

MINUTES

FEBRUARY 23, 2005

The Board of Chosen Freeholders of the County of Warren met in regular session in its offices in the Wayne Dumont, Jr. Administration Building, Belvidere, New Jersey on February 23, 2005 at 8:40 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, Assistant County Counsel Nancy Gage 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 FEBRUARY 23, 2005 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.”**

PROCLAMATION 101-05

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 February 23, 2005

PROCLAMATION**“EXTENSION LIVING WELL” WEEK – MARCH 7-11, 2005.**

WHEREAS, the health and well-being of the family is crucial to the functioning of the nation and to providing adults and youth with the necessary skills and knowledge to help them achieve the best quality of life possible;

WHEREAS, physically, psychologically, socially and emotionally strong families provide strength for future generations.

WHEREAS, Extension is a nationwide network through the land grant universities, funded cooperatively through the Department of Agriculture, state governments and county governments;

WHEREAS, in New Jersey, Family and Community Health Sciences, Rutgers Cooperative Research and Extension is part of the nationwide Extension educational system of university educators, researchers, and staff who work through the New Jersey Agricultural Experiment Station of Rutgers Cook College, Rutgers – The State University. Rutgers Cooperative Research and Extension is funded cooperatively through the Warren County Board of Chosen Freeholders, State of New Jersey and U.S. Department of Agriculture;

WHEREAS, the Family and Community Health Sciences Department, Rutgers Cooperative Research and Extension of Warren County initiatives in nutrition, healthy lifestyles, food safety, health finances and environmental health, enable citizens to gain knowledge and skills to lead full and productive lives;

WHEREAS, Family and Community Health Sciences offers educational workshops, seminars, publications and a website to help families and individuals stay active and well;

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WHEREAS, the designation of "Extension Living Well Week" is a fitting tribute to the National Extension Association for Family and Community Health Sciences' professionals and local staff who provide education that is critical to the quality of life of adults, youth and families;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of Warren County that the second week of March, 2005, be designated as "Extension Living Well Week"; encouraging county residents to take advantage of the educational opportunities that Family and Community Health Sciences, Rutgers Cooperative Research and Extension offers in the community. These educators provide practical, research-based education that helps county residents in raising kids, eating right, staying healthy and living well.

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 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. DiMaio said this is the first time we are recognizing what is a broad-based service that touches many people.

Mr. Chamberlain said programs that promote well-being are vital to our community. He offered congratulations to Mr. Noel Espinosa and Ms. Rebecca Hummer, who were present to accept the proclamation, as well as others who work in these areas.

Mr. Gardner spoke of having been a member of the Board of Managers of Rutgers Cooperative Research and Extension of Warren County for seven years and noted how much the organization has evolved over the years and how important and vital a role it plays.

Family & Community Health Sciences Interim Director Noel Espinosa mentioned the department's recent strategic re-focus onto issues regarding nutrition, food safety and environmental health.

Under Public Comments (Agenda Items Only), Mr. Charles Newcomb, a planning consultant with Banisch Associates of Flemington, approached the Board regarding Cross-Acceptance. He was representing an Oxford Township property owner and requested the Planning Board amend its plan to include this particular property. In 2004, Oxford Township had granted this property relief. An implementation agenda required the township to work with property owners that were adjacent to the center boundary to form cluster developments. Mr. Newcomb claimed the property in question was meeting the intent of the implementation agenda. He believed this was a matter of a parcel of property that should have been included, but was inadvertently excluded. He was asking the Planning Board to include this property in the center boundary extension that is taking place in the report for Oxford Township. A letter had been forwarded to the Board via the County Administrator and Mr. Newcomb has been in contact with County Planner Dave Dech regarding this issue.

Mr. Chamberlain asked if Oxford Township had accepted this proposal. Mr. Newcomb

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could not be sure because the committee had yet to meet.

Mr. Gardner requested Mr. Dech's opinion. Mr. Dech said additional correspondence has been received from numerous sources, particularly municipalities, regarding the Cross-Acceptance Report. He produced a replacement resolution to authorize transmittal of the report to the State to incorporate those additional items of correspondence. Regarding Oxford Township, he was of the opinion that the report should be amended to include this issue in the appendix as he had indicated in Appendix K. He realizes it is now late in the process as Mr. Newcomb himself had said.

Mr. Gardner said the way he understood it, approval is basically contingent upon the township. Mr. Dech affirmed the matter would not be pursued without approval from the town. Mr. Chamberlain said that was a concern. He was confused as to why Mr. Newcomb was here as an individual as opposed to going through the appropriate channels of the amendment process at the municipal level. Mr. Newcomb admitted "we missed the boat" in December when the Planning Board had their hearing. They had assumed everything was on track and upon accessing the report on the County website, realized the report did not include this property.

Mr. Dech recommended the matter be put into the appendix of the report and submitted to the State as a supplemental document to "get it on the table" pending a supportive resolution from the township. If no resolution is forthcoming, the item will be withdrawn.

Mr. Christopher Scirocco, an attorney from Frelinghuysen Township, approached as a representative of a landowner in Washington Township known as AJR Investments. He has been in contact with Mr. Dech and has attended the County Planning Board Meetings on Cross-Acceptance and his client is on record as objecting to Washington Township's de-designation of the 140 acre property known as the Brass Castle Tract. The matter is already included in the appendix of the Cross-Acceptance Report, but he is present tonight to reiterate AJR Investments' objection to the de-designation of the town center which includes exclusively its property, which has significant effect on the sewer. We are in litigation before Judge Coyle. The objection has been noted along the way; Mr. Scirocco had attending the January 20th and 31st hearings and was present to answer any questions the Board may have.

Mr. Gardner asked for confirmation from Mr. Dech, who confirmed Washington Township is the only township in Warren County to ask to modify its boundaries to remove itself as a town center. "So the entire center would be gone?" asked Mr. DiMaio. "Except for Washington Borough," replied Mr. Dech.

Mr. Terry Calandra, representing the Military Order of the Purple Heart, Chapter 700, Warren/Hunterdon Counties, stepped forward to discuss the resolution supporting the designation of Route 31 as the "Purple Heart Highway". He has been approached by several members to pursue this and Hunterdon County has already passed a resolution. He requested support in order to approach the Governor about the name change. Mr. Calandra cited the Board's past support of Veterans' issues. Mr. DiMaio said the resolution would be passed.

RESOLUTION 102-05

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

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on February 23, 2005

RESOLUTION TO PAY BILLS.

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payments No. 2005-5, 2005-6, 2005-7, and 2005-8 dated February 23, 2005** in the amount of **\$ 7,676,553.50** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

	2005-5	846,000.95
	2005-6	1,022,166.85
	2005-7	2,240,634.51
	2005-8	924,670.66
		\$ 5,033,472.97
Payroll	2/3/05	1,371,382.77
Payroll	2/17/05	1,271,697.76
		<u>\$ 2,643,080.53</u>
GRAND TOTAL		\$ 7,676,553.50

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, Gardner yes

RESOLUTION 103-05

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

**RESOLUTION TO EXCEED THE COUNTY TAX LEVY LIMITS AND TO ESTABLISH
A CAP BANK AS PER N.J.S.A. 40A:4-45.14.**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a county shall limit any increase in its county tax levy to 2.5% unless authorized by resolution to increase it to 3.5% over the previous year's county tax levy, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a county may, when authorized by resolution, appropriate the difference between the amount of its actual county tax levy and the 3.5% percentage rate , subject to certain exceptions, as an exception to its final county tax levies in either of the next two succeeding years; and,

WHEREAS, the Board of Chosen Freeholders of the County of Warren finds it advisable and necessary to increase its CY 2005 budget by up to 3.5%, subject to certain exceptions, over the previous year's final county tax levy, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Board of Chosen Freeholders hereby determines that a one percent (1%) increase in the budget for said year, amounting to \$ 223,517 in excess of the increase in final county tax levy otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Board of Chosen Freeholders hereby determines that any amount authorized hereinabove that is not levied as part of the final budget shall be retained as an exception to final county tax levy limitation in either of the next two succeeding years.

NOW THEREFORE BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2005 budget year, the of the County of Warren

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shall, in accordance with this resolution and N.J.S.A. 40A: 4-45.14, be increased by one percent (1%), amounting to \$ 223,517, and that the CY 2005 county budget for the Warren be approved and adopted in accordance with this resolution; and,

BE IT FURTHER RESOLVED, that any that any amount authorized hereinabove that is not levied as part of the final budget shall be retained as an exception to final county tax levy limitation in either of the next two succeeding years; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

APPROVED ON FIRST READING, February 23, 2005

RECORDED VOTE: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes

APPROVED ON SECOND READING, March 23, 2005

RECORDED VOTE: Mr. Chamberlain Mr. DiMaio Mr. Gardner

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 of Chosen Freeholders

NOTICE OF PENDING RESOLUTION STATEMENT

The resolution published herewith was introduced and adopted upon first reading at a meeting of the Board of Chosen Freeholders of the County of Warren, State of New Jersey held on **February 23, 2005** and will be further considered for final passage, after public hearing thereon, at a meeting of said Board of Chosen Freeholders to be held at the Wayne Dumont Administration Building, 165 County Road 519 So., Belvidere (White Township), New Jersey on **March 23, 2005** at 7:30 pm.

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 104-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION INTRODUCING THE ANNUAL BUDGET OF THE COUNTY OF WARREN FOR THE FISCAL YEAR 2005.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the County Budget for the year 2005

Total Appropriations:	\$ 92,121,898.88
Less Anticipated Revenues	- \$ 37,510,027.88
Amount to be raised by	
Taxation-County Purpose Tax	\$ <u>54,611,871.00</u>

BE IT FURTHER RESOLVED, that said budget shall be published in The Star Ledger in the issue of March 9, 2005 and that notice is hereby given that the Budget and Tax

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Resolution is hereby approved by the Board of Chosen Freeholders of the County of Warren on February 23, 2005.

BE IT FURTHER RESOLVED, that a Hearing on the Budget and Tax Resolution will be held at the Wayne Dumont, Jr. Administration Building, Freeholders Meeting Room, 165 County Route 519 South, Belvidere, NJ on Wednesday, March 23, 2005 at 7:45 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2005 may be presented by taxpayers or other interested persons.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 105-05

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION TO TRANSFER 2004 RESERVED APPROPRIATIONS.

WHEREAS, NJSA 40A:4-59 states that transfers can be made to Reserved Appropriations through March 31, 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	\$ 97,500.00
VARIOUS DEPARTMENTS, OE	<u>28,000.00</u>
	\$125,500.00

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

VARIOUS DEPARTMENTS, S&W	\$118,000.00
VARIOUS DEPARTMENTS, OE	<u>7,500.00</u>
	\$125,500.00

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 transfers in the 2004 Reserved Appropriations be made:

		<u>TO</u>	
013550	R5042	MENTAL HEALTH, OE	\$ 1,000.00
011250	R5011	BOARD OF ELECTIONS, S&W	9,000.00
011550	R5011	COUNTY COUNSEL, S&W	7,500.00
012521	R5011	PUBLIC SAFETY, S&W	13,000.00
011300	R5011	TREASURERS/CFO, S&W	28,000.00
012900	R5011	ROAD, S&W	40,000.00
012700	R5032	SHERIFF, OE	2,000.00
014470	R5070	UTILITIES (FUEL OIL) OE	6,000.00
013150	R5100	MOTOR POOL OE	<u>19,000.00</u>
			\$125,500.00

		<u>FROM</u>	
014250	R5011	PROV. FOR SALARY ADJ.	116,000.00
012700	R5011	SHERIFF S&W	2,000.00
011550	R5100	COUNTY COUNSEL OE	<u>7,500.00</u>
			\$125,500.00

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

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

Steve Marvin Clerk of the Board

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

RESOLUTION 106-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

**RESOLUTION OPPOSING ASSEMBLY BILL 2806 AND SUPPORTING ASSEMBLY BILL 1549
IN RE: OPERATING COSTS OF THE COUNTIES' PROSECUTORS' OFFICES.**

WHEREAS, the cost of maintaining and operating the County Prosecutor's Office is a burden on all local County governments, diverting County tax dollars from other County functions which are more properly of a local governmental nature; and

WHEREAS, the prosecution of crime is a state-wide function; and

WHEREAS, Prosecutors are Constitutional Officers who function independently of any direct control by County Government; and

WHEREAS, State assumption of County Prosecutors' Offices would result in a more equitable distribution of State resources and a more efficient crime fighting effort; and

WHEREAS, the assumption of the operating costs of the County Prosecutors' Offices by the State would result in property tax relief for all County residents; and

WHEREAS, Assembly Bill 2806 provides for the assumption by the State of New Jersey of the cost of operation of the County Prosecutors' Offices only in Essex, Hudson, Camden and Mercer Counties in phases over an eight year period from 2005 through 2012; and

WHEREAS, the remaining seventeen (17) Counties in the State would be excluded from the benefits of this program under the above legislation; and

WHEREAS, Assembly Bill 1549 provides for assumption by the State of New Jersey of operating costs of the County Prosecutors' Offices in all twenty-one (21) Counties in the State of New Jersey;

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. That this Board opposes the adoption by the State Legislature and the execution by the State Governor of Assembly Bill 2806 unless it is modified to include all the Counties in the State of New Jersey.
2. That the State Legislature is urged to modify A-2806 as requested or reject it as currently submitted and the Governor of the State of New Jersey is urged to veto A-2806 unless the requested modifications are enacted, should it be adopted in its present form by the Legislature.
3. That the State Legislature, in lieu of modifying A-2806, is urged to adopt and the Governor to execute instead, A-1549, which would relieve all twenty-one (21) Counties in the State of New Jersey of the fiscal burden of supporting the County Prosecutors' Offices.
4. That a copy of this resolution be sent to our local State Representatives and to the Speaker of the Assembly and to the Honorable Governor of the State of New Jersey, Richard J. Codey.
5. That a copy of this resolution be sent to all the other Boards of Chosen Freeholders in the State of New Jersey to urge them to adopt and distribute similar resolutions.

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

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

RESOLUTION 107-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

**RESOLUTION AUTHORIZING THE TRANSMITTAL OF THE WARREN COUNTY REPORT ON
CROSS-ACCEPTANCE III DATED FEBRUARY 4, 2005 TO THE
STATE PLANNING COMMISSION.**

WHEREAS, the State Planning Act of 1985 created the New Jersey State Planning Commission and required the Commission to prepare and adopt a State Development and Redevelopment Plan (SDRP); and,

WHEREAS, the State Planning Act requires the review of the SDRP every three years after adoption through a process known as cross-acceptance; and,

WHEREAS, the Office of Smart Growth established rules and procedures for conducting cross-acceptance that were to be followed by all counties in the State; and,

WHEREAS, a written narrative summarizing the review of the SDRP by each municipality that participated and the county was included in the draft Cross-Acceptance Report on Cross-Acceptance III dated January 11, 2005; and,

WHEREAS, a public hearing on the draft Cross-Acceptance Report was held on January 20, 2005 for which oral and written comments were taken and then considered by the Warren County Planning Board at its January 31, 2005 meeting; and,

WHEREAS, the County Planning Board considered the written and oral comments submitted and modified the January 11, 2005 report and reissued the report dated February 4, 2005; and,

WHEREAS, additional written correspondence has been received from Allamuchy Township, Alpha Borough, Hope Township, Lopatcong Township, Washington Borough, Washington Township and White Township, as well as, from Banisch Associates on behalf of FDRD, LLC concerning property in Oxford Township; and,

WHEREAS, the additional written correspondence received is to be included in a new Appendix K, titled Written Correspondence Received after January 31, 2005, and are to be considered as potential negotiable items during the Negotiation Phase of Cross-Acceptance.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders that the Planning Director is authorized to transmit the Warren County Report on Cross-Acceptance III dated February 4, 2005 and as amended on February 23, 2005 to the State Planning 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 108-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

**RESOLUTION AUTHORIZING THE APPLICATION FOR FUNDING UNDER THE PUBLIC
ARCHIVES AND RECORDS INFRASTRUCTURE SUPPORT (PARIS) GRANT PROGRAM AS
ADMINISTERED BY THE STATE OF NEW JERSEY, DEPARTMENT OF STATE, DIVISION OF
ARCHIVES AND RECORDS MANAGEMENT.**

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WHEREAS, Warren County, as required by the New Jersey Administrative Code, under Title 15, Department of State, Chapter 3, Records Retention, must administer a records management program; and

WHEREAS, New Jersey, through the Department of State, Division of Archives and Records Management, has made PARIS grants available to assist county and municipal governments in their records management, preservation, and storage efforts; and

WHEREAS, the Board of Chosen Freeholders of Warren County is acknowledging and accepting the responsibility of acting as applicant for this grant; and

WHEREAS, the Board of Chosen Freeholders of Warren County has agreed to apply for a PARIS Grant in the amount of \$1,100,000.00; and

WHEREAS, the purpose of this grant is to improve Warren County's capabilities in the provision of the management, storage, and preservation of public records, and to assist in the development of a strategic plan to further enhance records management processes.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of Warren County that Warren County does hereby apply for a PARIS Grant for the purpose cited above.

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 109-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE THE SUBCONTRACT AGREEMENT FOR FISCAL YEAR 2005 SUBREGIONAL TRANSPORTATION PLANNING WORK PROGRAM BETWEEN THE NEW JERSEY INSTITUTE OF TECHNOLOGY, THE NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC. AND THE COUNTY OF WARREN IN THE AMOUNT OF \$51,904.

WHEREAS, in order to improve subregional or county transportation planning, the New Jersey Department of Transportation has initiated a program to pass Federal Highway Administration and existing state and regional planning efforts; and

WHEREAS, this subregional transportation planning effort is aimed at developing staff capability and improving institutional systems in the Warren County Planning Department; and

WHEREAS, this Subregional Transportation Planning Program is jointly administered by the New Jersey Institute of Technology and the North Jersey Transportation Planning Authority, Inc., (NJIT/NJTPA), and has been undertaken in Warren County by the Warren County Planning Department; and

WHEREAS, this marks the twenty-eighth year the Warren County Planning Department will be participating in the program; and

WHEREAS, Warren County's proposed Subregional Transportation Planning Work Program for Fiscal Year 2005 follows a specific program designed jointly by the Warren County Planning Department, New Jersey Institute of Technology, and the North Jersey Transportation Planning Authority, Inc.; and

WHEREAS, Warren County's proposed Subregional Transportation Planning Work Program for Fiscal Year 2005 has been approved by the NJIT/NJTPA; and

WHEREAS, the NJIT/NJTPA allocated \$51,904 for the Subregional Transportation Planning Program as outlined in Volume II of the FY 2005 Unified Work Program; and

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WHEREAS, the NJIT/NJTPA allocated \$51,904 to the Core element of the Warren County Fiscal Year 2005 STP Program; and

WHEREAS, under the subcontract, Warren County is hereby authorized to incur costs, starting July 1, 2004 and ending June 30, 2005 to a maximum of \$51,904; and

WHEREAS, this amount consists of Federal Highway Administration and Federal Transit Administration planning funds of \$41,523.20 (80%) and \$10,380.80 (20%) Warren County in-kind match; and

WHEREAS, the funding level and the contract agreement are subject to adjustment based on review and audit of Warren County's FY 2003 STP Program performance and the availability of federal funds;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The agreement for subregional transportation planning for FY 2005 between the County of Warren, the New Jersey Institute of Technology, and the North Jersey Transportation Planning Authority, Inc., is approved subject to adjustment based on review and audit of the FY 03 Program performance and availability of federal funds.
2. The Freeholder Director is hereby directed to execute said agreement.
3. Costs incurred under this contract shall not exceed \$51,904.

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 110-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION DESIGNATING THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF CONTRACT ADMINISTRATION, AS THE DIVISION OF ADMINISTRATION.

WHEREAS, on June 26, 2002, the Warren County Board of Chosen Freeholders reorganized the Warren County Department of Human Services and established the Division of Contract Administration; and

WHEREAS, the Department recognizes that the current activities and responsibilities of the Division of Contract Administration would be more appropriately reflected with a re-designation as the Division of Administration.

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders does hereby approve the re-designation of the Warren County Department of Human Services, Division of Contract Administration, as the Division of Administration.

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 111-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION TO ACCEPT THE OBLIGATIONS UNDER GRANT/LOAN AGREEMENT NO. 05-2630-00 FOR A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF \$400,000 TO CARRY OUT A PROJECT TO REHABILITATE DWELLING

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UNITS IN WARREN COUNTY TARGET AREAS.

WHEREAS, the County of Warren applied for and received a grant from the New Jersey Department of Community Affairs in the amount of \$400,000 to carry out a project to rehabilitate dwelling units in Warren County target areas;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board of Chosen Freeholders of the County of Warren does hereby accept the obligations under Grant/Loan No. 05-2630-00 in the amount of \$400,000; and
2. Authorizes the Freeholder Director and County Administrator to sign the Agreement and any other documents necessary in connection therewith.

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 112-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

**RESOLUTION SUPPORTING THE DESIGNATION OF ROUTE 31
AS THE "PURPLE HEART HIGHWAY".**

WHEREAS, the Purple Heart is the nation's oldest military decoration, established on August 7, 1782, during the Revolutionary War by General George Washington, who traveled throughout this area as New Jersey was the Crossroads of the American Revolution; and

WHEREAS, the Purple Heart is awarded in the name of the President of the United States to any member of an Armed Force or any civilian national of the United States who, while serving under competent authority in any capacity with one of the U.S. Armed Services, has been wounded or killed as a result of military action; and

WHEREAS, the Military Order of the Purple Heart, Chapter 700, Hunterdon/Warren Counties, is seeking to have Route 31 renamed the "Purple Heart Highway" in honor of all the United States Armed Service personnel who have been awarded or will be awarded the Purple Heart;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Chosen Freeholders of the County of Warren supports the designation of Route 31 as the "Purple Heart Highway."

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 he was glad to see the resolution opposing Assembly Bill 2806 and supporting Assembly Bill 1549 regarding operating costs of the Counties' Prosecutors' Offices. Essentially, Assembly Bill 2806 provides for the assumption by the State of New Jersey, the cost of operating the County Prosecutors' Offices in only Essex, Hudson, Camden and Mercer Counties. Assembly Bill 1549 provides for assumption by the State of operating costs of the County Prosecutors' Offices in all 21 counties in the State of New Jersey. "If this passes, it's just another extraction of money from the rural areas of the state to the cities," said Mr. DiMaio. We are unfairly treated time and time again. Mr. Marvin said Bill 2806 has already passed committee and he has every expectation it will "fly through both houses" and be signed by the Governor.

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Mr. DiMaio said the people of the other 17 counties of the state should protest this. Our income and sales taxes collected by the State are going to pay for four Counties' Prosecutors' Offices while we have to support our own. "We should organize some sort of a march on Trenton because this is bad," said Mr. DiMaio. Mr. Gardner asked Mr. Marvin how, with so many people adamantly opposed to 2806, is it possible for the bill to pass so easily? Mr. Marvin replied he would not say the majority of the Assembly is opposed to 2806. When you look at the population densities across those four counties and the number of legislative districts (and legislators), that is why we have a solidly Democratic majority in both houses of the Legislature and in the Governor's seat. As long as they can reach into the pockets of those in the minority, they will continue to do so.

This is about underwriting the budgets of those four counties. Based on a survey by the New Jersey Association of Counties (NJAC), other than Atlantic County, said Mr. Marvin, Warren County has the highest cost per capita.

Mr. DiMaio expressed his disgust with state spending and reiterated his objection to Assembly Bill 2806, saying we should organize the counties and "go down there and protest".

RESOLUTION 113-05

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE REPLACEMENT OF WARREN COUNTY CULVERT #16045, VALLEY ROAD OVER A TRIBUTARY TO THE POHATCONG CREEK, MANSFIELD TOWNSHIP CONTRACT #WC0511.

BE IT RESOLVED that the plans and specifications for Contract #WC0511 for the Replacement of Warren County Culvert #16045, Valley Road over a Tributary to the Pohatcong Creek, Mansfield Township are hereby approved.

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

THE STAR LEDGER**TENTATIVE SCHEDULE**

ADVERTISING DATE - THURSDAY, MARCH 3, 2005

BIDS TO BE RECEIVED -TUESDAY, APRIL 5, 2005

AWARD DATE - WEDNESDAY, APRIL 13, 2005

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 114-05

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

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**RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE
ADVERTISEMENT FOR BIDS FOR THE 2005 MAINTENANCE, REPAIR AND CONSTRUCTION
MATERIALS FOR ROAD, BRIDGE AND MAINTENANCE DEPARTMENTS,
WARREN COUNTY – CONTRACT #WC0517.**

BE IT RESOLVED, that the plans and specifications for the following Maintenance, Repair and Construction Materials:

- | | |
|---|--|
| 1. 3/8" Broken Stone | 8. Bituminous Surface Course, Mix I-5 |
| 2. 1/4" Broken Stone | 9. Bituminous Stabilized Base, Mix I-2 |
| 3. Abrasive Grits | 10. UPM High Performance Bit. Cold Patch |
| 4. Large Gradation Broken Stone
& Rock Various Sizes | 11. Corrugated Polyethylene Pipe |
| 5. Dense Graded Aggregate | 12. Concrete Disposal |
| 6. Curb Mix | 13. Asphalt Disposal |
| 7. Emulsified Asphalt | |

for the Warren County Road, Bridge and Maintenance Departments for the 2005-2006 construction year are hereby approved.

BE IT FURTHER RESOLVED, that the Director of Purchasing is hereby directed to advertise for proposals for the above project at least ten (10) days prior to the receipt of bids in

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papers printed in the County.

TENTATIVE SCHEDULE

**ADVERTISING DATE - Thursday, March 3, 2005
BIDS TO BE RECEIVED - Thursday, March 31, 2005
AWARD DATE - Wednesday, April 27, 2005**

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 115-05

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

**RESOLUTION RE: APPROVAL OF SPECIFICATION WC0514 AND AUTHORIZATION TO
ADVERTISE FOR BIDS FOR JANITORIAL SERVICE AT COUNTY LIBRARIES FOR THE PERIOD
OF MAY 1, 2005 THROUGH APRIL 30, 2006.**

BE IT RESOLVED, that specification WC0514 for janitorial service at Warren County Library locations is hereby approved

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

Funding for this contract will be provided in budget account 153908/5024 – Library Facility Maintenance, Repair and Cleaning

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

Steve Marvin Clerk of the Board

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

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RESOLUTION 116-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT #WC0441P-4 WITH MEDINA CONSULTANTS, P.C. FOR ENGINEERING SERVICES FOR THE INSPECTION OF THE REPLACEMENT OF COUNTY BRIDGE #05087, COUNTY ROUTE #633 (EDISON ROAD), OVER THE POHATCONG CREEK, FRANKLIN TOWNSHIP FOR A NET INCREASE OF \$6,960.00 AND A REVISED CONTRACT AMOUNT OF \$30,160.00.

WHEREAS, Medina Consultants, P.C. was awarded a contract for Engineering Services for the Inspection of the Replacement of County Bridge #05087, County Route #633, (Edison Road) over the Pohatcong Creek, Franklin Township in the amount of \$23,200.00; and

WHEREAS, additional inspection hours are needed to complete the project for a net increase of 6,960.00; and

WHEREAS, said changes were recommend 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 \$6,960.00 and a revised contract amount of \$ 30,160.00.
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

RESOLUTION 117-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION APPROVING CHANGE ORDER #2 FOR CONTRACT #WC0459 WITH TILCON NEW YORK, INC. FOR THE RESURFACING & REHABILITATION OF COUNTY ROUTES #629, #632, #641, #642 & #644, ALPHA BOROUGH, FRANKLIN, GREENWICH, MANSFIELD, POHATCONG & WASHINGTON TOWNSHIPS FOR A NET DECREASE OF \$483.46 AND A FINAL CONTRACT AMOUNT OF \$1,494,683.79.

WHEREAS, Contract #WC0459 was awarded to Tilcon New York, Inc. for the Resurfacing & Rehabilitation of County Routes #629, #632, #641, #642 & #644, Alpha Borough, Franklin, Greenwich, Mansfield, Pohatcong & Washington Townships in the

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revised amount of 1,494,167.25; and

WHEREAS, final as built quantities resulted in a net decrease of \$483.46; and

WHEREAS, said changes were recommended by the County Engineer.

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 project with Tilcon New York, Inc. for a net decrease of \$483.46 and a final contract amount of \$1,494,683.79.

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 118-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION AWARDED CONTRACT #WC0446P TO KELLER & KIRKPATRICK, INC. FOR ENGINEERING/SURVEYING SERVICES FOR THE RECONSTRUCTION OF WARREN COUNTY BRIDGE #2102215, COUNTY ROUTE #623, (BRASS CASTLE ROAD) OVER THE POHATCONG CREEK, WASHINGTON TOWNSHIP, LOCAL LEAD-FINAL DESIGN PHASE IN THE CONTRACT AMOUNT OF \$153,396.00.

WHEREAS, the County of Warren received proposals on Tuesday, July 20, 2004 for the Engineering/Surveying Services for the Reconstruction of County Bridge #22015, County Route #623, (Brass Castle Road) over the Pohatcong Creek, Washington Township, Local Lead, Final Design Phase; and

WHEREAS, Keller & Kirkpatrick, Inc. of Parsippany, New Jersey have been selected as the most qualified proposal by the Technical Evaluation Committee; and

WHEREAS, the proposal submitted by Keller & Kirkpatrick, Inc. meets the needs of the program, price and other factors considered; and

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

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

WHEREAS, adequate funds are available per Task Order #LA01-04-09 between the New Jersey Department of Transportation and the County of Warren.

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 Keller & Kirkpatrick, Inc. of Parsippany, New Jersey for professional services for the above project in the amount of \$153,396.00, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.

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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 119-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION AWARDING CONTRACT #WC0513P TO CHERRY, WEBER & ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR THE FINAL DESIGN PHASE FOR FLOOD REPAIRS TO COUNTY ROUTE #626 (LOMMASON GLEN RD.) WHITE TOWNSHIP IN THE AMOUNT OF \$66,785.00.

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 Final Design Phase 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 66,785.00.

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 account 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 \$66,785.00, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.

2. The Director is hereby authorized to execute said letter of agreement by signing same.

3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.

4. Notice of this action shall be published in The Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 120-05

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

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**RESOLUTION RE: AWARD OF CONTRACT WC0502 FOR THE LEASE OF
COUNTY PROPERTY (PROPERTY ADJACENT TO ADMINISTRATION BUILDING)
FOR FARMING FOR THE PERIOD OF APRIL 1, 2005 THROUGH MARCH 31, 2006
WITH THE RIGHT TO EXTEND FOR TWO ADDITIONAL YEARS TO
JIM SMITH FARMS, LLC FOR ANNUAL RENT IN THE AMOUNT OF \$800.00.**

BE IT RESOLVED, that Contract WC0502 for lease of county property for agricultural purposes in White Township identified as Block 21, Lot 14, approximately 20 acres is hereby awarded

toJim Smith Farms, LLC, Belvidere, New Jersey

annual rent of\$40.00 per acre for a total amount of \$800.00

as per his bid submittedFebruary 15, 2005

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

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 121-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

**RESOLUTION RE: AWARDING THE PROFESSIONAL SERVICES AGREEMENT WC0515R
FOR PSYCHIATRIC SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER TO
DR. MARYANNE DESANTIS FOR THE PERIOD OF APRIL 1, 2005 THROUGH MARCH 31,
2006, AT THE HOURLY RATE OF \$128.75 AND AN APPROXIMATE YEARLY AMOUNT OF
\$12,000.00.**

WHEREAS, there exists the need for the professional services of a Psychiatrist at the Warren County Correctional Center; 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 account 0125280/5029 – Correctional Center – Contracted Services 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 Dr. Maryanne DeSantis of Port Reading, New Jersey, for professional services for the above project, in the approximate amount of \$12,000.00 per letter of agreement currently on file in the Office of the Director of Purchasing, be made part of this resolution by

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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 122-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION RE: AWARD OF CONTRACT WC0516R TO CHENOA INFORMATION SERVICES OF EDISON, NEW JERSEY FOR BUSINESS CONTINUITY & DISASTER RECOVERY PLANNING SERVICES FOR THE COUNTY OF WARREN IN AN ESTIMATED AMOUNT OF \$210,000.00.

WHEREAS, there exists a need for business continuity and disaster recovery services and planning for the County of Warren; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a) et. seq.) requires a resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" 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 FURTHER RESOLVED by the Board of Chosen Freeholders of the County of Warren as follows:

1. An agreement with Chenoa Information Services of Edison, New Jersey for the aforesaid services, a copy of which is on file in the Office of the Director of Purchasing and is made a part hereof by reference, is hereby approved and shall be entered into by this Board.
2. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with 40A:11-5(1)(a) of the Local Public Contracts Law because the services required cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training and proven reputation in the field of endeavor are obtained.
3. A notice of this action shall be published in The Star Ledger.

Funding for this contract is provided in budget account 011400/5028 – Information Systems – Consultant 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

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RESOLUTION 123-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION RE: EXTENSION OF CONTRACT WC0301A FOR THE LEASE OF COUNTY PROPERTY (HAMLEN FARM) FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT FOR THE PERIOD OF APRIL 1, 2005 THROUGH MARCH 31, 2006 WITH BAUKE TJALMA, FOR ANNUAL RENT IN THE AMOUNT OF \$1,615.00.

BE IT RESOLVED, that Contract WC0301A for lease of county property for agricultural purposes in Greenwich and Lopatcong Townships, property identified as Block 23, Lot 7, and Block 98, Lot 2, approximately 38 acres is hereby awarded

to Bauke Tjalma, Phillipsburg, New Jersey
annual rent of \$42.50 per acre for atotal amount of \$1,615.00
as per his bid submittedMarch 4, 2003

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

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 124-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION RE: EXTENSION OF CONTRACT WC0302 FOR THE LEASE OF COUNTY PROPERTY (LANDFILL PROPERTY) FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT FOR THE PERIOD OF APRIL 1, 2005 THROUGH MARCH 31, 2006 WITH DON & JIM SMITH FARMS, FOR ANNUAL RENT IN THE AMOUNT OF \$1,121.64.

BE IT RESOLVED, that Contract WC0302 for lease of county property for agricultural purposes in White Township, Landfill property identified as Block 32, Lot 18, approximately 43.14 acres is hereby awarded

toDon & Jim Smith Farms, Belvidere, New Jersey
annual rent of \$26.00 per acre for atotal amount of \$1,121.64
as per his bid submittedFebruary 10, 2003

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

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

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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 125-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION RE: EXTENSION OF CONTRACT WC0308 FOR ELEVATOR MAINTENANCE TO THYSSENKRUPP ELEVATOR CORP., FOR THE PERIOD OF APRIL 1, 2005 THROUGH MARCH 31, 2006 FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(7) IN THE AMOUNT OF \$14,400.00 PER YEAR.

BE IT RESOLVED, that Warren County Contract WC0308 for elevator maintenance is hereby extended for the third and final year as provided by the Local Public Contract Law 40A:11-15(7) said contract is hereby extended for the period of April 1, 2005 through March 31, 2006

toThyssenKrupp Elevator Corp., Allentown, Pennsylvania

In the amount of\$14,400.00

as per their bid submitted.....February 24, 2003

Funding for this contract has been provided in budget accounts 013100/5029 – Buildings & Grounds Contracted Services, 013112/5029 – Buildings & Grounds Annex Contracted Services, and 013504/5029 – Warren Haven Maintenance Contracted Services

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

Steve Marvin Clerk of the Board

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

RESOLUTION 126-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION RE: EXTENSION OF CONTRACT WC0408 FOR PRESCRIPTION DRUG SERVICE AT THE WARREN COUNTY CORRECTIONAL CENTER TO BACH’S PHARMACY EAST FOR THE PERIOD OF APRIL 1, 2005 THROUGH MARCH 31, 2006 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 \$55,000.00, PER THE RATES IN THEIR PROPOSAL, ACTUAL AMOUNT TO BE DETERMINED BY USE.

BE IT RESOLVED, that Warren County Contract WC0408 for prescription drug services for the Warren County Correctional Center 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 April 1, 2005 through March 31, 2006

To..... Bach’s Pharmacy East, Pompton Plains, New Jersey

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In the amount of approximate amount \$55,000.00, actual amountto be determined by use

as per their bid submittedMarch 2, 2004

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

Regarding Item H5 on the agenda, Mr. Gardner said he had spoken to the County Administrator earlier and had been assured there would be ample opportunity to do whatever we need to do to the property.

RESOLUTION 127-05

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION APPOINTING MEMBER TO THE WARREN COUNTY MENTAL HEALTH BOARD.

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoints the following individual to the Warren County Mental Health Board.

Fonda M. Fonte Term to expire: 6/30/07
627 South Main Street
Phillipsburg, NJ 08865

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 128-05

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

RESOLUTION FOR APPOINTMENT OF A BUSINESS ASSOCIATE CONTRACT ADMINISTRATOR (HIPAA REQUIREMENT NAMING PURCHASING DIRECTOR CHRIS PESSOLANO).

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

WHEREAS, in order to effectively monitor the administration of the required Business Associate Agreement portion of the Privacy Compliance Program requires the appointment of a Business Associate Contract Administrator for Warren County; and

WHEREAS, the Board of Chosen Freeholders having reviewed the Business Contract Administrator Position Description, which list the required duties and skills;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Chosen Freeholders does hereby appoint Christopher J. Pessolano, Purchasing Director, to be the Business Associate

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Contract Administrator for Warren County, beginning on March 1, 2005; and

BE IT FURTHER RESOLVED, that the Board of Chosen Freeholders authorizes the Freeholder Director to name an interim Business Associate Contract Administrator should the named Business Associate Contract Administrator 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 Business Associate Contract Administrator; and

BE IT FURTHER RESOLVED, that the Business Associate Contract Administrator will vigorously carry out the duties as set forth in Warren County's Privacy Compliance Program

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

Steve Marvin Clerk of the Board

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

RECOMMENDATION

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following recommendation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

**RECOMMENDATION TO ACCEPT THE RESIGNATION OF DEBORAH J. BUTLER
FROM THE WARREN COUNTY ADVISORY COUNCIL ON DISABILITIES.**

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

Under Reports and Comments, Assistant County Counsel had none.

County Engineer Dave Hicks reported the second round of revised damage assessment reports have been submitted to FEMA for Hurricane Ivan claims. They can now be processed with the correct numbers and codes. They had given us different figures in the past. It's been a slow process.

County Planner Dave Dech said regarding the Solid Waste Management Plan Public Hearing, he requested a time be established for the hearing on the 23rd of March. Mr. Marvin said both the Special Services School District and the Vo-Tech Boards of School Estimate should be held on that night. He suggested the following schedule: Special Services at 6:00 p.m.; Vo-Tech at 6:30 p.m.; Regular Meeting at 7:30 p.m.; Public Hearing on the Budget at 7:45 p.m. and Solid Waste Management Plan Amendment Public Hearing at 8:30 p.m.

Mr. Gardner agreed the timing should work out. Mr. Marvin was to notify the two schools.

County CFO Charles Houck had no comments.

County Administrator Steve Marvin had only a few ordinary hiring requests and mentioned his notes on the other issues with the Boards of School Estimates.

Neither Mr. DiMaio nor Mr. Chamberlain made any closing comments.

Mr. Gardner mentioned an article in Monday's Star-Ledger on the State abusing its power of eminent domain in the Town of Bloomfield. The State is allowing a private developer to take advantage and revamp the area. "This falls into the same bailiwick as the Highlands legislation," said Mr. Gardner. Towns want to better themselves at the cost of the

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liberties of individuals and it's wrong.

RESOLUTION 129-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, at 9:17 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

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 or 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

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extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

8. *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.
9. *Matters Relating to the Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bearing responsibility

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders, assembled in public session on February 23, 2005 that an Executive Session closed to the Public shall be held on February 23, 2005, at 9:17 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 9:58 p.m. and returned to open session.

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

RESOLUTION 130-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 23, 2005

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

BE IT HEREBY RESOLVED by the Warren County Board of Chosen Freeholders that in accordance with N.J.S.A. App. A:9-42.1, Frank Wheatley is appointed to the position of Warren County Emergency Management Coordinator for a three year term effective March 15, 2005 through March 14, 2008; and

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

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

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, and there being no further business to come before the Board at this time, the meeting was adjourned at 9:59 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board