

MINUTES**MAY 28, 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 May 28, 2003 at 7:37 p.m.

The meeting was called to order by Director Doherty and upon roll call, the following members were present: Freeholder Michael J. Doherty, Freeholder Richard D. Gardner, and Freeholder John DiMaio.

Also attending were County Engineer Dave Hicks, CFO Charles Houck, County Counsel Joseph J. Bell, County Administrator Steve Marvin, and Deputy Clerk Tammy M. Lynn.

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

Director Doherty read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF MAY 28, 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, 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 regular session held on May 14, 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 on May 14, 2003 were approved.

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

Director Doherty announced they would skip the scheduled meeting item and return at the time noted.

There were no public comments on agenda items only.

RESOLUTION 323-03

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 May 28, 2003.

RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2003 - 21.

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payment No. 2003-21 dated May 28, 2003** in the amount of **\$2,860,841.72** including bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2003-20	\$ 698,562.38
2003-21	\$ 971,897.33

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Sub Total	<u>\$ 1,670,459.71</u>
Payroll 5/15/03	<u>\$ 1,190,382.01</u>
GRAND TOTAL	<u>\$ 2,860,841.72</u>

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 324-03

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 May 28, 2003.

RESOLUTION IN SUPPORT OF APPLICATIONS FOR FUNDING FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS UNDER THE 2004 HANDICAPPED PERSONS RECREATIONAL OPPORTUNITIES ACT FOR THE ARC AND DAWN, INC. FOR \$25,256 GRANT FUNDS AND \$5,052 COUNTY MATCHING FUNDS; SUBJECT TO THE AVAILABILITY OF FUNDS.

BE IT RESOLVED the Board of Chosen Freeholders of the County of Warren supports the submission of applications for anticipated 2004 Handicapped Persons Recreational Opportunities Act funding through the New Jersey Department of Community Affairs by the following agencies:

The ARC	\$ 13,923	Grant funds
	2,785	County matching funds
DAWN, Inc.	\$ 11,333	Grant funds
	2,267	County matching funds

BE IT FURTHER RESOLVED that the County will consider the provision of the county matching funds totaling \$5,052 in the 2004 County budget.

BE IT FURTHER RESOLVED that the Director of the Board of Chosen Freeholders is authorized to sign the grant application for anticipated 2004 Handicapped Persons Recreational Opportunities Act for funding in the total amount of \$25,256 grant funds and \$5,052 county matching funds; subject to availability.

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 325-03

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 May 28, 2003.

RESOLUTION APPROVING THE REVISED APPLICATION FOR FUNDING UNDER THE 1999 LOCAL BRIDGE BOND ACT IN THE AMOUNT OF \$6,000,000.00.

WHEREAS, the 1999 Local Bridge Bond Act includes County Aid Program which designates \$6,000,000.00 in State Aid Funding for Warren County; and

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WHEREAS, the County has developed a program to address the structurally deficient bridge needs within the County.

WHEREAS, it has been decided that Bridge #05039 will be maintain as is due to it's historic eligibility, and

WHEREAS, the County wishes to add Bridge #15016 and remove Bridge #05039 from the list of projects to be completed as part of this program.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the filing of the revised application for County Aid funding for various projects under the 1999 Bridge Bond Act in the amount of \$6,000,000.00, and that the Deputy Clerk of the Board and the Director are hereby authorized and directed to execute said application.

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 326-03

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 May 28, 2003.

RESOLUTION TERMINATING CONTRACT #WC0146P WITH KUPPER ASSOCIATES FOR ENGINEERING SERVICES FOR THE RECONSTRUCTION OF COUNTY BRIDGE #05039, SHURTS ROAD OVER THE MUSCONETCONG RIVER, FRANKLIN TOWNSHIP.

WHEREAS, the Board of Chosen Freeholders awarded contract #WC0146P to Kupper Associates of Piscataway, NJ for engineering services for the above project; and

WHEREAS, after consideration of the alternatives for improvement of the bridge, the no build alternative was chosen; and

WHEREAS, no further services of the professional will be necessary for this project at this time.

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby terminate the contract for the above project with Kupper Associates.

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 327-03

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 May 28, 2003.

RESOLUTION TO CHANGE THE WEIGHT LIMIT ON WARREN COUNTY BRIDGE #05044, WOLVERTON ROAD/HUNTERDON COUNTY BRIDGE B-5-W, VALLEY STATION ROAD OVER THE MUSCONETCONG RIVER, FRANKLIN & BETHLEHEM TOWNSHIPS.

WHEREAS, the County of Warren desires to change the weight limit on Warren County Bridge #05044/Hunterdon County Bridge #B-5-W, an Intercounty Bridge; and

WHEREAS, the County Engineer has recommended the current 10 ton weight limit be

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decreased to 3 tons based on the structural evaluation done by Hunterdon County Engineer's Office; and

WHEREAS, the Hunterdon County Engineer agrees with the decrease of weight limit and a concurring resolution was passed on May 13, 2003, by the Hunterdon County Board of Chosen Freeholders.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren does hereby approve the decrease of weight limit to 3 tons.

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

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Franklin Township Clerk and the County of Hunterdon.

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 328-03

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 May 28, 2003.

**RESOLUTION AUTHORIZING THE COUNTY HEALTH OFFICER TO SUBMIT
AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION (NJDEP) FOR SUPPLEMENTAL
COUNTY ENVIRONMENTAL HEALTH ACT (CEHA) GRANT HAZMAT
FUNDING UP TO \$200,000 FOR CALENDAR YEAR 2003.**

WHEREAS, the Warren County Health Department receives annual CEHA grant funding to provide environmental health services, including Hazmat control in Warren County; and

WHEREAS, the need for effective Hazmat and Public Health response has increased as a result of recent terrorist acts and threats concerning weapons of mass destruction; and

WHEREAS, a supplemental 2003 CEHA grant up to \$200,000 is available to enhance Hazmat response in Warren County; and

WHEREAS, as a condition of the grant, the Warren County Health Department and County Office of Emergency Management will work cooperatively to prepare the grant application and update the County Hazmat Annex as needed;

NOW THEREFORE BE IT RESOLVED, that the Warren County Board of Chosen Freeholders authorizes the County Health Officer to apply for a 2003 Supplemental CEHA Hazmat Grant up to \$200,000 and if accepted, to execute an amendment to the 2003 CEHA grant agreement for the project with NJDEP.

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 329-03

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 May 28, 2003.

**RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE A LEASE
AGREEMENT WITH THE NEW JERSEY TRANSIT CORPORATION FOR RECEIPT AND**

MINUTES**MAY 28, 2003****OPERATION OF ONE SECTION 5310 PARATRANSIT VEHICLE**

WHEREAS, on 01/26/00 the Warren County Board of Chosen Freeholders approved an application with NJ Transit for two paratransit minibuses through the FY'00 Section 5310 program; and

WHEREAS, NJ Transit has subsequently made available to Warren County the following vehicle through the FY'00 Section 5310 program:

One (1) Twelve plus 2 passenger Ford Aerotech.

WHEREAS, NJ Transit requires that the county execute a Lease Agreement to operate this vehicle.

NOW, THEREFORE BE IT RESOLVED that the Director of the Warren County Board of Chosen Freeholders is authorized to execute a Lease Agreement with New Jersey Transit for the operation of the paratransit vehicle through the FY'00 Section 5310 program.

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 330-03

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 May 28, 2003.

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE A LEASE AGREEMENT WITH THE NEW JERSEY TRANSIT CORPORATION FOR RECEIPT AND OPERATION OF ONE SECTION 5310 PARATRANSIT VEHICLE,

WHEREAS, on 01/24/01 the Warren County Board of Chosen Freeholders approved an application with NJ Transit for three paratransit minibuses through the FY'01 Section 5310 program; and

WHEREAS, NJ Transit has subsequently made available to Warren County the following vehicle through the FY'01 Section 5310 program:

One (1) Twelve plus 2 passenger Ford Aerotech.

WHEREAS, NJ Transit requires that the county execute a Lease Agreement to operate this vehicle.

NOW, THEREFORE BE IT RESOLVED that the Director of the Warren County Board of Chosen Freeholders is authorized to execute a Lease Agreement with New Jersey Transit for the operation of the paratransit vehicle through the FY'01 Section 5310 program

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 331-03

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 May 28, 2003.

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE A LEASE

MINUTES**MAY 28, 2003****AGREEMENT WITH THE NEW JERSEY TRANSIT CORPORATION FOR RECEIPT AND
OPERATION OF ONE SECTION 5310 PARATRANSIT VEHICLE**

WHEREAS, on 01/23/02 the Warren County Board of Chosen Freeholders approved an application with NJ Transit for two paratransit minibuses through the FY'02 Section 5310 program; and

WHEREAS, NJ Transit has subsequently made available to Warren County the following vehicle through the FY'02 Section 5310 program:

One (1) Twelve plus 2 passenger Ford Aerotech.

WHEREAS, NJ Transit requires that the county execute a Lease Agreement to operate this vehicle.

NOW, THEREFORE BE IT RESOLVED that the Director of the Warren County Board of Chosen Freeholders is authorized to execute a Lease Agreement with New Jersey Transit for the operation of the paratransit vehicle through the FY'02 Section 5310 program.

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 332-03

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 May 28, 2003.

**RESOLUTION TO EXPLORE THE DEVELOPMENT OF A PARTNERSHIP WITH HUNTERDON
AND SOMERSET COUNTIES IN THE NAME OF THE TRI-COUNTY CARE MANAGEMENT
ORGANIZATION.**

WHEREAS, the State of New Jersey, Department of Human Services is proposing a statewide initiative for children's services titled the New Jersey Partnership for Children; and

WHEREAS, the State of New Jersey is immediately seeking federal Medicaid dollars for the purpose of funding the new initiative and to meet this end must ensure statewide implementation of the New Jersey Partnership for Children; and

WHEREAS, the New Jersey Partnership for Children requires the development of a Care Management Organization to locally serve the children of the State of New Jersey and in order to expediently implement the initiative statewide, the State of New Jersey has placed Somerset, Hunterdon and Warren Counties under the auspices of the Middlesex County Care Management Organization; and

WHEREAS, the New Jersey Partnership for Children requires statewide emergency mobile outreach services which also must be immediately implemented, Somerset, Hunterdon and Warren Counties have been grouped with the Union County emergency mobile outreach services; and

WHEREAS, the proposed changes will have a negative impact on the current comprehensive continuum of services that exists in the three counties, will incur unnecessary costs, will remove community-based services to a base that is remote and non-accessible to the three counties and will create an unnecessary level of bureaucracy.

NOW, THEREFORE, BE IT RESOLVED that the County of Warren will meet with Hunterdon and Somerset Counties to explore the development of a Tri-County Care Management Organization that will ensure compliance with the New Jersey Partnership for Children in order to provide a continuum of services to the tri-county families and with the use of

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already existing providers seek Medicaid reimbursement and provide mobile response without the need of additional providers.

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 333-03

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 May 28, 2003.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0348 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE CONSTRUCTION OF THE 9-1-1 COMMUNICATIONS TOWER AT SCOTT'S MOUNTAIN, HARMONY TOWNSHIP, FOR THE WARREN COUNTY COMMUNICATIONS CENTER.

BE IT RESOLVED, that specification WC0348 for bids for the construction of the 9-1-1 communications tower at Scott's Mountain, Harmony Township, for the Warren County Communications Center is hereby approved

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

Funds for this contract will be provided in capital account 04000B401/5054 {00B401/5054} - Communications Center – Communications Equipment

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 334-03

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 May 28, 2003.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE COUNTY ROUTE #624, BELVIDERE AVENUE GUIDE RAIL IMPROVEMENTS, OXFORD TOWNSHIP CONTRACT #WC0349.

BE IT RESOLVED that the plans and specifications for Contract #WC0349 for the County Route #624, Belvidere Avenue, Guide Rail Improvements, Oxford Township are hereby approved.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to advertise for bids 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 – June 5, 2003
BIDS TO BE RECEIVED – July 15, 2003
AWARD DATE – July 23, 2003

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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 335-03

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 May 28, 2003.

RESOLUTION RE: EXTENSION OF CONTRACT WC0212 FOR DATA PROCESSING SERVICES FOR THE WARREN COUNTY TAX BOARD TO VITAL COMMUNICATIONS, INC. FOR THE PERIOD OF JULY 1, 2003 THROUGH JUNE 30, 2004 FOR THE SECOND YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(5) IN THE ANNUAL COST OF \$40,920.00.

BE IT RESOLVED, that Warren County Contract WC0212 for data processing services for the Warren County Tax Board is hereby extended for a second year as provided by the Local Public Contract Law 40A:11-15(5) said contract is hereby extended for the period of July 1, 2003 through June 30, 2004

to . . . Vital Communications Inc., Trenton, New Jersey

amount of . . . \$40,920.00

as per their bid submitted . . . April 8, 2002

Funding for this contract has been provided in budget account 0115200/5029 Tax Board Contracted 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 336-03

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 May 28, 2003.

RESOLUTION RE: AWARD OF CONTRACT WC0332 FOR TWO 2004 INTERNATIONAL MODEL 7400 4X2 DIESEL ENGINE DUMP TRUCKS WITH EVEREST SNOWPLOWS AND WARREN SPREADERS FOR THE WARREN COUNTY ROAD DEPARTMENT TO OPDYKE'S SALES & SERVICES IN THE CONTRACT PRICE OF \$89,749.00 EACH AND A TOTAL CONTRACT AMOUNT OF \$179,498.00.

BE IT RESOLVED, that contract WC0332 for two 2004 International Model 7400 4x2 diesel engine dump trucks with snowplows and spreaders for the Warren County Road Department is hereby awarded

to . . . Opdyke's Sales & Service, Washington, New Jersey

in the amount of . . . \$89,749.00 each, total cost \$179,498.00

as per their bid submitted . . . May 6, 2003

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

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Funding for this contract has been provided in capital account 0403A602/5050 – Road Department Two Dump Trucks w/Plows

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 337-03

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 May 28, 2003.

RESOLUTION RE: AWARD OF CONTRACT WC0337 FOR ONE 2003 FORD E450, MODEL PHOENIX 16 PASSENGER VAN WITH WHEELCHAIR LIFT AND TWO WHEELCHAIR POSITIONS FOR THE PARATRANSIT PROGRAM IN THE WARREN COUNTY HUMAN SERVICES DEPARTMENT TO SHEPHARD BROS., INC. IN THE CONTRACT AMOUNT OF \$45,555.00.

BE IT RESOLVED, that contract WC0337 for one 2003 Ford E450, Model Phoenix 16 passenger van with wheelchair lift and two wheelchair positions for the Paratransit Program in the Warren County Human Services Department is hereby awarded to . . . Shepard Bros., Inc., Canandaigua, New York

in the amount of . . . \$45,555.00

as per their bid submitted . . . May 13, 2003

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

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

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

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 338-03

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 May 28, 2003.

RESOLUTION APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT #WC9952P WITH SCHOOR DEPALMA, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE RECONSTRUCTION OF COUNTY BRIDGE #15016 STRYKERS ROAD OVER THE LOPATCONG CREEK, LOPATCONG & GREENWICH TOWNSHIPS FOR NET INCREASE OF \$39,684.00 AND A REVISED CONTRACT \$78,543.58.

WHEREAS, Schoor DePalma, Inc. was awarded a contract for Engineering Services for the Reconstruction of County Bridge #15016, Strykers Road over the Lopatcong Creek, Lopatcong & Greenwich Townships in the amount of \$38,859.58; and

WHEREAS, change of alignment, revise design, additional geotechnical investigation, revise hydraulics and revise canal improvements were necessary resulting in a net increase of \$39,684.00; and

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

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the resolution authorizing the award of contracts for "professional services" without competitive bidding must be publicly advertised; and

WHEREAS, adequate funds are available in accounts 0400A307 5064 00A307 and 0402A301 5064 and certified by the County Chief Financial Officer.

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

1. Hereby approve Contract Modification #1 for the above project for a net increase of \$39,684.00 and revised contract amount of \$78,543.58.
2. The Director is hereby authorized to execute said Contract Modification by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in the Star Gazette, as required by law, within ten (10) days of its adoption.

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

Tammy M. Lynn Deputy Clerk

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

RESOLUTION 339-03

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 May 28, 2003.

RESOLUTION AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE AGREEMENT FOR PROFESSIONAL SERVICES WITH WASHINGTON CLINIC MEDICAL ASSOCIATES, P.A. (WARREN HILLS FAMILY HEALTH CENTER) TO PROVIDE TUBERCULOSIS AND VENEREAL DISEASE SERVICES THROUGH THE WARREN COUNTY PUBLIC HEALTH NURSING AGENCY FOR THE PERIOD OF MAY 1, 2003 THROUGH APRIL 30, 2004.

WHEREAS, there exists a need for Tuberculosis and Venereal Disease services through the Warren County Public Health Nursing Agency for the period 5/1/03 through 4/30/04;

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1) (a) (i) specifically exempts these types of professional services from the requirements of open, competitive bidding;

WHEREAS, adequate funds are available in Account No. 013302-5046 entitled Venereal Disease and TB, certified by Warren County Treasurer;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the freeholder director be and hereby is authorized to execute the attached agreement for:

Ambulatory Tuberculosis (TB) and Venereal Disease (VD) Services.

1. Said services to be provided by Washington Clinic Medical Associates, P.A., (Warren Hills Family Health Center), 315 Route 31 South, Washington, New Jersey 07882, at \$40.00 per visit.
2. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contract Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.

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3. Notice of this action shall be published in the Star Gazette/Forum, 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 340-03

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 May 28, 2003.

RESOLUTION AWARDING CONTRACT #WC0335 TO DENVILLE LINE PAINTING, INC. FOR THE 2003 PAVEMENT MARKINGS ON VARIOUS WARREN COUNTY ROADS IN THE AMOUNT OF \$176,948.80.

WHEREAS, the County advertised for bids to be received on Tuesday, May 20, 2003 at 1:30 P.M. for Contract #WC0335 for the 2003 Pavement Markings on Various Warren County Roads; and

WHEREAS, Denville Line Painting, Inc. of Rockaway, New Jersey submitted the lowest responsible and responsive bid of \$176,948.80; and

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

WHEREAS, adequate funds have been established in accounts 012900 5125 and 0402A101 5063 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to Denville Line Painting, Inc. in the amount \$176,948.80.

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 341-03

On motion by Mr. DiMaio, seconded by Mr. Gardner, as amended the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on May 28, 2003.

RESOLUTION APPROVING THE CONTRACT EXTENSION TO ATC FOR PARATRANSIT SERVICES FOR THE PERIOD JUNE 1, 2003 THROUGH NOVEMBER 30, 2003 IN AN AMOUNT NOT TO EXCEED \$742,606; FUNDING IS SUBJECT TO AVAILABILITY AND CONTRACT CONTINGENCIES.

WHEREAS, Warren County specification WC191C for paratransit services included the right to extend the contract as provided by the Local Public Contract Law 40A:11-15 for a total of three years; and

WHEREAS, the Warren County Department of Human Services, Division of Contract Administration, has recommended that a six month contract be awarded to ATC for the period June 1, 2003 through November 30, 2003; contract ceiling not to exceed \$742,606; and

WHEREAS, funding for this contract is subject to resolution of contract contingencies and receipt of funds for this contract as provided in budget accounts: 013604 – County; S33555304 – Casino Revenue; S33555308 – Title XX; S33555328 – NJ Veterans; S33555340 – Section 5311; S23555385 – JARC Grant; and X01REF&RB4894 – County Refunds and Rebates.

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NOW, THEREFORE BE IT RESOLVED that the contract for paratransit services is extended with ATC for the period June 1, 2003 through November 30, 2003; subject to the availability of funds and resolution of contract contingencies.

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

A notice of this action shall be published in the Star Gazette as required by law within 10 days of its adoption. This contract itself must be available for public inspection in the Office of the Freeholder 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 342-03

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 May 28, 2003.

RESOLUTION REAPPOINTING MEMBERS TO THE WARREN COUNTY SPECIAL SERVICES SCHOOL DISTRICT BOARD OF EDUCATION

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following individuals to the Warren County Special Services School District Board of Education for a three year term:

RE-APPOINT MEMBERS:

Thomas C. Gross
17 Amackassin Road
Blairstown, NJ 07825

Term to expire: 06/30/06

Joseph J. Delesky
25 Manor Road
Phillipsburg, NJ 08865

Term to expire: 06/30/06

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 343-03

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 May 28, 2003.

RESOLUTION APPOINTING MEMBER TO THE WARREN COUNTY TRANSPORTATION ADVISORY COUNCIL,

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoint the following individual to the Warren County Transportation Advisory Council to fill the recent vacancy:

APPOINT MEMBER:

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Kimberly Petrasovits
 DYFS District Office
 140 Boulevard, Suite 3
 Washington, NJ 07882

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Term to expire: 12/31/03

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

Tammy M. Lynn Deputy Clerk

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, a resolution is to be prepared for the next meeting approving the reappointment of members to the Warren County Advisory Council on Disabilities with Terms to expire October 30, 2004, *Reappoint*: Suzanne Kell, Linda Baer, Ann Miller, Edward Swahn, Xochil German and Thomas Kennedy.

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

RESOLUTION 344-03

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 May 28, 2003.

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

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoints the following member to the Warren County Solid Waste Advisory Council, effective May 28, 2003.

Representing Greenwich Township
 Barry Glassman
 502 Dori Place
 Stewartsville, NJ 08886

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 345-03

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 May 28, 2003.

**RESOLUTION CREATING A FULL-TIME POSITION OF TRUCK DRIVER/WELDER,
 CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF TRUCK DRIVER, CLASSIFIED,
 WITHIN THE WARREN COUNTY ROAD DEPARTMENT,**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of Truck Diver/Welder, classified, is created in the Warren County Road Department to ensure the efficiency and effectiveness of ongoing operations; and

BE IT FURTHER RESOLVED that a full-time position of Truck Driver, classified, is abolished.

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

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Freeholders that a full-time position of Truck Driver/Welder is created and established on AFSCME Local 3287, Range 0640 and made effective immediately.

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

Tammy M. Lynn Deputy Clerk

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

Under reports and comments, County Counsel Joseph J. Bell reported that he had two matters of litigation to discuss in executive session tonight.

County Engineer Dave Hicks had no report.

County Planner Dave Dech asked the Board if they had time to review the letter from Mr. Bell describing revisions to the Facility removal segment of the Warren County Solid Waste Advisory Council procedures. Mr. Doherty asked to review it now. Mr. Bell responded that it would be best for the Board to review it in its entirety over the next two weeks, and explained that he reviewed this with White Township Attorney Brian Smith to confirm the many revisions and he is confident it will avoid any claims of onerous or capricious acts. Mr. Bell asked the Board to consider passage of the revision at the next regular meeting.

Mr. Doherty asked if waiting would cause hardship to White Townships' request for removal of the Natures Choice facility. Mr. Dech said no, there is time.

County CFO Pete Houck had no report.

County Administrator Steve Marvin presented the following Hiring Requests from Rutgers Coop Ext., Division of Family & Consumer Sciences for one F/T Principal Clerk Typist, vacancy due to a recent resignation effective June 4, 2003; from WC Library - CDH Branch for one F/T Sr. Library Asst., vacancy due to a recent promotion effective May 22, 2003, and from WC Human Services / Division of TASS for one F/T Clerk Typist, vacancy due to a recent resignation. The Board approved.

Mr. Marvin informed the Board that he received notice this afternoon from NJAC that A713 is being reintroduced by Assemblywoman Weinberg, with some minor changes, but the meat of the bill still has the component requiring Countys to go through a burdensome process to even consider contracting with, for instance, private non-profit Human Services Agencies, Engineering Firms, etc. He told the Board he would distribute comments on the bill when drafted.

Mr. Doherty thanked him for the update.

Under Freeholder comments, Mr. DiMaio had nothing to report at this time.

Mr. Gardner reported that he was contacted by Ridge Riders Motorcycle Group that the DEP has denied their request to hold their annual cross-country competition / fundraiser at Allamuchy State Park. He said this is a tremendous travesty since this group used many years of their fundraiser to support the acquisition of the park. Mr. DiMaio asked why they were denied.

Mr. Gardner explained there is legislation trying to limit all State Parks to non-motorized vehicles. He asked the Board to draft a resolution opposing this.

Mr. Doherty shared his experiences while attending Memorial Day ceremonies last week. He told the Board he felt privileged to present medals to so many Veterans, who were 50+ years

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old. He noted that some injured veterans have a limited quality of life and die years later from the combat injuries.

Director Doherty opened the public meeting at 7:45 p.m. and announced John Draikiwicz, Bond Counsel and Gary Pulcini, Financial Advisor are here to discuss the county debt obligations and strategies.

Mr. Pulcini distributed a summary report of the bond and note debt service due in calendar year 2003 and beyond to the Board. He explained that some items shown are not eligible for refinancing, some are only allowed to be refunded once, and the remaining can be refinanced as often as the Board would like, with one stipulation that the refunding meets the NJ Local Finance Boards minimum 3% savings. After review of each bond and note that would be eligible for refunding, Mr. Pulcini reported the total savings would be approximately \$1,000,000. In addition, he explained there is a time schedule necessary for the implementation and sale to occur on September 15, 2003.

Mr. Draikiwicz stated that recent changes occurred in February 2003 that now make refunding more attractive to refinancing bidders and that allows them to anticipate the savings that was just reported. He did confirm however, that if the market changes drastically they would advise the Board immediately.

Mr. Gardner asked why the 3% minimum requirement. Mr. Draikiwicz explained that the NJ Local Finance Board sets the minimum, which is important mostly on the one-time refinance notes. Mr. Pulcini explained that New Jersey noticed some municipalities and counties abuse the refinancing and had Legislation adopted to change this minimum percentage requirement.

Mr. Doherty noted the savings and asked how many years that would be distributed. Mr. Pulcini explained that the refinance requires the savings be spread out over the length of the oldest bond, which is November 15, 2015. Mr. Doherty stated since there is no guarantee, is saving approximately \$90,000. a year worth it. Mr. Pulcini responded definitely, and it is important for the Board to understand that attempting a refinance later would not be favorable, the rates will likely increase not decrease. Mr. Pulcini also noted that once the 90-day process is in place he begins the routine of checking the rates daily through the whole process.

Mr. Houck reminded the Board that they just passed this last Ordinance, which requires financing with processing cost, so including the other bonds and notes will ultimately allow additional savings on the processing cost. He concluded that refinancing is about timing and now is the right time with interest rates as low as they are.

Mr. DiMaio noted the list of fixed costs and asked if that is a percentage of the amount to be refinanced. He wanted to know if the Board decided to fund a separate Capital project for the Courthouse expansion needs would the cost be the same or double. Mr. Pulcini explained that fixed costs would start over if a separate project was introduced and the amount of the project would determine the costs. He continued that if this project was included, some areas are fixed and other sections of the costs are based on the amount of the refinancing. Mr. DiMaio thanked him for the information.

Mr. Draikiwicz concluded the meeting by explaining that in order to begin the 90-day refinance application process, a resolution authorizing the firm to proceed has to be adopted before June 18, 2003.

Mr. Doherty thanked Mr. Draikiwicz and Mr. Pulcini for the detailed information presented, and he closed the meeting at 8:15 p.m.

There were no closing public comments.

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There were no press comments and or questions.

RESOLUTION 346-03

On motion by Mr. Gardner, seconded by Mr. DiMaio, at 8:16 p.m. for the purpose to discuss litigation and personnel matters,

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

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

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

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

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

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

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

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

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

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

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

(8) *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or

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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 **May 28, 2003**, that an Executive Session closed to the Public shall be held on May 28, 2003 at 8:16pm 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 9:31 p.m.

On motion by Mr. DiMaio, seconded by Mr. Gardner, and there being no further official business to come before the Board at this time, the meeting was adjourned at 9:31p.m.

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

ATTESTED TO:

Tammy M. Lynn, Deputy Clerk