J.S.A., 11-A:3-5 I, to support and enhance the effectiveness of the department's administrative reorganization; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that the titles of Administrator, Nursing Home, classified, and Assistant Nursing Home Administrator, classified, are hereby abolished; and

BE IT FURTHER RESOLVED that the title Administrator, Nursing Home, unclassified, be established as Department Head and that the title Assistant Administrator, Nursing Home, unclassified, be established as Division Head of administrative operations and responsible for all nursing home operations in the absence of the Administrator, Nursing Home.

NOW, THEREFORE BE IT RESOLVED that the titles Administrator, Nursing Home, and Assistant Administrator, Nursing Home are created and made effective immediately, and

BE IT FURTHER RESOLVED that the Administrator, Nursing Home be established on salary Grade 18 and that the Assistant Administrator, Nursing Home be established on salary Grade 16.

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, Assistant County Counsel Nancy Gage had one item to discuss in executive session.

Assistant County Engineer Jim Bernaski had no report.

County Planner Dave Dech reported that the Storm Water regulation proposal deadline for March 4, 2003 has been extended another 30 days. Mr. Marvin asked if there were any more public hearings. Mr. Dech responded that the last one was held February 25, 2003.

Mr. Dech also reported that there have been some adjustments made to the areas that are allowed growth within the county. He advised the Board that as soon as the report is available he will send information to them. Mr. Dech explained that after the fall of 2003 any new growth will require cross acceptance with neighboring municipalities and then the final plan will go to the State for approval.

Mr. Gardner stated he was at the N.J.A.C. Economic Committee meeting earlier in the day and there is talk that the April 21, 2003 deadline was too short a period for adequate review. This will allow the counties and municipalities time to meet and devise the necessary plan for cross acceptance applications.

Mr. DiMaio stated that there is a need to have all municipalities participating for properly coordinating the anticipated growth.

Mr. Dech concluded that the next Warren County Strategic Growth meeting will be held March 5, 2003 at the Warren County Technical School. Mr. DiMaio responded that the Five-County meeting is scheduled at the same time. Mr. Marvin commented that he was going to bring this up during his report as the Five-County meeting agenda arrived and it is centered on Planning. He wanted to know who would be attending either meeting. Mr. Gardner stated he will attend the Five-County meeting, Mr. DiMaio and

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Mr. Doherty both said they will attend the Warren County Strategic Growth meeting.

County CFO Pete Houck had no report.

County Administrator Steve Marvin reported that he just received notice that N.J.A.C. has a meeting scheduled on the March 7, 2003 and needs to confirm attendance. Mr. Gardner responded that he would not be able to attend that meeting. Mr. DiMaio responded that he will check his schedule and advise later.

Mr. Marvin informed the Board that he met with Matt Paul today, gave him the background information and list of issue that the Board is looking to have examined regarding the forensic audit of the PCFA. Mr. Paul agreed to provide periodic reports as the audit is performed.

Mr. Marvin began discussion of the recommendation for appointments to the WC Agriculture Development Board and the need for staggered terms of the members. Two members with a term to expire in two years, two members with a term to expire in three years, and two members with a term to expire in four years. He asked the Board to review the recommended list of individuals from Warren County Board of Agriculture.

Mr. Doherty asked if an answer was needed immediately. Mr. Marvin explained that the most important issue is term assignments. Mr. DiMaio stated that he would accept Mr. Gardner's recommendations as he knows the individuals.

Under Freeholder comments, Mr. DiMaio had no additional comments.

Mr. Gardner had no additional comments.

Mr. Doherty thanked the Administration staff for providing all the necessary information to the Board during the budget process.

Under closing public comments, Nancy Chambellan, Hope Township told the Board that she attended the last US Forestry Department meeting and received the New York - New Jersey Highlands Regional Study 2002 update. She was pleased to report that 1/3 of Warren County is noted in the study providing for natural resources. She complimented the Board on continued efforts to preserve land in the county.

Under press comments and questions, there were none.

RESOLUTION 143-03

On motion by Mr. DiMaio, seconded by Mr. Gardner, at 10:30 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 26, 2003.

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,

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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 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 26, 2003**, that an Executive Session closed to the Public shall be held on February 26, 2003 at 10:30pm in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the

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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 10:41 p.m.

On motion by Mr. Gardner, seconded by Mr. DiMaio, and there being no further official business to come before the Board at this time, the meeting was adjourned at 10:41 p.m.

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

ATTESTED TO:

Tammy M. Lynn, Deputy Clerk