

MINUTES**MARCH 9, 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 March 9, 2005 at 7:32 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, 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 MARCH 9, 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."**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the Minutes of the Regular Session/Special Budget Meeting of February 12, 2005 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 Special Session with the Hunterdon County Board of Chosen Freeholders held on February 23, 2005 were approved.
Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the Minutes of the Executive Session with the Hunterdon County Board of Chosen Freeholders held on February 23, 2005 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 Regular Session held on February 23, 2005 were approved.
Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the Minutes of the Executive Session held on February 23, 2005 were approved.
Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes

Ms. Sharon Cooper of Brown & Brown approached the Board to read the Certificate of Appreciation from the Executive Committee of the Statewide Insurance Fund commending the County of Warren for their ongoing support and assistance to the Statewide Insurance Fund.

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Ms. Cooper also brought to the attention of the Board that in certain areas of the policy, the standard limit of liability is \$6 million, when perhaps it should be increased to \$10 million. In her opinion, the limits on the Employment Practices Liability Insurance (ELPI) should be looked at the closest. She also mentioned the fact that the amount of back pay insurance under the Public Official Liability Policy has decreased from \$50,000 to \$10,000.

Regarding vehicles owned by the County, Ms. Cooper said Statewide does endorsements on a quarterly basis and they did not have an accurate list of vehicles until now. There will probably be additional premiums now that the list has been updated. Mr. Marvin asked, "They didn't have the updated list we gave them in November?" Ms. Cooper said they have it now.

PROCLAMATION 131-05

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 March 9, 2005

**PROCLAMATION
HONORING REPORTER F. DAVID HOFF**

WHEREAS, lifelong Allamuchy Township resident F. David Hoff was editor of the school newspaper while a student at Hackettstown High School, served with the U.S. Navy during World War II, and earned a Bachelor's degree from Rutgers University, where he studied journalism;

WHEREAS, F. David Hoff began a career in newspapers in 1950, when he took a job with the former weekly paper called The Washington Star, where he worked for 12 years; and

WHEREAS, in 1962, he joined the Easton Express, now known as The Express-Times, working there for the rest of his career until retiring February 17, 2005; and

WHEREAS, Mr. Hoff earned a well-deserved reputation for accuracy, thoroughness, fairness and integrity during his lengthy career as he covered news in Warren County; and

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders congratulates F. David Hoff on his retirement, honors him for his service to the residents of Warren County and wishes him well in all his future endeavors.

Richard D. Gardner, Director
Board of Chosen Freeholders

John DiMaio, Deputy Director
Board of Chosen Freeholders

Everett Chamberlain, Freeholder
Board of Chosen Freeholders

I hereby certify the above to be a true copy of a 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. Gardner recalled memories of Mr. Hoff dating back to his high school days in the early 1970's and the controversy over the Tocks Island Dam Project. A lifelong resident of Warren County, Mr. Hoff always reported the news accurately. This proclamation is "due him", said Mr. Gardner.

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Mr. DiMaio said he has known Dave Hoff "since I was a young fella" and he always had a calm and mild approach. I wish him well, said Mr. DiMaio.

Mr. Chamberlain spoke of having known Mr. Hoff for 25 or 26 years. He had reported on all of the County Fair activities and on agricultural policy. He reported the facts in an unbiased way. I'm sad to see him retire, said Mr. Chamberlain, but it's nice to know he doesn't have to run to meetings anymore.

Public Information Officer Art Charlton accepted the proclamation in Mr. Hoff's absence, saying Mr. Hoff is a "shy fellow" when it comes to recognition and thanked the Board on his behalf.

Under Public Comments (Agenda Items Only), Mr. Robert Frey of Pohatcong came forward to express his support of the Board's decision to challenge the Highlands Water Protection and Planning Act along with the Hunterdon County Board. He spoke of his family having farmed in Pohatcong for over 240 years and providing food and now being forced to "provide cheap water to the cities". Nowhere in the Highlands legislation does it mention reimbursement. "Lenin and Stalin understood this," he said. Pohatcong Township's Mayor and Town Council endorse you and Hunterdon County, said Mr. Frey.

Mr. Sam Race approached to reiterate what Mr. Frey had expressed. He congratulated the Board on their attempts so far in fighting the Highlands Act, which is taking equity away from property owners. Appraisals on development value have been reduced by 80% and fee simple has decreased by about the same amount, according to Mr. Race. He commended the Board on their forethought, saying, "We're behind you one hundred percent."

Jerry Kern of Pohatcong Township also expressed his appreciation to the Board for challenging the Highlands Act. "Thank you all very much for keeping my last little respect for democracy. We stand behind you," he said.

Mr. Gardner responded by saying the very essence of democracy is to fight for liberty and prosperity and we have to do this for our own citizens.

Mr. DiMaio said from the beginning, his contention has been that this bill is taking peoples' property without compensation. Nothing in the legislation promotes water conservation and some systems are losing more than 18% of the water through leakage. A usage fee should be imposed and the proceeds should go into a fund for the purpose of paying property owners whose land is affected.

Mr. DiMaio spoke of having gone before the Senate Committee and Assembly to fight the bill. He expressed confidence in the abilities of County Counsel Joe Bell to "lead this charge in a great way." It can be won, he said. We will be utilizing a two-pronged approach: fighting it in court and trying to get the legislation changed.

Mr. Chamberlain agreed that this is definitely a matter of taking resources without compensation; the State is trying to usurp power. I believe very strongly in home rule, he said. We have to do this – someone who doesn't even live in our communities will be planning them. This has been a corrupt bill from the beginning that is not based on science. At least Hunterdon and Warren Counties are taking a stand. Mr. Chamberlain expressed appreciation for Hunterdon's support.

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Mr. Gardner alluded to Mr. Frey's earlier comment regarding socialism. He spoke of appearing before the Senate Appropriations Committee on June 10, 2004 and asking a member how he could have the audacity to vote on something for which there was no permanent source of funding. The individual's answer was that he thought there was enough money in the Garden State Preservation Trust. The way the Highlands Act has been forced upon us is not democracy. We need to go as far as we can with this fight, Mr. Gardner said.

Mr. Marvin had two extra press packets regarding this evening's Highlands action and gave one to Mr. Frey and one to Mr. Race. He obtained approval from the Board to send a press packet to each Warren County municipality.

RESOLUTION 132-05

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 March 9, 2005

RESOLUTION TO PAY BILLS.

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payments No. 2005-9, 2005-10 dated March 9, 2005** in the amount of **\$ 3,474,481.92** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2005-9	\$ 976,955.45
2005-10	\$ 1,194,209.84
Total	\$ 2,171,165.29
Payroll 3/3/2005	\$ 1,303,316.63
GRAND TOTAL	\$ 3,474,481.92

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 133-05

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 March 9, 2005

RESOLUTION TO EXPRESS THE APPRECIATION OF THE PEOPLE OF WARREN COUNTY TO THE HAUB FAMILY FOR THEIR GENEROUS SUPPORT OF HISTORIC PRESERVATION OF WARREN COUNTY TREASURES.

WHEREAS, Warren County is mindful of its long history of farming and the families that established the wonderful farmsteads, so few of which still remain; and

WHEREAS, one such complex of home, barns and farm buildings that exists in Harmony Township is probably the last complete grouping from the 1700's and early 1800's remaining in the state; and

WHEREAS, the Harmony Township Historic Preservation Commission is actively engaged in the stabilization and restoration of this outstanding example of farming; and

WHEREAS, Ervian and Helga Haub have become aware of the effort to preserve this link to Warren County's past and have generously contributed to the cost of this project;

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NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of Warren County, on behalf of the people of Warren County, express their deepest gratitude to the Haub Family for their selfless interest in this worthwhile project.

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 134-05

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 March 9, 2005

RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0413 WITH DENVILLE LINE PAINTING, INC. FOR 2004 PAVEMENT MARKINGS ON VARIOUS WARREN COUNTY ROADS FOR A NET DECREASE OF \$22,940.88 AND A FINAL CONTRACT AMOUNT OF \$165,259.62.

WHEREAS, Contract #WC0413 was awarded to Denville Line Painting, Inc. for the 2004 Pavement Markings on Various Warren County Roads in the contract amount of \$188,200.50; and

WHEREAS, final as-built quantities resulted in a net decrease of \$22,940.88; and

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

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve Change Order #1 for the above project with Denville Line Painting, Inc. for a net decrease of \$22,940.88 and a final contract amount of \$165,259.62.

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 135-05

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 March 9, 2005

RESOLUTION RE: OPPOSITION TO ASSEMBLY BILL 3529.

WHEREAS, current legislation provides that an employee who receives a disability pension and attempts to collect Worker's Compensation from that same injury and succeeds in doing so, has any Worker's Compensation award offset against his/her disability pension; and

WHEREAS, this is an effective deterrent to prevent an employee from attempting to collect two benefit payments from the taxpayers for the same injury; and

WHEREAS, under existing statutes, such an employee would still be entitled to collect compensation for any actual medical bills resultant from said injury; and

WHEREAS, Assembly Bill 3529, Van Drew and Blee, would effectively alter this situation by permitting an employee to double-dip by collecting both a disability pension and Worker's Compensation at public expense; and

WHEREAS, such a situation could in some instances also permit a disabled employee to collect more than said employee's former salary before going on disability

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retirement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that this Board opposes Assembly Bill 3529 and urges the Senate to reject it and for the Acting Governor to veto it should said Bill be adopted by the Legislature; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Warren County State Legislators; the Bill's sponsors; Acting Governor Richard J. Codey; all New Jersey Boards of Chosen Freeholders and the Pension and Health Benefits Review 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 136-05

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 March 9, 2005

**RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE
COUNTY OF WARREN REGARDING ACTION TO CHALLENGE
THE HIGHLANDS WATER PROTECTION AND PLANNING ACT.**

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the following actions are authorized to challenge the Highlands Water Protection and Planning Act:

1. Warren County Counsel, Joseph T. Bell, is authorized to institute a legal challenge to the Act. The Board of Chosen Freeholders of Hunterdon County will join in this action as a party plaintiff and will reimburse Warren County for fifty percent (50%) of the legal and related expenses incurred.
2. The Board of Chosen Freeholders of the County of Hunterdon has authorized a Professional Services Agreement with Richard A. Zimmer, Esq., of the Washington, D.C. law firm of Gibson, Dunn & Crutcher, LLP to lobby for the enactment of amendatory legislation and administrative regulations to correct problems and deficiencies in the Act. The County of Warren will reimburse the County of Hunterdon for fifty percent (50%) of the fees and expenses incurred pursuant to the Agreement.

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 137-05

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 March 9, 2005

**RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE
ADVERTISEMENT FOR BIDS FOR THE 2005 PAVEMENT MARKINGS ON VARIOUS WARREN
COUNTY ROADS, CONTRACT #WC0512.**

BE IT RESOLVED that the plans and specifications for Contract #WC0512 for the

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2005 Pavement Markings on Various Warren County Roads 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 17, 2005

BIDS TO BE RECEIVED - TUESDAY, APRIL 19, 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 138-05

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 March 9, 2005

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE REPLACEMENT OF WARREN COUNTY BRIDGE #23014, COUNTY ROUTE #623 OVER OXFORD FURNACE BROOK, WHITE TOWNSHIP – CONTRACT #WC0520.

BE IT RESOLVED that the plans and specifications for Contract #WC0520 for the replacement of Warren County Bridge #23014, County Route #623 over Oxford Furnace Brook, White 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 17, 2005

BIDS TO BE RECEIVED - TUESDAY, APRIL 12, 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 139-05

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 March 9, 2005

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0519 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR TOWER REPAIR AND MAINTENANCE SERVICES FOR THE WARREN COUNTY DEPARTMENT OF PUBLIC SAFETY.

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BE IT RESOLVED, that specification WC0519 for tower repair and maintenance services for the Warren County Department of Public Safety is hereby approved

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

Funding for this contract will be provided in capital account 0400B401/5054 – Communication Center Equipment.

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 140-05

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 March 9, 2005

RESOLUTION RE: AWARD OF CONTRACT WC0333R WITH FAMILY SERVICES OF MORRIS COUNTY FOR THE WARREN COUNTY INTOXICATED DRIVER RESOURCE CENTER (IDRC) FOR THE PERIOD OF JANUARY 1, 2005 THROUGH DECEMBER 31, 2005.

BE IT RESOLVED, that Warren County Contract WC0333R for the Warren County Intoxicated Driver Resource Center is hereby awarded to Family Services, Morristown, New Jersey.

BE IT FURTHER RESOLVED, that operating costs under the contract shall be supported by client generated fees and that no county funds are required for this project.

A Notice of this action shall be published in the Star Ledger, and this contract itself must be available for public inspection in the Office of the Clerk.

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 141-05

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 March 9, 2005

RESOLUTION AWARDED CONTRACT #WC0471 TO BERTO CONSTRUCTION, INC. FOR THE RECONSTRUCTION OF WARREN COUNTY BRIDGE #21001, SOUTH WANDLING AVE. OVER THE SHABBECONG CREEK, WASHINGTON BOROUGH, IN THE CONTRACT AMOUNT OF \$386,019.00.

WHEREAS the County advertised for bids to be received on Tuesday, February 22, 2005 at 1:30 P.M. for Contract #WC0471 for the Reconstruction of Warren County Bridge #21001 over the Shabbecong Creek, Washington Borough; and

WHEREAS Berto Construction, Inc. of Rahway, New Jersey submitted the lowest responsible and responsive bid of \$386,019.00; and

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

WHEREAS, adequate funds have been established in accounts S0165 5380 5064 005380 5064 and S11655380 5064 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to

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Berto Construction, Inc. in the amount \$386,019.00.

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 142-05

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 March 9, 2005

RESOLUTION AWARDDING CONTRACT #WC0518P TO CHERRY, WEBER & ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR FINAL DESIGN-PHASE I FOR FLOOD REPAIRS TO COUNTY ROUTE #623 (BRASS CASTLE RD.) WHITE TOWNSHIP IN THE AMOUNT OF \$44,631.00.

WHEREAS the County advertised for bids to be received on Tuesday, February 22, 2005 at 1:30 P.M. for Contract #WC0471 for the Reconstruction of Warren County Bridge #21001 over the Shabbecong Creek, Washington Borough; and

WHEREAS Berto Construction, Inc. of Rahway, New Jersey submitted the lowest responsible and responsive bid of \$386,019.00; and

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

WHEREAS, adequate funds have been established in accounts S0165 5380 5064 005380 5064 and S11655380 5064 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to Berto Construction, Inc. in the amount \$386,019.00.

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 143-05

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 March 9, 2005

RESOLUTION RE: AWARD OF CONTRACT WC0509 FOR AIR CONDITIONING MAINTENANCE AND SERVICE TO TOTAL MAINTENANCE & SERVICE CO., INC., FOR THE PERIOD OF MAY 1, 2005 THROUGH APRIL 30, 2006 WITH THE RIGHT TO EXTEND FOR TWO ADDITIONAL ONE YEAR PERIODS AS PROVIDED BY THE LOCAL PUBLIC CONTRACTS LAW 40A:11-15(7), IN A BASE AMOUNT OF \$2,700.00 WITH UNSCHEDULED MAINTENANCE TO BE BILLED AT FIXED LABOR CHARGES IN THE AMOUNT OF \$60.00, \$90.00 AND \$100.00 (REGULAR, OVERTIME AND HOLIDAY RATES) AND PARTS AT 10% ABOVE COST, APPROXIMATE TOTAL CONTRACT \$50,000.00.

BE IT RESOLVED, that contract WC0509 for air conditioning maintenance and service is hereby awarded

toTotal Maintenance & Service Inc., Fairfield, New Jersey

in the approximate amount of\$50,000.00

as per their bid submittedMarch 1, 2005

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

Funding for this contract will be provided in budget account 013504/5024 – Warren Haven Maintenance Facility Maintenance Repair and Cleaning

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 144-05

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 March 9, 2005

RESOLUTION RE: AWARD OF CONTRACT WC0506 FOR LABORATORY TESTS FOR THE WARREN COUNTY PUBLIC HEALTH NURSING AGENCY TO LABORATORY CORPORATION OF AMERICA, HOLDINGS, FOR THE PERIOD OF MAY 1, 2005 THROUGH APRIL 30, 2006 IN THE APPROXIMATE CONTRACT AMOUNT OF \$77,755.00.

BE IT RESOLVED, that contract WC0506 for laboratory tests for the Warren County Public Health Nursing Agency is hereby awarded

toLaboratory Corporation of America, Holdings, Raritan, New Jersey

in the approximate amount of\$77,755.00

as per their bid submittedMarch 1, 2005

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

Funding for this contract has been provided in budget accounts 013302/5030 – Public Health Nursing Community Health services Operating Supplies and 013302/5046 – Public Health Nursing Community Health Service T.B. Program

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 145-05

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 March 9, 2005

RESOLUTION RE: AWARD OF CONTRACT WC0507C FOR A COMPUTERIZED RECORDS MANAGEMENT SYSTEM FOR THE WARREN COUNTY CLERK TO ACS STATE AND LOCAL SOLUTIONS, INC. FOR THE PERIOD OF MAY 1, 2005 THROUGH APRIL 30, 2006 WITH THE RIGHT TO EXTEND FOR FOUR ADDITIONAL ONE YEAR PERIODS AS PROVIDED BY THE LOCAL PUBLIC CONTRACTS LAW 40A:11-15(5) IN THE APPROXIMATE CONTRACT AMOUNT OF \$180,000.00.

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BE IT RESOLVED, that contract WC0507C for a computerized records management system for the Warren County Clerk is hereby awarded toACS State and Local Solutions, Inc., Syracuse, New York in the approximate amount of\$180,000.00 as per their bid submittedMarch 1, 2005

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

Funding for this contract will be provided in budget accounts 011200/5029 – County Clerk Contracted Services, and 011200/5059 County Clerk DP Equipment & Software

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 146-05

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 March 9, 2005

RESOLUTION RE: AWARD OF CONTRACT WC0508 FOR AIR CONDITIONING MAINTENANCE AND SERVICE AT WARREN HAVEN TO CR SERVICE CO., INC., FOR THE PERIOD OF MAY 1, 2005 THROUGH APRIL 30, 2006 WITH THE RIGHT TO EXTEND FOR TWO ADDITIONAL ONE YEAR PERIODS AS PROVIDED BY THE LOCAL PUBLIC CONTRACTS LAW 40A:11-15(7), IN A BASE AMOUNT OF \$885.00 WITH UNSCHEDULED MAINTENANCE TO BE BILLED AT FIXED LABOR CHARGES IN THE AMOUNT OF \$54.00, \$72.90 AND \$81.00 (REGULAR, OVERTIME AND HOLIDAY RATES) AND PARTS AT 18% ABOVE COST, APPROXIMATE TOTAL CONTRACT \$25,000.00.

BE IT RESOLVED, that contract WC0509 for air conditioning maintenance and service is hereby awarded toTotal Maintenance & Service Inc., Fairfield, New Jersey in the approximate amount of\$50,000.00 as per their bid submittedMarch 1, 2005

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

Funding for this contract will be provided in budget account 013504/5024 – Warren Haven Maintenance Facility Maintenance Repair and Cleaning

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

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

Steve Marvin Clerk of the Board

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

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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 March 9, 2005

RESOLUTION FOR AWARD OF CONTRACT TO ASSESSMENT AND TREATMENT SERVICES FOR PROVISION OF HUMAN SERVICES FOR THE PERIOD JANUARY 1, 2005 THROUGH DECEMBER 31, 2005 IN THE AMOUNT OF \$64,025.

BE IT RESOLVED that a contract for provision of human services is hereby awarded to Assessment and Treatment Services in the total amount of \$64,025 for the following program(s):

JUVENILE OFFENDER PROJECT

for the contract period January 1, 2005 through December 31, 2005 as per the agency's 2005 Competitive Contract (WC0476CA) submitted on or before January 28, 2005 to the Warren County Department of Human Services and reviewed in cooperation with the division's advisory boards; funding subject to availability through the NJ Juvenile Justice Commission (State Community Partnership Grant # SCP-05-PS-21).

A notice of this action shall be published in The Star-Ledger, and this contract itself must be available for public inspection in the Office of the Clerk.

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 148-05

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 March 9, 2005

RESOLUTION MODIFYING CONTRACT WITH THE HIGHLANDS PROJECT, INC. FOR PROVISION OF HUMAN SERVICES FOR THE PERIOD JANUARY 1, 2005 THROUGH DECEMBER 31, 2005; CONTRACT CEILING TO INCREASE TO \$17,860.

BE IT RESOLVED that the Board of Chosen Freeholders approves the 2005 county contract modification with The Highlands Project, Inc. for an additional \$7,492; contract ceiling to increase to \$17,860 for the period January 1, 2005 through December 31, 2005.

BE IT FURTHER RESOLVED that funds for this contract are subject to availability through the NJ Juvenile Justice Commission (State Community Partnership Grant #SCP-05-PS-21).

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 149-05

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 March 9, 2005

MINUTES**MARCH 9, 2005****RESOLUTION APPOINTING AND REAPPOINTING REGULAR MEMBERS TO THE WARREN COUNTY BOARD OF RECREATION COMMISSIONERS.**

BE IT HEREBY RESOLVED by the Warren County Board of Chosen Freeholders that in accordance with N.J.S.A. 40:12-1, the following individuals shall be appointed/reappointed as regular members of the Warren County Board of Recreation Commissioners:

Appoint to balance of an unexpired term:

Raymond Tobaygo
270 Sitgreaves Street
Phillipsburg, NJ 08865

Term to expire: January 1, 2006

Reappoint:

William Hann, Jr.
183 Haggerty Avenue
Phillipsburg, NJ 08865

Term to expire: January 1, 2010

Reappoint:

David R. Detrick
PO Box 252
Broadway, NJ 08808

Term to expire: January 1, 2010

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 150-05

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 March 9, 2005

RESOLUTION CREATING THE TITLE OF TRUCK DRIVER HEAVY/ROAD REPAIRER, CLASSIFIED, AND ABOLISHING THE TITLE OF TRUCK DRIVER HEAVY, CLASSIFIED, IN THE WARREN COUNTY ROAD DEPARTMENT.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the title Truck Driver Heavy/Road Repairer, classified, is created in the Warren County Road Department by order of the New Jersey Department of Personnel for the purpose of augmenting the duties to be performed by County employees in this title; and

BE IT FURTHER RESOLVED that the title of Truck Driver/Heavy, classified, is abolished.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the title Truck Driver Heavy/Road Repairer is created and established on AFSCME Local 3287, Range 0740 and made effective March 10, 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 151-05

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 AMENDING RESOLUTION 19-05, ESTABLISHING A RESIDENCY PREFERENCE FOR PROSPECTIVE EMPLOYEES OF WARREN COUNTY.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that Resolution 19-05 establishing a residency preference for prospective employees of Warren County on January 2, 2005, is hereby amended and annexed hereto

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that Resolution 19-05 is amended and made effective immediately.

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

Steve Marvin Clerk of the Board

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

AMENDED RESOLUTION – 19-05 - JANURARY 2, 2005**RESOLUTION ESTABLISHING RESIDENCY PREFERENCE FOR PROSPECTIVE EMPLOYEES OF WARREN COUNTY**

WHEREAS, Civil Service rules promulgated at N.J.A.C. 4A: 4-2.11 in the case of Civil Service jurisdictions such as Warren County provide for the establishment of residence standard for local service appointing authorities; and

WHEREAS, the Board of Chosen Freeholders of the County of Warren has determined that such residency requirements promulgated herein as a residency preference will enhance the quality of employee performance and will produce general economic benefits flowing from local expenditures of employees' salaries;

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

1. Unless otherwise provided by law or by provision within this Resolution, it is preferred that all officers and employees hired by the local unit, the County of Warren, after the effective date of this Resolution be bona fide residents of the County of Warren. A bona fide resident for the purpose of this Resolution is a person having a permanent domicile within the County of Warren and one which has not been adopted with the intention of again taking up or claiming a previous residence acquired outside of the County of Warren's boundaries prior to permanent appointment. Residence shall mean a single legal residence pursuant to N.J.A.C. 4A: 4-2.11 (b). An applicant seeking to appeal a residency determination shall utilize the procedures contained in N.J.A.C. 4A: 4-6.6. The applicant shall have the burden of proving his or her residence.
2. It is preferred that applicants for positions and employments in the classified service with the County of Warren at the exclusion of the Warren County Prosecutor's Office, be bona fide residents of the County of Warren. The referenced exclusions are made in accordance with decisional and statutory authority. If the New Jersey Department of Personnel, after ample advertisement, determines that an insufficient number of qualified residents exist for available positions or employment in the County of Warren, it may open eligibility lists for such positions or employments to qualified nonresidents pursuant to N.J.S.A. 40A: 9-1.6, as set forth in Paragraph 3 of this Resolution.
3. Whenever the County Administrator shall determine that there cannot be recruited a sufficient number of qualified residents for available specific positions or employments, the Warren County Personnel Department shall advertise for other qualified applicants. The County Administrator shall thereupon classify all qualified applicants for such positions or employments so determined in the following manner:

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- A. Other residents of contiguous counties.
- B. Other residents of the State of New Jersey.
- C. All other qualified applicants.

The appointing authority shall first appoint all those in class A and then those in each succeeding class in the order above listed and shall appoint a person or persons in any such class only to a position or positions, or employment or employments, remaining after all qualified applicants in the preceding class or classes have been appointed or have declined an offer of appointment. The preference established by this Paragraph shall in no way diminish, reduce or affect the preferences granted pursuant to any other provisions of the law. The New Jersey Department of Personnel shall be notified that such preference schedule has been determined to be applicable for any specific position or employment, in order that the New Jersey Department of Personnel may classify all applicants for such position or employment accordingly.

- 4. Whenever the County Administrator shall determine that there are certain specific positions and employments requiring special talents or skills which are necessary for the operations of the County of Warren and which are not likely to be found among the residents of the County of Warren, such positions or employments so determined shall, pursuant to N.J.S.A 40A: 9-1.7 be filled without reference to residency. At the time of such a determination, the County Administrator will indicate the formal criteria under which it has been determined that the position or employment requires special skills or talents. The criteria pursuant to which such positions and employments shall be so determined are as follows: (A) Any position or employment, the services which are specialized and qualitative in nature. (B) Any position or employment which requires expertise and extensive training. (C) Any position or employment, the services of which will be required to be performed by an individual who has a proven reputation in the particular field or endeavor. (D) Any position or employment, the talents, skills, services or other important characteristics of which cannot be reasonably described by written specifications. (E) Any position or employment, the services of which must or foreseeably will be rendered or performed by a person authorized by law to practice a recognized profession or a person whose practice is regulated by law. (F) Any position or employment whose performance requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.
- 5. Should any portion of this Resolution be declared illegal or invalid by any court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect, the provisions hereof being fully severable;
- 6. This Resolution shall in no way affect or apply to persons already in the employ of the County of Warren as of the effective date of this Resolution. Nothing in this Resolution shall restrict employees from relocating their residence outside of Warren County after permanent employment.
- 7. This Resolution shall take effect upon adoption of same.
- 8. All prior resolutions or parts thereof inconsistent with the provisions of this Resolution are hereby repealed as to such inconsistency only.
- 9. A copy of this Resolution shall be provided to the New Jersey Department of Personnel and all Warren County department heads, to indicate the intent of the Board of Chosen Freeholders. Any subsequent modification of this Resolution shall be forwarded to the New Jersey Department of Personnel within twenty (20) days after adoption.

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

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

RESOLUTION 152-05

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 March 9, 2005

RESOLUTION AMENDING THE DATES OF THE TERM OF APPOINTMENT AND EMPLOYMENT AGREEMENT FOR FRANK WHEATLEY AS WARREN COUNTY EMERGENCY MANAGEMENT COORDINATOR.

BE AND IT IS HEREBY RESOLVED by the Warren County Board of Chosen Freeholders that the resolution of appointment and the Employment Agreement approved on February 23, 2005 for Frank Wheatley as Warren County Emergency Management Coordinator are hereby amended to reflect the revised dates of the term of appointment to be effective March 14, 2005 through March 13, 2008.

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

Steve Marvin Clerk of the Board

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

Neither County Counsel nor the County Engineer had any reports or comments and County CFO Charles Houck was not present.

County Planner Dave Dech only advised that there would be a meeting on the County Plan in the Freeholder Meeting Room at 7:00 pm on the 16th of March. Mr. Gardner asked if the State had held another transportation meeting on the Route 57 corridor issue. Mr. Dech said the meeting had been rescheduled for March 21, 2005 and would be held in the Vo-Tech cafeteria.

In addition to a few routine hiring requests, Mr. Marvin reminded the Board of a full schedule of meetings on March 23. They are as follows: Special Services School District Board of School Estimate at 6:00 pm, Vo-Tech Board of School Estimate at 6:30 pm, Regular Session at 7:30 pm, Public Hearing on the County Budget at 7:45 pm, followed by a Public Hearing on the County Library Budget and Solid Waste Management Plan Amendment Public Hearing at 8:30 pm.

Under Freeholder Comments, Mr. DiMaio raised the issue of Chapter 12 funds in regards to the Library and the potential for siting a new headquarters facility at the Educational Park and combining functions with the Community College Library. He has asked the Library Director to make a prioritized list of issues he would like addressed. I think we should look at it as an option if funds are available and not dismiss it out-of-hand, said Mr. DiMaio. Mr. Gardner said he has also had dialogue regarding this topic and "the ball is starting to move".

Mr. Chamberlain agreed if there is an opportunity for funding, we should take a look at it. He asked if these would be matched funds. Mr. Marvin said the County would borrow the full amount and the State, subject to annual appropriation, satisfied half of the debt service.

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Mr. DiMaio also made comments on the Acting Governor's decision to eliminate the NJ Saver rebates. This makes a big impact on Warren County; many of our senior citizens will suffer. The State needs to look at their spending. This revocation is not a reduction in spending as much as it is a "back door" raise in taxes. Mr. Gardner agreed. Mr. DiMaio proposed drafting a resolution to keep the NJ Saver rebate in place and suggest real cuts in spending. It was decided a resolution would be placed on the next meeting's agenda.

Mr. Chamberlain concurred with Mr. DiMaio. The State wants to look at how to control the counties rather than look at themselves, he said.

Mr. Gardner again raised the topic of the Highlands Act, referring to the action taken this evening to fight the "most egregious" legislation signed by the former Governor two days before announcing his resignation. We are not against good, sound environmental-based initiatives, but we're against laws that were wrong from the outset. So many deals were cut, with South Jersey politicians taking advantage to try and make financial gains they felt entitled to from the events of the Pinelands establishment 25 years ago.

Under Closing Public Comments, Mr. Bob Best of Independence lauded the Freeholders for passing the resolution challenging the Highlands Bill. His family recently entered its 60th year in an agriculture-based business and this legislation has adversely affected his business and family. He thanked the Board and said, "We need your help."

Mr. James Kessler, a farmer from Mansfield Township, referred to the Highlands Act as "un-American" and contrary to his upbringing. The farm is in a terrible situation since the ability to obtain loans to finance operations is undermined by deflated appraisals. He too thanked the Board.

Ms. Valerie Tishuk, who grew up on a family farm in Harmony Township, married a farmer and now works for a farm, thanked the Board for their position on the Highlands as well.

Mr. Gardner reinforced his belief that this battle has to be fought by everyone, be it the owner of a large property or a quarter-acre. The individual taxpayer is going to pick up the freight.

Sam Race asked if any public events are planned to make the citizens aware of how this legislation could potentially affect them. He mentioned a Warren County Board of Agriculture Meeting to be held at Gro-Rite Greenhouses on April 5, 2005 and was hopeful a spokesperson could attend to address the group.

The details were still to be confirmed, but a press conference is planned for next Tuesday, March 15th at 2:00 pm at the State House with Dick Zimmer, Joe Bell and available members of the Hunterdon and Warren Freeholder Boards. "I'd love for you to come," Mr. Bell said to Mr. Race. Mr. Marvin thought he could arrange transportation to bus interested residents.

Mr. George Melick, Hunterdon County Freeholder Director, asked about the Farm Bureau. Mr. Frey replied that he wouldn't put too much faith in the NJ Farm Bureau being of any help.

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RESOLUTION 153-05

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, at 8:22 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on March 9, 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 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,

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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 March 9, 2005 that an Executive Session closed to the Public shall be held on March 9, 2005, at 8:22 p.m. in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

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

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

Steve Marvin Clerk of the Board

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Board adjourned executive session at 9:25 p.m. and returned to open session.

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 9:26 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board