

**MINUTES****FEBRUARY 11, 2004**

The Board of Chosen Freeholders of the County of Warren met in regular session in its offices in the Wayne Dumont, Jr. Administration Building, Belvidere, New Jersey on February 11, 2004 at 7:33 p.m.

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

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 was led by Director Gardner.

Director Gardner read the following statement: **"ADEQUATE NOTICE OF THIS MEETING OF FEBRUARY 11, 2004 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-LEDGER, AND DAILY RECORD 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. Chamberlain, seconded by Mr. DiMaio, the minutes for the budget work session held January 22, 2004 were approved.

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the minutes of the regular session held January 28, 2004 were approved.

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

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the minutes of the executive session held January 28, 2004 were approved.

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

Under public comments on agenda items only, Robert Shandor, Board of Recreation Commissioners, asked for the details of item E5 as it doesn't identify the property. Mr. Marvin responded that this is a simple grant application to the D.O.T. The Board responded that the application is for a \$750,000 grant for future acquisitions that border the Route 57 viewshed. Mr. Marvin gave Mr. Shandor a copy of the resolution.

Walt Menegus, White Township, questioned why the Board didn't have the PCFA appointment position on the agenda as originally stated at the last regular meeting.

Mr. Gardner responded that there is no mistake on the agenda and if he would like to discuss this further to wait for the regular items to be processed, he can discuss this further under Public Comments at the conclusion of the agenda.

Director Gardner read the complete resolution introducing the 2004 Budget and asked for adoption.

**RESOLUTION 106-04**

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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 February 11, 2004

**RESOLUTION INTRODUCING THE ANNUAL BUDGET OF THE COUNTY OF WARREN  
FOR THE FISCAL YEAR 2004.**

**BE IT RESOLVED**, that the following statements of revenues and appropriations shall constitute the County Budget for the year 2004,

Total Appropriations:	\$ 88,698,136.52
Less Anticipated Revenues	\$ <u>37,995,196.52</u>
Amount to be raised by Taxation-County Purpose Tax	\$ <u>50,702,940.00</u>

**BE IT FURTHER RESOLVED**, that said budget shall be published in The Star Ledger in the issue of February 25, 2004 and that notice is hereby given that the Budget and Tax Resolution is hereby approved by the Board of Chosen Freeholders of the County of Warren on February 11, 2004.

**BE IT FURTHER RESOLVED**, that a Hearing on the Budget and Tax Resolution will be held at the Wayne Dumont, Jr. Administration Building, Freeholders Meeting Room, 165 County Route 519 South, Belvidere, NJ on Wednesday, March 10, 2004 at 7:30 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2004 may be presented by taxpayers or other interested persons.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 107-04**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2004 - 06.**

**Be and it is hereby resolved** that Master Voucher Certificate **For Certification/Ratification for Payment No. 2004-8 dated February 25, 2004** in the amount of **\$ 3,684,344.15** including bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

<b>2004-7</b>	<b>\$ 208,856.30</b>
<b>2004-8</b>	<b>\$ 2,205,150.58</b>
<b>Sub Total</b>	<b>\$ <u>2,414,006.88</u></b>
<b>Payroll 2/19/04</b>	<b>\$ <u>1,270,337.27</u></b>
<b>GRAND TOTAL</b>	<b>\$ <u>3,684,344.15</u></b>

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 108-04**

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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 February 11, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$778,771.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF STATE POLICE, HOMELAND SECURITY PHASE II.**

**WHEREAS**, N.J.S.A. 40A:4-26 provides that "No Miscellaneous Revenue from any source shall be included as Anticipated Revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and shall certify such determination, in writing, to the Local Unit," and

**WHEREAS**, the County of Warren has been allocated in the amount of \$778,771.00 as Homeland Security Phase II.

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to anticipate that amount in the 2004 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby requests the Director of Local Finance to approve the insertion of an item of Revenue in the budget of the year 2004 in the sum \$ 778,771.00 which item is now available as a Revenue from the State of New Jersey, Department of Law & Public Safety, Division of State Police, Homeland Security Phase II.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 109-04**

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 February 11, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$558,608.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH & SENIOR SERVICES, DIV. OF AGING & COMMUNITY SERVICES, AREA PLAN GRANT.**

**WHEREAS**, N.J.S.A. 40A:4-26 provides that "No Miscellaneous Revenue from any source shall be included as Anticipated Revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and shall certify such determination, in writing, to the Local Unit," and

**WHEREAS**, the County of Warren has been allocated in the amount of \$558,608.00 as Area Plan Grant.

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to anticipate that amount in the 2004 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby requests the Director of Local Finance to approve the insertion of an item of Revenue in the budget of the year 2004 in the sum \$558,608.00 which item is now available as a Revenue from the State of New Jersey, Department of Health &

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

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

**RESOLUTION 110-04**

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 February 11, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$11,290.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE, LOCAL LAW ENFORCEMENT BLOCK GRANT – MEGAN'S LAW #LLE 23-02.**

**WHEREAS**, N.J.S.A. 40A:4-26 provides that "No Miscellaneous Revenue from any source shall be included as Anticipated Revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and shall certify such determination, in writing, to the Local Unit," and

**WHEREAS**, the County of Warren has been allocated in the amount of \$11,290.00 as Local Law Enforcement Block Grant – Megan's Law #LLE 23-02.

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to anticipate that amount in the 2004 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby requests the Director of Local Finance to approve the insertion of an item of Revenue in the budget of the year 2004 in the sum \$11,290.00 which item is now available as a Revenue from the State of New Jersey, Department of Law & Public Safety, Division of Criminal Justice, Local Law Enforcement Block Grant – Megan's Law #LLE 23-02.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 111-04**

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 February 11, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$70,000.00 FROM THE NEW JERSEY DEVELOPMENT DISABILITIES COUNCIL, INTEGRATED COMMUNITY TRANSPORTATION SERVICES, PHASE ONE: COLLABORATIVE TRANSPORTATION PLAN AGREEMENT #09WM4N.**

**WHEREAS**, N.J.S.A. 40A:4-26 provides that "No Miscellaneous Revenue from any source shall be included as Anticipated Revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and shall certify such determination, in writing, to the Local Unit," and

**WHEREAS**, the County of Warren has been allocated in the amount of \$70,000.00 as Integrated Community Transportation Services, Phase One: Collaborative Transportation Plan

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Agreement #09WM4N.

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to anticipate that amount in the 2004 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby requests the Director of Local Finance to approve the insertion of an item of Revenue in the budget of the year 2004 in the sum \$70,000.00 which item is now available as a Revenue from the New Jersey Development Disabilities Council, Integrated Community Transportation Services, Phase One: Collaborative Transportation Plan Agreement #09WM4N.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 112-04**

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 February 11, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$233,811.00 FROM THE NEW JERSEY TRANSIT CORPORATION FOR JOB ACCESS AND REVERSE COMMUTE PROGRAM (ROUTE 57 SHUTTLE).**

**WHEREAS**, N.J.S.A. 40A:4-26 provides that "No Miscellaneous Revenue from any source shall be included as Anticipated Revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and shall certify such determination, in writing, to the Local Unit," and

**WHEREAS**, the County of Warren has been allocated in the amount of \$233,811.00 as Job Access and Reverse Commute Program (Route 57 Shuttle).

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to anticipate that amount in the 2004 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby requests the Director of Local Finance to approve the insertion of an item of Revenue in the budget of the year 2004 in the sum \$233,811.00 which item is now available as a Revenue from the New Jersey Transit Corporation for Job Access and Reverse Commute Program (Route 57 Shuttle).

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 113-04**

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 February 11, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$1,276,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION, FY2004 CAPITAL TRANSPORTATION PROGRAM.**

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**WHEREAS**, N.J.S.A. 40A:4-26 provides that "No Miscellaneous Revenue from any source shall be included as Anticipated Revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and shall certify such determination, in writing, to the Local Unit," and

**WHEREAS**, the County of Warren has been allocated in the amount of \$1,276,000.00 as FY2004 Capital Transportation Program.

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to anticipate that amount in the 2004 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby requests the Director of Local Finance to approve the insertion of an item of Revenue in the budget of the year 2004 in the sum \$1,276,000.00 which item is now available as a Revenue from the State of New Jersey, Department of Transportation, FY2004 Capital Transportation 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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 114-04**

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 February 11, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$77,401.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, SOCIAL SERVICES FOR THE HOMELESS #H0421.**

**WHEREAS**, N.J.S.A. 40A:4-26 provides that "No Miscellaneous Revenue from any source shall be included as Anticipated Revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and shall certify such determination, in writing, to the Local Unit," and

**WHEREAS**, the County of Warren has been allocated in the amount of \$77,401.00 as Social Services for the Homeless #H0421.

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to anticipate that amount in the 2004 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby requests the Director of Local Finance to approve the insertion of an item of Revenue in the budget of the year 2004 in the sum \$77,401.00 which item is now available as a Revenue from the State of New Jersey, Department of Human Services, Social Services for the Homeless #H0421.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 115-04**

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

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adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$225,153.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH & SENIOR SERVICES, COUNTY COMPREHENSIVE PROGRAM FOR PLANNING & PROVISION FOR ALCOHOLISM & DRUG ABUSE.**

**WHEREAS**, N.J.S.A. 40A:4-26 provides that "No Miscellaneous Revenue from any source shall be included as Anticipated Revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and shall certify such determination, in writing, to the Local Unit," and

**WHEREAS**, the County of Warren has been allocated in the amount of \$225,153.00 as County Comprehensive Program for Planning & Provision of Alcoholism & Drug Abuse.

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to anticipate that amount in the 2004 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby requests the Director of Local Finance to approve the insertion of an item of Revenue in the budget of the year 2004 in the sum \$225,153.00 which item is now available as a Revenue from the State of New Jersey, Department of Health & Senior Services, County Comprehensive Program for Planning & Provision for Alcoholism & Drug Abuse.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 116-04**

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 February 11, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$436,995.00 FROM THE NEW JERSEY TRANSIT CORPORATION, SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE PROGRAM.**

**WHEREAS**, N.J.S.A. 40A:4-26 provides that "No Miscellaneous Revenue from any source shall be included as Anticipated Revenue in the budget in an amount in excess of the amount actually realized in cash from the same source during the next preceding fiscal year, unless the Director shall determine upon application by the governing body that the facts clearly warrant the expectation that such excess amount will actually be realized in cash during the fiscal year and shall certify such determination, in writing, to the Local Unit," and

**WHEREAS**, the County of Warren has been allocated in the amount of \$436,995.00 as Senior Citizen and Disabled Resident Transportation Assistance Program.

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to anticipate that amount in the 2004 Budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby requests the Director of Local Finance to approve the insertion of an item of Revenue in the budget of the year 2004 in the sum \$436,995.00 which item is

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now available as a Revenue from the New Jersey Transit Corporation, Senior Citizen and Disabled Resident Transportation Assistance 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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 117-04**

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 February 11, 2004

**RESOLUTION REQUESTING A CHANGE OF CUSTODIAN AND AN INCREASE IN THE AMOUNT OF THE PETTY CASH FUND IN THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES.**

**WHEREAS**, N.J.S.A 40A:5-21 authorizes the establishment of petty Cash fund; and

**WHEREAS**, The NJ Division of Local Government Services has previously approved a petty cash fund for the Warren County Department of Human Services, Division of Temporary Assistance and Social Services, formerly known as the Welfare & Food Stamp Office, in the amount of \$35.00; and

**WHEREAS**, Denise Ritter is currently the listed custodian of this petty cash fund; and

**WHEREAS**, in accordance with N.J.S.A. 40A:5-21, the Board of Chosen Freeholders is changing custodian to Kim Francisco, Fiscal Officer of the Warren County Department of Human Services; and

**WHEREAS**, Mr. Francisco is insured in the amount of \$250,000 by virtue of a crime policy; and

**WHEREAS**, The Warren County Board of Chosen Freeholders wishes to increase the amount of petty cash fund from \$35 to \$200.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Board of Chosen Freeholders of the County of Warren hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, NJ Department of Community Affairs for approval.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 118-04**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**RESOLUTION APPROVING THE TREATMENT WORKS APPROVAL APPLICATION FOR BLOCK 21, LOT 7.04, WHITE TOWNSHIP.**

**WHEREAS**, Village Square Center, W. T. Associates, LLC must submit a Treatment Works Approval application for the sanitary sewer extension for the phase II development of the commercial property on Block 21, Lot 7.04 in White Township; and

**WHEREAS**; the Warren County Planning Board has granted preliminary site plan approval for the proposed improvements; and.

**WHEREAS**, the connection to County sewer main and reserve capacity of 6,800 gallons per day was previously approved by the County by Agreement dated October 9, 1997; and

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**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that the Treatment Works Approval Application for Block 21, Lot 7.04 in White Township is hereby approved.

**BE IT FURTHER RESOLVED**, that the County Engineer is hereby authorized to execute all permit certifications on behalf of the County of Warren.

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

Tammy M. Lynn Deputy Clerk

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

**RESOLUTION 119-04**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**RESOLUTION APPROVING THE AS-BUILT LOCATION FOR THE PROPOSED FRANKLIN TOWNSHIP ELEMENTARY SCHOOL SIGN.**

**WHEREAS**, the Franklin Township Board of Education wishes to install a sign in front of the Elementary School within the right-of-way of County Route #643 (Asbury-Broadway Road); and

**WHEREAS**, it has been determined that the final location discussed and chosen will not obstruct or interfere with vehicular or pedestrian traffic flows or impede sight distance; and

**WHEREAS**, the sign will be 24' from the centerline of the road and therefore will not affect any future shoulder widening or curb installation.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that the installation of the proposed school sign in the right-of-way of County Route #643, as shown on the attached drawings is hereby approved.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 120-04**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**RESOLUTION TO ESTABLISH SPEED LIMITS ALONG COUNTY ROUTE #620 (GREENWICH STREET), TOWN OF BELVIDERE, WARREN COUNTY, NEW JERSEY.**

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

Section 1. That the speed limits for both directions of traffic along County Route #620 (Greenwich Street), Town of Belvidere, Warren County, New Jersey, be established as follows:

Zone 1. 40 miles per hour between the Town of Belvidere Corporate Line – White Township Corporate Line and Fifth Street.

Zone 2. 25 miles per hour between Fifth Street and Water Street.

Section 2. Regulatory and warning signs shall be erected and maintained to effect the above designated speed limits.

Section 3. This resolution shall take effect upon approval by the Commissioner

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of the Department of Transportation.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 121-04**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ENTER INTO  
A SIDEWALK AGREEMENT WITH THE BOROUGH OF ALPHA  
FOR THE CONSTRUCTION OF A SIDEWALK WITHIN THE RIGHT-OF-WAY  
OF COUNTY ROUTE #519 ALONG THE FRONTAGE OF LOT 11, BLOCK 46**

**WHEREAS**, the Borough of Alpha and the County of Warren agree there is a need to construct a sidewalk in the Borough of Alpha along County Route #519 to provide for pedestrian safety; and

**WHEREAS**, the County owns the right-of-way along County Route #519 and agrees to the construction of sidewalks by David S. Cooper, along the frontage of Lot 11, Block 46; and

**WHEREAS**, the Borough of Alpha will inspect the construction of the sidewalk and assume ownership with all rights and responsibilities for the sidewalk; and

**NOW, THEREFORE BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey approves the signing of a Sidewalk Agreement between the Borough of Alpha and the County of Warren for sidewalk construction in Alpha Borough.

**BE IT FURTHER RESOLVED** that the Director and Clerk of the Board are hereby authorized and directed to execute said agreement hereto and made a part 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

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

**RESOLUTION 122-04**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**RESOLUTION APPROVING A TEA-21 GRANT APPLICATION WITH THE NEW JERSEY  
DEPARTMENT OF TRANSPORTATION FOR THE ACQUISITION OF CERTAIN PROPERTIES  
AND EASEMENTS ALONG THE ROUTE 57 GREENWAY.**

**WHEREAS**, The New Jersey Department of Transportation has been working with the Warren County Department of Land Preservation to acquire properties and preservation easements along Route 57; and

**WHEREAS**, Warren County is interested in purchasing property along the Route 57 Greenway and the Morris Canal; and

**WHEREAS**, a TEA-21 Transportation Enhancement Program grant application is being prepared by the Department of Land Preservation to assist with the purchase of these properties and easements.

**NOW THEREFORE BE IT RESOLVED** by the Board of Chosen Freeholders of the

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County of Warren that the TEA-21 application prepared by the Warren County Department of Land Preservation for the purchase of properties and preservation easements along the Route 57 Greenway and Morris Canal area is hereby approved.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 123-04**

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 February 11, 2004

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

**BE IT RESOLVED**, that specification WC0315 for mowing of county properties for the Warren County Department of Land Preservation is hereby approved

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

Funds for this contract are provided in budget account 03892/5100 – Maintenance of Rec & Co Property – Program Operating Expense

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

Tammy M. Lynn Deputy Clerk

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

**RESOLUTION 124-04**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**RESOLUTION RE: APPROVING CHANGE ORDER #1 FOR CONTRACT WC0352 FOR ROCKSALT WITH ATLANTIC SALT, INC., FOR AN INCREASE OF 2,000 TONS AND A NET INCREASE OF \$137,000.00 AND A REVISED CONTRACT AMOUNT OF \$453,600.00.**

**WHEREAS**, Contract WC0352 was awarded to Atlantic Salt Inc., of Lowell, Massachusetts for 10,000.00 tons of Rock Salt in the contract amount of \$315,900.00; and

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

**WHEREAS**, adequate funds have been established in budget account 012900/5125 – Road Department M & R Materials and certified by the County C.F.O.

**NOW THEREFORE BE IT RESOLVED**, that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve Change Order #1 for the above contract for a net increase of \$137,000.00 and a final Contract in the amount of \$453,600.00

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

Tammy M. Lynn Deputy Clerk

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

**RESOLUTION 125-04**

**MINUTES****FEBRUARY 11, 2004**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0380  
WITH HIGHWAY SAFETY SYSTEMS, INC. FOR THE GUIDE RAIL IMPROVEMENTS  
OF COUNTY ROUTE #622, #626, #642 & #657 ALPHA BOROUGH,  
HARMONY, KNOWLTON & WHITE TOWNSHIPS FOR A NET INCREASE  
OF \$2,074.92 AND A FINAL CONTRACT AMOUNT \$44,636.34.**

**WHEREAS**, Contract #WC0380 was awarded to Highway Safety Systems, Inc. for the Guide Rail Improvements of County Routes #622, #626, #642 & #657, Alpha Borough, Harmony, Knowlton & White Townships in the amount \$42,561.42; and

**WHEREAS**, change in material type on County Route #622 resulted in a net increase of \$2,074.92; and

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

**WHEREAS**, adequate funds have been established in account 0403A204 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 approve change order #1 for the above project with Highway Safety Systems, Inc. for a net increase of \$2,074.92 and a final contract amount \$44,363.34.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 126-04**

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 February 11, 2004

**RESOLUTION REAPPOINTING MEMBERS TO THE WARREN COUNTY  
TRANSPORTATION ADVISORY COUNCIL (TAC)**

**BE IT FURTHER RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following members to the Warren County Transportation Advisory Council:

Thomas Kennedy  
202 Fawn Ridge Drive  
Hackettstown, NJ 07840

Term to Expire: December 31, 2006

Caroline Willner  
Health Village, Apt. 19  
Schooley's Mtn. Road  
Hackettstown, NJ 07840

Term to Expire: December 31, 2006

Carolyn Wolf  
The ARC  
PO Box 389  
Washington, NJ 07882

Term to Expire: December 31, 2006

Donna Erickson

Term to Expire: December 31, 2006

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NJ Div. of Voc. Rehab.  
223A Stiger Street  
Hackettstown, NJ 07840

Barbara Lear  
Family Guidance Center  
492 Route 57 West  
Washington, NJ 07882

Term to Expire: December 31, 2006

Susan Lennon  
WC Div. of Senior Services  
156 County Route 519 South  
Belvidere, NJ 07823

Term to Expire: December 31, 2006

Carol Ouellette  
NORWESCAP RSVP  
350 Marshall Street  
Phillipsburg, NJ 08865

Term to Expire: December 31, 2006

Richard Lowe  
Abilities of Northwest NJ  
PO Box 251  
Washington, NJ 07882

Term to Expire: December 31, 2006

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, a resolution is to be prepared for the next regular meeting approving the recommendation to appoint the following individuals to the Warren County Transportation Advisory Council (TAC), Appoint: Thelma Parvin, to fill unexpired term of consumer's position, with a Term to Expire: December 31, 2005 and Kristina Lanzer, to fill unexpired term of Maryanne Lyons, with a Term to Expire: December 31, 2006.

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Board approved with regret the recommendation to accept Charles Raffaele's request not to seek reappointment to the Warren County Local Advisory Council on Alcoholism / Drug Abuse (LACA/DA).

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

**RESOLUTION 127-04**

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 February 11, 2004

**RESOLUTION REAPPOINTING MEMBERS TO THE  
WARREN COUNTY SHADE TREE COMMISSION**

**BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following individuals to the Warren County Shade Tree Commission as a regular member, and as an alternate member:

**MINUTES****FEBRUARY 11, 2004****REAPPOINT MEMBERS:**

William M. Kohler (Regular Member)  
22 Seymour Road  
Hackettstown, NJ 07840

Term to expire: December 31, 2008

Bert Kuhn (Alternate member)  
566 Harmony Brass Castle Road  
Phillipsburg, NJ 08865

Term to expire: December 31, 2008

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 128-04**

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 February 11, 2004

**RESOLUTION REAPPOINTING A MEMBER TO THE PEQUEST RIVER  
MUNICIPALITY UTILITY AUTHORITY (P.R.M.U.A.),**

**BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby reappoints the following member to the Warren County (Pequest River) Municipal Utilities Authority:

**Town of Belvidere Representative**

Susan Yetter  
916 Liberty Road  
Belvidere, NJ 07823

Term to expire: February 1, 2009

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

**RESOLUTION 129-04**

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 February 11, 2004

**RESOLUTION CHANGING THE HOURS OF WORK FOR THE FULL-TIME POSITION OF SENIOR  
PROGRAM DEVELOPMENT SPECIALIST, CLASSIFIED, WITHIN THE WARREN COUNTY  
HUMAN SERVICES DEPARTMENT,**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that the regular hours of work for the full-time position of Senior Program Development Specialist, Classified, within the Warren County Human Services Department be decreased from forty (40), to thirty-five (35) hours per week.

**NOW, THEREFORE BE IT RESOLVED** that the weekly hours for the full-time position of Senior Program Development Specialist, currently established on AFSCME Local 3287 Range 1540, be changed to thirty-five hours per week and made effective February 12, 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.

**MINUTES****FEBRUARY 11, 2004**Tammy M. Lynn Deputy Clerk

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

Under reports and comments, County Counsel Joseph J. Bell had no report.

County Engineer Dave Hicks stated that he will add comments to the County Planners report during his discussion of the new Stormwater Management regulations.

County Planner Dave Dech distributed a report relating to the State Strategic Plan grant applications. He pointed out to the Board that he has a timeline to respond before March 31, 2004 with a final deadline by September 30, 2004. He asked for the Board's approval to apply and reassured them that he will be able to meet with the local municipalities and anticipates a grant award of \$40,000.00 or slightly less. The Board approved his request.

Mr. Dech distributed copies of the Stormwater Management regulations showing that by the summer the permits for Tier A and Tier B need to be developed and submitted to the State. He has received a model ordinance that he was informed the State DEP will be using for quick processing of the submissions. The second report showed the Board the local municipal requirements in which the county will be involved. He explained that he will be meeting with the Mosquito Control Commission and the County Environmental Commission for input to prepare the report. Mr. Dech stated that there also needs to be a review committee created at the county level. He has contacted other counties for comparison and they have assigned their Planning Depts. to lead this committee.

Mr. Gardner asked to clarify that all municipalities will submit to the Planning Dept. Mr. Dech explained the Planning Dept. would serve as a clearing house and forward the applications to the Mosquito, Environmental, and Soil Conservation District and also to the Environmental Health and PHNA departments.

After a long discussion between the Board, Mr. Dech and Mr. Marvin, the Board instructed Mr. Dech to submit all applications to the DEP, since there is a 60 day deadline in the regulation, while maintaining the municipal applications on file at the county.

County Engineer Dave Hicks informed the Board that the regulation requires all permit applications have to be approved by the Engineers Office, which could result in many staff hours not anticipated. He is suggesting the same submission process for record keeping at the county and having the local Municipal Engineers submitting all applications to the DEP and copying the County Engineer's Office. The Board agreed with this suggestion.

Mr. Hicks further explained that water quality is part of the regulation and there will be some delays on the work where there were permits issued after November 2003, which creates some added work for the county and the local municipalities.

Mr. Gardner commented that he sees both the county and municipalities having a lot of work cut out for them.

Mr. Marvin stated that there are two items to be addressed; he suggests that the applications be organized through the County Planner and Engineer's Offices. Also, the Board will need to file an application as a Highway Agency and adopt, by resolution, a Stormwater Management Plan. The Board agreed and asked for a resolution to be presented during one of the March regular meetings.

Mr. Dech informed the Board that the next Strategic Planning Meeting will be held March 2<sup>nd</sup> at the Fish Hatchery meeting room.

County Administrator Steve Marvin submitted the following Hiring Requests for approval: in WC Human Services, Div. of TASS, for one (1) Social Worker, with a vacancy

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due to provisional promotion; in the Warren County Clerk's Office, for one (1) Clerk Typist, with a vacancy due to resignation; in the WC Road Department, for one (1) Laborer – Interim (Const. Crew) with a need to fill a recent vacancy due to extended sick leave; and in the WC Long Term Care Services for one (1) P/T Clerk Typist for a recent vacancy that occurred. The Board approved.

Mr. Marvin reported that the Board of School Estimate meeting with the Warren County Community College Board of Trustees was supposed to be tonight, but due to some technicalities, it couldn't go forward. He is recommending that it be changed to February 25, 2004. The Board agreed.

Mr. Marvin also reported that Boards of School Estimate for the Tech School and Special Services District were scheduled to be held on March 31, 2004, but it is his understanding that the Five County Coalition Meeting was scheduled for the same date. He stated that he spoke with Dr. Mancuso and Superintendent Swierc and both agreed any day that week would be acceptable. After some discussion, the Board asked Mr. Marvin to schedule both Boards of School Estimate on Tuesday, March 30, 2004 with the Schools advertising appropriately.

Under Freeholder comments, Mr. DiMaio reported that he went to Trenton with Mr. Dech for the Transportation Conference. The Governor backed down on the increased gas tax and now will be borrowing \$900 million. He stated that it is crucial for the Trust Fund to be reauthorized or forfeit the federal funding that assists the county with the road and bridge capital improvement plans. He suggests that the State bite the bullet and start including this into the sales tax on gas so that those that use the roads assist in proper maintenances.

Mr. Hicks stated that the federal funding that Warren County receives is \$1.276 million, this was the best program the state initiated, and he would not want to see this funding lost.

Mr. DiMaio requested that the Board consider sending a letter to the Governor to go back to the Legislators to set a better plan in action.

Mr. Gardner stated that he was not pleased with how this was handled.

Mr. Chamberlain commented that there needs to be a better way to communicate this issue and the state needs to reach out to the public.

The Board agreed to have a letter sent to the Governor and Legislators and asked that Mr. Dech prepare the letter for their review.

Mr. Chamberlain stated that he has attended several meetings on the Regional Highlands study, which he sees as another way for government to grow. He commented that if steps are not taken to control this, we will have another bureaucratic nightmare on our hands. He recognizes the need to protect the watershed areas and believes that can be accomplished locally with the land preservation proceedings.

Mr. Chamberlain would like to see more emphasis on educating the local municipalities to steer towards that direction when applying for land preservation assistance through the Green Acres funding.

Mr. Gardner agreed with him and said he attended the meeting recently held at the Frelinghuysen Center in Morristown, NJ. It appears the Highlands Regional Group have their own agenda and are actively working with the DEP to create their own regulations.

Mr. Chamberlain asked the Board if they decided on any of the dates regarding the Centenary College President's invitation to meet. The Board responded they will be checking their calendars and will advise.

Mr. Gardner had nothing to report.

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Under closing Public Comments, Walter Menegus, White Township, asked why the PCFA appointment was not on the agenda tonight. At the last meeting, it was stated that a decision would be made and presented.

Mr. Gardner responded that was a fair question, and the Board decided to allow time for Oxford Township to present a responsible person for consideration, and as Director, he has the authority to pull any agenda item.

Mr. Menegus expressed concern relating to the PCFA Executive Director soliciting the position to someone from Oxford Township. The Board asked Mr. Menegus to allow time for the Oxford Township officials to present a name for consideration.

Mr. Gardner commented that he understands the issues facing White Township and he will see to it that this landfill is closed as scheduled.

Mr. DiMaio stated the Solid Waste Management Plan amendment is targeting the PCFA to make sure the landfill is closed on schedule. However, the incinerator will continue to operate and is located in Oxford Township and they should have representation.

Mr. Menegus asked the Board to consider the Buckhorn Creek property during their Board of Recreation land preservation proceedings as White Township has set aside funds to match the county.

Mr. Gardner responded that he was concerned about the \$7500 cost per acre, otherwise, the project would be good for White Township.

Bill Reithmueller, 120 Brakely Ave., Oxford Township, asked the Board if the incinerator has permission to burn at night. He explained one night he was up between 10 pm and 1am and the NE wind was blowing the smoke by his house. It stunk, burned his eyes and the odor was like a strong perfume.

Mr. Dech responded that the facility has the authority to burn 24 hours, but is open at specific times for deliveries.

Robert Shandor, Chair of the Board of Recreation Commissioners, asked permission for a joint meeting with the Board. After some discussion over the dates, the Board agreed to have the Board of Recreation Commissioners added to the March 24, 2004 agenda.

James Cannon, White Township, disagree with the Board that this is a done deal to close the landfill. The odor was so bad this weekend and it will continue until proper engineering measures are taken. He feels the current engineers are stabbing at hit and miss ideas. Mr. Cannon does agree that Oxford should have representation, but there will be another vacancy in 10 months and suggests that this position be earmarked for Oxford Township.

Mr. Cannon explained that a new member will have to be brought up to date with all the regulations and he does not believe that is fair to the process on the closure plans. Mr. Gardner thanked him.

Keith Riley, White Township, echoed the same concerns of Mr. Cannon. Repairs should not hinder the closure planning and process, and he requested that the Board consider reappointing James Cannon. Mr. Gardner thanked him.

Gloria Menegus, White Township, explained to the Board that she also attended the Oxford Township meeting when Mr. Carlton solicited by phone the vacant position to someone at that meeting. Mr. Chamberlain responded that a phone call was made to him before the general election asking him to consider the position. So it is not unusual for contacts to be made to individuals.

Mrs. Menegus stated that this facility has been in operation for 15 years without

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Oxford having representation. She asked the Board to consider the opening in 10 months for Oxford Township and to reappoint James Cannon now.

Mr. Chamberlain stated that he would like to see people on the PCFA Board follow the Board resolution, building consensus, move forward to get the job done and the landfill closed.

Mr. Gardner responded that is why closure of the landfill is so essential, and he thanked her for the comments.

Charles Duffy, White Township, stated that he had heard everyone's concerns for White Township and Oxford Township to have representation, but he has more concern that the closure will not be until 2007. He wants to know why so long.

Mr. Gardner explained that a presentation was made by the PCFA last fall for the purpose of closure and adequate funding of the closure. The date of 2007 was agreed so that the PCFA may accumulate necessary funds or the added cost would have been placed on the Warren County property owners.

Richard Kowal, Warren County Environmental Commission and White Township resident, stated that it is necessary to bring the PCFA Landfill back to proper management. The PCFA members in most cases have been the same individuals for many years. He asked the Board to reappoint James Cannon.

Mr. Gardner thanked him for his comments.

Marla Brown, White Township, told the Board that she moved to Warren County with seven children in 1998 for clean air and now has this constant odor and inflicted illnesses for her children. She asked the Board to reappoint James Cannon, as she believes he will protect the future for our children.

Mr. Gardner thanked her.

There were no press comments and or questions.

**RESOLUTION 130-04**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, at 9:04 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 11, 2004

**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

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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 current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

(9) *Matters Relating to the Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bearing responsibility

**NOW, THEREFORE, BE IT RESOLVED** by the Warren County Board of Chosen Freeholders, assembled in public session on **February 11, 2004**, that an Executive Session closed to the Public shall be held on February 11, 2004 at 9:04 pm 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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, at 9:44p.m. the Board adjourned executive session and opened the public meeting.

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

**MINUTES****FEBRUARY 11, 2004****RESOLUTION 131-04**

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 February 11, 2004

**RESOLUTION ABOLISHING THE DUAL TITLE OF PUBLIC SAFETY DIRECTOR/EMERGENCY MANAGEMENT COORDINATOR, ABOLISHING THE TITLE OF DEPUTY EMERGENCY MANAGEMENT COORDINATOR AND CREATING AS SEPARATE POSITIONS, THE TITLES OF PUBLIC SAFETY DIRECTOR AND EMERGENCY MANAGEMENT COORDINATOR.**

**WHEREAS**, in recognition of the expanding role and critical nature of the essential public services provided through the Warren County Department of Public Safety, the Warren County Board of Chosen Freeholders desires to reorganize the management staffing of said Department.

**NOW, THEREFORE, BE IT RESOLVED** that the Warren County Board of Chosen Freeholders does hereby approve:

1. Abolishing the dual title of Warren County Public Safety Director/Emergency Management Coordinator effective immediately;
2. Creating the unclassified title Warren County Public Safety Director on Grade 17, effective immediately;
3. Creating the unclassified title Warren County Emergency Management Coordinator on Grade 14, effective immediately, said position being under the direction of and accountable to the aforesaid Warren County Public Safety Director;
4. Abolishing the position Warren County Deputy Emergency Management Coordinator effective July 19, 2004.

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

Tammy M. Lynn Deputy Clerk

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

**RESOLUTION 132-04**

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 February 11, 2004

**RESOLUTION AMENDING A RESOLUTION OF DECEMBER 12, 2001 AND MEMORIALIZING THE APPOINTMENT OF BRYAN E. BURKE AS WARREN COUNTY PUBLIC SAFETY DIRECTOR**

**WHEREAS**, Bryan E. Burke was appointed to the position of Warren County Public Safety Director/Emergency Management Coordinator for a three year term expiring August 28, 2004, said appointment and employment agreement being authorized by resolutions of September 19, 2001 and December 12, 2001; and

**WHEREAS**, by resolution adopted February 11, 2004, the dual title of Warren County Public Safety Director/Emergency Management Coordinator has been abolished and the title Warren County Public Safety Director has been created, said title to be granted to Bryan E. Burke through the balance of his term of appointment.

**NOW, THEREFORE, BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that Bryan E. Burke shall be continued in his appointment as Warren County Public Safety Director, said appointment expiring August 28, 2004; and

**BE IT FURTHER RESOLVED**, that the Freeholder Director is authorized to execute an amended employment agreement memorializing the terms and conditions of the appointment herein described.

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

**MINUTES****FEBRUARY 11, 2004**

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

Tammy M. Lynn Deputy Clerk

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

**RESOLUTION 133-04**

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 February 11, 2004

**RESOLUTION APPOINTING ROBERT R. WILK AS WARREN COUNTY EMERGENCY MANAGEMENT COORDINATOR, UNCLASSIFIED, WITHIN THE DIVISION OF EMERGENCY MANAGEMENT IN THE WARREN COUNTY DEPARTMENT OF PUBLIC SAFETY AND AUTHORIZING AN EMPLOYMENT AGREEMENT.**

**BE IT HEREBY RESOLVED** by the Warren County Board of Chosen Freeholders that in accordance with N.J.S.A. App. A-9-42-1, Robert R. Wilk is appointed to the position of Warren County Emergency Management Coordinator for a three year term effective February 12, 2004 through February 11, 2007; and

**BE IT FURTHER RESOLVED** that the Freeholder Director is authorized to execute an employment agreement memorializing the terms and conditions of the appointment herein described.

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. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes.

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, and there being no further official business to come before the Board at this time, the meeting was adjourned at 9:45 p.m.

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

**ATTESTED TO:**

Tammy M. Lynn, Deputy Clerk