

MINUTES**MAY 26, 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 May 26, 2004 at 7:31 p.m.

The meeting was called to order by Director Gardner and upon roll call, the following members were present: Freeholder Richard 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 Public Information Officer Art Charlton.

The Pledge of Allegiance was led by Director Gardner.

Director Gardner read the following statement: **"ADEQUATE NOTICE OF THIS MEETING OF MAY 26, 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. DiMaio, seconded by Mr. Chamberlain, the Minutes of the Regular Session held on April 28, 2004 were approved.

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

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the Minutes of the Regular Session held on May 12, 2004 were approved.

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Minutes of the Executive Session held on May 12, 2004 were approved.

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

Under Public Comments on Agenda Items Only, Robert Shandor, Lopatcong Township, asked why the agenda was not available at the office. Last year, there were problems getting the agenda. Mr. Marvin and Mr. Gardner stated they would revisit the policy and reminded Mr. Shandor that the agenda is also posted on the County website.

There were no other public comments.

RESOLUTION 386-04

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 May 12, 2004

RESOLUTION TO PAY BILLS FOR MASTER VOUCHER NUMBER 2004 - 21.

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Be and it is hereby resolved that Master Voucher Certificate For Certification/Ratification for Payment No. 2004-21 dated May 26, 2004 in the amount of \$ 3,719,464.84 including bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2004-20	\$ 1,050,090.63
2004-21	\$ 1,371,806.90
Sub Total	\$ 2,013,484.82
Payroll 5/13/04	\$ 1,297,567.31
GRAND TOTAL	\$ 3,719,464.84

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 387-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following ordinance was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on May 26, 2004

RESOLUTION AMENDING BOND ORDINANCE NUMBER 2003-B.**RESOLUTION AMENDING BOND ORDINANCE NUMBER 2003-B**

WHEREAS, the Board of Chosen Freeholders of the County of Warren, New Jersey (the "County"), finally adopted Bond Ordinance 2003-B on May 14, 2003 entitled, "**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF LAND TO BE ACQUIRED FOR OPEN SPACE PRESERVATION PURPOSES, IN AND BY THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$5,775,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,500,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF AND, UPON FINAL ADOPTION, INCREASING THE PRESENT DOLLAR AMOUNT OF GROSS COUNTY INDEBTEDNESS TO \$33,228,871**" (the "Ordinance"); and

WHEREAS, following the effective date of the Ordinance, the County issued obligations to fully fund the Ordinance and to finance the improvements or purposes authorized therein; and

WHEREAS, the Ordinance provided for the acquisition of all or certain portions of properties or easements therein, which may be available for purchase for open space preservation purposes. Such properties are identified by the Block and Lot numbers on the official tax map of the respective municipalities as indicated in the approved Ordinance; and

WHEREAS, a number of the properties listed in the original Ordinance are no longer available for purchase, or are no longer considered for acquisition; and

WHEREAS, as a result, the County has determined that a portion of the proceeds of the obligations issued pursuant to the Ordinance for the Open Space Preservation Program (the "Excess Proceeds") are not necessary for the acquisition of the listed properties that are not available for purchase, or are no longer considered for acquisition; and

WHEREAS, in accordance with its statutory powers set forth in section 39 of the

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Local Bond Law, N.J.S.A. 40A:2-1 et seq., the Board of Chosen Freeholders has determined that it is in the best interest of the County to reappropriate the Excess Proceeds to finance the cost of additional properties that are now available and, thereby, avoid the requirement to incur additional County debt to finance such purpose;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN, NEW JERSEY, AS FOLLOWS:

SECTION 1. The Improvements authorized by the Ordinance, and the purpose for the financing of which said debt obligations were issued is the preservation of Open Space. The following properties or easements therein are no longer available for purchase, or are no longer considered for acquisition, and appropriations for acquisition of same, are hereby cancelled. Such properties are identified by the Block and Lot numbers on the official tax map of the respective municipalities:

<u>MUNICIPALITY</u>	<u>BLOCK</u>	<u>LOT(S)</u>
FRANKLIN TOWNSHIP	12	11
	46	37, 42, 44, 45 & 50
GREENWICH TOWNSHIP	23	8
INDEPENDENCE TOWNSHIP	1	36
LOPATCONG TOWNSHIP	98	3
WASHINGTON TOWNSHIP	2	1.01

SECTION 2. The total amount of Excess Proceeds is hereby re-appropriated, pursuant to N.J.S.A. 40A: 2-39, and shall be used to finance the cost of acquiring additional properties for Open Space preservation purposes, all or a portion of all of the following properties or easements therein, which properties or easements therein available for purchase including, but not limited to, as required, surveys, appraisals, title insurance and all work, materials, equipment, labor and appurtenances necessary therefore or incidental thereto. Said properties are identified by the Block and Lot numbers on the official tax map of the respective municipalities:

<u>MUNICIPALITY</u>	<u>BLOCK</u>	<u>LOT(S)</u>
FRANKLIN TOWNSHIP	1	6
GREENWICH TOWNSHIP	15	1
	16	1.03.3
MANSFIELD	601.03	55, 68
	601.01	2.01
	1505	1.01
	1506	2, 2.01, 3, 6.01
WHITE TOWNSHIP	18	40, 41, 42, 43, 52, 53, 78, 83.01, 84, 87, 92, 92.01, 94

SECTION 3. This resolution shall take effect immediately.

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

Steve Marvin, Clerk to the Board of Chosen Freeholders

RESOLUTION 388-04

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 May 26, 2004

**RESOLUTION AUTHORIZING A FIREWORKS DISPLAY
AT SHIPPEN DAY, SUNDAY, JUNE 20, 2004.**

WHEREAS, the Warren County Cultural and Heritage Commission has requested permission to hold a fireworks display at Shippen Day. The display will be held at the Oxford Textile field on Sunday, June 20, 2004, at approximately 9pm.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby authorize a fireworks display at the above mentioned event with the following conditions:

1. Approval of the event by the Township Committee
2. Approval of the event by the property owner

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 389-04

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 May 26, 2004

**RESOLUTION APPROVING THE CLOSING OF A SECTION OF
COUNTY ROUTES #637 & #638, ON MONDAY, MAY 31, 2004
FOR THE GREENWICH TOWNSHIP MEMORIAL DAY PARADE.**

WHEREAS, the Greenwich Township Clerk has requested permission to close a section of County Route #637, from Hulshizer to Greenwich Street (County Route #638) and County Route #638, from the intersection of North Main Street (County Route #637) to Valerie Place, on Monday, May 31, 2004 between the hours of 9:30 AM to 11:00 AM for the Greenwich Township Memorial Day Parade.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the use and closing of a section of County Routes #637 & #638 in Greenwich Township for the above mentioned event with the following conditions:

1. Approval of the event by the Township.
2. All barricades, detours, and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.
3. Police supervision of the barricading of the roads and handling of safety shall be provided.

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.

Steve Marvin Clerk of the Board

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

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RESOLUTION 390-04

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 May 26, 2004

**RESOLUTION TO ESTABLISH AND MAINTAIN NO PASSING ZONES
ALONG THE ENTIRE LENGTH OF COUNTY ROUTE #644
GREENWICH CHURCH ROAD), GREENWICH TOWNSHIP.**

BE IT RESOLVED that No Passing Zones be established and maintained along County Route #644 (Greenwich Church Road), Greenwich Township, Warren County, New Jersey as authorized by the New Jersey Department of Transportation on:

<u>Rt. No.</u>	<u>Road Name</u>	<u>Municipality</u>	<u>From</u>	<u>To</u>
644	Greenwich Church Rd.	Greenwich Twp.	Rt. 173 (South Inter.)	Rt.173 (North Inter.)

BE IT FURTHER RESOLVED that this resolution shall take effect upon approval by the Commissioner 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.

Steve Marvin Clerk of the Board

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

RESOLUTION 391-04

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 May 26, 2004

**RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ENTER INTO AN AGREEMENT
WITH THE TOWNSHIP OF GREENWICH FOR THE CONSTRUCTION OF A BIKEWAY WITHIN
THE RIGHT-OF-WAY OF COUNTY ROUTE #638 FROM WYNDHAM FARM BOULEVARD TO
LOT 31, BLOCK 23.**

WHEREAS, Greenwich Township and the County of Warren agree there is a need to construct a bikeway in Greenwich Township along County Route #638 to provide for the safety of bicyclists and pedestrians; and

WHEREAS, the County owns the right-of-way along County Route #638 and agrees to permit Greenwich Township to design, construct and inspect the needed bikeway along the northwesterly side of County Route #638 from Wyndham Farm Boulevard to the northeasterly property line of Lot 31, Block 23; and

WHEREAS, Greenwich Township will assume ownership with all rights and responsibilities for the bikeway; 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 Bikeway Agreement between the Township of Greenwich and the County of Warren for bikeway construction in Greenwich Township.

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.

Steve Marvin Clerk of the Board

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

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RESOLUTION 392-04

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 May 26, 2004

RESOLUTION APPROVING CONTRACT MODIFICATION #2 FOR CONTRACT #WC9952P WITH SCHOOR DEPALMA, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE RECONSTRUCTION OF COUNTY BRIDGE #15016 STRYKERS ROAD OVER THE LOPATCONG CREEK LOPATCONG & GREENWICH TOWNSHIPS FOR NET INCREASE OF \$27,568.00 AND A REVISED CONTRACT \$106,111.58.

WHEREAS, Schoor DePalma, Inc. was awarded a contract for Engineering Services for the Reconstruction of County Bridge #15016, Stryker’s Road over the Lopatcong Creek, Lopatcong & Greenwich Townships in the revised amount of \$78,543.58; and

WHEREAS, roadway approach designs and surveys and additional permitting work to address the C-1 waters and new Stormwater Management Regulations were necessary resulting in a net increase of \$27,568.00; and

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

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

WHEREAS, adequate funds are available in account 0402A301 5064 and certified by the County Chief Financial Officer.

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

1. Hereby approve Contract Modification #2 for the above project for a net increase of \$27,568.00 and revised contract amount of \$106,111.58.
2. The Director is hereby authorized to execute said Contract Modification by signing same.
3. This contract is awarded without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in the Star 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.

Steve Marvin Clerk of the Board

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

RESOLUTION 393-04

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 May 26, 2004

RESOLUTION TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE TOWNSHIP OF GREENWICH TO INSTALL A TRAFFIC SIGNAL AT THE INTERSECTION OF COUNTY ROUTE #519 AND DUMONT ROAD, GREENWICH TOWNSHIP.

WHEREAS, a traffic condition exists at the intersection of County Route #519 and Dumont Road, in the Township of Greenwich, in the County of Warren, which requires the

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installation and operation of a semi-actuated traffic control signal in order to minimize the possibility of accidents; and

WHEREAS, it is necessary to expedite the safe movement and conduct of pedestrian and vehicular traffic; and

WHEREAS, an agreement has been proposed pertaining to the installation and maintenance of said traffic signal which agreement provides that the County will install and maintain the signal and the Township will allow the placement of signal equipment and access to said equipment within the Township roadway; and

NOW, THEREFORE, BE IT RESOLVED, that the Director and Deputy Clerk of the Board of Chosen Freeholders of the County of Warren be and hereby are authorized and directed to enter into an Agreement with the Township of Greenwich, for the purpose aforesaid, a copy of said agreement being attached hereto and made a part hereof;

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 394-04

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 May 26, 2004

RESOLUTION GRANTING FINAL APPROVAL OF THE PURCHASE OF DEVELOPMENT EASEMENTS OF NINE WARREN COUNTY FARMS AND PROVIDING COUNTY FUNDS IN AN AMOUNT NECESSARY TO COMPLETE THE COSTS ASSOCIATED WITH THIS PURCHASE.

WHEREAS, the Board of Chosen Freeholders of the County of Warren has determined that the property known as the Arnold Schnetzer farm located in Franklin Township, Block 48 Lot 4; and the H. Mark Rohsler farm located in Hope Township, Block 1200 Lot 2400; and the Barbara Rohsler farm located in Hope Township, Block 1200 Lot 2300; and the McGarry farm #1 located in Mansfield Township, Block 1204 Lots 16 and 16.01; and the Lawrence Hengst farm located in Harmony Township, Block 26 Lot 19; and the Knowlton Township/Hillyerd farm located in Knowlton Township, Block 46 Lot 3; and the Stephen Gurba farm #2 located in Frelinghuysen and Allamuchy Townships, Block 1501 Lots 1 and 1.01 and Block 1601 Lots 16 and 16.01 in Frelinghuysen Township and Block 102 Lot 6 in Allamuchy Township; and the McGarry farm #2 located in Mansfield Township, Block 1204 Lot 12.01; and the Enz farm located in Washington and White Townships, Block 3 Lot 20 in Washington Township and Block 14 Lots 4 and 52 in White Township have been granted final approval for the purchase of development rights by the State Agriculture Development Committee based on its formula index established at the May 20, 2004 meeting, as revised; and

WHEREAS, the nine farms have ranked well enough to be considered for the purchase of development easements through the state's program; and

WHEREAS, the Warren County Agriculture Development Board has reviewed and approved the nine farms for the purchase of development easements at their May 10, 2004 meeting and

WHEREAS, the purchase of the development easements on the nine farms will encourage the survivability of productive agriculture in Warren County;

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

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1. The board hereby grants final approval for the purchase of the development easements on the above-described farms, subject to the provision that funds in an amount sufficient to satisfy the cost associated with these purchases are available and shall be presented at the closing of the purchase of said easements;
2. The county's share in regard to the purchase of said easements shall be no greater than 31.11% (\$79,800.) on the Arnold Schnetzer farm, 34.78% (\$56,000.) on the H. Mark Rohsler farm, 46.43 % (\$79,300.) on the Barbara Rohsler farm, 35.93% (\$200,100.) on the McGarry #1 farm, 29.47% (\$72,800.) on the Lawrence Hengst farm, 29.19% (\$84,240.) on the Knowlton Township/Hillyerd farm, 28.24% (\$107,520), on the Stephen Gurba farm #2, 37.62% (\$118,500.) on the McGarry farm #2, and 36.92% (\$155,520.) on the Enz farm, not including ancillary expenses associated with the purchases, for a total of \$953,780.;
3. Funding for this purchase will be provided in Account #03895 5067
4. This resolution shall take effect immediately upon passage.

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.

Steve Marvin Clerk of the Board

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

Comment on E7 from Mr. Chamberlain, looking for total acreage of the purchases in the supporting documentation. He asked that Bob Resker provide it when there is one.

RESOLUTION 396-04

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 May 26, 2004

**RESOLUTION TO REAFFIRM THE COUNTY OF WARREN'S OPPOSITION TO THE
HIGHLANDS WATER PROTECTION AND PLANNING ACT (S-1/A-2635).**

WHEREAS, the Warren County Board of Chosen Freeholders unanimously passed a Resolution on April 14, 2004, in opposition to the proposed Highlands Water Protection and Planning Act (S-1/A-2635) because of the many deficiencies contained within the bill and because of the impacts that the bill would have if enacted as written; and

WHEREAS, new amendments were released on April 22, May 10, and May 17, 2004; and

WHEREAS, many concerns of the Warren County Board of Chosen Freeholders stated in the aforementioned April 14, 2004, Resolution remain unaddressed; and

WHEREAS, the aforementioned April 14, 2004, Resolution is attached as part of this Resolution; and

WHEREAS, the amendments contain new and serious impacts which will negatively affect Warren County and its municipalities; and

WHEREAS, the amendments extend its review and approval jurisdiction for major development and capital projects from an increase in impervious surface by ¼ acre or more to "a *cumulative* increase in impervious surface of ¼ acre or more," in effect lowering the threshold for Council review and approval and possibly subjecting additions to houses, decks, etc. to the provisions of the Act; and

WHEREAS, the amendments include "voluntary" incentives for those municipalities in the Planning Area because, in order for municipalities in the Planning Area to get prioritized funding for both Green Acres and Farmland Preservation, they must create growth areas (receiving zones for TDR) that allow a housing density of 5 units per acre;

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and

WHEREAS, as a goal, the amendments require the Council to identify growth areas constituting four percent of the Regions land area with at least one growth area in each municipality, if possible, which conflicts with the New Jersey State Development and Redevelopment Plan to encourage growth in the State's urban areas rather than in its rural areas, such as the Highlands; and

WHEREAS, there are approximately 171,000 acres in Warren County in the Highlands, of which approximately 67,000 acres are in the Preservation Area and 104,000 acres are in the Planning Area; and

WHEREAS, the amendments contain additions and deletions to the Preservation Area which are a direct result of political influence, thereby comprising the "scientific" rationale for delineating the high priority preservation area; and

WHEREAS, the Highlands Planning Council Master Plan must contain a transportation component for system preservation in which all projects contained within the Master Plan must be reviewed and approved by the Council in consultation with the NJ Department of Transportation, thereby subjecting local transportation projects to the authority of the Council; and

WHEREAS, no build-out analysis has been done as to whether development of these approximately 104,000 acres in the Planning Area under the conditions in the Act, would create less development in the Warren County Highlands than without this Act; and

WHEREAS, it is implicit that municipalities in the Planning Area which do not wish to "volunteer" to create housing density will be unfairly ranked lower in priority for funding for Green Acres and Farmland Preservation funding; and

WHEREAS, nine counties in Southern New Jersey are specifically guaranteed to receive the average of the years 2000-2004 for Green Acres and Farmland Preservation without any criteria as to the quality of their preservation applications; and

WHEREAS, municipalities in counties contiguous to the Highlands, which includes the rest of Warren County, are also "encouraged" to take density at a rate of five units per acre and they will also be eligible for grants, financial assistance, planning and technical assistance and other benefits and incentives provided by the State and Council; and

WHEREAS, the amendments enable the Department of Environmental Protection to enter all properties and premises in the Highlands without notice to the property owner for the purposes of inspection, compliance and water sampling which is contrary to our inalienable right to privacy; and

WHEREAS, the Warren County Board of Chosen Freeholders strongly encourages and endorses water conservation throughout the State of New Jersey, yet the amendments will require water conservation mechanisms only in the Planning Areas of the Highlands and not by the end-users of Highlands water in the rest of the State; and

WHEREAS, the amendments do not contain an adequate source of funding to pay for land acquisition and operations inasmuch as \$20 million per year of the Realty Transfer Fee is proposed to be dedicated to the "Highlands Protection Fund" falling short of reported revenue projections needed to attain the goals of the bill;

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders reaffirms our position of opposition to the Highlands Water Protection and Planning Act as written until the issues addressed in both this Resolution and the Resolution of April 14, 2004.

BE IT FURTHER RESOLVED that copies of this Resolution be distributed to the Governor, Senator Lance, Assemblywoman Myers, Assemblyman Doherty, the sponsors of the bills, all members of the NJ Senate and Assembly, the Commissioner of the NJ Department of Community Affairs, the Commissioner of the NJ Department of Environmental Protection, the Secretary of Agriculture, the Boards of Chosen Freeholders

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of Bergen, Essex, Hudson, Hunterdon, Mercer, Middlesex, Morris, Passaic, Somerset, Sussex, and Union Counties, and the Mayors of Warren County municipalities, the NJ Association of Counties, and the press.

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 397-04

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 May 26, 2004

RESOLUTION APPROVING THE CONTRACT DOCUMENTS FOR CONTRACT #WC0446P FOR ENGINEERING/SURVEYING SERVICES FOR THE RECONSTRUCTION OF WARREN COUNTY BRIDGE #2102215, COUNTY ROUTE #623, (BRASS CASTLE ROAD) OVER THE POHATCONG CREEK, WASHINGTON TOWNSHIP LOCAL LEAD-FINAL DESIGN PHASE.

BE IT RESOLVED that the contract documents for Contract #WC0446P for Engineering/Surveying Services for the Reconstruction of Warren County Bridge #2102215, County Route #623 (Brass Castle Road) over the Pohatcong Creek, Washington Township Local Lead – Final Design Phase are hereby approved.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to solicit a "Request for Proposal" in accordance with the procedures established by the North Jersey Transportation Planning Authority and New Jersey 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.

Steve Marvin Clerk of the Board

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

RESOLUTION 398-04

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 May 26, 2004

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0447 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE INSTALLATION OF NEW DOOR AND FIRE ESCAPE AT THE WARREN COUNTY COURTHOUSE.

BE IT RESOLVED, that specification WC0447 for the installation of a new door and fire escape at the Warren County Courthouse 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 Ledger.

Funds for this contract will be provided in budget account 013100/5024 – Buildings & Grounds Facility Repair Maintenance

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 399-04

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 May 26, 2004

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0449 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR CCTV UPGRADE AND INSTALLATION AT WARREN ACRES AND THE WARREN COUNTY CORRECTIONAL CENTER.

BE IT RESOLVED, that specification WC0449 for CCTV upgrade and installation at Warren Acres and the Warren County Correctional Center is hereby approved

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

Funding for this contract will be provided in capital accounts 0404A405/5054 – 04 Capital – CCTV Additions/Upgrade and 0404A407/5052 Institutional Furniture

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 400-04

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 May 26, 2004

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0450 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR OFFICE SECURITY IN THE COURTHOUSE ANNEX FOR THE DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES.

BE IT RESOLVED, that specification WC0450 for office security in the Courthouse Annex for the Division of Temporary Assistance and Social Services 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-Ledger.

Funding for this contract will be provided in budget account 013450/5029 – Division of Temporary Assistance – Contracted Services

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

Steve Marvin Clerk of the Board

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

RESOLUTION 401-04

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 May 26, 2004

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0451 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR RADIO RECEIVERS AND BEARING PROCESSORS FOR THE WARREN COUNTY DEPARTMENT OF PUBLIC SAFETY.

BE IT RESOLVED, that specification WC0451 for radio receivers and bearing processors for the Warren County Department of Public Safety 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-Ledger.

Funding for this contract will be provided in grant account F42525351/5030 – OEM – Homeland Security Grant Phase II

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

Steve Marvin Clerk of the Board

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

RESOLUTION 402-04

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 May 26, 2004

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0452 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR A VIBRATORY TRENCH ROLLER FOR THE WARREN COUNTY BRIDGE DEPARTMENT.

BE IT RESOLVED, that specification WC0452 for a vibratory trench roller for the Warren County Bridge Department is hereby approved

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

Funding for this contract is provided in capital account 0404A605/5058 – 04 Capital – Sheeppft. Trench Roller

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 403-04

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 May 26, 2004

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE REPLACEMENT OF WARREN COUNTY BRIDGE #05087, COUNTY ROUTE #633 (EDISON ROAD) OVER THE POHATCONG CREEK, FRANKLIN TOWNSHIP CONTRACT #WC0453.

BE IT RESOLVED that the plans and specifications for Contract #WC0453 for the Replacement of Warren County Bridge #05087, County Route #633 (Edison Road) over the Pohatcong Creek, Franklin Township are hereby approved.

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

THE STAR LEDGER

TENTATIVE SCHEDULE

ADVERTISING DATE - THURSDAY, JUNE 3, 2004

BIDS TO BE RECEIVED - TUESDAY, JULY 13, 2004

AWARD DATE - WEDNESDAY, JULY 28, 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.

Steve Marvin Clerk of the Board

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

MINUTES**MAY 26, 2004****RESOLUTION 404-04**

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 May 26, 2004

RESOLUTION AWARDING CONTRACT #WC0417P TO HAROLD E. PELLOW FOR THE PHASE II & PHASE III MAPPING OF COUNTY ROAD CORRIDORS IN THE CONTRACT AMOUNT OF \$138,450.80.

WHEREAS, the County of Warren received proposals on Tuesday, May 4, 2004, for Engineering/Surveying Services for the Phase II & Phase III Mapping of County Road Corridors; and

WHEREAS, Harold E. Pellow & Associates, Inc. of Augusta, New Jersey have been selected as the most qualified proposal by the Technical Evaluation Committee; and

WHEREAS, the proposal submitted by Harold E. Pellow & Associates, Inc. meets the needs of the program, price and other factors considered; and

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

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

WHEREAS, adequate funds are available in accounts 0404A201 5063 and 0402A204 5063 and certified by the County Chief Financial Officer.

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Harold E. Pellow & Associates, Inc. of Augusta, New Jersey for Engineering/Surveying Services for the above project in the amount of \$138,450.80, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 405-04

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 May 26, 2004

RESOLUTION RE: AWARD OF CONTRACT WC0432-1 PRINTING STATIONERY AND BUSINESS CARDS FOR THE PERIOD OF JULY 1, 2004 THROUGH JUNE 30, 2005 TO FLAYRE PRINTING INC., IN THE APPROXIMATE AMOUNT OF \$7,842.00.

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BE IT RESOLVED, that contract WC0432-1 for printing categories I and VII is hereby awarded

to.....Flayre Printing Inc., Belvidere, New Jersey

in the approximate amount of.....\$7,842.00

as per their bid submittedApril 27, 2004

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

Funding for this contract will be provided in various department accounts (this contract establishes unit pricing, purchase orders to be issued and encumbered as needed by the using department)

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

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

Steve Marvin Clerk of the Board

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

RESOLUTION 406-04

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 May 26, 2004

RESOLUTION RE: AWARD OF CONTRACT WC0432-2 PRINTING NCR, INDEX CARDS AND FORMS FOR THE PERIOD OF JULY 1, 2004 THROUGH JUNE 30, 2005 TO B.P. SERVICES, INC., IN THE APPROXIMATE AMOUNT OF \$18,000.00.

BE IT RESOLVED, that contract WC0432-2 for printing categories IV, V, and VI is hereby awarded

to.....B.P. Services, Inc., Elmwood Park, New Jersey

in the approximate amount of\$18,000.00

as per their bid submittedApril 27, 2004

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

Funding for this contract will be provided in various department accounts (this contract establishes unit pricing, purchase orders to be issued and encumbered as needed by the using department)

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

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

Steve Marvin Clerk of the Board

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

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RESOLUTION 407-04

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 May 26, 2004

RESOLUTION RE: AWARD OF CONTRACT WC0432-3 PRINTING COUNTY CRIER FOR THE PERIOD OF JULY 1, 2004 THROUGH JUNE 30, 2005 TO GRAPHICOLOR CORPORATION, IN THE APPROXIMATE AMOUNT OF \$1,370.00.

BE IT RESOLVED, that contract WC0432-3 for printing category VIII is hereby awarded

toGraphiColor Corporation, Vineland, New Jersey

in the approximate amount of\$1,370.00

as per their bid submittedApril 27, 2004

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

Funding for this contract will be provided in various department accounts (this contract establishes unit pricing, purchase orders to be issued and encumbered as needed by the using department)

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

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

Steve Marvin Clerk of the Board

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

RESOLUTION 408-04

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 May 26, 2004

RESOLUTION RE: AWARD OF CONTRACT WC0432-4 PRINTING ENVELOPES FOR THE PERIOD OF JULY 1, 2004 THROUGH JUNE 30, 2005 TO PROGRESSIVE FORMS & LABEL SYSTEMS, INC., IN THE APPROXIMATE AMOUNT OF \$15,105.00.

BE IT RESOLVED, that contract WC0432-4 for printing categories II and III is hereby awarded

toProgressive Forms & Label Systems, Inc., Harrisburg, Pennsylvania

in the approximate amount of\$15,105.00

as per their bid submittedApril 27, 2004

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

Funding for this contract will be provided in various department accounts (this contract establishes unit pricing, purchase orders to be issued and encumbered as needed

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by the using department)

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

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

Steve Marvin Clerk of the Board

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

RESOLUTION 409-04

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 May 26, 2004

**RESOLUTION AWARDING CONTRACT #WC0433 TO OLDCASTLE PRECAST DBA
ROTONDO PRECAST FOR THE SUPPLY OF A PRECAST BOX CULVERT
FOR COUNTY CULVERT #16068, COUNTY ROUTE #629
MANSFIELD TOWNSHIP IN THE AMOUNT OF \$27,150.00.**

WHEREAS, the County advertised for bids to be received on Tuesday, May 11, 2004 at 1:30 P.M. for Contract #WC0433 for the Supply of a Precast Box Culvert for County Culvert #16068, County Route #629, Mansfield Township; and

WHEREAS, Oldcastle Precast DBA Rotondo Precast of Telford, PA submitted the lowest responsible and responsive bid of \$27,150.00; and

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

WHEREAS, adequate funds have been established in account S41655302 5063 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to Oldcastle Precast DBA Rotondo Precast in the amount \$27,150.00.

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 410-04

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 May 26, 2004

**RESOLUTION AWARDING CONTRACT #WC00440P TO KEY-TECH FOR CORING AND
BITUMINOUS TESTING ON VARIOUS WARREN COUNTY CONSTRUCTION PROJECTS FOR
2004 IN THE CONTRACT AMOUNT \$20,340.00.**

WHEREAS, the County requested proposals to be received on May 25, 2004 for the Coring and Bituminous Testing on Various Warren County Construction Projects for 2004; and

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

WHEREAS, the proposal submitted by Key Tech meets the needs of the program, price and other factors considered in the amount of \$20,340.00; and

WHEREAS, adequate funds are available in account 0404A101 5063 and certified

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by the County Chief Financial Officer.

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Key-Tech of Keyport, N.J. for professional services for the above project in the amount of \$20,340.00, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 411-04

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 May 26, 2004

RESOLUTION RE: AWARD OF A PURCHASE ORDER TO TEMPO SYSTEMS TO PROVIDE COMPUTER SOFTWARE MAINTENANCE FOR THE TCPIP SERVER AND FOR THE TIME TRACK MODULES, FOR THE WARREN COUNTY INFORMATION SYSTEMS DEPARTMENT IN THE TOTAL AMOUNT OF \$12,030.00.

WHEREAS, it has been recommended that the county issue a purchase order for TCPIP and Time Track Modules computer software maintenance services on specific special licensed computer software; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5(dd)) is an exception and requires a resolution authorizing the award of contracts without competitive bids and the contract itself must be available for public inspection; and

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

NOW THEREFORE, BE IT RESOLVED, that a contract be awarded to Tempo Systems, of Mountainside, New Jersey for providing computer software and software maintenance on licensed products for the Warren County Information Systems Department,

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

1. The Director of Purchasing is hereby authorized and directed to issue a purchase order to Tempo Systems, of Mountainside, New Jersey.
2. This contract is awarded without competitive bidding as an "Exception" in accordance with 40A:11-5(dd) of the Local Public Contracts Law because the services provided are for proprietary computer software and software maintenance.
3. A notice of this action shall be published in The Star-Ledger.

Funding for this contract is provided in budget account 011400/5029 – Information Systems – Contracted Services.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 412-04

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 May 26, 2004

RESOLUTION RE: AUTHORIZATION TO ISSUE A PURCHASE ORDER TO DELL COMPUTER CORP., INC., FOR COMPUTERS, SUPPORT AND ASSOCIATED PRODUCTS UNDER NEW JERSEY STATE CONTRACT #A81247 COVERING COMPUTER EQUIPMENT AND RELATED COMPUTER SUPPORT SERVICES FOR THE WARREN COUNTY PUBLIC HEALTH NURSING AGENCY IN THE TOTAL AMOUNT OF \$35,905.64.

BE IT RESOLVED, that the purchasing department is authorized to issue a purchase order for computers and associated products for the Warren County Public Health Nursing Agency and is hereby awarded

toDell Computer Corp., Austin, Texas

in the amount of\$35,905.64

at the prices established under New Jersey State Contract #A81247

Funding for this contract has been provided in capital account 0404A409/5054 - 04 Capital - Annual Computer Technology

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 395-04

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 May 26, 2004

RESOLUTION RE: REJECTION OF ALL BIDS RECEIVED FOR WC0425 FOR A LEASE PURCHASE OF A KOBELCO SK210LC EXCAVATOR FOR THE WARREN COUNTY BRIDGE DEPARTMENT.

WHEREAS, bids were received on Tuesday, April 27, 2004 for a lease purchase of a Kobelco SK210LC Excavator for the Warren County Bridge Department; and

WHEREAS, seven bids were received and all rejected per Instructions to Bidders line 28 of the bid specification; and

NOW, THEREFORE BE IT RESOLVED, by the Board of Chosen Freeholders that the bids for a Lease Purchase of a Kobelco SK210LC Excavator for the Warren County Bridge Department WC0425 be rejected and that the Director of Purchasing is authorized to re-advertise to meet this need.

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.

Steve Marvin Clerk of the Board

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

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RESIGNATIONS

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, **RECOMMENDATION TO ACCEPT THE RESIGNATION OF JOHN V. DOWNEY FROM THE WARREN COUNTY MENTAL HEALTH BOARD – EFFECTIVE IMMEDIATELY.**

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

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, **RECOMMENDATION TO ACCEPT THE RESIGNATIONS OF SUSAN LENNON AND CAROL OUELETTE FROM THE WARREN COUNTY TRANSPORTATION ADVISORY COUNCIL (TAC).**

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

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, **RECOMMENDATION FOR REAPPOINTMENT OF ROBERT HOPEK AND WILLIAM SPENCER TO THE WARREN COUNTY SPECIAL SERVICES SCHOOL DISTRICT BOARD OF EDUCATION WITH TERM 7/1/04 – 6/30/07.**

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

PERSONNEL

RESOLUTION 413-04

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 May 26, 2004

RESOLUTION CREATING A FULL-TIME POSITION OF PUBLIC HEALTH NURSE, CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF SENIOR PUBLIC HEALTH NURSE, CLASSIFIED, IN THE WARREN COUNTY HEALTH DEPARTMENT.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *Public Health Nurse*, classified, is created in the Warren County Health Department as recommended under the State of New Jersey Bio-Terrorism Grant funding; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *Senior Public Health Nurse*, classified, is abolished; and

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *Public Health Nurse* is created and established on CWA, AFL-CIO, Public Health Nurse Agreement, Step 1 and made effective immediately.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 414-04

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 May 26, 2004

RESOLUTION CHANGING THE SALARY RANGE FOR THE TITLE ASSISTANT SUPERVISOR, BUILDING SERVICE WITHIN THE WARREN COUNTY DEPARTMENT OF LONG TERM CARE SERVICES, WARREN HAVEN.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the salary

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range for the classified title of *Assistant Supervisor, Building Service* within the Warren County Department of Long Term Care Services, Warren Haven, be changed to facilitate the efficiency and effectiveness of operations; and

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the title *Assistant Supervisor, Building Service* formally established on AFSCME Local 0671, Range 5, be changed to Range 8 and made effective immediately.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 415-04

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 May 26, 2004

**RESOLUTION ABOLISHING A FULL-TIME POSITION OF HOUSEKEEPER, CLASSIFIED,
WITHIN THE WARREN COUNTY DEPARTMENT OF
LONG TERM CARE SERVICES, WARREN HAVEN.**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *Housekeeper*, classified, in the Warren County Department of Long Term Care Services, Warren Haven, is hereby abolished for purposes of operational efficiency.

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.

Steve Marvin Clerk of the Board

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

RESOLUTION 416-04

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 May 26, 2004

**RESOLUTION CREATING A PART-TIME TEMPORARY POSITION OF SHERIFF'S OFFICER,
CLASSIFIED, IN THE WARREN COUNTY SHERIFF'S DEPARTMENT.**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a part-time temporary position of Sheriff's Officer, classified, is created to assist operational staffing and to facilitate the effectiveness of operations within the Sheriff's Department.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a part-time temporary Sheriff's Officer position is created at an hourly rate of \$14.94 and be made effective immediately.

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

Steve Marvin Clerk of the Board

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

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SECOND READING – PUBLIC HEARING
– CAPITAL IMPROVEMENT BOND ORDINANCE 2004-C

BOND ORDINANCE OF THE COUNTY OF WARREN, NEW JERSEY, APPROPRIATING \$1,050,000 AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OR NOTES OF THE COUNTY FOR THE DESIGN, ENGINEERING AND CONSTRUCTION OF BUILDINGS IN, BY AND FOR THE COUNTY OF WARREN, NEW JERSEY AND, UPON FINAL ADOPTION, INCREASING THE PRESENT DOLLAR AMOUNT OF GROSS COUNTY INDEBTEDNESS TO \$32,199,099.25.

On motion by Mr. DiMaio and seconded by Mr. Chamberlain, and approved unanimously, the Second Reading – Public Hearing - Capital Improvement Bond Ordinance 2004-C was opened at 7:45 p.m. There were no public comments received and on motion by Mr. Chamberlain, seconded by Mr. DiMaio and approved unanimously, at 7:47 p.m., the Public Hearing was continued until the regularly scheduled meeting of June 9, 2004.

Under Reports and Comments, Mr. Bell had one item for Executive Session. Mr. Hicks had no report. Mr. Dech – reminder of strategic plan meeting at Hatchery and two meetings on cross-acceptance. Mr. Houck had no report. Mr. Marvin presented two hiring requests for consideration. They were approved by the Board.

Under Freeholder Comments, Mr. DiMaio hopes everyone has a good holiday weekend and celebrates Memorial Day in appropriate fashion. Mr. Chamberlain also wished everyone a great weekend. Celebrate our veterans, put our flags out and think of those who are not with us or are serving in foreign countries.

Mr. Gardner stated that he had informative trip to Saxton Falls today. Toured the Morris Canal with Greg Sipple, Bob Resker and others. The Morris Canal Committee has done a fabulous job, all the volunteer hours, getting easements and access to the Morris Canal.

Mr. Gardner had some discussion with State Parks representatives who are looking at things they want to develop including a potential Memorandum of Understanding with the Board for various sites.

Mr. Gardner distributed a letter naming people to the County Building Renovations Committee: Dave Hicks, Terry Lee, Rich Moore from the Library, Jane Primerano of Cultural & Heritage, Jim Durborow and possibly a few more people. We're starting to get off the ground and move in a direction to accomplish what we need to accomplish for the county in a cost-effective way. Projects are not just for here and now, "but for our children and children's children."

Mr. Chamberlain stated that this is a great start. He would like to see some citizens at large in addition to people who are on the County payroll. Perhaps at some point, we could advertise the meetings so he and Mr. DiMaio could attend. Mr. DiMaio thinks the committee should be aware of work we did previously with the needs assessment and use that as a jumping off point. Mr. Chamberlain said the committee will put together parameters so the architect has real direction.

Mr. Gardner stated that we have reaffirmed our position on the Highlands. He continues to oppose legislation that doesn't look to water users to have a financial obligation for land preservation.

Mr. Gardner wished everyone a good Memorial Day weekend.

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Under Closing Public Comments, Anthony Knapp, Petersburg Road, Independence, stated he is trying to find out correct procedure to deal with water problems on our road. Congressman Garrett's Office sent a rep who met with local residents. One of the local landowners built an illegal road without notification. Some of the local housing developments were creating a water problem with water rushing down the hill and flooding Route 614. Tammy Happy from Garrett's Office came and passed along information. Assemblyman Doherty's Office gave sponsorship letter to have NRCS check situation.

Mr. Hicks stated that a developer did grading at proposed entrance road which created problems. During heavy runoff, the flooding is extensive. Not totally unexpected, it's called Water Street for a reason, low point, the hillside sheds water to that area. How much it has increased over the years and who is responsible, we could debate, but someone would have to analyze the watershed to determine where the water is coming from.

John Kasharian, Kash's Farm, Petersburg Road, Independence, stated that the problem is on Ketcham Road, 300-foot driveways and roofs. All types of individually approved projects with impervious cover.

Mr. Knapp stated that an illegal road has been recognized by state governmental officials. Not sure what to do about it. A lot of local housing approved recently, planning board meetings, two engineers say it meets requirements. How do we develop benchmark and see how problem progresses. Houses that have been built have created a larger problem, but no one is addressing it.

Mr. Kasharian met with a DEP inspector today for two hours on site, but no substantive progress has been made. Will probably file with tax board for tax reduction, we can't use our properties.

After considerable discussion regarding the situation, the Board approved sending a letter to the NRCS sponsoring a review of the problem and seeking assistance.

Charlie Barabas of Independence asked if a weight limit can be put on county road. Mr. Barabas stated that dump trucks are destroying Petersburg Road, using it as a shortcut. Mr. Hicks said weight limits are not just for those using roads as a shortcut, but for everybody. We talked it over with the town and will do some speed surveys on Water Street, maybe give the police some guidelines on enforcement.

Mr. Gardner noted that the 2005 County Directory is out. He commended Mr. Charlton for working diligently on it.

RESOLUTION 417-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, at 8:57 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on May 26, 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

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requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.*, and

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

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

1. *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law of State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
6. *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of possible violations of the law.
7. *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
8. *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or 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

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belonging to the responding party bearing responsibility

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders, assembled in public session on May 26, 2004 that an Executive Session closed to the Public shall be held on May 26, 2004, at 8:57 p.m. in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

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

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

Steve Marvin Clerk of the Board

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Board adjourned executive session at 9:41 p.m. and returned to open session.

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, and there being no further business to come before the Board at this time, the meeting was adjourned at 9:43 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board