

## MINUTES

JULY 27, 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 July 27, 2005 at 7:30 p.m.

The meeting was called to order by Director Gardner and upon roll call, the following members were present: Freeholder Richard Gardner, Freeholder John DiMaio and Freeholder Everett Chamberlain. Also attending were Assistant County Engineer James Bernaski on behalf of Dave Hicks, CFO Charles Houck, County Counsel Joseph J. Bell and County Administrator Steve Marvin.

The Pledge of Allegiance was led by Director Gardner.

Director Gardner read the following statement: **"ADEQUATE NOTICE OF THIS MEETING OF JULY 27, 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. DiMaio, seconded by Mr. Chamberlain, the Minutes of the Regular Session held on July 13, 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 July 13, 2005 were approved.

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

The following gentlemen approached the Board to make a presentation regarding the proposed Warren County Emergency Services and 911 Memorial: Public Safety Director David Gallant, Fire Academy Coordinator Wes Suckey, Fire Marshall Joe Lake and Architect Bruce Brattstrom.

Mr. Gallant thanked the Board for the opportunity to be included on the agenda. The memorial is proposed to be erected on the grounds of the Public Safety Department and is intended to honor Warren County Police, Firefighters and EMS professionals in addition to victims of 911. Once complete, a ceremony is expected to be held each year to honor those who died during the year. Only those who have died in the line of duty will have their names engraved on the plaque. The hope is to be able to dedicate the memorial September 11, 2006 if possible.

The group assured the Board they were not requesting financial support. Members of the Warren County 200 Club have expressed a strong interest in funding the project plus additional fundraising and the help of volunteers is expected.

Mr. Gardner inquired as to the overall size of the memorial. Mr. Brattstrom of Studio

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One Architecture said it will be 50 feet long with a 4 foot high wall at the lower edge, rising to 10 feet in height at the higher edge.

Mr. Chamberlain asked if the monument would be visible from the Community College; the answer was negative. Mr. Chamberlain then queried if there were plans to have a non-profit corporation to raise funds and maintain the site. Mr. Lake again mentioned the 200 Club and that the plan was to establish a tax-free charitable account into which funds would be deposited and additional money would be raised through the sale of bricks and benches. As for whether or not there would be a Board of Directors, Mr. Suckey said they were still undecided and may form a Memorial Committee.

Mr. DiMaio said the plan was "marvelous" and something that should be pursued. The plan is to honor public safety professionals as far back as 1911.

In response to Mr. Gardner's question about underground utilities, Mr. Brattstrom said a gas line runs through plus an electrical service line. Boxes are already installed.

Mr. Chamberlain said it was a wonderful idea and asked about the cost. Mr. Brattstrom said that was still being worked on.

The presentation was not a request of the Freeholders for funding, but rather, consent to pursue details.

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, **ENDORSEMENT OF PURSUIT OF THE ESTABLISHMENT OF A WARREN COUNTY EMERGENCY SERVICES AND 911 MEMORIAL.**

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

Under Public Comments, (Agenda Items Only), Mr. Fred Cook of Blairstown Township wanted to know why the County was planning to spend \$1.7 million on voting machines. Mr. Gardner replied that although he is not in favor of the change, the Board is compelled by the Help America Vote Act (HAVA) which is federally mandated.

Mr. Chamberlain assured Mr. Cook that he was in agreement with him that the changes are not necessary and the Board does not want to spend the money to implement them.

Mr. DiMaio said there are ADA compliance issues that cannot be avoided.

Mr. Cook insisted that anyone can cast an absentee ballot and spending this amount of money is "not rational". He didn't think the State would "come after you" if the Board refused to comply.

Mr. Gardner disagreed, saying, "If you lose, you lose big," and the taxpayers will have to pay. Our perspective is that of an obligation to protect Warren County citizens, he said.

Mr. Cook said if the Board is against it, they shouldn't comply.

On motion by Mr. DiMaio, seconded by Mr. Chamberlain at 7:55 p.m., a Public Hearing was opened for discussion regarding: **SECOND READING: CAPITAL IMPROVEMENT ORDINANCE 2005-B.**

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

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Mr. Gardner said although the topic has already been raised, if anyone else has further comments or questions now is the time to voice them. He asked if members of the Election Board had anything to say; C.J. Koop of the Election Board replied they were present in case the Freeholders had questions for them.

There were no other comments.

On motion by Mr. Chamberlain, seconded by Mr. DiMaio at 7:56 p.m., the Public Comment Session was closed.

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

Before voting to approve the ordinance, Mr. DiMaio wanted confirmation that the State is to provide 75% of the funding. The County will pay up front; will the State reimburse us all at once or will payments be made over time?

Mr. Houck said he assumes it will be one payment; he thought once the equipment is actually ordered, there is a deadline for paperwork to be submitted to the State along with a voucher and the State is then expected to reimburse us as they have indicated, which works out to be about 75%. The funds will then go back into the Capital Improvement account.

Mr. DiMaio stressed the funds are not being borrowed. He continued to say he agrees "greatly" with what Mr. Cook had said in respect to the necessity of the new voting equipment. However, if we don't do this now, we are at "great risk" of jeopardizing \$1.2 million in taxpayer funds. "I believe we have the best system right now," said Mr. DiMaio. This is another example of bigger government coming in and overreacting. "We're being forced to do this."

Mr. Chamberlain said although we are allowing for an appropriation of \$1.725 million, he is not convinced that much has to be spent depending on the machines purchased and how the changes are implemented.

C.J. Koop said the Election Board is submitting a letter to the State seeking full reimbursement. Of the 21 counties in the state, Warren is one of only four that has to purchase an entirely new system. Many counties will be able to "retrofit" or replace only components. Therefore, 100% financing will be sought as a waiver.

Mr. Chamberlain asked if a limited number of the new machines could be purchased and placed throughout the county for disabled people to access, while keeping the old machines in the majority of the districts.

Ms. Koop said it would be impossible to do tallies with two completely different systems. Mr. Chamberlain pointed out the new machines would have limited use. Ms. Koop said a full tally would still have to be run. "We would be doubling our efforts" and Election night at the Court House would be a "nightmare", according to Ms. Koop.

Mr. Chamberlain thought a compromise should be sought. He foresees problems in the future with moving and storage of the sensitive equipment.

Ms. Koop said the Election Board is "absolutely confident" that such problems would not occur with the system they have selected. Having a certified insurable system to have delivery and security would negate such issues. Which comes at a cost, said Mr. Chamberlain.

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Ms. Koop replied that almost \$55,000 is currently being spent to service the present system, a cost which is completely eliminated with the system to be purchased. A current estimate on storage going forward is \$36,000, which the Election Board thinks is negotiable.

Mr. Chamberlain asked if the Federal Government had issued approval of the new machines yet. Ms. Koop said it was due to be approved by the end of September, but the software that runs them is completely approved.

Mr. DiMaio said he would like to see candidates be able to obtain early unofficial results at the polling places so they know where they stand earlier in the evening. This is currently being done in only two towns. It is up to the Municipal Clerks whether or not to release the information earlier. This was a point unrelated to the new machines; Ms. Koop said the way the new machines will be closed out will be very similar to the method being employed now.

**ORDINANCE 446-05**

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 July 27, 2005

**SECOND READING: ORDINANCE 2005-B**

**AN ORDINANCE APPROPRIATING THE SUM OF \$1,725,000 FROM THE CAPITAL IMPROVEMENT FUND ACCOUNT FOR THE ACQUISITION, INSTALLATION AND TECHNICAL SUPPORT OF COMPUTERIZED VOTER EQUIPMENT TO COMPLY WITH THE REQUIREMENTS OF THE HELP AMERICA VOTE ACT (HAVA) IN THE COUNTY OF WARREN, STATE OF NEW JERSEY.**

**BE IT ORDAINED** by the Board of Chosen Freeholders of the County of Warren as follows:

Section 1. The improvements described in Section 2 of this Ordinance are hereby authorized as a general improvement to be made by the County of Warren, New Jersey. There is hereby appropriated the sum of \$1,725,000.00 from the Capital Improvement Fund of the County of Warren for said improvement or purpose stated in Section 2.

Section 2 (A) The improvement hereby authorized and the purpose of the proposed appropriation for financing said improvement is for the acquisition, installation and technical support of voting equipment to comply with the requirements of the Federal Help America Vote Act (HAVA), in the County of Warren, New Jersey.

Section 2 (B) The maximum amount of money for the above noted purpose is \$1,725,000.00, no part of which said sum is to be borrowed.

Section 2 (C) The County anticipates receiving reimbursement grants from the State of New Jersey, Office of the Attorney General, Department of Law and Public Safety with respect to the acquisition of said equipment. In the event that the County does receive such grants for the improvements authorized hereby, said funds shall be deposited in the Warren County General Capital Fund, Capital Improvement Fund Account.

Section 3. The following matters are hereby determined, declared, recited, and stated:

Section 3 (A) The said purpose described in Section 2(A) of this Ordinance is not a Current Expense and is for the County of Warren, and State of New Jersey, which the County may lawfully make as a general improvement and no part of this cost thereof has been or shall be specially assessed on the property benefitted thereby.

Section 3 (B) The average period of usefulness of said purposes within the

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limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of acquisition per NJSA 40A:2-22.c.2, is Fifteen (15) years.

Section 4. The capital budget of the County of Warren is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk to the Board of Chosen Freeholders and is available for public inspection.

Section 5. This Ordinance shall be published together with a notice of introduction thereof and of the date of final passage in the Star Ledger at least one week prior to the date set for final passage thereof. The date for final passage shall be at 7:45 pm on the 27<sup>th</sup> day of July, 2005, at the Freeholders Meeting Room, Wayne Dumont Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey, or such other time as to which it may be adjourned.

At least one (1) week prior to the above date or meeting, for the consideration of this Ordinance, there shall be posted on the bulletin board of the Board of Chosen Freeholders a copy of this Ordinance and a notice stating that copies of this Ordinance will be made available during the ensuing week up to and including the date of the meeting for further consideration of the Ordinance by the members of the general public of the County who shall request copies and the notice shall set forth the place at which such copies may be made available.

**THEREFORE, BE IT FURTHER ORDAINED** this Ordinance shall take effect upon final passage, approval and publication as provided by law.

**ADOPTED BY RESOLUTION 385-05 ON FIRST READING**

**DATED: July 13, 2005**

**Recorded Vote:**

**Freeholder Director Gardner Yes,  
Deputy Director DiMaio Yes,  
Freeholder Chamberlain Yes**

**ADOPTED BY RESOLUTION 446-05 ON SECOND READING**

**DATED: July 27, 2005**

**Recorded Vote:**

**Freeholder Director Gardner yes,  
Deputy Director DiMaio yes,  
Freeholder Chamberlain yes**

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 at 8:06 p.m., a Public Hearing was opened for discussion regarding: **APPLICATION FOR WARREN COUNTY TO OBTAIN A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROXIMATELY \$500,000 TO CARRY OUT A PROJECT TO REHABILITATE DWELLING UNITS IN WARREN COUNTY TARGET AREAS.**

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

Mr. Frank Delmore from Warren County Housing and Community Development Services approached the Board to conduct the hearing. This year, \$8.6 million is available and he would like to pursue obtaining \$500,000 to assist 27 families in 17 of the 21 communities within Warren County. The County has received \$10.2 million in deferred or low interest loans to date since the project's inception in 1978. The County is required to

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provide 30% of matching funds. Last year, Warren applied for \$500,000, resulting in \$400,000 being awarded.

Mr. Chamberlain asked how that amount compares to what other counties are receiving. Mr. Delmore said we are in the Small Cities Program and the amounts are fairly consistent with others in the same category.

Mr. Gardner inquired as to guidelines for eligibility and was told income is the base criteria with a maximum income level of \$76,000 per year for a family of eight.

Human Services Director Karen Kubert said there is often a waiting list for Section Eight Housing funds. She asked if it would be possible for the Small Cities Housing Rehabilitation Funds to be used to rehabilitate housing for those on this waiting list. Mr. Delmore said in the past, properties have been rehabilitated. Ms. Kubert asked if these people on the waiting list could be targeted on the grant application itself, or does the application have to be targeted in terms of municipalities? Mr. Delmore replied only if the funds are available.

There were not further comments.

On motion by Mr. Chamberlain, seconded by Mr. DiMaio at 8:14 p.m., the Public Hearing was closed.

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain at 8:15 p.m., a Public Hearing for discussion regarding: **SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT STATUS ON HOUSING REHABILITATION** was opened.

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

The Board asked Mr. Delmore for an update on last year's program. The \$400,000 received last year was utilized to assist 23 buildings in the county and all of the money to date has been committed or contracted. The program has been very successful

There were no comments or questions.

On motion by Mr. Chamberlain, seconded by Mr. DiMaio at 8:16 p.m., the Public Hearing was closed.

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

**RESOLUTION 447-05**

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 July 27, 2005

**RESOLUTION APPROVING THE APPLICATION FOR A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROXIMATELY \$500,000 TO CARRY OUT A PROJECT TO REHABILITATE DWELLING UNITS IN WARREN COUNTY TARGET AREAS.**

**WHEREAS**, the County of Warren desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$500,000 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 authorize the application for such a grant; and

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2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Board of Chosen Freeholders of the County of Warren and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED** that the persons whose names, titles and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Richard D. Gardner  
Freeholder Director

Steve Marvin  
County Administrator

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 448-05**

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 July 27, 2005

**RESOLUTION APPROVING THE APPLICATION FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT.**

**WHEREAS**, the County of Warren has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for a County of Warren housing rehabilitation project; and

**WHEREAS**, that Grant Agreement requires the County of Warren to comply with all federal regulations with respect to citizen participation; and

**WHEREAS**, the County of Warren has reviewed the Citizen Participation Plan prepared for Small Cities Community Development Block Grant grantees;

**NOW, THEREFORE, BE IT RESOLVED** by the Freeholder Director and Board of Chosen Freeholders of the County of Warren, Warren County and State of New Jersey, that:

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the County of Warren; and

The County of Warren will follow all regulations set forth in that document throughout the term of the Grant Agreement 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 449-05**

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the following resolution was

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adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2005

**RESOLUTION IDENTIFYING COMMUNITY DEVELOPMENT BLOCK GRANT FAIR HOUSING OFFICER FOR WARREN COUNTY.**

**WHEREAS**, the County of Warren is intending to apply for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereinafter DCA) for a housing rehabilitation project within the County of Warren; and

**WHEREAS**, the housing rehabilitation project will be provided on a County wide basis; and

**WHEREAS**, the County of Warren must make efforts to affirmatively further fair housing; and

**WHEREAS**, the County of Warren has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

**WHEREAS**, the County of Warren has made assurances in the grant agreement that:

1. It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
2. It will comply with the Civil Rights Act of 1964, and the regulations issued thereto; and
3. It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
4. It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

**NOW, THEREFORE, BE IT RESOLVED** that Steve Marvin, County Administrator, shall be designated as the Fair Housing Officer for the County of Warren.

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his appointment as Fair Housing Officer and request Fair Housing Information; and

**BE IT FURTHER RESOLVED** that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the County of Warren; and

**BE IT FURTHER RESOLVED** that the County of Warren will publish in the local newspaper of record and post at the Administration Building, a public notice announcing the appointment of the Fair Housing Officer and the availability of fair housing advisory 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 450-05**

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 July 27, 2005

**RESOLUTION APPROVING ADOPTION OF HOUSING REHABILITATION POLICY AND PROCEDURAL MANUAL.**

**WHEREAS**, the County of Warren is applying for a 2006 Small Cities Community Development Program Housing Rehabilitation Program Grant from the New Jersey

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Department of Community Affairs, and

**WHEREAS**, in accordance with program terms and conditions, it is necessary that the Board of Chosen Freeholders prepare and approve a Housing Rehabilitation Policy and Procedural Manual for submission to the Department of Community Affairs;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders that the Housing Rehabilitation Policy and Procedural Manual for the Small Cities Program is approved and the County Administrator is authorized and directed to submit a copy of this resolution and the manual to the Department of Community Affairs.

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 451-05**

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 July 27, 2005

**RESOLUTION TO PAY BILLS.**

Be and it is hereby resolved that Master Voucher Certificate **For Certification/Ratification for Payments No. 2005-29, 2005-30 dated July 27, 2005** in the amount of **\$10,075,002.42** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

<b>2005-29</b>	<b>1,404,778.13</b>
<b>2005-30</b>	<b>1,063,085.35</b>
<b>C.D. 7/19/05</b>	<b><u>6,000,000.00</u></b>
<b>TOTAL</b>	<b>\$8,467,863.48</b>
<b>Payroll 6/9/05</b>	<b><u>1,607,138.94</u></b>
<b>GRAND TOTAL</b>	<b>\$10,075,002.42</b>

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 452-05**

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 July 27, 2005

**RESOLUTION AMENDING THE 2005 CAPITAL BUDGET OF THE COUNTY OF WARREN,  
ADDING ADDITIONAL APPROPRIATIONS NOT ORIGINALLY ANTICIPATED, FOR THE  
ACQUISITION OF EQUIPMENT AND FURNISHINGS.**

**WHEREAS**, the County of Warren, New Jersey desires to amend the 2005 Capital Budget of said county by modifying the items therein as shown in such budget for the following reason: To fund the acquisition of equipment and furnishings with Capital Funds.

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

The 2005 Capital Budget of the County of Warren is hereby amended as follows:

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AMENDMENT NO. 2005 -1  
 2005 CAPITAL BUDGET OF THE  
 COUNTY OF WARREN, NEW JERSEY  
 (C-3, Current Year Action)

PROJECT TITLE	EST. TOTAL COST	2005 BUDGET APPROP.	(5b) CAPITAL IMPROVEMENT FUND	(5e) DEBT AUTHORIZED
EQUIPMENT AND FURNISHINGS	\$0	\$0	\$1,625,000	\$0

2005 SIX YEAR CAPITAL PROGRAM 2005-2010  
 (C-5, Summary of Anticipated Funding Sources and Amounts)

PROJECT TITLE	EST. TOTAL COST	2005 BUDGET APPROP.	(4) CAPITAL IMPROVEMENT FUND	(7a) BONDS AND NOTES General
EQUIPMENT AND FURNISHINGS	\$0	\$0	\$1,625,000	\$0

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 453-05**

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 July 27, 2005

**INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN IN THE ADDITIONAL AMOUNT OF \$277,824.00 FROM THE STATE OF NJ, DEPT. OF HEALTH AND SENIOR SERVICES, DIVISION OF AGING AND COMMUNITY SERVICES, WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF SENIOR SERVICES AREA PLAN GRANT PROGRAM, FOR A TOTAL APPROPRIATION OF \$1,044,360.00.**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2005 in the sum of \$277,824.00 which item is now available from the State of N.J., Dept. of Health and Senior Services, Div. of Aging and Community Services, Division of Senior Services Area Plan Grant Program.

**BE IT FURTHER RESOLVED** that a like sum of \$277,824.00 be and the same is hereby appropriated under caption:

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

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State of N.J., Dept. of Health and Senior Services, Div. of Aging and Community Services, Area Plan Grant Program.

**BE IT FURTHER RESOLVED** that the above is the result of the approval by the State of N.J., Dept. of Health and Senior Services, Division of Aging and Community Services.

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

State of NJ., Department of Health and Senior Services, Division of Aging and Community Services, Area Plan Grant Program.

**BE IT FURTHER RESOLVED** that the above is the result of the approval by the State of N.J., Dept. of Health and Senior Services, Division of Aging and Community Services that one certified copy of this Resolution be forwarded to the Division of Local Government 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 454-05**

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 July 27, 2005

**INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN AN ADDITIONAL \$10,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH & SENIOR SERVICES, BIO-TERRORISM PREPAREDNESS & RESPONSE #05-1166-BT-L-3 FOR A TOTAL GRANT AWARD OF \$494,214.00.**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2005 in the sum of \$ 10,000.00, which item is now available from the State of New Jersey, Department of Health & Senior Services, Bio-terrorism Preparedness & Response #05-1166-BT-L-3

**BE IT FURTHER RESOLVED** that a like sum of \$ 10,000.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Health & Senior Services, Bio-terrorism Preparedness & Response #05-1166-BT-L-3 (administered by the Health Dept.)

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

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 455-05**

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

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**RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A LEASE AGREEMENT WITH THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY (PCFA) FOR OFFICE SPACE LOCATED AT 500 MT. PISGAH AVENUE, OXFORD, NJ, FOR OFFICE SPACE TO ACCOMMODATE THE OPERATIONS OF THE WARREN COUNTY DEPARTMENT OF LAND PRESERVATION.**

**WHEREAS**, the Warren County Department of Land Preservation requires office space to accommodate operations; and

**WHEREAS**, the PCFA of Warren County has forwarded a lease agreement to provide this office space for the period of June 13, 2005 to June 12, 2006 at a cost of \$18,382.56.

**NOW, THEREFORE, BE IT RESOLVED**, that the lease agreement between the Warren County Board of Chosen Freeholders and the PCFA of Warren County for office space at 500 Mt. Pisgah Avenue, Oxford, NJ is hereby approved and the Freeholder Director is authorized to execute said agreement.

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 456-05**

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 July 27, 2005

**RESOLUTION APPROVING THE AUDIT REPORT OF THE COUNTY OF WARREN FOR THE YEAR 2004.**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2004 has been filed by a Registered Municipal Accountant with the Clerk of the Board of Chosen Freeholders pursuant to the requirements of N.J.S.A. 40 A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each local unit shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit pursuant to N.J.A.C. 5:30-6.5; and

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**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**NOW, THEREFORE, BE IT RESOLVED** that Board of Chosen Freeholders of the County of Warren hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 457-05**

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 July 27, 2005

**RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE A DONOR AGREEMENT COMMITTING ALL OR PART OF THE ANTICIPATED 2005 COUNTY APPROPRIATION TO CATHOLIC CHARITIES AS MATCH TO GRANT FUNDS WITH THE NJ DEPARTMENT OF HUMAN SERVICES.**

**WHEREAS**, the NJ Department of Human Services has been duly designated to administer or supervise the administration of human service programs, as defined by the NJ State Plan for Social Services; and

**WHEREAS**, the County of Warren wishes to make a donation to support match through all or part of the anticipated 2005 County appropriation as follows:

**Catholic Charities (School Aged Child Care) \$3,903**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that the Director of the Board of Chosen Freeholders is hereby authorized to execute the Catholic Charities 2005 Donor Agreement for a total of \$3,903.

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 458-05**

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

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**RESOLUTION AUTHORIZING AND DIRECTING THE PUBLIC HEALTH NURSING DIVISION HEAD TO EXECUTE AN APPLICATION FOR THE RENEWAL OF GRANT NO. 05-370-EIP-L-2 FROM THE NJDOHSS TO PROVIDE EARLY INTERVENTION SERVICE COORDINATION AND CASE MANAGEMENT SERVICES TO CHILDREN AND THEIR FAMILIES RESIDING IN WARREN COUNTY IN THE TOTAL AMOUNT OF \$208,829.00 FOR THE CONTRACT PERIOD OF JULY 1, 2004 THROUGH JUNE 30, 2006 AND THE BUDGET PERIOD OF JULY 1, 2005 THROUGH JUNE 30, 2006.**

**WHEREAS**, the budget period of the Special Child Health Services Grant #04-370-EIP-L-1 will expire June 30, 2004, and

**WHEREAS**, there continues to be a great need in Warren County for Special Child Health Services for families of children, birth to twenty-one, with special needs, and

**WHEREAS**, Part C of PL 99-457 of the Individuals with Disabilities Education Act mandates that Early Intervention Service Coordination be provided to all infants and toddlers with disabilities and their families, and

**WHEREAS**, the Special Child Health Services Case Management Unit in each county has been designated by NJDOHSS to provide Early Intervention Service Coordination and to be the single point of entry for all new referrals for EI services.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren authorize and direct the Public Health Nurse Division Head to execute an application to the NJDOHSS for the administration of the Special Child Health Services Case Management grant for Special Child Health Services Case Management and Early Intervention Service Coordination in the total amount of \$208,829. for the period July 1, 2005 through June 30, 2006 and if approved, to receive said funding.

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 459-05**

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 July 27, 2005

**RESOLUTION AUTHORIZING THE WARREN COUNTY OFFICE OF EMERGENCY MANAGEMENT TO ACCEPT FROM THE NEW JERSEY STATE OFFICE OF EMERGENCY MANAGEMENT A GRANT IN THE AMOUNT OF \$1,270.89 (+/- .01 CENT) TO SUPPORT THE COMMUNITY EMERGENCY RESPONSE TEAM (C.E.R.T.) PROGRAM.**

**WHEREAS**, the New Jersey State Office of Emergency Management has been directed to form and develop Community Emergency Response Teams (CERT) throughout the State, and has selected the County of Warren to be a recipient of a CERT Utility Trailer; and

**WHEREAS**, the New Jersey State Office of Emergency Management has monies available from the Fiscal Year 2005 Citizen Corps NJ Program fund and is providing a grant to each County in the State to be used to further equip said trailer with shelving, storage containers, hardware, other supplies, decals, other CERT equipment needs, etc.; and

**WHEREAS**, it would be in the best interest of the County of Warren to apply for said monies;

**NOW, THEREFORE BE IT RESOLVED** by the Board of Chosen Freeholders of the

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County of Warren, that the Director of the Board and the Clerk are hereby authorized to sign any and all documents in order to effectuate with the New Jersey State Office of Emergency Management Deputy Director or his assigns, funding of a grant in the amount of \$1,270.89 (+/- .01 cent) to the Warren County Office of Emergency Management for costs associated with maintaining a county-wide CERT 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

**RESOLUTION 460-05**

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 July 27, 2005

**RESOLUTION AUTHORIZING THE HEALTH DEPARTMENT DIRECTOR TO APPLY FOR A HEALTH SERVICE GRANT ENTITLED "LOCAL CORE CAPACITY INFRASTRUCTURE FOR BIOTERRORISM PREPAREDNESS" FROM THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES IN THE AMOUNT OF \$424,459 FOR THE PERIOD AUGUST 31, 2005 – AUGUST 30, 2006.**

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

**Whereas**, Warren County has received funding for the last three years to implement a Bioterrorism Preparedness Program, and

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

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

**Whereas**, the Warren County Health Department is the designated LINCS Agency for Warren County, and

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

**Therefore, Be It Resolved**, that the Warren County Board of Chosen Freeholders acknowledges and supports the Warren County Health Department (LINCS Agency) as the County Lead Agency for bioterrorism, infectious disease, and other public health threats and emergencies planning and response, and

**Be It Further Resolved**, that the Warren County Board of Chosen Freeholders authorizes the Health Department Director to apply for a \$424,459 "Local Core Capacity Infrastructure for Bioterrorism Preparedness" grant for the period August 31, 2005–August 30, 2006, and if approved, to execute a grant contract for the project with the New Jersey Department of Health and Senior Services.

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

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Steve Marvin Clerk of the Board

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

**RESOLUTION 461-05**

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 July 27, 2005

**RESOLUTION RE: AUTHORIZATION TO AUCTION SURPLUS EQUIPMENT, VEHICLES, PARTS, FURNITURE AND SUPPLIES OF THE COUNTY OF WARREN AND OTHER APPROVED AGENCIES.**

**WHEREAS**, the County of Warren is presently storing various items no longer needed for public use by county departments and agencies;

**BE IT RESOLVED**, by the County of Warren pursuant to the provisions of N.J.S.A. 40A:11-36, that the said equipment, vehicles and supplies be and the same are hereby ordered to be disposed of by Public Auction, to be held Saturday, September 10, 2005 beginning at 10:00 A.M. prevailing time at the Warren County Road Department facility, Route 519, White Township, New Jersey.

**BE IT FURTHER RESOLVED**, that Notice of said sale be published and in newspapers at least seven (7) days prior to sale;

**BE IT FURTHER RESOLVED**, that all items shall be sold to the highest bidder, and the terms of the sale shall be sold as is and where is, without warranty or guarantee of any kind, upon payment of the full amount, subject to all lawfully advertised terms and restriction:

**NOW THEREFORE BE IT RESOLVED**, that the Director of Purchasing is hereby authorized and directed to perform all acts and to execute, on behalf of this body, all documents required by Statute or **this Resolution to effectuate said sale.**

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 462-05**

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 July 27, 2005

**RESOLUTION APPROVING THE PURCHASE OF TEMPORARY CONSTRUCTION AND SLOPE EASEMENT FOR THE REPLACEMENT OF WARREN COUNTY BRIDGE #09005 TANNERY ROAD OVER BLAIR CREEK FROM THE OWNER OF BLOCK 1002, LOT 1.01, HARDWICK TOWNSHIP**

**WHEREAS**, the replacement of Bridge #09005 will require temporary construction and slope easements; and

**WHEREAS**, a temporary construction and slope easement of 1350 ± Sq. Ft. is needed on Block 1002, Lot 1.01, owned by Christopher M. and Nicole M. Rose; and

**WHEREAS**, an equitable cost of \$500.00 for Block 1002, Lot 1.01 was negotiated by the County Engineer for the easement which is agreeable to the owners; and

**WHEREAS**, adequate funds are available in account 0404A205 5063 and certified by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the

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County of Warren does hereby approve the purchase of the needed easements at the negotiated price.

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

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 463-05**

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 July 27, 2005

**RESOLUTION APPROVING THE PURCHASE OF TEMPORARY CONSTRUCTION AND SLOPE EASEMENT FOR THE REPLACEMENT OF WARREN COUNTY BRIDGE #09005 TANNERY ROAD OVER BLAIR CREEK FROM THE OWNER OF BLOCK 401, LOT 17, HARDWICK TOWNSHIP.**

**WHEREAS**, the replacement of Bridge #09005 will require temporary construction and slope easements; and

**WHEREAS**, a temporary construction and slope easement of 400 ± Sq. Ft. is needed on Block 401, Lot 17, owned by Ralph and Anna Tillinghast; and

**WHEREAS**, an equitable cost of \$250.00 for Block 401, Lot 17, was negotiated by the County Engineer for the easement which is agreeable to the owner; and

**WHEREAS**, adequate funds are available in account 0404A205 5063 and certified by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren does hereby approve the purchase of the needed easements at the negotiated price.

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

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 464-05**

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 July 27, 2005

**RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE AN APPLICATION TO THE SEXUAL ASSAULT NURSE EXAMINER PROJECT – VICTIM OF CRIME ACT GRANT BETWEEN THE NJ DIVISION OF CRIMINAL JUSTICE, OFFICE OF VICTIM WITNESS ADVOCACY AND THE WARREN COUNTY PROSECUTOR’S OFFICE IN THE AMOUNT OF \$21,225.00 COUNTY SHARE AND \$84,900.00 FEDERAL SHARE FOR A TOTAL OF \$106,125.00 FOR THE PERIOD OF OCTOBER 1, 2005 THROUGH SEPTEMBER 30, 2006.**

**BE IT RESOLVED BY** the Board of Chosen Freeholders of the County of Warren that the Director of the Board is authorized to execute an application for the Victim Assistance Project – Victim of Crime Act Grant between the NJ Division of Criminal Justice, Office of Victim Witness Advocacy and the Warren County Prosecutor’s Office in the amount of

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\$21,225.00 County Share and \$84,900.00 Federal Share for a total of \$106,125.00 for the period of October 1, 2005 through September 30, 2006.

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 465-05**

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 July 27, 2005

**RESOLUTION APPROVING MODIFICATION #1 TO CONTRACT #WC0478P WITH KUPPER ASSOCIATES FOR ENGINEERING SERVICES FOR PHASE II FINAL DESIGN FOR THE RECONSTRUCTION OF COUNTY BRIDGE #09037, JONES ROAD OVER BLAIRS CREEK, HARDWICK TOWNSHIP FOR A NET INCREASE OF \$32,796.50 AND A REVISED CONTRACT AMOUNT OF \$97,461.75.**

**WHEREAS**, Kupper Associates was awarded a contract for Engineering Services for Phase I Preliminary Design for the Reconstruction of Warren County Bridge #09037, Jones Road over Blairs Creek, Hardwick Township in the amount of \$64,665.25; and

**WHEREAS**, engineering services to complete phase II final design will result in a net increase of \$32,796.50; and

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

**WHEREAS**, adequate funds are available in account 0405A305 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 \$32,796.50 and a revised contract amount of \$97,461.75.
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 466-06**

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 July 27, 2005

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**RESOLUTION AWARDING CONTRACT #WC537A TO OWL CONTRACTING FOR THE 2005 RESURFACING & REHABILITATION OF COUNTY ROUTES #519, #609, #623, HOPE, KNOWLTON & WHITE TOWNSHIPS IN THE AMOUNT OF \$1,959,958.00.**

**WHEREAS**, the County advertised for bids to be received on Monday, July 25, 2005 at 1:30 P.M. for Contract #WC0537A for the 2005 Resurfacing & Rehabilitation of County Routes #519, #609 & #623, Hope, Knowlton & White Townships; and

**WHEREAS**, Owl Contracting of Rockaway, New Jersey submitted the lowest responsible and responsive bid of \$1,959,958.00; and

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

**WHEREAS**, adequate funds have been established in accounts 0405A101 5063, 0404A101 5063 and S51655302 5063 and certified by the County Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to Owl Contracting in the amount \$1,959,958.00.

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 467-05**

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 July 27, 2005

**RESOLUTION RE: EXTENSION OF CONTRACT WC0350 FOR INMATE TELEPHONE SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER TO INMATE TELEPHONE INC., FOR THE PERIOD OF SEPTEMBER 1, 2005 THROUGH AUGUST 31, 2006 FOR THE THIRD YEAR OF A FIVE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(8), AT A COMMISSION RATE OF 34%.**

**BE IT RESOLVED**, that Warren County Contract WC0350 for inmate telephone services for the Warren County Correctional Center is hereby extended for a third year of a five year contract as provided by the Local Public Contract Law 40A:11-15(8) said contract is hereby extended for the period of September 1, 2005 through August 31, 2006

To...Inmate Telephone Inc., Altoona, Pennsylvania

In the amount of...contractor to pay commission in the amount of 34%

as per their bid submitted...July 22, 2003

No county funds are required for this 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 468-05**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the following resolution was

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adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2005

**RESOLUTION RE: EXTENSION OF CONTRACT WC0351 FOR INMATE COMMISSARY SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER TO ARAMARK CORRECTIONAL SERVICES, INC. FOR THE PERIOD OF SEPTEMBER 1, 2005 THROUGH AUGUST 31, 2006 FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(10), AT A COMMISSION RATE OF 13.4%.**

**BE IT RESOLVED**, that Warren County Contract WC0351 for inmate commissary services for the Warren County Correctional Center is hereby extended for a third and final year of a three year contract as provided by the Local Public Contract Law 40A:11-15(10) said contract is hereby extended for the period of September 1, 2005 through July 27, 2006

to ...Aramark Correctional Services, Inc., Oakbrook Terrace, Illinois  
in the amount of...contractor to pay commission in the amount of 13.4%  
as per their bid submitted...July 22, 2003

No county funds are required for this 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 469-05**

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 July 27, 2005

**RESOLUTION RE: EXTENSION OF CONTRACT WC0360 FOR AN ELECTRONIC MONITORING SYSTEM FOR THE WARREN COUNTY CORRECTIONAL CENTER TO ELECTRONIC MONITORING SYSTEMS, INC., FOR THE PERIOD OF SEPTEMBER 1, 2005 THROUGH AUGUST 31, 2006 FOR THE THIRD YEAR OF A FOUR YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(8), AT THE COST OF UNIT PER DAYOF \$6.25.**

**BE IT RESOLVED**, that Warren County Contract WC0360 for an electronic monitoring system for the Warren County Correctional Center is hereby extended for a third year of a four year contract as provided by the Local Public Contract Law 40A:11-15(8) said contract is hereby extended for the period of September 1, 2005 through August 31, 2006

to...Electronic Monitoring Systems, Inc., Maplewood, New Jersey  
in the amount of...\$6.25 per unit  
as per their bid submitted...August 5, 2003

No county funds are required for this contract, Inmates will be charged for this service.

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 470-05**

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 July 27, 2005

**RESOLUTION RE: AWARD OF PROFESSIONAL SERVICES AGREEMENT WC0456R  
FOR MAPP ASSESSMENT SERVICES AS MANDATED BY THE  
NEW STATE PUBLIC HEALTH PRACTICE STANDARDS FOR THE  
WARREN COUNTY HEALTH DEPARTMENT TO DR. STEVEN  
GODIN OF LEBANON, NEW JERSEY IN THE TOTAL AMOUNT OF  
\$10,000.00.**

**WHEREAS**, there exists a need for the professional services of an expert in the field of Mapp Assessment Services as mandated by the new state public health standards for the Warren County Health Department; 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 grant account S43355379/5029 – Bio Terror Grant/ Contracted Services

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Dr. Steven Godin of Lebanon, New Jersey for professional services for the above project, in the amount of \$10,000.00 per letter of agreement currently on file in the Office of the Director of Purchasing, be made part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of Agreement by signing same.
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A notice of this action shall be published in the Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 471-05**

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 July 27, 2005

**RESOLUTION RE: AWARDED THE PROFESSIONAL SERVICES AGREEMENT WC0555R FOR**

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**DENTAL SERVICES AT THE WARREN COUNTY CORRECTIONAL CENTER TO DENTRUST  
DENTAL, FOR THE PERIOD OF SEPTEMBER 1, 2005 THROUGH AUGUST 31, 2006,  
IN THE TOTAL AMOUNT OF \$27,900.00.**

**WHEREAS**, there exists a need for the professional services of an expert in the field of Mapp Assessment Services as mandated by the new state public health standards for the Warren County Health Department; 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 grant account S43355379/5029 – Bio Terror Grant/ Contracted Services

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Dr. Steven Godin of Lebanon, New Jersey for professional services for the above project, in the amount of \$10,000.00 per letter of agreement currently on file in the Office of the Director of Purchasing, be made part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of Agreement by signing same.
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A notice of this action shall be published in the Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 472-05**

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 July 27, 2005

**RESOLUTION RE: AWARD OF CONTRACT WC0542 FOR 12,000 TONS OF  
ROCKSALT FOR THE WARREN COUNTY ROAD  
DEPARTMENT FOR THE PERIOD OF SEPTEMBER 1, 2005  
THROUGH AUGUST 31, 2006 TO AMERICAN ROCK SALT,  
CO., LLC., AT THE UNIT PRICE OF \$45.84 PER TON AND AN  
APPROXIMATE TOTAL CONTRACT AMOUNT OF  
\$550,080.00.**

**BE IT RESOLVED**, that contract WC0542 for 12,000 tons of rock salt for the Warren County Road Department is hereby awarded in the approximate amount of... \$550,080.00 as per their bid submitted . . . July 19, 2005 and reviewed and recommended by the Director of Purchasing as the lowest

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responsible and responsive bid received.

Funds for this contract will be provided in budget account 012900/5125 – Road Department M & R Materials.

**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 473-05**

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 July 27, 2005

**RESOLUTION RE: AWARD OF CONTRACT WC0543 LUMBER FOR THE PERIOD OF SEPTEMBER 1, 2005 THROUGH AUGUST 31, 2006 TO L.E. RITTER LUMBER CO., AT THE UNIT PRICES AND DISCOUNTS OFFERED, NO GUARANTEED ANNUAL AMOUNT.**

**BE IT RESOLVED**, that contract WC0543 for lumber is hereby awarded

to L. E. Ritter Lumber Co., Belvidere, New Jersey

this contract establishes unit pricing and discounts

NOTE: New Jersey State Contract is the primary source of supply for lumber.

This contract is to provide a local supply contract in the event that items are not readily available under the state contract when needed.

as per their bid submitted...July 19, 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 various department OE budget accounts.

**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 474-05**

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 July 27, 2005

**RESOLUTION RE: AWARD OF CONTRACT WC0544 COMMERCIAL PROPANE TO**

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**AMERIGAS PROPANE, INC. FOR THE PERIOD OF SEPTEMBER 1, 2005 THROUGH AUGUST 31, 2006 WITH THE RIGHT TO EXTEND FOR A SECOND YEAR AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(1) IN THE APPROXIMATE AMOUNT OF \$57,000.00.**

**BE IT RESOLVED**, that Warren County Contract WC0544 for commercial propane is hereby awarded

to...Amerigas Propane, Inc., Stroudsburg, Pennsylvania

In the approximate amount of...\$57,000.00

as per their bid submitted...July 19, 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 013100/5070 – Bldgs & Grds – Heating Fuel, 012900/5070 – Roads – Heating Fuel, and 013510/5030 – Warren Haven Utilities – Operating Supplies

**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 475-05**

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 July 27, 2005

**RESOLUTION RE: AWARD OF CONTRACT WC0545 FOR THREE 2006 CHEVROLET IMPALA FULL SIZE SEDANS FOR THE WARREN COUNTY PROSECUTOR'S OFFICE TO HERTRICH FLEET SERVICES INC., IN THE CONTRACT AMOUNT OF \$15,810.00 EACH, TOTAL CONTRACT AMOUNT OF \$47,430.00.**

**BE IT RESOLVED**, that contract WC0545 for three 2006 Chevrolet Impala full size sedans for the Warren County Prosecutor's Office is hereby awarded

to...Hertrich Fleet Services Inc., Milford, Delaware

in the amount of...\$15,810.00 each, total contract amount \$47,430.00

as per their bid submitted...July 19, 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 account 312758-5100 – Prosecutor's Forfeiture Account.

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

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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 476-05**

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 August 10, 2005

**RESOLUTION TO APPOINT MEMBERS TO THE WARREN COUNTY MUNICIPAL AND CHARITABLE CONSERVANCY TRUST FUND COMMITTEE:**

**WHEREAS**, the Warren County Board of Chosen Freeholders adopted the Warren County Open Space and Farmland Preservation Trust Fund Procedures and Rules on June 26, 1996; and

**WHEREAS**, a recommendation for membership on the committee has been received from the Warren County Board of Recreation Commissioners whose previous term expired on March 25, 2005; and

**WHEREAS**, one At-Large member and one At-Large Alternate member shall be appointed by the Board of Chosen Freeholders;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren hereby appoint the following persons to the Warren County Municipal and Charitable Conservancy Trust Fund Committee:

**Warren County Board of Recreation Commissioners Representative:**

Robert Shandor  
69 Fox Farm Road  
Phillipsburg, New Jersey 08865  
Term: 3/26/05– 3/25/07

**At-Large Member:** Mary Baldwin  
215 Airport Road  
Hackettstown, NJ 07840  
Term: 3/26/05-3/25/07

**At-Large Alternate Member:** Harry Brown  
134 Deerfield Drive  
Hackettstown, NJ 07840  
Term: 3/26/04-3/25/06

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 477-05**

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 July 27, 2005

**RESOLUTION APPOINTING MEMBER TO THE WARREN COUNTY SPECIAL SERVICES SCHOOL DISTRICT BOARD OF EDUCATION:**



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Zellman to discuss agenda topics. Mr. Gardner thought the host county should "have a say" on the agenda. Mr. Chamberlain and Mr. Gardner were to feel free to submit any ideas through Mr. Marvin.

Due to Mr. Gardner's vacation plans, it was decided to cancel the regularly scheduled meeting of August 24, 2005.

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, **THE REGULAR MEETING OF AUGUST 24, 2005 WAS CANCELLED.**

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

Under Freeholder Comments, Mr. DiMaio referred to a letter received from Washington Borough asking for support of their application to the DOT for downtown improvements. A similar letter had been received from Phillipsburg as well regarding their miniature golf venture. Mr. Gardner was inclined not to become involved. Mr. Chamberlain inquired as to past practice in situations such as this, to which Mr. Marvin replied he had never seen these types of letters before.

Mr. DiMaio gave an update regarding the truck traffic on Routes 521 and 519 in Hope. He had met with Assistant DOT Commissioner Dennis Keck along with Dave Hicks and Hope Mayor Tim McDonough and thought the DOT was helpful in providing guidance on the best way to proceed. Weight limits have to be set with local deliveries being exempt.

Mr. Chamberlain mentioned the upcoming groundbreaking ceremony for the gas recovery system at the PCFA. He noticed they formed an LLC and didn't want County government to be obligated in any way. He wasn't sure "how we fit into this" and asked Mr. Marvin if any communication had come his way on this. The answer was no; Mr. Chamberlain said he would investigate further.

Mr. Gardner mentioned the upcoming Warren County Farmers' Fair and hoped one and all would come out to enjoy some family fun.

Mr. Gardner said he takes great personal offense to the lawsuit recently filed by the Warren County Bar Association in an attempt to have a new Court House. We have devoted a lot of time to this issue and we're close to finding a solution. "Shame on them for doing this at this point in time," he said. The suit is not on the Freeholders, but on the taxpayers. He hopes they will reconsider as they will be a hindrance to the time table for rectification. We will stay on track and stay focused on our goal to free up space in the Court House Annex so renovations can commence without disrupting Court functions, said Mr. Gardner. It now looks as though grant funds through the Open Space Trust Fund may be obtainable to construction of a new library on the White Township campus with the Department of Human Services being housed in the new building as well. He added, however, that he did not want to override the conclusions reached by the County Projects Committee.

**RESOLUTION 478-05**

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, at 8:37 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2005

**A RESOLUTION AUTHORIZING EXECUTIVE SESSION OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN**

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**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 July 27, 2005 that an Executive Session closed to the Public shall be held on July 27, 2005, at 8:37 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 9:59 p.m. and returned to open session.

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

**RESOLUTION 479-05**

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 July 27, 2005

**RESOLUTION AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE AN EMPLOYMENT AGREEMENT WITH BYRON FOSTER.**

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren has previously appointed Byron Foster to the position of Warren County Correctional Center Warden in accordance with N.J.S.A. 30:8-20 and desires to memorialize the terms and conditions of employment through an Employment Agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that an Employment Agreement with Byron Foster is incorporated herein by reference and the Freeholder Director is hereby authorized and directed to execute said Employment Agreement.

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

Steve Marvin Clerk of the Board

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

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 10:00 p.m.

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

**ATTESTED TO:**

**Steve Marvin, Clerk of the Board**