

MINUTES

OCTOBER 13, 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 October 13, 2004 at 7:30 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 and County Administrator Steve Marvin.

The Pledge of Allegiance was led by Director Gardner.

Director Gardner read the following statement: **"ADEQUATE NOTICE OF THIS MEETING OF *OCTOBER 13, 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 of the Regular Session held on September 29, 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 September 29, 2004 were approved.

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

PROCLAMATION 669-04

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 13, 2004

PROCLAMATION – RED RIBBON WEEK – OCTOBER 23-31, 2004.

WHEREAS, on behalf of the citizens of Warren County, New Jersey, the Warren County Board of Chosen Freeholders is pleased to celebrate the week of October 23 through October 31, 2004 as "Red Ribbon Week" in Warren County; and

WHEREAS, this acknowledgement offers an opportunity to raise awareness regarding the solutions related to abuse of alcohol, tobacco and other drugs by bringing together municipalities, organizations, businesses, houses-of-worship, groups and individuals; and

WHEREAS, a week is set aside in October to honor the memory of Drug Enforcement Agent, Enrique Camarena, who was assassinated in Mexico by a drug cartel in 1985. This week also honors the hundreds of Warren County prevention workers whose efforts are invaluable; and

WHEREAS, it is the goal of the Warren County Red Ribbon Campaign to promote family and individual responsibility for living a healthy drug free lifestyle, without illegal drugs or the illegal use of legal drugs;

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

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Freeholders does hereby proclaim the week of October 23 through October 31, 2004 as RED RIBBON WEEK.

Richard D. Gardner, Director
Board of Chosen Freeholders

John DiMaio, Deputy Director
Board of Chosen Freeholders

Everett Chamberlain, Freeholder
Board of Chosen Freeholders

I hereby certify the above to be a true copy of a proclamation 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

Mr. Bob Frankenfield, Chair of the Local Advisory Council on Alcohol and Drug Abuse (LACADA) was in attendance to accept the proclamation.

Mr. DiMaio said that it's great to recognize this effort and that he especially appreciated the section mentioning family and individual responsibility. "It starts at home," he said. "We have to talk to our kids."

Mr. Chamberlain said that youth today are under a lot of pressure and it's wonderful to have an organization like this. He thanked LACADA and the Department of Human Services for their efforts.

Mr. Gardner mentioned that many people are working on this issue. Most of us know someone who struggles with this problem. He said the fact that we have a prosecutor who goes after drug offenders is important.

Mr. Frankenfield spoke about DEA Agent Enrique Camarena's assassination in Guadalajara being recognized everywhere in the world and that it was a form of terrorism. He expressed appreciation for the county's continued support to raise awareness of this issue.

Under Public Comments, Ann Stone, of Greenwich Township came forward to discuss Item I4 on the agenda. She asked which members were being replaced on the Vo-Tech Board and the answer was Mark Turker and Georgeann Wambold. Ms. Stone expressed the opinion that appointees should hail from all areas of the county and that Phillipsburg should have more representation. She said the Board already has an outstanding member in Anthony Wyhopen and that she thinks it's unfair to have three members from White Township.

Mr. Gardner replied that it is not always easy to get people to serve on these boards; that it is important to have people who understand the education system to serve on this committee and that the candidates being appointed are "outstanding".

Ms. Stone asked Mr. Chamberlain if one of the appointees was his wife and the answer was yes. As to whether this presents a conflict of interest, County Counsel Joseph Bell said only if Mr. Chamberlain votes on the resolution. Mr. Chamberlain expressed that it is important to look at experience for these positions; that both candidates hold Master's degrees and beyond and that this is important to maximize efficiency.

Ms. Stone reiterated that she thinks well-rounded people from all areas of the county are needed.

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RESOLUTION 670-04

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 October 13, 2004

RESOLUTION TO PAY BILLS.

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payments No. 2004-40,41 dated October 13, 2004** in the amount of **\$ 2,216,913.34** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2004-40	\$ 1,632,807.61
2004-41	<u>584,105.73</u>
GRAND TOTAL	<u>\$ 2,216,913.34</u>

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

Steve Marvin Clerk of the Board

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

RESOLUTION 671-04

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 October 13, 2004

INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE ADDITIONAL AMOUNT OF \$3,500.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF STATE POLICE, COMMUNITY EMERGENCY RESPONSE TEAM (CERT).

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2004 in the sum of \$ 3,500.00, which item is now available from the State of New Jersey, Department of Law & Public Safety, Division of State Police, Community Emergency Response Team (CERT).

BE IT FURTHER RESOLVED that a like sum of \$ 3,500.00 be and the same is hereby appropriated under caption:

"UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES"

State of New Jersey, Department of Law & Public Safety,
Division of State Police, Community
Emergency Response Team (CERT)
(administered by the Office of Emergency Management)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Law & Public Safety.

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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 672-04

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 October 13, 2004

INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$50,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS, OFFICE OF SMART GROWTH, CROSS ACCEPTANCE GRANT #04-0260-00.

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2004 in the sum of \$ 50,000.00, which item is now available from the State of New Jersey, Department of Community Affairs, Office of Smart Growth, Cross Acceptance Grant #04-0260-00.

BE IT FURTHER RESOLVED that a like sum of \$ 50,000.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Community Affairs,
Office of Smart Growth, Cross Acceptance
Grant #04-0260-00 (administered by the Planning Board Office)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Community Affairs.

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 673-04

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 October 13, 2004

INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$188,834.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH & SENIOR SERVICES, SPECIAL CHILD HEALTH SERVICES, EARLY INTERVENTION SERVICE COORDINATION #05-370-EIP-L-2.

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2004 in the sum of \$ 188,834.00, which item is now available from the State of New Jersey, Department of Health & Senior Services, Special Child Health Services, Early Intervention Service Coordination #05-370-EIP-L-2.

BE IT FURTHER RESOLVED that a like sum of \$ 188,834.00 be and the same is hereby appropriated under caption:

"UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES"

State of New Jersey, Department of Health & Senior Services,
Special Child Health Services, Early
Intervention Service Coordination #05-370-EIP-L-2
(administered by the Health Department)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Health & Senior Services.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 674-04

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 October 13, 2004

**INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE ADDITIONAL
AMOUNT OF \$7,500.00 FROM THE STATE OF NEW JERSEY, JUVENILE JUSTICE
COMMISSION, STATE/COMMUNITY PARTNERSHIP GRANT PROGRAM & THE FAMILY
COURT SERVICE PROGRAM, FOR A TOTAL AWARD OF \$282,157.00.**

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2004 in the sum of \$ 7,500.00, which item is now available from the State of New Jersey, Juvenile Justice Commission, State/Community Partnership Grant Program & the Family Court Services Program.

BE IT FURTHER RESOLVED that a like sum of \$ 7,500.00 be and the same is hereby appropriated under caption:

"UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES"

State of New Jersey, Juvenile Justice Commission,
State/Community Partnership Grant Program &
the Family Court Services Program
(administered by the Human Services Department)

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BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Juvenile Justice Commission.

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 675-04

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 October 13, 2004

INSERTION INTO THE 2004 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$263,147.00 FROM THE NEW JERSEY TRANSIT CORPORATION, SECTION 5311 GRANT PROGRAM.

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2004 in the sum of \$ 263,147.00, which item is now available from the New Jersey Transit Corporation, Section 5311 Grant Program.

BE IT FURTHER RESOLVED that a like sum of \$ 263,147.00 be and the same is hereby appropriated under caption:

"UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES"

New Jersey Transit Corporation, Section 5311 Grant Program
(administered by the Human Services Department)

BE IT FURTHER RESOLVED that the above is the result of the approval by the New Jersey Transit Corporation.

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 676-04

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 October 13, 2004

RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE AN APPLICATION TO THE NJ DIVISION OF CRIMINAL JUSTICE FOR THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT OF \$10,946 FEDERAL MONEY AND THE COUNTY MATCH OF \$1,216 FOR A TOTAL OF \$12,162 FOR THE PERIOD OF OCTOBER 1, 2004 THROUGH SEPTEMBER 30, 2005, FOR USE BY THE MEGAN'S LAW ENFORCEMENT UNIT.

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Director of the Board is authorized to execute an application to the NJ Division of

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Criminal Justice for the Warren County Prosecutor's Office in the amount of \$10,946 federal money and the county match of \$1,216 for a total of \$12,162 for the period of October 1, 2004 through September 30, 2005 and

BE IT FURTHER RESOLVED that the part-time intern position will not be utilized after the grant funds have been expended.

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 677-04

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 October 13, 2004

RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE LOCAL LAW ENFORCEMENT BLOCK GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY.

WHEREAS, the Warren County Prosecutor's Office wishes to apply for funding for a project under the Local Law Enforcement Block Grant Program; and

WHEREAS, the Board of Chosen Freeholders of the County of Warren has reviewed the accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Warren County Prosecutor's Office for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that:

1. As a matter of public policy the Warren County Prosecutor's Office wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.
Grant # LLE-21-03

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

Steve Marvin Clerk of the Board

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

RESOLUTION 678-04

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 October 13, 2004

**NEW JERSEY
OFFICE OF THE INSURANCE FRAUD PROSECUTOR
COUNTY RESOLUTION OF PARTICIPATION**

**A COUNTY RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY
IN THE COUNTY PROSECUTOR INSURANCE FRAUD REIMBURSEMENT PROGRAM
ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE'S
INSURANCE FRAUD PROSECUTOR**

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WHEREAS, the Office of the Insurance Fraud Prosecutor has been designated by the Legislature to implement funding reimbursement for anti-insurance fraud activities, pursuant to N.J.S.A. 17:33A-28; and

WHEREAS, the Warren County Prosecutor's Office wishes to apply for funding under the reimbursement program and,

WHEREAS, the Warren County Board of Chosen Freeholders has reviewed an accompanying application and has approved said request; and

WHEREAS, the project is a joint effort between the Office of the Insurance Fraud Prosecutor and the Warren County Prosecutor's Office for the purpose described in the application;

THEREFORE, BE IT RESOLVED, by the Warren County Board of Chosen Freeholders that:

- (1) As a matter of public policy, the Warren County Prosecutor's Office wishes to participate to the fullest extent possible with the Office of the Insurance Fraud Prosecutor.
- (2) The Attorney General has allocated funds dedicated for the purpose of reimbursing County Prosecutors for anti-insurance fraud activities.
- (3) The Office of Insurance Fraud Prosecutor shall be responsible for the receipt, review and approval of the applications for said funding.
- (4) The Office of Insurance Fraud Prosecutor shall initiate allocations to each applicant as authorized.

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 679-04

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 October 13, 2004

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD OF CHOSEN FREEHOLDERS TO EXECUTE A CONSORTIUM AGREEMENT WITH MORRIS/SUSSEX/WARREN COUNTIES WORKFORCE INVESTMENT BOARD.

WHEREAS, a coordinated workforce readiness system, in concert with the state's overall economic development strategy, would guide federal, State and local resources in a manner that promotes a high quality, globally competitive workforce; and

WHEREAS, pursuant to N.J.S.A. 34:15C-15e(7), a coordinated workforce readiness system can be achieved through Workforce Investment Boards (WIBs), with responsibilities consistent with A Unified Plan for New Jersey's Workforce Readiness System as prepared by the State Employment and Training Commission ("SETC"); and

WHEREAS, Executive Order # 36, issued by the Governor of the State of New Jersey on May 12, 1995 directs current county and multi-county Private Industry Councils, in cooperation with the Chief Elected Officials, to assume the responsibilities of the Order through a WIB; and

WHEREAS, the counties of Sussex, Morris and Warren, by Agreement, currently operate as a multi-county consortium that forms the Morris/Sussex/Warren Workforce Investment Board, conducting activities as prescribed by the Workforce Investment Act, said Agreement to continue.

NOW, THEREFORE BE IT RESOLVED that the Director of the Board of Chosen

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Freeholders of the County of Warren is hereby authorized to execute the Sussex/Morris/Warren Counties Consortium Agreement maintaining the three county Local Area for the purpose of carrying out workforce investment program consolidation, specifically Work First New Jersey "to-work" programs; and

BE IT FURTHER RESOLVED that certified copies of this Resolution and Agreement be distributed to the Freeholder Directors in the County of Morris and County of Sussex and the Director of the Morris/Sussex/Warren Workforce Investment Board.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 680-04

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 October 13, 2004

RESOLUTION AUTHORIZING THE TRANSFER OF TWO ADDITIONAL ECHO HOUSING UNITS TO THE ARC OF WARREN COUNTY, A PRIVATE, NON-PROFIT AGENCY, FOR USE AT CAMP WARREN, COLUMBIA, NEW JERSEY.

WHEREAS, on March 24, 2004, the Warren County Board of Chosen Freeholders approved the discontinuation of the ECHO Housing Demonstration Program; and

WHEREAS, there were a total of ten ECHO modular units remaining in the county; and

WHEREAS, on December 23, 2003, it was the opinion of Warren County Counsel, Joseph Bell, that there were no restrictions on the County's use of these units; and

WHEREAS, the Association of Retarded Citizens (The Arc) of Warren County, a private, non-profit agency, was authorized on July 28, 2004 to receive two ECHO units and has requested two additional units from the county for use at the agency's Camp Warren in Columbia, New Jersey; and

WHEREAS, The Arc has agreed to remove and install the two added ECHO units at no cost to the County of Warren.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Board of Chosen Freeholders agrees to dispose, at no cost, two additional ECHO modular housing units to the Arc of Warren County for use at the agency's Camp Warren, Columbia, New Jersey.

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 681-04

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 October 13, 2004

RESOLUTION APPROVING AMENDMENT TO GRANT AGREEMENT SCP-PM-04-21 WITH THE NJ JUVENILE JUSTICE COMMISSION FOR AN ADDITIONAL \$7,500 OF STATE/COMMUNITY PARTNERSHIP FUNDS; THEREBY RAISING THE GRANT CEILING TO \$282,157.

WHEREAS, on April 14, 2004, the Warren County Board of Chosen Freeholders approved a grant with the NJ Juvenile Justice Commission for \$178,678 in State/

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Community Partnership funding (#SCP-04-PS-21 and #SCP-04-PM-21) and \$95,079 in Family Court funding (#FC-04-21) for a total award of \$274,657; and

WHEREAS, the NJ Juvenile Justice Commission has subsequently awarded Warren County an additional \$7,500 for these agreements as follows:

State/Community Partnership - Program Management \$ 7,500

and;

WHEREAS, the grant agreement ceiling will increase to \$282,157 with inclusion of these anticipated funds.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Warren County Board of Chosen Freeholders is authorized to sign the grant amendments for an additional \$7,500 in NJ Juvenile Justice Commission State/Community Partnership; grant ceiling to increase to \$282,157.

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 682-04

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 October 13, 2004

RESOLUTION TO AUTHORIZE THE FREEHOLDER DIRECTOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF BLOCK 1402, LOT 1.01, APPROXIMATELY 161 ACRES, MANSFIELD TOWNSHIP, WARREN COUNTY, NEW JERSEY.

WHEREAS, Warren County is interested in purchasing property for preservation and open space; and

WHEREAS, an Offer to Purchase Real Estate has been executed by the Estate of Earl Richard Smith, owner of Block 1402, Lot 1.01, Mansfield Township; and

WHEREAS, adequate funds are available in account 403B 709 5065 (Bond Ordinance) and certified by the Chief Financial Officer; and

WHEREAS, the purchase price is \$6,000 per acre for approximately 161 acres for a total purchase price estimated to be \$966,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Freeholder Director is hereby authorized to execute a contract for this purchase.

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

Mr. DiMaio said the 161 acres will be the first fee simple acquisition of the county to buy the property outright, strip development rights, seek reimbursement from the State Agricultural Development Committee (SADC), and put back up for sale, hopefully to be sold to a farmer.

RESOLUTION 683-04

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 October 13, 2004

MINUTES**OCTOBER 13, 2004****RESOLUTION APPROVING AN AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE PROPERTY OWNERS FOR A DRAINAGE EASEMENT ON BLOCK 61, LOT 26, FOR STORM WATER IMPROVEMENTS ALONG COUNTY ROUTE #616, KNOWLTON TOWNSHIP.**

WHEREAS, the County of Warren needs to improve the drainage along County Route #616, Knowlton Township to alleviate a flooding problem, which requires a drainage easement on Block 61, Lot 26; and

WHEREAS, the property owners of Block 61, Lot 26 are willing to grant a drainage easement to the County and allow drainage improvements to be done for the mutual benefit of the County and the property owners.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the Agreement with the property owners for a drainage easement on Block 61, Lot 26, County Route #616 in Knowlton Township.

BE IT FURTHER RESOLVED that the Director and Clerk of the Board are hereby authorized and directed to execute said Agreement.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 684-04

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 October 13, 2004

RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0329 WITH INTERCOUNTY PAVING ASSOC., LLC FOR THE COUNTY ROUTE #519 WIDENING, DRAINAGE & TRAFFIC SIGNAL IMPROVEMENTS, GREENWICH TOWNSHIP, FOR A NET INCREASE OF \$8,010.50 AND A REVISED CONTRACT AMOUNT OF \$445,310.89.

WHEREAS, Contract #WC0329 was awarded to Intercounty Paving Associates, LLC for the County Route #519, Widening, Drainage, and Traffic Signal Improvements, Greenwich Township in the amount of \$437,300.39; and

WHEREAS, landscaping preparation is necessary for a net increase of \$8,010.50; and

WHEREAS, said changes were recommended by County Engineer; and

WHEREAS, adequate funds have been established in account S21655302 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 Intercounty Paving Associates, LLC for a net increase of \$8,010.50 and a revised contract amount of \$445,310.89.

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 685-04

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 October 13, 2004

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**RESOLUTION FOR APPROVAL OF WC0474C AND AUTHORIZATION TO ADVERTISE
FOR COMPETITIVE CONTRACTS FOR 2005 HUMAN SERVICES
COMMUNITY PROGRAM FUNDING.**

BE IT RESOLVED, that the specification WC0474C for competitive contracts for 2005 Human Service Community Program funding 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 and resulting contracts will be dependent upon funding and adoption of the 2005 county budget and anticipated 2005 State grant funds.

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 686-04

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 October 13, 2004

**RESOLUTION RE: AWARD OF A PURCHASE ORDER TO SUNGARD PENTAMATION INC.,
TO PROVIDE A COMPUTER CUSTOM UPGRADE TO THE FINANCIALPLUS COMPUTER
SOFTWARE FOR THE WARREN COUNTY INFORMATION SYSTEMS DEPARTMENT IN THE
TOTAL AMOUNT OF \$4,200.00.**

BE IT RESOLVED, that the specification WC0474C for competitive contracts for 2005 Human Service Community Program funding 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 and resulting contracts will be dependent upon funding and adoption of the 2005 county budget and anticipated 2005 State grant funds.

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 687-04

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 October 13, 2004

**RESOLUTION RE: AWARD OF CONTRACT TO MGM ASSOCIATES OF FLEMINGTON, NEW
JERSEY FOR APPRAISAL SERVICES ON THE SAMS PROPERTY, MANSFIELD TOWNSHIP,
BLOCK 601.3, LOTS 62.01 & 62.01Q, APPROXIMATELY 65 ACRES, PROPOSED FOR
ACQUISITION, AS LISTED IN THE PROPOSAL, IN THE TOTAL AMOUNT OF \$2,500.00.**

WHEREAS, THE Warren County Agricultural Development Board has developed a list of Farms for preservation for the year 2005; and

WHEREAS, Warren County is interested in obtaining appraisals on various open space properties as listed in the proposal; and

WHEREAS, land appraisals are required by the State Agricultural Development Committee prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for Farm Easement Purposes; and

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WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067 8955012/5067, - Open Space Farmland – Sams Property

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

1. The agreement between the County of Warren and MGM Associates, in the amount of \$2,500.00 to prepare appraisals on the various property listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of 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 688-04

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 October 13, 2004

**RESOLUTION RE: AWARD OF CONTRACT WC0461A TO SMB CONSTRUCTION INC
. FOR A DECK PROJECT FOR WARREN HAVEN
IN THE TOTAL CONTRACT AMOUNT OF \$126,179.00.**

BE IT RESOLVED, that contract WC0461A for a deck project for Warren Haven is hereby awarded

to SMB Construction Inc., Phillipsburg, New Jersey

in the amount of \$126,179.00

as per their bid submitted September 21, 2004

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

Funds for this contract are provided in capital accounts 0404A501/5062 – 04 Capital – Deck/Fencing at Warren Haven and 0400B509/5062 – Capital Building Improvements

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 689-04

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 October 13, 2004

**RESOLUTION RE: AWARD OF CONTRACT WC0467 FOR THREE 2005 BUICK CENTURY 4
DOOR FULL SIZE SEDANS FOR THE WARREN COUNTY PROSECUTOR'S OFFICE TO
FLEMINGTON BUICK, IN THE CONTRACT AMOUNT OF \$15,363.66 EACH, TOTAL
CONTRACT AMOUNT OF 46,090.98.**

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BE IT RESOLVED, that contract WC0467 for three 2005 Buick Century 4 door full size sedans for the Warren County Prosecutor's Office is hereby awarded to Flemington Buick, Flemington, New Jersey

in the amount of \$15,363.66 each, total contract amount \$46,090.98

as per their bid submitted September 28, 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 account 312758 -5100 – Prosecutor's Forfeiture Account

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 690-04

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 October 13, 2004

RESOLUTION RE: AWARD OF CONTACT WC0468C COMPETITIVE CONTRACT FOR THERAPY SERVICES AT WARREN HAVEN FOR THE PERIOD OF JANUARY 1, 2005 THROUGH DECEMBER 31, 2005 WITH THE RIGHT TO EXTEND FOR TWO ADDITIONAL ONE YEAR PERIODS TO ENDURACARE THERAPY MANAGEMENT UNDER OPTION #2 IN THE APPROXIMATE AMOUNT OF \$200,000.00 FOR THE FIRST YEAR.

WHEREAS, two proposals were received, opened and read in public on September 28, 2004, at 1:30 PM prevailing time for Therapy Services for Warren Haven.

WHEREAS, the proposals were reviewed by a committee and the Evaluation Report on file with the Clerk of the Board, and the committee has determined that the proposal submitted by Enduracare Therapy Management meets all requirements of the specification

WHEREAS, adequate funds are available in budget account 013515/5028 – Warren Haven – Medicare Specialized Services - Rehab and certified by the Warren County Chief Financial Officer

NOW THEREFORE BE IT RESOLVED, that a contract is hereby awarded to Enduracare Therapy Management, of Hopwood, Pennsylvania for Therapy Services at Warren Haven in the estimated contract amount of \$200,000.00 for the 1st year under Option #2

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

1. The Director is hereby authorized and directed to enter into a contract with Enduracare Therapy Management, of Hopwood, Pennsylvania
2. A notice of this action shall be published in The Star Ledger, as required by NJSA:40A:11-4.5g.

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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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 October 13, 2004

RESOLUTION RE: EXTENSION OF CONTRACT WC0366C FOR HEALTH CARE MANAGEMENT SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER AND WARREN ACRES WITH CORRECTIONAL HEALTH SERVICES, LLC., FOR THE PERIOD OF NOVEMBER 1, 2004 THROUGH OCTOBER 31, 2005 FOR THE SECOND YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(29) IN THE APPROXIMATE AMOUNT OF \$482,904.00 FOR THE SECOND YEAR.

BE IT RESOLVED, that Warren County Contract WC0366C for healthcare management services for the Warren County Correctional Center and Warren Acres is hereby extended for the second year as provided by the Local Public Contract Law 40A:11-15(29) said contract is hereby extended for the period of November 1, 2004 through October 31, 2005

to Correctional Health Services, LLC., Verona, New Jersey

In the approximate amount of \$482,904.00

as per their bid submitted September 9, 2003

Funding for this contract has been provided in budget account 012800/5093 – Correctional Center Medical Expenses, Including Physicals

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 692-04

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 October 13, 2004

RESOLUTION RE: AWARD OF A PURCHASE ORDER TO CARD DATA SYSTEMS TO PROVIDE DATACARD DIGITAL PHOTO ID COMPUTER SYSTEM SP55 COMPUTER SOFTWARE FOR THE WARREN COUNTY HEALTH DEPARTMENT IN THE TOTAL AMOUNT OF \$12,418.59.

WHEREAS, it has been recommended that the county issue a purchase order for a datacard digital photo id computer system 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 Card Data Systems, of Hasbrouck Heights, New Jersey for providing computer software on licensed products for the Warren County Health 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

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Card Data Systems, of Hasbrouck Heights, 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 hardware and software.
3. A notice of this action shall be published in the The Star-Ledger.

Funding for this contract is provided in grant account S33355388/5058 – CEHA Grant

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

Steve Marvin Clerk of the Board

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

RESOLUTION 693-04

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 October 13, 2004

RESOLUTION AWARDING CONTRACT #WC0482E TO SPARWICK CONTRACTING, INC. FOR THE EMERGENCY REPLACEMENT OF CULVERT #16050, CHERRY TREE BEND ROAD OVER AN UNNAMED TRIBUTARY OF THE MUSCONETCONG RIVER, MANSFIELD TOWNSHIP, IN THE AMOUNT OF \$55,528.00.

WHEREAS, the Board of Chosen Freeholders declared an emergency situation by resolution dated September 29, 2004 per Local Public Contracts Law 40A:11-6 for the damage inflicted by Hurricane Ivan on September 18 and 19, 2004; and

WHEREAS, County Culvert #16050, Cherry Tree Bend Road, over unnamed tributary of the Musconetcong River, Mansfield Township was severely damaged and must be replaced to avoid further problems; and

WHEREAS, the County requested quotes from qualified contractors and suppliers for emergency repairs; and

WHEREAS, Sparwick Contracting, Inc. submitted a responsible and responsive quote of \$55,528.00; and

WHEREAS, the bid submitted is reasonable and within expected engineering estimates; and

WHEREAS, adequate funds have been established in accounts S31655302 5063 and 0403A302 5064 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 Sparwick Contracting, Inc. in the amount \$55,528.00.

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 694-04

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 October 13, 2004

RESOLUTION AWARDING CONTRACT # WC0483E TO SPARWICK CONTRACTING, INC. FOR THE EMERGENCY REPAIRS FOR THE RETAINING WALL ALONG COUNTY ROUTE #623, ON BRASS CASTLE CREEK, WASHINGTON TOWNSHIP, IN THE AMOUNT OF \$28,930.00.

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WHEREAS, the Board of Chosen Freeholders declared an emergency situation by resolution dated September 29, 2004 per Local Public Contracts Law 40A:11-6 for the damage inflicted by Hurricane Ivan on September 18 and 19, 2004; and

WHEREAS, County Culvert #16050, Cherry Tree Bend Road, over unnamed tributary of the Musconetcong River, Mansfield Township was severely damaged and must be replaced to avoid further problems; and

WHEREAS, the County requested quotes from qualified contractors and suppliers for emergency repairs; and

WHEREAS, Sparwick Contracting, Inc. submitted a responsible and responsive quote of \$55,528.00; and

WHEREAS, the bid submitted is reasonable and within expected engineering estimates; and

WHEREAS, adequate funds have been established in accounts S31655302 5063 and 0403A302 5064 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 Sparwick Contracting, Inc. in the amount \$55,528.00.

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 695-04

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 October 13, 2004

RESOLUTION AWARDED CONTRACT #WC0484P-E TO CHERRY, WEBER & ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR THE FEASIBILITY STUDY FOR FLOOD REPAIRS TO COUNTY ROUTE #626 (LOMMASON GLEN RD.) WHITE TOWNSHIP IN THE AMOUNT OF \$20,530.00.

WHEREAS, the Board of Chosen Freeholders declared an emergency situation by resolution dated September 29, 2004 per Local Public Contracts Law 40A:11-6 for the damage inflicted by Hurricane Ivan on September 18 and 19, 2004; and

WHEREAS, there exists a need for Professional Engineering Services for the Feasibility Study for Flood Repairs to County Route #626 (Lommason Glen Rd.) White Township; and

WHEREAS, the proposal submitted by Cherry, Weber & Associates, P.C. meets the needs of the program, price and other factors considered in the amount of 20,530.00

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 0403A202 5063 and 0404A204 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 Cherry, Weber & Associates, P.C. of Phillipsburg, New Jersey for professional engineering services for the above project in the amount of \$20,530.00, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and

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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 696-04

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 October 13, 2004

**RESOLUTION APPOINTING MEMBER TO THE WARREN COUNTY
TRANSPORTATION ADVISORY COUNCIL.**

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoints the following individual to the Warren County Transportation Advisory Council:

Susan Budd	Term to expire:	December 31, 2006
Warren County Div. of Senior Services		
165 County Road 519 South		
Belvidere, NJ 07823		
Contracted Service Rep.		

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 697-04

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 October 13, 2004

**RESOLUTION REAPPOINTING MEMBERS TO THE WARREN COUNTY ADVISORY COUNCIL
ON DISABILITIES.**

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following individuals to the Warren County Advisory Council on Disabilities with terms to expire on December 31, 2006:

REAPPOINT MEMBERS:

Robert E. Willis	Term to expire: 12/31/06
25 Edgemere Terrace	
Washington, NJ 07882	
Consumer/Advocate	

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Linda Baer
525 Fisher Ave., Apt. 405
Phillipsburg, NJ 08865
Consumer/Advocate

Term to expire: 12/31/06

Xochil German
RD 3, Box 166
Port Murray, NJ 07865
Consumer/Advocate

Term to expire: 12/31/06

Edward Swahn
12 School St.
Washington, NJ 07882
Consumer/Advocate

Term to expire: 12/31/06

Ann Miller
PO Box 396
Washington, NJ 07882
Consumer/Advocate

Term to expire: 12/31/06

Suzanne Kell
57 Old Belvidere Rd.
Phillipsburg, NJ 08865
Provider

Term to expire: 12/31/06

Thomas Kennedy
202 Towpath Apts.
Hackettstown, NJ 07840
Consumer/Advocate

Term to expire: 12/31/06

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

Steve Marvin Clerk of the Board

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

RESOLUTION 698-04

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 October 13, 2004

**RESOLUTION REAPPOINTING MEMBER TO THE
WARREN COUNTY MOSQUITO CONTROL COMMISSION.**

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following individual to the Warren County Mosquito Control Commission with term to expire on October 19, 2007:

REAPPOINT MEMBER:

Daniel Hirshberg
222 Pine Street
Hackettstown, NJ 07840

Term to expire: 10/19/07

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.

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RECOMMENDATION

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, **RECOMMENDATION TO ACCEPT THE RESIGNATION OF BILLY J. WAUHOP FROM THE WARREN COUNTY PEQUEST RIVER MUNICIPAL UTILITIES AUTHORITY.**

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

RESOLUTION 701-04

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 October 13, 2004

RESOLUTION CREATING A FULL-TIME POSITION OF COUNTY CORRECTION LIEUTENANT, CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF COUNTY CORRECTION CAPTAIN, CLASSIFIED, IN THE WARREN COUNTY CORRECTIONAL CENTER.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *County Correction Lieutenant*, classified, is created within the Warren County Correctional Center to ensure the efficiency and effectiveness of departmental operations; and

BE IT FURTHER RESOLVED that a full-time position of *County Correction Captain* classified, is hereby abolished; and

NOW, THEREFORE BE IT RESOLVED that a full-time position of *County Correction Lieutenant* is created and established on the lieutenant grade of the FOP Lodge 170 Superior Officer's contract and a full-time position of County Correction Captain is abolished and both shall be made effective November 1, 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

Under Reports and Comments, Mr. Bell said that he and the Administrator had been in a settlement conference today before the Honorable John J. Coyle and would like to discuss the litigation settlement issues in Executive Session.

Mr. Hicks reported he and Rick Miller had attended the Federal Emergency Management Agency (FEMA) Public Assistance briefing today and that it was well attended by the municipalities. They put on a good presentation and will be checking damaged areas, checking costs and will let us know what they need to process the paperwork in order to get reimbursed for legitimate costs. We've been through this before with snow emergencies, he said, so our people are pretty familiar with what we have to do as far as filling out the forms for our out-of-pocket costs that are ongoing. A follow-up meeting is tentatively set up for next Tuesday, (10-19-04) at the 911 Center with our emergency people and FEMA to get any additional information we need and to look again at out-of-pocket costs in terms of materials, equipment, overtime, contractor costs, etc. The Assistance Center is located in the Harmony Fire House, but the main office is down in South Jersey, as it had been set up previously for Burlington County flood relief. Temporary offices up here will be kept open. Mr. Hicks said "the process is moving," and should go smoothly. The FEMA people are very helpful.

Mr. Chamberlain asked what the time line is to be reimbursed. Mr. Hicks replied that he really didn't know; it depends on what the damages are. There is a time frame when you can submit, for permanent improvement repairs, it goes up to 18 months during which you

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can submit. As for when you receive a check, he really doesn't know.

Mr. Gardner asked about the assessment of Lommason Glen Road and some other roads. Mr. Hicks replied that a resolution had been passed this evening for engineering consultations for some of these areas. Rock needs to be put back in and emergency DEP permits are needed for retaining structures. Other areas that have scour problems are in need of having a lot of stone put back in are: Jones Road, Tannery Road and a small culvert in Mansfield Township. The department is trying to figure out the best short-term and long-term approach to repairing Gaisler Road.

Mr. Gardner asked Mr. Hicks if he had spoken to the Hardwick Township Committee and he replied yes, and they were familiar with their problems. Lots of areas will be using a lot of stone. "We have our work cut out for us," Mr. Hicks said, and hopefully, some reasonable reimbursement from FEMA will be forthcoming.

Mr. Marvin asked if there had been any more feedback as to whether the Highlands Preservation legislation will "tie our hands" in terms of repairs on Lommason Glen Road. Mr. Hicks said when he asks the question, he doesn't get an answer.

Mr. Chamberlain wanted to know the official status of Lommason Glen Road, whether or not it is closed. Mr. Hicks answered that it is officially closed to through traffic, as it is not safe for public travel. In case of emergency, however, access should be available and of course, residents need to be able to access their driveways.

Mr. Dech provided an update on a report by a New Jersey Department of Environmental Protection (NJ DEP) representative in which the state is expecting to adopt a statewide solid waste plan early in 2005. Counties will have to conform to the state plan in 180 days. The plan is apparently similar to a draft release in 2003. Some changes had been made, but it is more or less the same plan which is expected to focus heavily on recycling, composting and enforcement of facilities.

Mr. Gardner asked about the recent Council on Affordable Housing (COAH) meeting. Mr. Dech said it was "interesting". Regarding the requirement that municipalities use state projections to determine their growth share obligations for affordable housing, how the state is going to include the Highlands Preservation Area in terms of adjusting population projections is unclear. They were assuring that they would include the Highlands so that our population projections would not be as high as what normally would be expected.

When Mr. Marvin asked about the planning areas, Mr. Dech replied that supposedly certain portions within the planning areas are suppose to be growth areas, but how do we project that growth? His department is now in the process of developing population projections through the year 2030. Although we know what the requirements are in the preservation area as defined in the statute, said Mr. Dech, growth in the planning area is undefined right now. We have to wait for the Highlands Regional plan to come out, which would define the level of growth in that planning area. COAH requires a projection out to the year 2015.

Mr. Gardner remarked that it is still individual, up to each township and Mr. Dech said that although this may be oversimplifying it, each township can use a default number provided by New Jersey Transportation Planning Authority (NJTPA), or with substantial documentation can develop this own method to provide their own number. He does have

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some concern with the NJTPA number; he thinks it may be a little high from 2005-2010.

Mr. Dech then mentioned that he will be attending a TDR Conference on October 23rd at the Warren County Technical School.

Mr. Houck reported that pursuant to N.J.S.A. 40A:2-34 and authorization by Resolution 421-04 dated June 9, 2004, the County received six bids for the sale of Warren County Bond Anticipation Notes in the amount of \$1,000,000 dated October 27, 2004. The successful bidder was Valley National Bank with a Net Interest Cost Rate of 1.6500% and a True Interest Cost Rate of 1.6433% for a dollar value of \$16,454.17 in interest.

Based on the responses to the sale, the proposal from Valley National Bank was accepted on October 13, 2004. Closing on the notes is scheduled on October 27, 2004. The notes will mature on October 26, 2005 at which time refunding bond or note proceeds will retire the notes.

Mr. Gardner said this was quite a good interest rate.

In addition to a few hiring requests, Mr. Marvin reminded Mr. Gardner that he may want to consider canceling the Freeholder Meeting scheduled for December 8, 2004 due to Mr. Gardner being unable to attend. After a brief discussion in which Mr. Marvin assured the Board there would be no impact operationally, on motion by Mr. Chamberlain, seconded by Mr. DiMaio, **RESOLUTION TO CANCEL THE BOARD OF CHOSEN FREEHOLDERS' MEETING SCHEDULED FOR THE 8TH OF DECEMBER, 2004.**

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

Under Freeholder Comments, Mr. DiMaio spoke about attending a meeting with the Department of Transportation (DOT) regarding improvements on Routes 22 and 519 and that as Dave Hicks had said, as one big project such as it is, it will never get done. It needs to be broken down into smaller projects. Mr. Hicks said the first estimate had been \$60 million, then was toned down to \$30 million. They want guarantees that the counties and municipalities will control land use and that nothing will happen so that it will have to be redone again. To expect a project such as this to suit everybody's needs for 20 years is "unreasonable", said Mr. Hicks. Jug handles could be added to address left turn problems. There are a lot of good elements to the plan without doing the whole \$30 million project. It's difficult to get the DOT to adjust their thinking, but hopefully, we made some impact today.

Mr. Chamberlain mentioned the War Veterans Recognition Program to be held Saturday, October 16, 2004; that it's a great program.

Mr. Gardner spoke about going to assess flood damage the other week with Mr. DiMaio and Congressman Scott Garrett, going into homes along the Delaware and to farms in Liberty Township. There had been three feet of water over the Great Meadows basin, with great heads of cabbage all spoiled. Some of these farmers are looking at half a million dollars plus in damages. Scott Garrett is very concerned and doing his utmost to help out the county. Mr. Gardner expressed frustration over why our Governor waited so long to declare the county a disaster area, as opposed to Governor Rendell of Pennsylvania.

Under Closing Public Comments, Carol Koop of the Warren County Board of Elections approached the Board to report that they had a Board meeting last week and requests that they be included on the agenda of the Executive Session of the next Freeholder Meeting for

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two reasons: the new Help America Vote Act (HAVA) requirements and related equipment and storage costs and services and compensation to the Board. Mr. Gardner noted that he had received a letter from her and suggested she forward same with a budget package. Ms. Koop said there is no way for Election Board members to attend a Freeholder Meeting before this election. Between June 2004 and now, there have been 5,000 additional registers in the county. Four new systems have been reviewed. The federally mandated new equipment will cost in excess of \$1.5 million, which Mr. Marvin said would be partially offset by grants. A location with the proper climate is needed to store the equipment prior to purchase. Mr. DiMaio asked if any of the electronic machines have paper backup and she answered that two of the models do. The current system used is the Eagle System, which cannot accommodate the blind and deaf as HAVA requires. Mr. Chamberlain asked if, since these would be special circumstances, one central site could be designated in the county to accommodate voters with such handicaps and Ms. Koop said no; in New Jersey, citizens have to vote in their own town so each machine in each town has to have this capability. Mr. Gardner said obviously, everyone has the right to vote, but given the prohibitive cost there should be some reasonable compromise. Mr. DiMaio expressed his opinion that the matter should be discussed during Open, as opposed to Executive Session and Ms. Koop disagreed as part of the request involves contract negotiations. Regarding storage, Mr. Chamberlain noted that the law does not prohibit us from leasing a climate controlled space. Mr. Koop cited Custom Alloy on Route 57 as a desirable location and it includes office space, but the down side is that it moves the Election Board Office far from the County Clerk and they do have to work hand in hand. Ms. Koop thanked the Board for their time and Mr. Gardner said he appreciated her enlightening them.

RESOLUTION 702-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, at 8:25 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 13, 2004

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

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

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

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

- (1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law of State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense,

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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 October 13, 2004, that an Executive Session closed to the Public shall be held on October 13, 2004, at 8:25 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 tes, Mr. Gardner yes

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Board adjourned executive session at 9:10 p.m. and returned to open session.

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

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, and there being no further business to come before the Board at this time, the meeting was adjourned at 9:10 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board