

MINUTES**November 10, 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 November 10, 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, Fiscal Analyst Dan Olshefski, 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 NOVEMBER 10, 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 October 27, 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 October 27, 2004 were approved.

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

PROCLAMATION 742-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 27, 2004

PROCLAMATION – VETERANS APPRECIATION WEEK, NOVEMBER 8-12, 2004.

WHEREAS, in Warren County, over 291 men and women sacrificed their freedom and lives in the service to their county and country; and

WHEREAS, in Warren County we are committed to remembering all veterans who served their county and those still Missing in Action and Prisoners of War; and

WHEREAS, in our quest to maintain peace and oppose all aggressive acts against our freedoms, we hope that this monument will stand as a historical reminder of our country's heritage and for those whose lives were given in the pursuit of democracy; and

WHEREAS, we hereby express our gratitude to all Warren County veterans who have served their country since the birth of this great nation and to those who may be called to guard our shores in the future; and

WHEREAS, this memorial will remind everyone of the personal sacrifices made by war veterans so that generations of American citizens could, and may continue to enjoy our country's freedoms; and

WHEREAS, our memorial is a public place to pause, reflect and remember;

MINUTES**November 10, 2004**

NOW, THEREFORE BE IT RESOLVED, that in recognition of the important work done by the **WARREN COUNTY WAR MEMORIAL CORPORATION**, the Board of Chosen Freeholders of the County of Warren does hereby proclaim the week of November 8-12, 2004 as Veterans Appreciation Week and we urge all citizens to visit this Memorial and pay respect to the women and men whose names appear on this monument as well as to all veterans who served their country during all wars and in the hope that by remembering what the issues were in the past that they can be worked out in a peaceful manner for all future generations.

Richard Gardner, Director
 Board of Chosen Freeholders

John DiMaio, Deputy Director
 Board of Chosen Freeholders

Everett Chamberlain, Freeholder

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 remarked that it is imperative that we value what veterans have done and continue to do for us. It's important to remember our local veterans on an ongoing basis.

Mr. Chamberlain said he had just attended the Veterans Eve Ceremony at the Warren County War Memorial earlier in the evening and that it had been very moving. He expresses gratitude for all of the sacrifices made by our veterans.

Mr. Gardner echoed the same sentiments and that we need to appreciate our armed forces, especially now with the war in the Middle East. It's a very tough war and to keep soldiers in our thoughts and prayers is the very least we can do. He thanked Warren County War Memorial Corporation members Dennis Smith, Milly Rice, Leo Becker and Terry Lee for all of their efforts on behalf of the county's veterans. The Warren County Veterans Recognition Program has really gained momentum over the past year, said Mr. Gardner and he estimated there had been about 1,000 people at the October 16 ceremony.

As he accepted the proclamation, Dennis Smith expressed that it has been a pleasure working with the Freeholder Board and he was honored by the recognition. He also mentioned the Warren County Distinguished Service Medal being offered to eligible veterans through the County's Veteran Recognition Program. He thanked the Board for all they do for veterans in Warren County.

PROCLAMATION 743-04

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 27, 2004

PROCLAMATION – HOME HEALTHCARE MONTH – NOVEMBER, 2004.

WHEREAS, the citizens of the State of New Jersey have relied on the services of home healthcare providers for more than a century to meet their health care needs in the community; and

WHEREAS, home healthcare is an economical alternative to institutionalization for the disabled, the elderly, the chronically ill and the recovering patient, as well as being an effective means of maintaining individual dignity and independence; and

MINUTES**November 10, 2004**

WHEREAS, home care means skillful assistance from home care and hospice nurses, therapists and aides in the reassuring environment of home for those of all ages requiring long-term care, acute care, rehabilitation, respite care and hospice care at the end of life; and

WHEREAS, home care recognizes, supports and enables families to make decisions and provide care for loved ones in familiar surroundings.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Chosen Freeholders of the County of Warren does proclaim November, 2004 as **HOME HEALTHCARE MONTH** in Warren County, and we urge our citizens to recognize the efforts of home care providers, as well as the families and friends of the elderly and disabled to provide such important services to those in the community who are disabled, elderly, injured or chronically ill. Further, we urge that during this week, all appropriate facilities and the media join in an effort to educate our citizens concerning home healthcare availability and benefits.

Richard D. Gardner, Director
 Board of Chosen Freeholders

John DiMaio, Deputy Director
 Board of Chosen Freeholders

Everett A. Chamberlain, Freeholder
 Board of Chosen Freeholders

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

Public Health Nursing Division Head Dorothy Harth was present to accept the proclamation.

Mr. Gardner spoke about knowing Dorothy Harth very well and that the work done by Public Health Nursing is incredible. The care received by a friend of Mr. Gardner's at the end of his life was very much appreciated.

Mr. Chamberlain said that most of us know someone who has been touched by home health care; that it is an important service. People in need of such care are able to keep their dignity.

Mr. Gardner said it doesn't matter what age a patient is, people still want to be home to maintain their dignity and self-esteem in such situations. In the future, the need for these services will be even greater. He commended Ms. Harth for doing an excellent job.

Ms. Harth responded by saying that home health care is a vital part of the health system and that it is a proven fact people recuperate more quickly in their own homes. She mentioned the importance of the Karen Ann Quinlan Hospice and those patients and their families appreciate the services offered. Ms. Harth then thanked the Board for their support and for the recognition.

There were no Public Comments on agenda items.

RESOLUTION 744-04

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 27, 2004

MINUTES

November 10, 2004

RESOLUTION TO PAY BILLS.

Be and it is hereby resolved that Master Voucher Certificate For Certification/Ratification for Payments No. 2004-44, 45 dated Nov. 10, 2004 in the amount of \$ 4,944,625.39 including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2004-44	\$ 816,348.28
2004-45	<u>2,846,985.70</u>
	\$ 3,663,333.98
Payroll 10/28/04	<u>1,281,291.41</u>
GRAND TOTAL	\$ 4,944,625.39

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 745-04

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 27, 2004

RESOLUTION FOR TRANSFER IN THE 2004 BUDGET.

WHEREAS, N.J.S. 40A:4-58 states that transfers can be made after November 1, and

WHEREAS, by unforeseen demand there has arisen the necessity for expenditures to fulfill the purposes of the appropriations as stated in the 2004 Budget and Tax Levy in the following accounts:

VARIOUS DEPARTMENTS, S & W	\$505,700.00
VARIOUS DEPARTMENTS, OE	<u>440,000.00</u>
	\$945,700.00

and there being an excess in appropriations heretofore made as follows:

PROVISION FOR SALARY ADJUSTMENTS & NEW EMPLOYEES	\$945,700.00
--	--------------

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that by a Majority Vote of this Board that the following transfer in the 2004 Budget Appropriations be made:

FROM	
014250 5011 PROV. FOR SALARY ADJ. & NEW EMPLOYEES	\$ 945,700.00

TO	
011010 5011 PURCHASING, S & W	\$ 6,600.00
011200 5011 COUNTY CLERK, S & W	10,000.00
011250 5011 BOARD OF ELECTIONS, S & W	11,800.00
011300 5011 TREASURERS/CFO, S & W	32,000.00
011400 5011 INFORMATION SYSTEMS, S & W	2,600.00
011500 5011 BOARD OF TAXATION, S & W	3,500.00
011600 5011 COUNTY SURROGATE, S & W	5,200.00
011650 5011 ENGINEER, S & W	23,000.00
011700 5011 ECONOMIC DEVE. & TOURISM, S & W	15,000.00
012000 5011 WEIGHTS & MEASURES, S & W	4,500.00

MINUTES**November 10, 2004**

012100 5090	INSURANCE BLDG. & MOTOR VEHICLE ETC.	75,000.00
012521 5011	PUBLIC SAFETY, S & W	18,500.00
012522 5011	OFC. OF EMERGENCY MANAGEMENT, S & W	12,500.00
012750 5011	PROSECUTOR'S OFFICE, S & W	152,000.00
012770 5011	JUVENILE RET. & REHAB. CTR., S & W	125,000.00
012950 5011	BRIDGES, S & W	\$ 28,000.00
013150 5100	ROADS, OE	35,000.00
013300 5011	COUNTYHEALTH SERV.INTERFUND AGREE.,S&W	18,000.00
013507 5029	WARREN HAVEN, OE	230,000.00
013520 5011	DEPT.OF HUMAN SERV., DIV. SR. SERV,S & W	10,000.00
013550 5011	DEPT.OFHUMAN SERV.,CONTRACT.ADM., S & W	22,000.00
013570 5011	COUNTY ADJUSTER, S & W	2,500.00
013850 5011	WAR VETERANS BURIAL, S & W	500.00
014050 5011	OFFICE OF SUPT. OF SCHOOLS, S & W	2,500.00
014450 5072	UTILITIES – WATER	5,000.00
014600 5074	UTILITIES – GASOLINE	<u>95,000.00</u>
		\$ 945,700.00

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 746-04

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 27, 2004

RESOLUTION RE: MEDICAID RATE FOR WARREN HAVEN.

WHEREAS, Warren Haven is the Warren County Nursing Home and the State of New Jersey Division of Medicaid Rate Setting has established a Medicaid Rate effective July 1, 2004 through June 30, 2005 of \$182.26.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders have approved the Medicaid Per Diem Rate of \$182.26 effective This rate was established based on financial data furnished in the Warren Haven Medicaid Cost Report for 2003 prepared by Healthcare Resources.

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 747-04

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 27, 2004

RESOLUTION AUTHORIZING THE HEALTH DEPARTMENT DIRECTOR TO APPLY FOR A HEALTH SERVICE GRANT ENTITLED "LOCAL CORE CAPACITY INFRASTRUCTURE FOR BIOTERRORISM PREPAREDNESS" FROM THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES IN THE AMOUNT OF \$459,214 FOR THE PERIOD SEPTEMBER 1, 2004 – AUGUST 30, 2005.

MINUTES**November 10, 2004**

WHEREAS, the New Jersey Department of Health and Senior Services (NJDHSS) announces the availability of funds to upgrade regional local public health preparedness for and response to bioterrorism, outbreaks of infectious disease, and other public health threats and emergencies, and

WHEREAS, Warren County received funding in 2004 to implement a Bioterrorism Preparedness Program, and

WHEREAS, funding is available to continue this program into the future, and

WHEREAS, funding to support this program has been awarded to the NJDHSS by the Centers for Disease Control and Prevention (CDC) *Public Health Preparedness and Response for Bioterrorism Cooperative Agreement*, and

WHEREAS, through this continued program, local core capacity and infrastructure for bioterrorism preparedness and response will be built or supplemented at Local Information Network and Communication System (LINCS) agencies, statewide, and

WHEREAS, these capacities and infrastructure will closely mirror those being built at the NJDHSS; will be developed and implemented in close collaboration with NJDHSS, other local health departments and other public health care partners within the LINCS region; and will provide services for the benefit of protecting the entire population within Warren County.

THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders acknowledges and supports the Warren County Health Department (LINCS Agency) roles and responsibilities for the countywide bioterrorism, infectious disease, and other public health threats and emergencies planning and response, and

BE IT FURTHER RESOLVED that the Warren County Board of Chosen Freeholders authorizes the Health Department Director to apply for a \$459,214 "Local Core Capacity Infrastructure for Bioterrorism Preparedness" grant for the period September 1, 2004 – August 30, 2005, and if approved, to execute a grant contract for the project with the New Jersey Department of Health and 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 748-04

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 27, 2004

RESOLUTION APPROVING ADOPTION OF ONE AND FIVE YEAR PLANS FOR HOUSING ASSISTANCE PAYMENTS PROGRAM.

WHEREAS, the United States Department of Housing and Urban Development requires the submission of an annual and a five year plan for continued Public Housing Assistance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren, State of New Jersey, that endorsement of the 2005 Five Year and Annual Plans for Public Housing Assistance in the County of Warren be and is hereby authorized; and

BE IT FURTHER RESOLVED that the Freeholder Director and County Administrator be and are hereby authorized to execute said plan; and

FURTHERMORE, that copies of this Resolution be forwarded to the United States Department of Housing and Urban Development and Frank Delmore.

MINUTES**November 10, 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

RESOLUTION 749-04

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 27, 2004

RESOLUTION APPROVING THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, APPLICATION FOR 2005 SOCIAL SERVICES FOR THE HOMELESS FUNDING WITH THE NJ DEPARTMENT OF HUMAN SERVICES, TOTALLING \$81,463 FOR THE PERIOD JANUARY 1, 2005 – DECEMBER 31, 2005; SUBJECT TO THE AVAILABILITY OF FUNDS.

WHEREAS, the NJ Department of Human Services, Division of Family Development, has made Social Services for the Homeless funding available to Warren County totaling \$81,463 for Calendar Year 2005; and

WHEREAS, the Warren County Department of Human Services, has prepared a grant application to the NJ Department of Human Services for use of these funds.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the application for Calendar Year 2005 Social Services for the Homeless funding to the NJ Department of Human Services for \$81,463 is approved subject to the availability of 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 750-04

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 27, 2004

RESOLUTION APPROVING THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES APPLICATION FOR 2005 PERSONAL ATTENDANT SERVICES PROGRAM FUNDING WITH THE NJ DEPARTMENT OF HUMAN SERVICES, TOTALING \$103,994 FOR THE PERIOD JANUARY 1, 2005 – DECEMBER 31, 2005; SUBJECT TO THE AVAILABILITY OF FUNDS.

WHEREAS, the NJ Department of Human Services, has made Personal Attendant Services Program funding available to Warren County totaling \$103,994 for Calendar Year 2005; and

WHEREAS, the Warren County Department of Human Services has prepared a grant application to the NJ Department of Human Services for use of these funds and will retain \$2,841 of these funds for administrative purpose; and

WHEREAS, the remaining grant funds will be subcontracted as follows:

Cerebral Palsy of New Jersey

§ 101,153

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the application for Calendar Year 2005 Personal Attendant Services Program funding to the NJ Department of Human Services for \$103,994 is approved subject to the availability of these funds.

MINUTES**November 10, 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

RESOLUTION 751-04

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 27, 2004

RESOLUTION IN SUPPORT OF THE CALENDAR YEAR 2005 NJ JUVENILE JUSTICE COMMISSION FUNDING APPLICATION TOTALLING \$295,973; ANTICIPATED COUNTY MATCH OF \$1,018; FUNDS TO BE USED FOR PROGRAM AND ADMINISTRATIVE SERVICES; SUBJECT TO AVAILABILITY.

WHEREAS, the New Jersey Juvenile Justice Commission has made available to the Warren County Board of Chosen Freeholders a total of \$295,973 (\$138,914 Program Services Funds and \$50,000 Program Management Funds through the State/Community Partnership Grant, \$97,898 in Family Court Funds, and \$9,161 Juvenile Accountability Block Grant Funds) for the period January 1, 2005 through December 31, 2005; and

WHEREAS, the Warren County Department of Human Services, Division of Contract Administration, has prepared a grant application for use of these anticipated funds for program and administrative services which was approved by the Youth Services Coordinating Council on 10/20/04 and the Warren County Mental Health Board on 11/4/04; and

WHEREAS, the county will consider the provision of the county matching funds totaling \$1,018 in the 2005 Warren County Budget.

NOW, THEREFORE BE IT RESOLVED the Director of the Warren County Board of Chosen Freeholders is authorized to sign the 2005 Juvenile Justice Commission funding application in the amount of \$295,973 (\$188,914 State/Community Partnership funds, \$97,898 Family Court funds; \$9,161 in Juvenile Accountability Incentive Block Grant Funds); and \$1,018 county matching funds; subject to availability.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 752-04

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 27, 2004

RESOLUTION APPROVING THE FY 2005 CAPITAL TRANSPORTATION PROGRAM FOR THE NEW JERSEY TRANSPORTATION TRUST FUND PROGRAM AND THE APPLICATION FOR FUNDING IN THE AMOUNT OF \$1,276,000.00.

WHEREAS, the New Jersey Transportation Trust Fund includes the County Aid Program which designates \$1,276,000.00 per year in the State Aid Funding; and

WHEREAS, the above program requires that a Capital Transportation Program (CTP) be developed by Warren County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the FY 2005 Capital Transportation Program (CTP) for the New Jersey Transportation Trust Fund Program, on file in the Office of the County Engineer, are hereby approved.

MINUTES**November 10, 2004**

BE IT FURTHER RESOLVED that the Board does hereby approve the filing of the application for County Aid Funding for WA SA-53, WA SA-54, WA SA-62 & WA SA-67 and that the Clerk of the Board and the Director are hereby authorized and directed to execute said application.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 753-04

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 27, 2004

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

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

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

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

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

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

County of Warren v. Peter C. Harvey, et al, Docket No. WRN-L-190-04

In the Matter of Ernest Swayze, an Alleged Incompetent

LaPenna v. Warren County Vocational Technical School, WRN-L-594-01

Highlands

Eric Washington v. James Donegan, et al, CA No. 03-2855 (GEB)

As well as other matters assigned by the County Administrator.

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

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

SECTION 1. Bell, Gage & Harbeck is hereby appointed as Special County Counsel for the purpose of representing the County of Warren, its Board of Chosen Freeholders, Agencies and Departments, in connection with such matters as the Board of Chosen Freeholders may assign from time to time. Said assignment to be made by a duly adopted Resolution of the Board of Chosen Freeholders at a public meeting.

MINUTES**November 10, 2004**

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

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

SECTION 4. Certain cases undertaken under the General Contract as entered on January 1, 2002/2003/2004 listed above will be continued to be represented under this contract.

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

This Resolution shall take effect immediately.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 754-04

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 27, 2004

RESOLUTION APPROVING THE PROFESSIONAL SERVICE AGREEMENT FOR OPERATIONS AND MAINTENANCE OF THE WARREN COUNTY EDUCATIONAL PARK WASTEWATER TREATMENT PLANT WITH UNITED WATER OF SOMERVILLE, NEW JERSEY IN THE AMOUNT FOR BASELINE SERVICES OF \$57,150.00.

WHEREAS, United Water had submitted a proposal (WC95100P) for operations and maintenance of the Warren County Educational Park Wastewater Treatment Plant, and

WHEREAS, United Water has adequately met all terms and conditions of the contract for their first through ninth years of service for operations and maintenance of the Warren County Educational Park Wastewater Treatment Plant, and

WHEREAS, this proposal has been updated with revised pricing schedules for an additional years service for the period November 20, 2004 through November 19, 2005, and

WHEREAS, adequate funds are available in account 013143 5029 and certified by the 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 United Water of Somerville, New Jersey for operations and maintenance of the Warren County Educational Park Wastewater Treatment Plant in the amount for baseline services of \$57,150.00 currently on file in the office of the Superintendent of Buildings & Grounds, be made part of this resolution by reference and be 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 provision of the Local Public Contracts Law because the services are to be

MINUTES**November 10, 2004**

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 755-04

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 27, 2004

RESOLUTION APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT #WC0147P WITH CHERRY, WEBER & ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR THE RECONSTRUCTION OF COUNTY BRIDGE #05044, WOLVERTON ROAD OVER THE MUSCONETCONG RIVER, FRANKLIN TOWNSHIP FOR A NET INCREASE OF \$15,000.00 AND REVISED CONTRACT AMOUNT OF \$98,847.00.

WHEREAS, Cherry, Weber & Associates, P.C. was awarded a contract for Engineering Services for the Reconstruction of Warren County Bridge #05044, Wolverton Road over the Musconetcong River, Franklin Township/Hunterdon County Bridge #B-5-W, Bethlehem Township in the amount of \$166,974.00 (Warren County's share \$83,847.00 and Hunterdon County's share \$83,847.00); and

WHEREAS, final construction phase services resulted in a net increase of \$30,000.00 (Warren County's share \$15,000.00 and Hunterdon County's share \$15,000.00); and

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

WHEREAS, adequate funds are available in account S0165 5380 005380 5064 and certified by the County Chief Financial Officer.

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

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

1. Hereby approve Contract Modification #1 for the above project for a net increase of \$15,00.00 and a revised contract amount of \$98,847.00.
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

MINUTES**November 10, 2004****RESOLUTION 756-04**

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 27, 2004

RESOLUTION RE: AWARD OF CONTRACT WC04100R FOR THE PROFESSIONAL SERVICES OF A MEDICAL DIRECTOR AT WARREN HAVEN TO FRANK GILLY, M.D., AT A COST NOT TO EXCEED \$18,000.00.

WHEREAS, there exists a need for the professional services of a licensed and federally qualified rehabilitation therapy provider at Warren Haven to provide rehabilitation therapy as needs dictate; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 et. seq.) requires that a resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection; and

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

WHEREAS, adequate funds are available in budget accounts 013514/5028 – Warren Haven – Outside Services – Special Services

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 Frank Gilly M.D., of Washington, New Jersey, for professional services for the above project, in the approximate amount of \$18,000.00 per letter of agreement currently on file in the Office of the Director of Purchasing, be made 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 (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A 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 757-04

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 27, 2004

RESOLUTION RE: AWARD OF CONTRACT WC0497R FOR THE PROFESSIONAL SERVICES OF AN AGENCY NURSING SERVICE AT WARREN HAVEN TO WARREN HOSPITAL, COST IS BASED UPON A NEGOTIATED RATE SCHEDULE, TOTAL COST OF CONTRACT NOT TO EXCEED \$120,000.00.

WHEREAS, there exists a need for the professional services of an agency nursing service at Warren Haven to provide nurses as needs dictate; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 et. seq.) requires that a resolution authorizing the award of contracts for "professional services" without

MINUTES**November 10, 2004**

competitive bids and the contract itself must be available for public inspection; and

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

WHEREAS, adequate funds are available in budget accounts 013507/5029 – Warren Haven – Nursing Contracted Services.

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 Warren Hospital of Phillipsburg, New Jersey, for professional services for the above project, in an amount not to exceed \$120,000.00 per letter of agreement currently on file in the Office of the Director of Purchasing, be made 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 (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A 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 758-04

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 27, 2004

RESOLUTION RE: AWARD OF CONTRACT WC0498R FOR THE PROFESSIONAL SERVICES OF A PHARMACEUTICAL CONSULTANT SERVICE AT WARREN HAVEN TO PHARMA-CARE, RATE IS BASED \$0.35 PER PATIENT DAY, RATE SET BY MEDICARE, 100% REIMBURSED.

WHEREAS, there exists a need for the professional services of a pharmaceutical consultant to provide quality pharmaceutical consultant services to its in-patients at Warren Haven; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 et. seq.) requires that a resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection; and

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

WHEREAS, adequate funds are available in budget accounts 013513/5028 – Warren Haven – Outside Services – Special Services

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 Pharma-Care, Inc., of Clark, New Jersey, for professional services for the above project, on a rate based \$0.35 per patient day, rate set by Medicare, 100% reimbursed per letter of agreement currently on file in the Office of the Director of Purchasing, be made part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.

MINUTES**November 10, 2004**

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 (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A 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 759-04

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 27, 2004

RESOLUTION RE: AWARD OF CONTRACT WC0499R FOR THE PROFESSIONAL SERVICES OF A PHARMACY SERVICE AT WARREN HAVEN TO BACH'S PHARMACY SERVICES AT THE RATE OF THE AVERAGE WHOLESALE PRICE MINUS 15% EVEN, TOTAL CONTRACT APPROXIMATELY \$8,000.00.

WHEREAS, there exists a need for the professional services of a Pharmacy service at Warren Haven to provide drugs and medications as needs dictate; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5 et. seq.) requires that a resolution authorizing the award of contracts for "professional services" without competitive bids and the contract itself must be available for public inspection; and

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

WHEREAS, adequate funds are available in budget accounts 013507/5093 – Warren Haven – Nursing Medical Expenses and 013514/5093 – Warren Haven – Part A Medicare – Medical Expenses.

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 Bach's Pharmacy Services of Hackettstown, New Jersey, for professional services for the above project, in the approximate amount of \$8,000.00 per letter of agreement currently on file in the Office of the Director of Purchasing, be made 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 (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A 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

MINUTES

November 10, 2004

RESOLUTION 760-04

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 27, 2004

RESOLUTION RE: AWARD OF CONTRACT TO ROBERT F. HEFFERNAN OF OLDWICK, NEW JERSEY FOR APPRAISAL SERVICES ON THE HART PROPERTY, FRANKLIN TOWNSHIP, BLOCK 41, LOTS 3, 5 & 13 AND BLOCK 34, LOT 9, APPROXIMATELY 350 ACRES, PROPOSED FOR ACQUISITION, AS LISTED IN THE PROPOSAL, IN THE TOTAL AMOUNT OF \$3,300.00.

WHEREAS, THE Warren County Agriculture 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 farm properties as listed in the proposal; and

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

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 8955013 5067 – 2005 Farmland Preservation.

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

1. The agreement between the County of Warren and Robert F. Heffernan, in the amount of \$3,300.00 to prepare appraisals on the various farms 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 761-04

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 27, 2004

RESOLUTION RE: AUTHORIZATION TO ISSUE A PURCHASE ORDER TO PHOENIX TEXTILE CORPORATION UNDER THE AMERICAN ASSOCIATION OF HOMES AND SERVICES FOR THE AGING, CONTRACT #131482 AS ALLOWED BY N.J.S.A. 30:9-87 FOR LINENS AND ASSOCIATED PRODUCTS FOR WARREN HAVEN IN THE AMOUNT OF \$37,949.75.

BE IT RESOLVED, that the purchasing department is authorized to issue a purchase order for linens and associated products for Warren Haven

to Phoenix Textile Corp., St. Louis, Missouri

in the amount of \$37,949.75

at the prices established under the American Association of Homes and Services for the Aging, contract #131482

Funding for this contract has been provided in budget account 013505/5030 – Warren Haven – Laundry – Operating Supplies

MINUTES**November 10, 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

RESOLUTION 762-04

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 27, 2004

RESOLUTION RE: AWARD OF A PURCHASE ORDER TO THORNBERRY LIMITED TO PROVIDE COMPUTER SOFTWARE, TRAINING AND LICENSING ON SPECIAL LICENSED NDOC HOME CARE SYSTEM COMPUTER SOFTWARE FOR THE WARREN COUNTY PUBLIC HEALTH NURSING AGENCY IN THE TOTAL AMOUNT OF \$42,180.00.

WHEREAS, it has been recommended that the county issue a purchase order for NDOC Home Care System Computer Software 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 Thornberry Limited, of Lancaster, Pennsylvania for providing computer software on licensed products for the Warren County Public Health Nursing Agency

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 Thornberry Limited, of Lancaster, Pennsylvania.
 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 trust account 19330/5710 – PHNA Nursing Trust Account

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 763-04

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 27, 2004

RESOLUTION RE: APPROVING CHANGE ORDER #2 FOR CONTRACT WC0195CA COUNTYWIDE STRATEGIC GROWTH PLAN WITH GROWTH AND TRAFFIC IMPACT ANALYSIS & TRANSPORTATION PLAN FOR THE WARREN COUNTY PLANNING DEPARTMENT WITH EDWARDS AND KELCEY, OF MORRISTOWN, NEW JERSEY FOR TEN YEAR BUILD OUT FORECASTS FOR TRANSPORTATION AND LAND USE IMPACTS, A NET INCREASE OF \$15,935.00 AND A FINAL CONTRACT AMOUNT OF \$277, 419.14.

MINUTES**November 10, 2004**

WHEREAS, Edwards and Kelcey of Morristown, New Jersey were awarded a Countywide Strategic Growth Plan for the Warren County Planning Department in the contract amount of \$244,984.14; and

WHEREAS, there is a need to study the ten year build out impacts on transportation and land use impacts on the County for the Warren County Planning Department; and

WHEREAS, this change in award will result in a net increase of \$15,935.00 and a final contract amount of \$277,419.14

WHEREAS, adequate funds have been established in budget account 011800/5028 – Planning Professional Consultants and Special Services and approved and certified by the County C.F.O.

NOW THEREFORE BE IT RESOLVED, that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve Change Order #2 for the above contract for a net increase of \$15,935.00 and a final Contract in the amount of \$277,419.14

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 764-04

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 27, 2004

**RESOLUTION AWARDED CONTRACT #WC0494P TO MASER CONSULTING, P.A. FOR
ENGINEERING SERVICES FOR THE RECONSTRUCTION OF COUNTY BRIDGE #09003
GAISLER ROAD OVER JACKSONBURG CREEK,
HARDWICK TOWNSHIP IN THE AMOUNT OF \$65,846.38.**

WHEREAS, there exists a need for Engineering Services for the Reconstruction Warren County Bridge #09003, Gaisler Road over Jacksonburg Creek, Hardwick Township; and

WHEREAS, the proposal submitted by Maser Consulting P.A. meets the needs of the program, price and other factors considered in the amount of 65,846.38.

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 and 0404A301 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. The agreement between the Board of Chosen Freeholders of the County of Warren and Maser Consulting, P.A. of Hackettstown, New Jersey for professional engineering services for the above project in the amount of \$65,846.38, 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.

MINUTES**November 10, 2004**

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 765-04

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 27, 2004

**RESOLUTION APPOINTING A PRIVACY OFFICER AND PRIVACY OFFICER DESIGNEES
IN ACCORDANCE WITH THE HEALTH INSURANCE PORTABILITY
AND ACCOUNTABILITY ACT OF 1996.**

WHEREAS, the Board of Chosen Freeholders of the County of Warren has acknowledged its legal responsibility to comply with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the regulations promulgated thereto, and must develop and implement an effective Privacy Compliance Program; and

WHEREAS, the Privacy Compliance Program requires the appointment of a Privacy Officer and Privacy Officer Designees; and

WHEREAS, the Board of Chosen Freeholders having reviewed the Privacy Officer Position Description, which lists the required duties and skills;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Chosen Freeholders does hereby appoint effective November 15, 2004:

Barry W. Smith, Information Systems Director, to be the Privacy Officer of Warren County; Laura Decker, Assistant Nursing Home Administrator, to be the Privacy Officer Designee for the Department of Long Term Care Services; Claude Mitchell, Chief Sanitary Inspector, to be the Privacy Officer Designee for the Division of Environmental Health; Dorothy Harth, County Division Head, to be the Privacy Officer Designee for the Division of Personal Health Services; Jerry Coyle, Personnel Director, to be the Privacy Officer Designee for the Department of Personnel; and Karen Kubert, Director of Human Services, to be the Privacy Officer Designee for the Department of Human Services.

BE IT FURTHER RESOLVED, that the Board of Chosen Freeholders authorizes the Freeholder Director to name an interim Privacy Officer Designee should the named Privacy Officer Designee resign, become disabled, or otherwise be unable to perform the duties. Said interim appointment will be until the Board of Chosen Freeholders, by resolution names a Privacy Officer Designee; and

BE IT FURTHER RESOLVED, that the Privacy Officer Designee will assist the Privacy Officer to carry out the duties as set forth in Warren County's Privacy Compliance Program and that all employees of Warren County will be informed of the importance of adherence to the Privacy Compliance Program and the importance of their cooperation with the Privacy Officer or their Designee.

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

November 10, 2004

RESOLUTION 766-04

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 27, 2004

RESOLUTION CREATING A TEMPORARY FULL-TIME POSITION OF HUMAN SERVICES SPECIALIST IV, CLASSIFIED, IN THE WARREN COUNTY HUMAN SERVICES DEPARTMENT, DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a temporary full-time position of *Human Services Specialist IV*, classified, is created in the Warren County Human Services Department, Division of Temporary Assistance and Social Services for training purposes as permitted by County policy.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a temporary full-time position of *Human Services Specialist IV* is created and established on Range 22 of the agreement between the Board of Chosen Freeholders and the Communication Workers of America, and be made effective on November 15, 2004, and

BE IT FURTHER RESOLVED that this temporary position of *Human Services Specialist IV* be abolished on November 30, 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

RESOLUTION 767-04

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 27, 2004

RESOLUTION CREATING A TEMPORARY FULL-TIME POSITION OF GRADUATE NURSE PUBLIC HEALTH, CLASSIFIED, IN THE WARREN COUNTY HEALTH DEPARTMENT, DIVISION OF PUBLIC HEALTH NURSING SERVICE.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a temporary full-time position of *Graduate Nurse Public Health*, classified, is created in the Warren County Health Department, Division of Public Health Nursing Service for training purposes as permitted by County policy.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *Graduate Nurse Public Health* is created on Step 2 of the *Graduate Nurse Public Health* range as promulgated in the collective bargaining agreement between the Communication Workers of America and the Warren County Board of Chosen Freeholders, and made effective November 18, 2004.

BE IT FURTHER RESOLVED that this temporary position of *Graduate Nurse Public Health* be abolished on December 2, 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

RESOLUTION 768-04

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 27, 2004

MINUTES**November 10, 2004****RESOLUTION CREATING A FULL-TIME POSITION OF CONFIDENTIAL ASSISTANT, UNCLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF DATA PROCESSING TECHNICIAN, CLASSIFIED, WITHIN THE WARREN COUNTY FINANCE DEPARTMENT.**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of Confidential Assistant, Unclassified, is created in the Warren County Finance Department in compliance with N.J.A.C. 11A:3-5(m) for the purpose of enhancing the efficiency and effectiveness of operations and that said position is created and established on Salary Grade 11 and made effective November 4, 2004.

BE IT FURTHER RESOLVED that a full-time position of Data Processing Technician, Classified, AFSCME 3287 Range 11, is hereby abolished effective November 4, 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, County Counsel Joseph Bell reported that two days ago, he had appeared at New Jersey Supreme Court as a direct result of an appeal regarding a tort claim notice requirement that emanated from Warren County. He said he thought the argument went well and he will keep the Board informed of developments as they unfold.

County Engineer Dave Hicks had no report, but Mr. Gardner inquired as to how things are going with flood damage. Mr. Hicks said a Department of Environmental Protection (DEP) Representative had come to look at Lomasson Glen Road. The meeting was positive. The plan is to reset the banks of the stream so that it is as natural as possible. People from stream encroachment and Fish & Wildlife were receptive to the County's plans and helpful. The goal is to at least get the road stabilized from the bottom of the hill and up around the corner. The road will be one lane for approximately 200-300 feet. The road will then be safer for traffic, especially in the wintertime. Preliminary costs have been submitted to the Department of Transportation (DOT) so they can submit them to Federal Highway for their emergency relief funds. Mr. Hicks said the Engineering Department is still trying to define all of the costs and damages to obtain federal authorization. The culvert in Mansfield is almost complete. The County crews have been working on the Gaisler Road Bridge. The design work will then be done to get it replaced, hopefully in 2005. "It's going to take time."

County Planner Dave Dech reported that 14 or 15 municipalities in the county had attended a cross-acceptance meeting recently and that the meeting went well. Population projections were discussed. Some municipalities thought they were a bit high.

Mr. Chamberlain asked how Liberty Township, which is entirely in the Highlands Core area, would be handled since they cannot take growth.

Mr. Dech said the area would be rezoned for the land to grow as a residential area, eight acres per housing unit as a density. That is roughly what is needed to fall under the threshold of a quarter acre of impervious coverage. A factor was applied to try and slow rate of growth in the preserved area, but it is not an exact science and we need to "tinker with that".

Mr. Gardner mentioned a special program regarding cross-acceptance held in the past with Shirley Bishop from Council on Affordable Housing (COAH), and asked if some of the present requirements have less impact than previous rounds.

MINUTES**November 10, 2004**

Mr. Dech replied that COAH will use the numbers in the state plan for the year 2015 which is why the municipalities are taking the numbers very seriously. They want to be sure that the numbers in the state plan are reasonable. There is an alternative, but the municipalities have to provide suitable justification to COAH for the numbers they come up with as to why they would be better than those in the state plan.

Mr. Gardner asked about the feedback from the municipalities and Mr. Dech said that was going well; municipalities are being picked up at recent meetings that had not previously responded. He is trying to communicate that time is of the essence.

Dan Olshefski, sitting in for County CFO Charles Houck, had nothing to report.

County Administrator Steve Marvin had a few hiring requests and also asked the Board to rescind a decision made three years ago in which it was decided to have the meetings of the Board of Chosen Freeholders video-recorded. There is a paper record as well as an audio recording of each meeting. The video is unnecessary. Mr. Bell assured the Board that there is no need for video as long as the other two recording methods are being maintained.

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Board approved abolishing the requirement to make and maintain videotapes of Board of Chosen Freeholder Meetings.

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

Under Freeholder Comments, Mr. DiMaio spoke of a meeting he will be attending on November 23rd with Dennis Deck, Assistant Commissioner of DOT in which comprehensive corridor studies will be discussed. Routes 22, 519 and the entire Route 57 corridor will be examined. Issues of traffic, congestion and safety need to be addressed.

Mr. Gardner asked about the reaction of Washington Township, Morris County, to this meeting.

Mr. DiMaio said at this point, they are still not in favor, but one of the purposes of the meeting is to try and convince them of the long-term benefits to the region and to open up some dialogue with the DOT.

The discussion continued in regard to Washington Township, Morris County, being opposed to a bypass concept from Route 57 to Route 46 and the fact that the Highlands Core Preservation Area had been restructured to accommodate new development in the area. An article in the October 31st Sunday Star-Ledger was mentioned. Mr. DiMaio conceded that if there ever were to be a connecting link, it would be in the preserved area near East Avenue.

Mr. Chamberlain had no comments.

Mr. Gardner mentioned the farewell address of our Governor earlier in the week and that it came "not too soon for most of us". Not only did he fail in his responsibility to inspire public trust, but his imprudent financial practices resulted in a lower state bond rating which is very significant. He transferred a greater tax burden to the taxpayers of the future, our children. "My kids are going to pay for his mistakes. Everybody's kids are going to pay for his mistakes." We have no choice, but to be frugal. With the lower bond rating, we have to

MINUTES

November 10, 2004

be more financially mindful than ever.

RESOLUTION 769-04

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, at 8:08 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 27, 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, 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

MINUTES**November 10, 2004**

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 November 10, 2004, that an Executive Session closed to the Public shall be held on November 10, 2004, at 8:08 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. Chamberlain, seconded by Mr. DiMaio, the Board adjourned Executive Session at 9:27 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, **THE BOARD REJECTED THE RECOMMENDED INTEREST ARBITRATION AWARD IN RE: WARREN COUNTY & PBA 331, PROSECUTOR'S DETECTIVES AND APPROVED MOVEMENT TO FULL INTEREST ARBITRATION PROCEEDINGS.**

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 9:29 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board