

MINUTES**JANUARY 3, 2004**

Pursuant to statute in such cases made in accordance with a resolution adopted by the Board of Chosen Freeholders on November 25, 2003, the Annual Meeting of the Board of Chosen Freeholders of the County of Warren was held in Court Room #1, Court House, Belvidere, NJ on Saturday, January 3, 2004 at 4:00 p.m.

County Administrator Steve Marvin read the following statement: **"ADEQUATE NOTICE OF THIS MEETING WAS GIVEN IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT BY FORWARDING A SCHEDULE OF SPECIAL MEETINGS OF THE BOARD OF CHOSEN FREEHOLDERS TO THE WARREN COUNTY CLERK, THE STAR/GAZETTE, BLAIRSTOWN PRESS, THE NEWS, STAR-LEDGER AND THE EXPRESS-TIMES 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"**.

The Invocation was given by the Rev. Chester Barofski of the Grace Brethren Church of Hope, Hope, NJ.

The Pledge of Allegiance to the Flag was led by County Administrator Steve Marvin.

The Certification of Election of Everett A. Chamberlain as Freeholder was read by Deputy County Clerk Patricia Kolb.

The Oath of Office of Everett A. Chamberlain as Warren County Freeholder was administered by Joseph Houston, Esq.

Mr. Chamberlain was assisted by his wife Judy.

The meeting was called to order at 4:06 p.m. by Freeholder Deputy Director Gardner, and upon roll call, the following members were present: Freeholder Richard D. Gardner, Freeholder John DiMaio, and Freeholder Everett A. Chamberlain.

Also attending the meeting was County Counsel Joseph J. Bell, County Administrator Steve Marvin, and Deputy Clerk Tammy M. Lynn.

RESOLUTION 01-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

RESOLUTION APPOINTING RICHARD D. GARDNER AS DIRECTOR OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN FOR THE YEAR 2004.

BE IT HEREBY RESOLVED by the Board of Chosen Freeholders of the County of Warren that Richard D. Gardner is appointed Director of the Board of Chosen Freeholders for the year 2004.

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

Tammy M. Lynn Deputy Clerk

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

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The Oath of Office of Richard D. Gardner as Director of the Board of Chosen Freeholders of the County of Warren was administered by Joseph Houston, Esq.

Mr. Gardner was assisted by Holly Chamberlain.

RESOLUTION 02-04

On motion by Mr. Chamberlain, 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 January 3, 2004.

RESOLUTION APPOINTING JOHN DIMAIO AS DEPUTY DIRECTOR OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN FOR THE YEAR 2004.

BE IT HEREBY RESOLVED by the Board of Chosen Freeholders of the County of Warren that John DiMaio is appointed Deputy Director of the Board of Chosen Freeholders for the year 2004.

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

Tammy M. Lynn Deputy Clerk

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 03-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO APPOINT SUCH COMMITTEES AS MAY BE REQUIRED BY LAW OR AUTHORIZED BY THIS BOARD OR WHICH THE DIRECTOR MAY DEEM APPROPRIATE AND APPOINTING FREEHOLDERS AS LIAISON OR MEMBER OF VARIOUS BOARDS AND COMMITTEES.

BE IT HEREBY RESOLVED that the Director of the Board of Chosen Freeholders is authorized to appoint such committees as may be required by law or authorized by this Board or which the Director may deem appropriate and that the appointment of Freeholders as liaison or member of various boards and committees is hereby approved:

Freeholder Everett A. Chamberlain

Audio Visual Aids	Board of Elections
Board of Taxation	Div. of Sr Services (Formerly Office on Aging)
Health Services	Legal Service
Trustee Warren County Legal Services	Mosquito Commission
Planning Board	Police Chiefs Association
Prosecutor	Sheriff's Office
Solid Waste	Superintendent of Schools
Surrogate	War Veterans

Freeholder John DiMaio

County Adjuster	WC Community College
Correctional Center	Domestic Abuse & Rape Crisis Center
Housing Program	Human Services Dept and its various advisory committees
Juvenile Detention Center	Human Services
Medical Examiner	Mental Health Board
Public Safety	Public Works

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North Jersey Trans. Planning Comm. Transportation Committee
 County Transportation Outreach Women's Commission
 W.I.B. (Workforce Investment Board) of Morris/Sussex/Warren

Freeholder Richard D. Gardner

Agriculture Development Board	Board of Agriculture
Cooperative Extension Service	County Clerk
Cultural and Heritage	Div. of Long Term Care Svcs (Formerly Warren Haven)
Environmental Commission	Library Commission
Morris Canal Committee	Municipal & Charitable Conservancy Trust Fund Comm.
Planning Board	Board of Recreation Commissioners
Shade Tree Commission	Soil Conservation
Technical School	Weights and Measures

All Three Freeholders

Freeholder's Office
 Personnel Division
 C.F.O. / Treasurer Office
 Purchasing Department
 County Counsel
 Information Systems
 Department of Public Information and Tourism
 Planning Department
 Boards of School Estimate

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

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 04-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

RESOLUTION DIVIDING WARREN COUNTY MUNICIPALITIES INTO THREE DISTRICTS AND ASSIGNING A FREEHOLDER LIAISON TO EACH DISTRICT FOR THE YEAR 2004.

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the municipalities of Warren County are divided into three districts and a Freeholder is assigned as liaison to each district as follows:

District No. 1

Belvidere
 White Township
 Oxford Township
 Blairstown Township

Freeholder Everett A. Chamberlain

Knowlton Township
 Washington Borough
 Washington Township
 Hardwick Township

District No. 2

Liberty Township
 Mansfield Township
 Allamuchy Township
 Hope Township

Freeholder John DiMaio

Independence Township
 Frelinghuysen Township
 Hackettstown

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Phillipsburg
Alpha Borough
Pohatcong Township
Franklin Township

JANUARY 3, 2004***Freeholder Richard D. Gardner***

Lopatcong Township
Harmony Township
Greenwich Township

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

Tammy M. Lynn Deputy Clerk

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 05-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

SCHEDULE OF REGULAR MEETINGS OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN FOR THE YEAR 2004.

TAKE NOTICE that pursuant to the provisions of N.J.S.A. 10:4-18, the Open Public Meetings Act, the following is a Schedule of Regular Meetings of the Board of Chosen Freeholders of the County of Warren for the year 2004. All regular meetings shall be held in the Freeholder Meeting Room, Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey on:

January	10	at 9:00 a.m.	B
January	14	at 7:30 p.m.	R
January	28	at 7:30 p.m.	R
February	11	at 7:30 p.m.	R
February	25	at 7:30 p.m.	R
March	10	at 7:30 p.m.	R
March	24	at 7:30 p.m.	R
April	14	at 7:30 p.m.	R
April	28	at 7:30 p.m.	R
May	12	at 7:30 p.m.	R
May	26	at 7:30 p.m.	R
June	09	at 7:30 p.m.	R
June	23	at 7:30 p.m.	R
July	14	at 7:30 p.m.	R
July	28	at 7:30 p.m.	R
August	11	at 7:30 p.m.	R
August	25	at 7:30 p.m.	R
September	08	at 7:30 p.m.	R
September	22	at 7:30 p.m.	R
October	13	at 7:30 p.m.	R
October	27	at 7:30 p.m.	R
November	10	at 7:30 p.m.	R
* *November	23	at 7:30 p.m.	R
December	08	at 7:30 p.m.	R
December	22	at 7:30 p.m.	R

R = Regular Meeting

B = Budget Meeting

All Work session meetings will be advertised in the Star Ledger as needed.

* * Please note that the **second** meeting in November is being held on Tuesday, November 23rd instead of Wednesday, November 24TH.

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

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Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 06-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

**RESOLUTION DESIGNATING THE STAR LEDGER AS THE OFFICIAL
NEWSPAPER AND THE DAILY RECORD AS THE ALTERNATE OFFICIAL NEWSPAPER
WHICH SHALL PUBLISH ALL ADVERTISEMENTS AND
NOTICES REQUIRED BY LAW TO BE PUBLISHED ON BEHALF OF
THE COUNTY OF WARREN.**

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that The Star Ledger is hereby designated as the official newspaper and the Daily Record as the alternate official newspaper, in which shall be published all advertisements and notices required by law to be published on behalf of the County of Warren. This action is taken pursuant to N.J.S.A. 40:23-13 and N.J.S.A. 35:1-2.2 et seq.

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

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 07-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

**RESOLUTION APPOINTING MEMBERS FOR REPRESENTATION IN NEW JERSEY
ASSOCIATION OF COUNTIES.**

WHEREAS, the New Jersey Association of Counties requires official designation of voting and alternate members for each county;

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders on the County of Warren does hereby appoint, for representation in the New Jersey Association of Counties, Richard D. Gardner as the Voting Member, and Everett A. Chamberlain as the 1st Alternate Voting Member and Steve Marvin as the 2nd Alternate Voting Member.

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

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 08-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

**RESOLUTION ADOPTING A CASH MANAGEMENT PLAN DESIGNATING OFFICIALS
AUTHORIZED TO INVEST AND DISBURSE FUNDS, AUTHORIZED DEPOSITORIES,
PERMITTED INVESTMENTS AND REPORTING REQUIREMENTS FOR WARREN COUNTY
PUBLIC MONIES.**

BE IT HEREBY RESOLVED by the Board of Chosen Freeholders of The County of

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Warren that, pursuant to N. J. S. A. 40A: 5-14, the annual Cash Management Plan prepared by the Chief Financial Officer of the County of Warren, is hereby approved and adopted.

BE IT FURTHER RESOLVED that the board directs the official charged with the custody of public funds covered under the plan to deposit and invest said funds in accordance with the provisions of said plan.

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

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 09-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

PROVISION UNDER N.J.S.A. 40A:4-19 TO OPERATE UNDER A TEMPORARY APPROPRIATION IN THE AMOUNT OF \$ 21,423,388.00 THROUGH THE DATE OF ADOPTION OF THE 2004 BUDGET.

WHEREAS, New Jersey Statutes 40A:4-19 provides that every County must make temporary appropriations during the period January 1 to January 30 to cover commitments made during the period of January through the date of the adoption of the Budget, the total of said appropriations for the preceding year, excluding the amount of appropriations for the Debt Service, Capital Improvement Fund and Public Assistance; and

WHEREAS, the date of this Resolution is within the first thirty days of January; and

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations in the total amount of \$21,423,388.00 be made and that a certified copy of this Resolution be transmitted to the Financial Officer's Department for their records.

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

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 10-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

RESOLUTION AUTHORIZING AN EMPLOYMENT AGREEMENT BETWEEN THE COUNTY OF WARREN AND JOSEPH J. BELL, ESQ. AS WARREN COUNTY COUNSEL.

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

1. Pursuant to N.J.S.A. 40a:9-43, Joseph J. Bell, Esq. of Bell, Gage & Harbeck, an attorney-at-law of the State of New Jersey, with offices located at 40 Bloomfield Ave., Denville, NJ 07834 was appointed as County Counsel.

2. The Employment Agreement for calendar year 2004, between the Board and Mr. Bell setting forth the terms and conditions of said appointment and employment in regard to duties, responsibilities and compensation, which Employment Agreement is made a part of this Resolution by reference and is incorporated herein as if set forth verbatim, is hereby authorized and the Freeholder Director is directed to execute said Employment Agreement on behalf of the Board.

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

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Chosen Freeholders of the County of Warren on the date above mentioned.

Tammy M. Lynn Deputy Clerk

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 11-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

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

WHEREAS, Joseph J. Bell, Esq. of Bell, Gage & Harbeck was selected to serve as Warren County Counsel on January 1, 2004; and

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

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

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

WHEREAS, there are certain cases which have been undertaken under the general contract as entered into on January 1, 2004. These cases will be continued to be represented by Mr. Bell and his firm without additional compensation which are:

Paruta v. Supplee, et. al., Docket No. SOM-L-104-02 (environmental clean-up case)

All Tort Claim Reviews

All Bail Forfeiture Prosecutions (currently 128 cases)

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

All Bail Forfeiture proceedings requiring Court appearances

All lawsuits instituted or filed against Warren County's Constitutional Officers, i.e. County Clerk, Sheriff

Alpha 519, Docket No. L-287-03

HUBCO v. County of Warren, Docket No. L-444-02

All collection matters

Construction Board of Appeals

Counterman v. County of Warren, Docket No. 03 cv 1974

Fare v. County of Warren, Docket No. WRN-L-512-02

Miller v. County of Warren, Docket No. L-365-02

Smith v. County of Warren, Docket No. F-17188-02

As well as other matters assigned by the County Administrator

WHEREAS, future assignments for legal representation shall be approved by the Board of Chosen Freeholders on a "as needed" basis and approved by Resolution at Freeholder meetings.

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

SECTION 1. Bell, Gage & Harbeck is hereby appointed as Special County Counsel

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for the purpose of representing the County of Warren, its Board of Chosen Freeholders, Agencies and Departments, in connection with such matters as the Board of Chosen Freeholders may assign from time to time. Said assignment to be made by a duly adopted Resolution of the Board of Chosen Freeholders at a public meeting.

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

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

SECTION 4. Certain cases undertaken under the General Contract as entered into on January 1, 2002/2003 listed above will be continued to be represented under this Contract.

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

This Resolution shall take effect immediately.

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

Tammy M. Lynn Deputy Clerk

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 12-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

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

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

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

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

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

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

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

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adoption of this resolution.

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

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 13-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

RESOLUTION APPOINTING SIRKIS & LAVERY, ESQS. AS SPECIAL COUNSEL TO WARREN COUNTY AND AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT.

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

WHEREAS, in furtherance thereof the Board has determined that Sirkis & Lavery, Esqs. should be retained to perform professional counsel services on behalf of the county.

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

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

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

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

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

Tammy M. Lynn Deputy Clerk

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 14-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

RESOLUTION REAPPOINTING DOUGLAS J. STEINHARDT, ESQ. AS WARREN COUNTY ADJUSTER AND AUTHORIZING AN EMPLOYMENT AGREEMENT EFFECTIVE JANUARY 1, 2004.

WHEREAS, the Board of Chosen Freeholders of the County of Warren desires to designate Douglas J. Steinhardt, Esq., an attorney-at-law of the State of New Jersey, whose office is located at 404 Third St., Belvidere, NJ 07823 to serve as County Adjuster;

NOW THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that pursuant to N.J.S.A. 30:4-34, Douglas J. Steinhardt, Esq., is hereby

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designated to serve as County Adjuster for a one year term effective January 1, 2004 through December 31, 2004 and the Employment Agreement between the Board and Mr. Steinhardt, made part of this resolution by reference, is hereby approved by the Board, and the Director of the Board is hereby authorized and directed to execute said Employment Agreement on behalf of the Board.

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

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 15-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR CERTAIN FINANCIAL ADVISORY SERVICES FOR THE COUNTY OF WARREN, NEW JERSEY, WITH VALCO CAPITAL LTD., SEWELL, NEW JERSEY.

WHEREAS, there exists a need for specialized financial consulting services in connection with the authorization and the issuance of bonds and notes by the County of Warren (the "County"), a body corporate of the State of New Jersey, including the preparation of a comprehensive plan to finance the County's multi-year capital improvement needs, negotiating ratings, terms and approvals with the financial community and the preparation of financial documents acceptable to the financial community; and

WHEREAS, such financial advisory services can be provided by a recognized financial consultant, and the firm of VALCO Capital Ltd., Sewell, New Jersey, is so recognized by the financial community; and

WHEREAS, funds are appropriated for this purpose in account 0400B703-5060 and/or will be appropriated by ordinance(s) approved throughout 2004,

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

1. The financial consulting firm of VALCO Capital Ltd. Sewell, New Jersey, is hereby retained for the period January 1, 2004 through December 31, 2004, to provide financial advisory and professional services in connection with the financing of the County's Capital Improvement and Open Space, Recreation Farmland and Historic Preservation Programs, in accordance with the proposal dated and submitted to the County.

2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), because it is for services performed by persons authorized by law to practice a recognized profession.

3. The Director is hereby authorized to execute said agreement.

4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Board of Chosen Freeholders.

5. Notice of this action shall be published in THE STAR LEDGER 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

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 16-04

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On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

RESOLUTION APPOINTING APRUZZESE, McDERMOTT, MASTRO & MURPHY AS SPECIAL COUNSEL TO WARREN COUNTY AND AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT.

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

WHEREAS, in furtherance thereof the Board has determined that Apruzzese, McDermott, Mastro & Murphy, P.C. should be retained to perform professional counsel services on behalf of the county.

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

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

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

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

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

Tammy M. Lynn Deputy Clerk

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 17-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

RESOLUTION TO APPOINT AN ALTERNATE MEMBER TO THE NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC., FOR THE YEAR 2004

BE IT RESOLVED that David K. Dech is hereby appointed as the alternate voting member, representing the County of Warren, to the North Jersey Transportation Planning Authority, Inc., at those meetings when Freeholder John DiMaio is unable to attend during the year 2004.

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

Tammy M. Lynn Deputy Clerk

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

RESOLUTION 18-04

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On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 3, 2004.

**RESOLUTION ESTABLISHING RESIDENCY PREFERENCE FOR
PROSPECTIVE EMPLOYEES OF WARREN COUNTY.**

WHEREAS, Civil Service rules promulgated at N.J.A.C. 4A: 4-2.11 in the case of Civil Service jurisdictions such as Warren County provide for the establishment of residence standard for local service appointing authorities; and

WHEREAS, the Board of Chosen Freeholders of the County of Warren has determined that such residency requirements promulgated herein as a residency preference will enhance the quality of employee performance and will produce general economic benefits flowing from local expenditures of employees' salaries;

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

1. Unless otherwise provided by law or by provision within this Resolution, it is preferred that all officers and employees hired by the local unit, the County of Warren, after the effective date of this Resolution be bona fide residents of the County of Warren. A bona fide resident for the purpose of this Resolution is a person having a permanent domicile within the County of Warren and one which has not been adopted with the intention of again taking up or claiming a previous residence acquired outside of the County of Warren's boundaries prior to permanent appointment. Residence shall mean a single legal residence pursuant to N.J.A.C. 4A: 4-2.11 (b). An applicant seeking to appeal a residency determination shall utilize the procedures contained in N.J.A.C. 4A: 4-6.6. The applicant shall have the burden of proving his or her residence.
2. It is preferred that applicants for positions and employments in the classified service with the County of Warren at the exclusion of the Warren County Prosecutor's Office, the Warren County Sheriff's Office and the Warren County Welfare Board be bona fide residents of the County of Warren. The referenced exclusions are made in accordance with decisional and statutory authority. If the New Jersey Department of Personnel, after ample advertisement, determines that an insufficient number of qualified residents exist for available positions or employment in the County of Warren, it may open eligibility lists for such positions or employments to qualified nonresidents pursuant to N.J.S.A. 40A: 9-1.6, as set forth in Paragraph 3 of this Resolution.
3. Whenever the County Administrator shall determine that there cannot be recruited a sufficient number of qualified residents for available specific positions or employments, the Warren County Personnel Department shall advertise for other qualified applicants. The County Administrator shall thereupon classify all qualified applicants for such positions or employments so determined in the following manner:
 - A. Other residents of contiguous counties.
 - B. Other residents of the State of New Jersey.
 - C. All other qualified applicants.

The appointing authority shall first appoint all those in class A and then those in each succeeding class in the order above listed and shall appoint a person or persons in any such class only to a position or positions, or employment or employments, remaining after all qualified applicants in the preceding class or classes have been appointed or have declined an offer of appointment. The preference established by this Paragraph shall in no way diminish, reduce or affect the preferences granted pursuant to any other

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provisions of the law. The New Jersey Department of Personnel shall be notified that such preference schedule has been determined to be applicable for any specific position or employment, in order that the New Jersey Department of Personnel may classify all applicants for such position or employment accordingly.

4. Whenever the County Administrator shall determine that there are certain specific positions and employments requiring special talents or skills which are necessary for the operations of the County of Warren and which are not likely to be found among the residents of the County of Warren, such positions or employments so determined shall, pursuant to N.J.S.A 40A: 9-1.7 be filled without reference to residency. At the time of such a determination, the County Administrator will indicate the formal criteria under which it has been determined that the position or employment requires special skills or talents. The criteria pursuant to which such positions and employments shall be so determined are as follows: (A) Any position or employment, the services which are specialized and qualitative in nature. (B) Any position or employment which requires expertise and extensive training. (C) Any position or employment, the services of which will be required to be performed by an individual who has a proven reputation in the particular field or endeavor. (D) Any position or employment, the talents, skills, services or other important characteristics of which cannot be reasonably described by written specifications. (E) Any position or employment, the services of which must or foreseeably will be rendered or performed by a person authorized by law to practice a recognized profession or a person whose practice is regulated by law. (F) Any position or employment whose performance requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.
5. Preference shall be given in promotion to officers and employees of the local unit, County of Warren, who are bona fide residents of the County of Warren. When promotions are based upon merit as determined by suitable promotion tests or other objective criteria, a resident shall be given preference over a nonresident in any instance when all other measurable criteria are equal. The preference granted by this Paragraph shall in no way diminish, reduce, or affect the preference granted pursuant to any other provision of law.
6. Should any portion of this Resolution be declared illegal or invalid by any court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect, the provisions hereof being fully severable;
7. This Resolution shall in no way affect or apply to persons already in the employ of the County of Warren as of the effective date of this Resolution. Nothing in this Resolution shall restrict employees from relocating their residence outside of Warren County after permanent employment.
8. This Resolution shall take effect upon adoption of same.
9. All prior resolutions or parts thereof inconsistent with the provisions of this Resolution are hereby repealed as to such inconsistency only.
10. A copy of this Resolution shall be provided to the New Jersey Department of Personnel and all Warren County department heads, to indicate the intent of the Board of Chosen Freeholders. Any subsequent modification of this Resolution shall be forwarded to the New Jersey Department of Personnel within twenty (20) days after 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

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

Freeholder Director Gardner announced that the formal business issues of the meeting are complete and he would like to introduce distinguished guests, elected and appointed officials. Some of the officials and dignitaries in attendance that respectfully

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declined comment were former Senator William Schluter, Sheriff Salvatore Simonetti, and former Freeholder James Swick.

Mr. Gardner acknowledged our distinguished former Freeholder Director and current Assemblyman Michael J. Doherty. Mr. Doherty wished everyone a Happy New Year. He stated that it is his pleasure to see Warren County represented by this veteran Freeholder Board. Mr. Doherty stated that the county will benefit by each one here, and they have many talents and experiences to share. Mr. Doherty described Mr. Chamberlain as a solid gentleman who will do a great job for Warren County.

Mr. Gardner introduced Warren County Surrogate Susan Dickey. Mrs. Dickey welcomed Mr. Chamberlain to the Board and wanted him to enjoy his tenure on the Board, just as she did. Mrs. Dickey wished the Board a very successful year. She looked forward to working with the Board and wished everyone a happy, healthy New Year.

Mr. Gardner acknowledged former Freeholder Ann Stone. Mrs. Stone congratulated Mr. Chamberlain on his recent election. She told the Board that she looks forward to working with them in her capacity as Warren County Tax Commissioner. Mrs. Stone also wanted to recognize Henry Dinger, the former Welfare Director and former County Administrator, for his 33 years of service to the county. She wanted everyone to recognize him on his recent retirement, and for the outstanding services, he provided to Warren County over the years.

Mr. Gardner introduced Warren County Community College President Will Austin. Dr. Austin congratulated Mr. Chamberlain for his recent election and Mr. Gardner for his appointment as Director. He wanted to pledge publicly that the Warren County Community College will be a servant to the county and will provide services at the pleasure of Board. He stated that he is very grateful for the hospitality that has been given to his family by everyone in the county.

Mr. Gardner acknowledged former Freeholder Ken Miller. Mr. Miller congratulated Mr. Chamberlain on his recent election and Mr. Gardner on his appointment as Director.

Mr. Gardner read a letter from Senator Leonard Lance, sending his congratulations and his regrets for not being able to attend the meeting.

Under Freeholder comments, Mr. DiMaio greeted everyone in attendance and hoped this New Year found them in good health, happy, and he wished safety for everyone and our nation throughout the New Year. He stated that there are many issues that will be faced in this New Year.

Mr. DiMaio stated that it is important to design a budget document that this county can afford, in the past the taxes have been lower and we were able to continue with service as in the past. He would like to see some planning generated for future facility needs. He wanted to keep the farmland preservation and open space acquisitions moving at the same pace. He was pleased to report that by the end of last year the county had reached 10,000 acres in farmland preservation, which was critical to maintaining the farming industry in the county now and the future. Mr. DiMaio stated that he believes the acquisitions will allow the future of Warren County Agribusiness to grow. He stated that this investment has allowed those that have lived here and new families that have moved here to continue to have that same quality of life in Warren County.

Mr. DiMaio stated that he would like to see the Phillipsburg Rail Museum become more than what it is right now. The Board recognizes that this will be an important asset

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to the county economics and he would like to push harder for the State to finalize the appropriations that they began many years ago.

Mr. DiMaio pledged to the Board that he would work with his fellow Freeholders to find the best solutions necessary to fulfill the needs of the citizens in Warren County. He wanted to share that he has concerns relating to the condition of the Courthouse. As he looks out today, he notices there are many maintenance areas that can no longer be ignored in this historic structure.

Mr. DiMaio stated that he would not be able to be here without the unlimited support he has from his wife, Gina and his family throughout the year. He wished everyone a happy New Year.

Mr. Gardner wanted to thank Judge Houston and Rev. Barofski for assisting in the meeting today, and everyone for attending the reorganization of the Board of Chosen Freeholders. He acknowledged his family and thanked his wife Janette and children, Kristen, Daniel, and Stephanie for always being there for him. He stated that they are his ever-lasting support and afford him the time to serve the county.

Mr. Gardner stated that this Board has been cautious on the level of spending during the past years and it is absolutely paramount to do so, but he also sees the need to set some direction towards the future of the county and its facility needs. He stated that his memories of walking into this courthouse could be just that, unless some measures are taken now. Mr. Gardner stated that this Courthouse is one of Warren County's most treasured historic structures. He recently completed a tour of this building which sadly enough has a heating system that dates back to World War II, and stated that as the Freeholder Director he would take the responsibility to make sure that we preserve this building.

Mr. Gardner wanted to recognize many accomplishments; one being that Warren County hit the benchmark of preserving 10,000 acres of farmland. He believes there are only two other counties that have done that, Burlington and Cumberland Counties. He stated that this is important not only for preservation, but also to the economy of the county. Agriculture has been an intricate part of the economics in Warren County, and he wants to continue the success of this program. Mr. Gardner also wanted to recognize the Municipal Charitable and Conservancy Trust Funds with one key program to pursue the Transportation and Rail Museum to be located in Phillipsburg. He was pleased to support the application that will allow the main street economics in Phillipsburg to grow and would pledge to put pressure on the state to follow through with the remaining appropriations.

Mr. Gardner stated that another area paramount for Warren County is the environment. He stated the outcries were heard and the Pennsylvania P&L plant emissions are going to change which is a major victory for the residents that live near that facility in Warren County.

Mr. Gardner vowed to be fiscally prudent, and progressive when it relates to the maintenance of the Warren County Courthouse. He also has great concerns with the conditions at the Warren County Library Headquarters. He wanted to recognize the Library personnel for accommodating the citizens as best as they can with the space that they have to work with. He would like to explore a new Library facility on the White Township property.

Mr. Gardner pledged to be progressive, prudent and efficient when making decisions that ultimately will affect the Warren County citizens. He is looking forward to rolling up his sleeves to get the work done. He stated that he reads every letter, and will answer all calls made directly to him. He wanted the people of Warren County to know he will listen and make the best decisions for everyone. He thanked everyone for attending the meeting and wished them a healthy and safe New Year.

Mr. Gardner invited Mr. Chamberlain to perform the Oath of Office for Greenwich

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Township Committeewoman-Elect Elaine Emiliani. Mr. Chamberlain thanked him.

The Oath of Office of Elaine Emiliani as Greenwich Township Committeewoman was administered by Everett A. Chamberlain, Warren County Freeholder.

Mrs. Emiliani was assisted by her husband Domenico.

Mr. Gardner acknowledged Warren County Republican Committee Chairman Walter Orcutt sitting in the audience. Mr. Orcutt thanked him.

Mr. Chamberlain stated that he has had a long journey getting here. He shared some of his experiences while campaigning for the primary and the general elections. He stated that he walked to hundreds of homes, and it was his pleasure to meet so many great American families in Warren County. Mr. Chamberlain stated that his most memorable campaign challenge was the sign war with the NJ D.O.T.; he wanted to thank Bob Rokosz, his son Chad, Steve Fantina, Gus Rutledge, and Victor Camporine for assisting him.

Mr. Chamberlain stated that some of the issue that this Board will have to deal with has already been echoed by the Board. He believes that we have an obligation to maintain the Warren County Courthouse and recognize its historic importance. He would like to explore ideas to improve the Warren County Library headquarters. Mr. Chamberlain stated that he would always be in favor of the farmland preservation and open space acquisitions.

Mr. Chamberlain wants to see Warren County as the catalyst to protect our environment, keep clean air and look at ways to monitor the landfill. He stated that improving the monitoring will protect the water quality for a long time in Warren County.

Mr. Chamberlain stated that Warren County's future is very bright for small business, farms, and preservation of historic structures. He promised to keep government small and taxes low. He invited the citizens to contact him with concerns. Mr. Chamberlain stated that he takes this position very seriously and will work on setting good policies.

Mr. Chamberlain wanted to recognized his family; his daughter Holly who is a Researcher for the University of Florida, his son Chad for being his campaign manager during both elections, and he owes his greatest thanks to his wife Judy, who is always there supporting him. Mr. Chamberlain thanked Judge Houston and Rev. Barofski for participating in the meeting, and he invited everyone back to his home for a reception immediately following the meeting. He thanked everyone and said God Bless you in the New Year.

Mr. Gardner stated that he wanted to recognize the strong regional Legislative team representing Warren County. He acknowledged that having Michel Doherty as Assemblyman, he is confident that he will continue to work at keeping our taxes low, he is not going to let politics stand in the way of making his voice heard. He asked Mr. Doherty for the leadership in Trenton that Warren County will need.

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, and there being no further official business to come before the Board at this time, the meeting was adjourned at 4:45p.m.

Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

ATTESTED TO:

Tammy M. Lynn, Deputy Clerk