

MINUTES**APRIL 9, 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 April 9, 2003 at 7:35 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 Assistant County Engineer Jim Bernaski, CFO Charles Houck, County Counsel Joseph J. Bell, County Administrator Steve Marvin, and Deputy Clerk Tammy M. Lynn.

Director Doherty asked for a moment of silence to thank the Lord for protecting our troops in Iraq.

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

Director Doherty read the following statement: **"ADEQUATE NOTICE OF THIS MEETING OF APRIL 9, 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 work session held on March 19, 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 on March 26, 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 on March 26, 2003 were approved.

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

Director Doherty read the proclamation declaring Public Health Week to be April 7th through April 13th 2003.

PROCLAMATION 227-03

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 April 9, 2003.

PROCLAMATION - PUBLIC HEALTH WEEK - APRIL 7th THROUGH APRIL 13th, 2003.

WHEREAS, healthy, energetic citizens are Warren County's greatest resource for achieving progress in all areas of development; and

WHEREAS, acknowledging that public health activities protect Americans from infectious diseases, environmental and workplace hazards, chronic diseases, unintentional injuries, and violence... and, realizing that educating people about the benefits of adopting healthful behaviors can empower them to attain good health and prevent needless suffering; and

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WHEREAS, private and non-profit health agencies, our county's industries, and the Warren County Departments deliver a wide range of services for environmental health, disease prevention and health promotion, home care, nutrition, health education and other related programs; and

WHEREAS, the Warren County Health Department provides the leadership in the public health functions of community health assessment, policy development, and assurance to promote a healthy community.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby proclaim the week of **April 7 - 13, 2003** as **PUBLIC HEALTH WEEK** in Warren County; and

BE IT FURTHER RESOLVED that all our residents are urged to join the Board in recognizing the valuable contributions of Public Health Professionals throughout Warren County, and in celebrating this occasion with activities to promote healthy lifestyles and heighten awareness of the many benefits good health brings.

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.

Director Doherty presented the proclamation to Acting Environmental Health Director Claude Mitchell and noted how proud the Board is regarding Health Director John Hawks call to support America with the Iraq Freedom fight. Mr. Mitchell thanked the Board for recognizing the importance that exercise creates a healthier life style for the citizens of Warren County.

Under public comments on agenda items only, Cathy Wojtowicz of Washington, NJ asked to explain resolution J1 if this was a promotion. Mr. Marvin asked Human Services Director to respond. Karen Kubert explained that the Senior Clerk Typist position was a lateral transfer to the Division of Temporary Assistance and Social Services, which opened the new position of Clerk Typist in the Human Services Division of Contract Administration. She explained this is a double benefit, improved services and salary control or slight reduction. Ms. Wojtowicz thanked her for the information.

RESOLUTION 228-03

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 April 9, 2003.

RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2003 - 14.

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payment No. 2003-14 dated April 9, 2003** in the amount of **\$2,359,381.84** including bills and

investments, is approved subject to the review of the vouchers

By the Board of Chosen Freeholders.

2003-13	\$ 482,336.71
2003-14	\$ 726,512.48
Sub Total	<u>\$ 1,208,849.19</u>

Payroll 4/3/03	\$ <u>1,150,532.65</u>
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GRAND TOTAL	<u>\$ 2,359,381.84</u>
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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 229-03

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 April 9, 2003.

INSERTION INTO THE 2003 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$82,299.00 FROM THE STATE OF NEW JERSEY, COUNCIL ON THE ARTS, LOCAL ARTS PROGRAM GA#0313A060276.

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2003 in the sum of \$ 82,299.00, which item is now available from the State of New Jersey, Council on the Arts, Local Arts Program GA#0313A060276.

BE IT FURTHER RESOLVED that a like sum of \$ 82,299.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Council on the Arts, Local Arts Program #GA#0313A060276 (administered by the Cultural & Heritage Department)

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

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 230-03

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 April 9, 2003.

INSERTION INTO THE 2003 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$1,276,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION, FY2003 CAPITAL TRANSPORTATION PROGRAM.

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2003 in the sum of \$ 1,276,000.00, which item is now available from the State of New Jersey, Department of Transportation, FY2003 Capital Transportation Program.

BE IT FURTHER RESOLVED that a like sum of \$ 1,276,000.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Transportation, FY2003 Capital Transportation Program(administered by the Engineering Department).

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

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 231-03

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 April 9, 2003.

INSERTION INTO THE 2003 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$16,744.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY, SUMMER INTERNSHIP #RS03-57-01-02.

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2003 in the sum of \$ 16,744.00, which item is now available from the State of New Jersey, Department of Law & Public Safety, Division of Highway Traffic Safety, Summer Internship #RS03-57-01-02.

BE IT FURTHER RESOLVED that a like sum of \$ 16,744.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Law & Public Safety, Division of Highway Traffic Safety, Summer Internship #RS03-57-01-02 (administered by the Engineering Department)

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

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 232-03

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 April 9, 2003.

RESOLUTION TO AUTHORIZE THE FREEHOLDER DIRECTOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF BLOCK 39, LOT 4, FRANKLIN TOWNSHIP.

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

WHEREAS, a contract has been executed by Prime Veal Farms, Inc owner of Block 39 Lot 4 Franklin, Warren County, New Jersey, and

WHEREAS, adequate funds are available in account 03894 5065 894212 5065 – Open Space Trust Fund

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

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 233-03

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 April 9, 2003.

RESOLUTION AUTHORIZING THE COUNTY HEALTH OFFICER TO SUBMIT THE 2002 WARREN COUNTY HEALTH DEPARTMENT ANNUAL REPORT TO THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES.

WHEREAS, NJSA 26:3-35 requires every local or county health department to submit an annual report to the New Jersey State Department of Health, and

WHEREAS, the Warren County Health Officer has prepared the required report for the year 2002;

NOW, THEREFORE, BE IT RESOLVED, that the Warren County Board of Chosen Freeholders approves the report and authorizes its submission to the New Jersey Department of Health and Senior Services.

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

Tammy M. Lynn Deputy Clerk

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

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RESOLUTION 234-03

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 April 9, 2003.

RESOLUTION APPROVING THE RIGHT-OF-WAY GRANT TO NUI UTILITIES, INC. d/b/a ELIZABETHTOWN GAS FOR THE GAS SERVICE MAIN OVER BLOCK 16.01, LOTS 1, 2 & 3, FRANKLIN TOWNSHIP, WARREN COUNTY.

WHEREAS, there is a need for natural gas service at the Warren County Communication Center, Fire Academy and other County Facilities on Block 16.01, Lots 1, 2, & 3; and

WHEREAS, a permanent right-of-way grant for the construction and future maintenance is necessary.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the Right-of-Way Grant attached here to and directs the Director and Deputy Clerk to execute said grant.

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 235-03

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 April 9, 2003.

RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE GRANT AGREEMENT 03-1918-00 WITH THE NJ DEPARTMENT OF COMMUNITY AFFAIRS FOR \$12,500 STATE FUNDS AND \$2,500 ANTICIPATED COUNTY MATCHING FUNDS THROUGH THE CY '03 HANDICAPPED PERSON'S RECREATIONAL OPPORTUNITY ACT THEREBY REDUCING THE ORIGINAL GRANT APPLICATION TOTALLING \$22,323 STATE FUNDS AND \$4,885 COUNTY MATCHING FUNDS.

WHEREAS, on May 22, 2002, the Warren County Board of Chosen Freeholders approved a grant application for \$22,323 state funds and \$4,885 county matching funds to the NJ Department of Community Affairs for anticipated 2003 Handicapped Person's Recreational Opportunity Act funding; and

WHEREAS, the NJ Department of Community Affairs has subsequently awarded Warren County a total of \$12,500 through the 2003 Handicapped Person's Grant (03-1918-00) which requires a local match from the county of \$2,500; funds to be subcontracted as follows:

	<u>State</u>	<u>County</u>
The ARC	\$10,000	\$2,000
DAWN	\$2,500	\$500

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Director of the Board is authorized to execute grant agreement 03-1918-00 with the NJ Department of Community Affairs for a total of \$12,500 state funds and \$2,500 anticipated county matching funds for CY' 03; funds to be used by The ARC and DAWN.

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 236-03

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 April 9, 2003.

RESOLUTION APPROVING AN AGREEMENT BETWEEN THE COUNTY OF WARREN AND EMPRESS MIGLIORE, spa (USA), INC., FOR A DRAINAGE EASEMENT ON BLOCK 4, LOT 1, FOR RECONSTRUCTION OF CULVERT #15014, COUNTY ROUTE #621, LOPATCONG TOWNSHIP.

WHEREAS, the County of Warren needs to reconstruct Culvert #15014 on County Route #621, Lopatcong Township, which requires a drainage easement on Block 4, lot 1; and

WHEREAS, the County requires a drainage easement on Block 4, Lot 1, for construction of an outlet structure; and

WHEREAS, Empress Migliore, spa (USA), Inc., Vincent R. Migliore, owner of Block 4, Lot 1, will grant the drainage easement to the County in exchange for assisting in transfer of utilities under County Route #621.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the Agreement with Empress Migliore, spa (USA), Inc., Drainage Easement on Block 4, Lot 1, County Route #621 in Lopatcong Township.

BE IT FURTHER RESOLVED that the Director and Clerk of the Board are hereby authorized and directed to execute said 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 237-03

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 April 9, 2003.

RESOLUTION APPROVING INTERLOCAL SERVICE AGREEMENT BETWEEN THE TOWNSHIP OF ALLAMUCHY AND THE COUNTY OF WARREN FOR THE PROVISION OF PLUMBING ON-SITE INSPECTION SERVICES BY THE COUNTY FOR THE TOWNSHIP, AND AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE SAID AGREEMENT.

WHEREAS, the Nation Standard Plumbing Code has been promulgated as a Subcode of the Uniform Construction Code as adopted by the Commissioner of Community Affairs, pursuant to the Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq., and N.J.A.C. 5:23 et seq.: and

WHEREAS, the Township of Allamuchy desires to insure that the provisions of said National Standard Plumbing Code are enforced in the Municipality, and said Municipality has requested the services of the County of Warren to act as the Municipality's plumbing on-site inspection agency and to perform all necessary inspections; and

WHEREAS, pursuant to N.J.S.A. 40:8A-1 et seq. the County of Warren may enter into an agreement with the Township of Allamuchy to provide such plumbing on-site inspection services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of

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Warren as follows:

1. The Interlocal Service Agreement between the Township of Allamuchy and the County of Warren, a copy of which is attached hereto and made a part hereof by reference, for the provision of plumbing on-site inspection services by the County for the Township, as set forth in said Agreement, is hereby approved.
2. The Freeholder Director is hereby authorized to execute said Agreement on behalf of the County of Warren.

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 238-03

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 April 9, 2003.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE 2003 PAVEMENT MARKINGS ON VARIOUS WARREN COUNTY ROADS - CONTRACT #WC0335.

BE IT RESOLVED that the plans and specifications for Contract #WC0335 for the 2003 Pavement Markings on various Warren County Roads are hereby approved.

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

THE STAR GAZETTE

papers printed in the County.

TENTATIVE SCHEDULE

ADVERTISING DATE - Thursday, April 17, 2003

BIDS TO BE RECEIVED - Tuesday, May 20, 2003

AWARD DATE - Wednesday, May 28, 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 239-03

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 April 9, 2003.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0336 AND AUTHORIZATION TO ADVERTISE FOR THE SALE OF COUNTY CULVERT #16028 ON BLOCK 503, LOTS 2 AND 6, MANSFIELD TOWNSHIP.

BE IT RESOLVED, that specification WC0336 for sale of County Culvert #16028, on Block 503, Lots 2 and 6 is hereby approved

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

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 240-03

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 April 9, 2003.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0337 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR ONE SIXTEEN PASSENGER VAN WITH CENTER AISLE SEATING AND TWO WHEELCHAIR LIFTS FOR THE PARATRANSIT PROGRAM IN THE WARREN COUNTY HUMAN SERVICES DEPARTMENT.

BE IT RESOLVED, that specification WC0337 one sixteen passenger van with center aisle seating and two wheelchair lifts for the Warren County Paratransit Program in the Warren County Human Services Department is hereby approved

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

Funds for this contract will be provided in account 013150/5051 – Motor Pool Vehicles

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 241-03

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 April 9, 2003.

RESOLUTION RE: AUTHORIZATION TO ISSUE A PURCHASE ORDER TO WARNOCK DODGE INC., D/B/A WARNOCK CHRYSLER PLYMOUTH FOR ONE 2003 DODGE DURANGO SPORT UTILITY VEHICLE UNDER NEW JERSEY STATE CONTRACT #53130 COVERING VEHICLES, SPORT UTILITY, FOR THE WARREN COUNTY BUILDINGS & GROUNDS DEPARTMENT IN THE TOTAL CONTRACT AMOUNT OF \$22,653.52.

WHEREAS, there exists a need for the professional services of a Engineer for mechanical and electrical engineering services for the Warren County Buildings & Grounds Department; 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 capital account 0403A502/5062 – Facilities Renovation & Upgrade 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 Strunk-Albert Engineering of East Stroudsburg, Pennsylvania for professional services for the above project, in an amount not to exceed \$6,500.00 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 242-03

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 April 9, 2003.

RESOLUTION RE: AWARD OF CONTRACT WC0315 MOWING OF COUNTY PROPERTY FOR THE WARREN COUNTY DEPARTMENT OF LAND PRESERVATION TO CHIP PFEIFFER CONTRACTING, LLC IN THE AMOUNT OF \$11,700.00.

BE IT RESOLVED, that contract WC0315 for mowing of county property for the Warren County Department of Land Preservation is hereby awarded

to . . . Chip Pfeiffer Contracting LLC., Stewartsville, New Jersey in the amount of . . . 11,700.00

as per their bid submitted . . . March 31, 2003

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

Funding for this contract has been provided in budget account 03892/5100 – Maintenance of Recreation & County Property – Program Operating Expense

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 243-03

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 April 9, 2003.

RESOLUTION RE: AWARDED THE PROFESSIONAL SERVICES AGREEMENT WC0338R FOR MECHANICAL AND ELECTRICAL ENGINEERING SERVICES FOR REPLACEMENT OF

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**CONDENSING UNIT AND REFRIGERANT PIPING FOR COURT ROOM #1 IN THE COURTHOUSE
AND HVAC UPGRADE OF CONTROLS AT THE PROSECUTORS BANK BUILDING OFFICE TO
STRUNK-ALBERT ENGINEERING OF EAST STROUDSBURG, PENNSYLVANIA IN AN AMOUNT
NOT TO EXCEED \$6,500.00.**

WHEREAS, there exists a need for the professional services of a Engineer for mechanical and electrical engineering services for the Warren County Buildings & Grounds Department; 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 capital account 0403A502/5062 – Facilities Renovation & Upgrade 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 Strunk-Albert Engineering of East Stroudsburg, Pennsylvania for professional services for the above project, in an amount not to exceed \$6,500.00 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.

On motion by Mr. DiMaio, seconded by Mr. Gardner, Recommendation for appointment of regular members to the Warren County Transportation Advisory Council

(TAC) *Appoint*: with terms to expire December 31, 2005: Laura Clark-Curtis, Linda Baer, Edward Swahn, and with a term to expire December 31, 2004: Daniel Phillips.

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

RESOLUTION 244-03

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 April 9, 2003.

RESOLUTION CREATING A POSITION OF CLERK TYPIST AND ABOLISHING THE POSITION OF SENIOR CLERK TYPIST IN THE DEPARTMENT OF HUMAN SERVICES, DIVISION OF CONTRACT ADMINISTRATION, EFFECTIVE APRIL 10, 2003.

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BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *clerk typist*, classified, is created in the Warren County Department of **Human Services** in support of departmental reorganization measures; and

BE IT FURTHER RESOLVED that a full-time position of *senior clerk typist*, classified, is abolished and that the full-time position of *clerk typist* be established on AFSCME Local 3287, Range 0235, and 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.

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

Assistant County Engineer Jim Bernaski had nothing to report.

County Planner Dave Dech reported that he has been working directly with the Highlands Coalition and there will be a meeting held May 14, 2003 for all local municipalities to attend and assist in establishing a common vision and to collect the necessary data needed to present the requests to preserve these designated Highland areas. Mr. DiMaio responded that he has a meeting scheduled with DEP Director Campbell in addition, will provide the information for Mr. Dech to attend the meeting with him.

Mr. Dech also reported that the B.I.G. Map review period has been extended until April 25, 2003 and he has sent comments to the State, also plans to set a meeting with the DEP before the last comments are heard. He concluded that he attended the N.J.A.C. Anti-Sprawl Smart Growth Meeting with Freeholder Gardner held April 4, 2003.

County CFO Pete Houck had no report.

County Administrator Steve Marvin presented the following Hiring Requests and explained that they were approved during the budget hearings. The requests were from the WC Engineering Department for Four (4) Seasonal Engineering Aide positions, noting that two (2) positions were funded by the Highway Safety Project Grant; and from the WC Bridge Department for Four (4) Seasonal Bridge Laborer positions. The Board approved.

Mr. Marvin stated that he originally was going to discuss the request from the Warren County Prosecutor to increase non-bargaining staff salaries in executive session however; he now believes this must be discussed in open session. He asked the Board to review the list of salary changes from Prosecutor Laky and the notations that he made, showing individual increases of more than 4%. He suggests that the amount total be equal to what the Board approved during the budget hearings.

Mr. DiMaio responded that he would like to know the duties of the individuals listed. Mr. Marvin explained, some are Asst. Prosecutors, Prosecutor Agents and Department Secretaries not covered by collective bargaining units.

After some discussion between the Board and Mr. Marvin, Director Doherty called for an action to memorialize their decision.

On motion by Mr. DiMaio, seconded by Mr. Gardner, the Warren County Board of Chosen Freeholders authorizes County Administrator Steve Marvin to inform Warren County Prosecutor John

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Laky that his request to increase staff salaries will be limited to a total of \$ 49,260.00.

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

Mr. Marvin mentioned that the Board adopted the Elected Officials, Department Head, and non-bargaining staff salaries noting that the Board agreed to freeze the Sheriff and Surrogate salaries because of the 2002 Law increasing Constitutional Officer salaries to a \$91,560.00 minimum. Since that meeting, he has been solicited by the Sheriff and Surrogate and informed that some Board members were too.

Mr. Marvin presented a written request from Sheriff Simonetti with recommendations to increase salaries of the Sheriff Departments' confidential staff.

He explained that in 2002 the state set the new salaries of the Constitutional Officers at 65% of a Superior Court Judges salary. A public officers salary review commission was also established and they will be issuing a report in December 2003 which will likely result in further salary adjustments for Judges, Prosecutors and Constitutional Officers.

Mr. Gardner responded that based on the issue that the Statute created this new process for Constitutional Officers, he recommends holding the one individual salary request and agrees to the remaining five (5) position salary adjustments.

Mr. DiMaio commented that he would like a comparison report of salaries for all Constitutional Officers throughout the state to see where Warren County rates. Mr. Bell recommended that once the report is received, look at the length of service of each Constitutional Officers as a factor as well.

Mr. Doherty noted that he agrees to the recommendation of the five (5) position salary adjustments, and wants to leave the asterisk item left as is.

Mr. Marvin reminded the Board that he will be absent at the next regular meeting April 23, 2003, and has been called for Jury Duty the week of the May 14, 2003 meeting.

Under Freeholder comments, Mr. DiMaio asked for a report from the Forensic Auditor recently contracted to review the P.C.F.A. records. He feels the report would have a huge impact on his decision to approve the request to expand the landfill capacity. Mr. Doherty responded that he would ask Mr. Paul to provide that to him.

Mr. Gardner stated the WC (Pequest River) Municipal Utilities Authority has a vacancy and he would like to recommend appointing Chad Chamberlain to this vacancy.

Mr. DiMaio responded that there is a standard procedure to follow and asked that the application be completed and submitted for the work session meeting next week.
Mr. Doherty agreed.

Mr. Gardner reported that he attended the N.J.A.C. Strategic Growth conference and the attendance was excellent, he was disappointed the Governor welcomed everyone in attendance, but left all discussion to be held with Commissioner Letierre. He did advise the Board that with all the initiatives discussed, Planning Director Dech and his staff would be working overtime. Mr. Gardner explained there was a lot of discussion regarding home rule, the speaker crafted very good points of interest that would assist Warren Countys' plan for land preservation and economic growth in controlled areas. He stated that some builders attended and they discussed the importance of keeping Warren County as one of the main water resources for adjoining communities in the northern sections of the state.

Mr. Doherty had no report.

Under closing public comments, Mark Bond, Washington Boro Councilman suggested to the Board to advertise the opening of any County Board vacancy positions. He stated this would allow citizens in the county the opportunity to apply.

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Nancy Chambellan, Hope, NJ told the Board that there will be a public hearing held May 2, 2003, relating to the Federal EPA changes which could affect improving the air quality in Warren County from the neighboring Martins Creek Pennsylvania Power Plant. She distributed information, which explains that everyone could submit written comments that would be heard and asked if the Board would participate after the Warren County Environmental Commission reviews all the concerns. Ms. Chambellan expressed the importance of Governor McGreevey and Congressman Garrett reporting the need to improve the air quality in this area.

Mr. DiMaio explained that NJ DEP had sent notice of the hearing to be held April 7, 2003 in Newark, unfortunately it arrived after the date.

Mr. Doherty stated that the Board, along with State Legislators, visited the facility and this would be something worthy to express to the EPA relating to controlling the expansion of the Martins Creek Power Plant facility.

Under press comments and questions, Kate Blok of the Express Times, asked for a copy of Sheriff Simonetti's request to adjust the department salaries. Mr. Marvin advised Ms. Blok to submit the normal OPRA request form.

RESOLUTION 245-03

On motion by Mr. Gardner, seconded by Mr. DiMaio, at 8:20 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on April 9, 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, 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

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the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

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

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

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

(8) *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

(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 **April 9, 2003**, that an Executive Session closed to the Public shall be held on **April 9, 2003 at 8:20 p.m.** in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

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

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

Tammy M. Lynn Deputy Clerk

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

The Board returned to open session at 9:17 p.m.

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Board of Chosen Freeholder authorizes County Counsel Joseph J. Bell to defend the county during the Paruta v. Supplee, et. al., Docket No. SOM-L-104-02 (environmental clean-up case) scheduled for June 14, 2003.

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

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 9:18p.m.

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

ATTESTED TO:

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Tammy M. Lynn, Deputy Clerk