

MINUTES**AUGUST 10, 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 August 10, 2005 at 7:34 p.m.

The meeting was called to order by Director Gardner and upon roll call, the following members were present: Freeholder Richard Gardner, Freeholder John DiMaio and Freeholder Everett Chamberlain. Also attending were County Engineer Dave Hicks, CFO Charles Houck, Stephen Shaw on behalf of County Counsel Joseph 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 *AUGUST 10, 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."**

Under Public Comments (Agenda Items Only), Mr. Fred Cook of Blairstown Township asked about the purchase order being issued to Avante Technology, Inc. for two hundred full face voting machines. He questioned whether the machines have been certified by the State yet; the answer was negative. Mr. Cook asked if these machines will only be necessary for blind people as the current systems works for everyone else.

Mr. Gardner reminded him of the HAVA Act and that the purchase of new voting machines is being mandated by the State and Federal Governments. He is not prepared to vote on the resolution tonight, however.

Mr. Cook insisted that only a few should have to be purchased if in fact, only blind people really need to utilize a different type of machine. Can't everyone else vote without help even if they have a disability?

Mr. Gardner said we've had this conversation before and he does not disagree, but is compelled by the law.

RESOLUTION 480-05

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

MINUTES

AUGUST 10, 2005

RESOLUTION TO PAY BILLS.

Be and it is hereby resolved that Master Voucher Certificate For Certification/Ratification for Payments No. 2005-31, 2005-32 dated August 10, 2005 in the amount of \$ 4,691,849.20 including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2005-31	\$ 772,662.34
2005-32	<u>2,521,358.37</u>
TOTAL	<u>3,294,020.71</u>
Payroll 8/4/05	<u>1,397,828.49</u>
GRAND TOTAL	\$ 4,691,849.20

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 481-05

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 August 10, 2005

**INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN \$2,320.00
FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY,
LOCAL LAW ENFORCEMENT BLOCK GRANT #LLE-44-04.**

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 \$ 2,320.00, which item is now available from the State of New Jersey, Department of Law and Public Safety, Local Law Enforcement Block Grant #LLE-44-04

BE IT FURTHER RESOLVED that a like sum of \$ 2,320.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Law and Public Safety, Local Law Enforcement Block Grant #LLE-44-04 (administered by the Sheriff's Dept)

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

MINUTES**AUGUST 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 482-05

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 August 10, 2005

**INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN \$859,097.00
FROM THE STATE OF NEW JERSEY, DIVISION OF ARCHIVES & RECORD
MANAGEMENT – PUBLIC ARCHIVES AND RECORDS INFRASTRUCTURE SUPPORT
GRANT (PARIS).**

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 \$ 859,097.00, which item is now available from the State of New Jersey, Division of Archives & Record Management – Public Archives & Records Infrastructure Support Grant (PARIS).

BE IT FURTHER RESOLVED that a like sum of \$ 859,097.00 be and the same is hereby appropriated under caption:

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

Division of Archives & Record Management
Public Archives & Records Infrastructure Support Grant (PARIS)
(administered by the Information Systems Dept.)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Division of Archives & Record Management.

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 483-05

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 August 10, 2005

**INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN AN
ADDITIONAL \$142,786.47 FROM THE STATE OF NEW JERSEY, DIVISION OF STATE
POLICE – FEMA REIMBURSEMENT COUNTY PROPERTY DAMAGE – IVAN STORM
FOR A TOTAL AWARD OF \$422,981.10.**

MINUTES**AUGUST 10, 2005**

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 \$ 142,786.47, which item is now available from the State of New Jersey, Division of State Police - FEMA Reimbursement - County Property Damage - Ivan Storm

BE IT FURTHER RESOLVED that a like sum of \$ 142,786.47 be and the same is hereby appropriated under caption:

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

State of New Jersey, Division of State Police, FEMA Reimbursement,
County Property Damage, Ivan Storm
(administered by the Engineer's Dept.)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Division of State Police.

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 484-05

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 August 10, 2005

**INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN AN
ADDITIONAL \$538,263.00 FROM THE STATE OF NEW JERSEY,
DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF STATE POLICE,
HOMELAND SECURITY FY05 HSGP.**

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 \$ 538,263.00, which item is now available from the State of New Jersey, Department of Law & Public Safety, Division of State Police, Homeland Security

MINUTES**AUGUST 10, 2005**

BE IT FURTHER RESOLVED that a like sum of \$ 538,263.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Law & Public Safety, Division of State Police,
Homeland Security (administered by the Public Safety Dept)

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

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 485-05

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 APPROVING THE WORK FIRST NEW JERSEY FUNDING LETTER OF AGREEMENT BETWEEN THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES AND THE MORRIS/SUSSEX/WARREN EMPLOYMENT AND TRAINING SERVICES; ANTICIPATED FUNDS NOT TO EXCEED \$17,751 FOR THE PERIOD AUGUST 1, 2005 THROUGH JUNE 30, 2006.

WHEREAS, effective July 1, 2004, all state workforce investment programs were consolidated under the NJ Department of Labor and Workforce Development; and

WHEREAS, this consolidation requires an annual Letter of Agreement between the Warren County Department of Human Services, Division of Temporary Assistance and Social Services, and the Morris/Sussex/Warren Employment and Training Services outlining a coordination of responsibilities for planning, oversight and funding of welfare client enrolled in the Early Employment Initiative (EEI) program for the period August 1, 2005 through June 30, 2006; and

WHEREAS, Morris County has made available to Warren County Division of Temporary Assistance and Social Services funding to support EEI client services in an amount not to exceed \$17,751.

NOW, THEREFORE BE IT RESOLVED that the Warren County Board of Chosen Freeholders approves the Letter of Agreement with the Morris/Sussex/Warren Employment and Training Services for welfare clients enrolled in the Early Employment Initiative prior to June 30, 2006.

BE IT FURTHER RESOLVED that the Director of the Board is hereby authorized to sign the Letter of Agreement with the Morris/Sussex/Warren Workforce Investment Board.

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

Steve Marvin Clerk of the Board

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

MINUTES**AUGUST 10, 2005****RESOLUTION 486-05**

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 AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE ADDENDUM #2 MASTER SERVICE AGREEMENT #W003C (VEHICULAR SERVICES), #W004C (COPY PAPER SUPPLY SERVICES) AND #W006C (FACILITIES SERVICES) BETWEEN THE STATE OF NEW JERSEY, JUDICIARY, ADMINISTRATIVE OFFICE OF THE COURTS AND THE COUNTY OF WARREN EFFECTIVE JULY 1, 2005 UNTIL JUNE 30, 2006.

WHEREAS, the State of New Jersey, Judiciary, Administrative Office of the Courts ("AOC") has converted the costs of the court offices; and

WHEREAS, the County has agreed to the terms in the Master Service Agreement #W003C Vehicular Services, #W004C Copy and Computer Paper Supplies Services and #W006C Facilities Services; and

WHEREAS, both parties have agreed to the terms and conditions as outlined in the above mentioned Master Service Agreement and Addendum #2 attached to the agreement.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Board of Chosen Freeholders of the County of Warren is hereby authorized to execute Addendum #2 of Master Service Agreement #W003C, #W004C and #W006C.

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 487-05

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 APPROVING AN AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE PROPERTY OWNERS FOR A DRAINAGE EASEMENT ON BLOCK 66, LOT 11 FOR STORM WATER IMPROVEMENTS ALONG COUNTY ROUTE #617, WHITE TOWNSHIP.

WHEREAS, the County of Warren needs to improve the drainage along County Route #617 in White Township to alleviate a drainage problem, which requires a drainage easement on Block 66, Lot 11; and

WHEREAS, the property owners of Block 66, Lot 11 are willing to grant a permanent drainage easement to the County and allow drainage improvements to be done for an equitable cost of \$500.00 negotiated by the County Engineer.

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the Agreement with the property owners for a permanent drainage easement on Block 66, Lot 11, County Route #617 in White Township.

MINUTES**AUGUST 10, 2005**

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 488-05

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 ESTABLISH AND MAINTAIN NO PASSING ZONES ALONG COUNTY ROUTE #630 (WASHBURN AVENUE), WASHINGTON TOWNSHIP, WARREN COUNTY, NEW JERSEY.

BE IT RESOLVED that No Passing Zones be established and maintained along County Route #630 (Washburn Avenue), Washington Township, Warren County, New Jersey as authorized by the New Jersey Department of Transportation on:

<u>Rt. No.</u>	<u>Road Name</u>	<u>Municipality</u>	<u>From</u>	<u>To</u>
630	Washburn Avenue	Washington Township	South Broad Street	State Route 57

BE IT FURTHER RESOLVED that this resolution shall take effect upon approval by the Commissioner of the Department of Transportation.

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 489-05

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 ESTABLISH AND MAINTAIN NO PASSING ZONES ALONG COUNTY ROUTE #653 (RUTHERFORD ROAD), ALLAMUCHY TOWNSHIP, WARREN COUNTY, NEW JERSEY.

BE IT RESOLVED that No Passing Zones be established and maintained along County Route #653 (Rutherford Road), Allamuchy Township, Warren County, New Jersey as authorized by the New Jersey Department of Transportation on:

<u>Rt. No.</u>	<u>Road Name</u>	<u>Municipality</u>	<u>From</u>	<u>To</u>
653	Rutherford Road	Allamuchy Township	County-Route #517	Panther Valley Corp. Line

BE IT FURTHER RESOLVED that this resolution shall take effect upon approval by the Commissioner of the Department of Transportation.

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

MINUTES**AUGUST 10, 2005**

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 490-05

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 RESCIND THE WEIGHT LIMIT ON WARREN COUNTY BRIDGE #04053, COUNTY ROUTE #602, OVER BLAIR CREEK, BLAIRSTOWN TOWNSHIP, WARREN COUNTY.

WHEREAS, the County Engineer has reported to the Board of Chosen Freeholders of the rehabilitation of the above bridge; and

WHEREAS, the previous weight limit of twenty-two (22) tons for single vehicles and forty (40) tons for semi-trailers is no longer necessary; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the rescinding of the weight limit on Warren County Bridge #04053.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Blairstown Township, Warren County.

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 491-05

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 DECREASE THE WEIGHT LIMIT ON WARREN COUNTY BRIDGE #16009, POINT MOUNTAIN ROAD AND HUNTERDON COUNTY BRIDGE L-25-W, POINT MOUNTAIN ROAD, OVER THE MUSCONETCONG RIVER, MANSFIELD & LEBANON TOWNSHIPS.

WHEREAS, the County of Warren desires to change the weight limit on Warren County Bridge #16009/Hunterdon County Bridge L-25-W, an Intercounty Bridge; and

WHEREAS, the County Engineer has recommended that the current twelve (12) ton weight limit be decreased to a six (6) ton weight limit based on the structural evaluation done by Hunterdon County Engineer's Office.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren does hereby approve the decrease of weight limit to six (6) tons.

BE IT FURTHER RESOLVED by the Board that the proper notification shall be placed on said bridge advising the general public and all others that said bridge is restricted to all vehicular traffic exceeding the prescribed limits.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to

MINUTES**AUGUST 10, 2005**

Mansfield Township, Warren County and the County of Hunterdon.

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 492-05

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 DECREASE THE WEIGHT LIMIT ON WARREN COUNTY BRIDGE
#23004, EDISON ROAD OVER PEQUEST RIVER, WHITE TOWNSHIP,
WARREN COUNTY.**

WHEREAS, the County of Warren has reported to the Board of Chosen Freeholders structural deterioration of the above bridge; and

WHEREAS, the County Engineer has recommended that the current twelve (12) ton weight limit be decreased to a three (3) ton weight limit; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren does hereby approve the decrease of weight limit to three (3) tons.

BE IT FURTHER RESOLVED by the Board that the proper notification shall be placed on said bridge advising the general public and all others that said bridge is restricted to all vehicular traffic exceeding the prescribed limits.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to White Township, Warren County.

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 493-05

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 ERECT A TEMPORARY STOP SIGN ON COUNTY ROUTE
#626 (LOMMASON GLEN ROAD) WHITE TOWNSHIP, WARREN COUNTY,
NEW JERSEY.**

WHEREAS, the roadway structure of County Route #626 was damaged and undermined during Tropical Depression Ivan in September of 2004; and

WHEREAS, a section of the roadway is limited to single lane operation until such time as the necessary permits can be obtained and the final design plans for repairs can be prepared; and

WHEREAS, the County Engineer, to insure traffic safety, has recommended that a temporary "Stop" sign be installed on County Route #626 for westbound traffic at a location 1,680 feet west of Buckhorn Drive.

MINUTES**AUGUST 10, 2005**

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby approves the installation of the temporary "Stop" sign to be in effect immediately upon the installation of proper signing and the notification of the Commissioner of Transportation.

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 494-05

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 GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT EASEMENT ON THE DIECIDUE FARM IN KNOWLTON TOWNSHIP PROVIDING COUNTY FUNDS IN AN AMOUNT NOT TO EXCEED KNOWLTON TOWNSHIP'S SHARE OF THE PURCHASE.

WHEREAS, the Board of Chosen Freeholders of the County of Warren has determined that the property known as the Diecidue Farm located at Block 47 Lot 15.01 in Knowlton Township and consisting of approximately 45 acres, is available for purchase of a development easement in accordance with the requirements of the farmland preservation programs, and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agriculture Development Committee and final approval by the Warren County Agriculture Development Board, and

WHEREAS, the property is part of an approved Planning Incentive Grant application, and

WHEREAS, the purchase of the development easement on the property will encourage the survivability of productive agriculture in Warren County

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

1. The board hereby grants permission for the purchase of the development easement on the above described property.
2. The county's share in regard to the purchase of said easement shall be no greater than the share that the Township of Knowlton provides, the county's share is estimated at \$31,500. The Freeholder Director or Administrator of Warren County is authorized to sign the Assignment of Deed of Easement, the Cost-sharing Agreement, and any and all documents necessary for the acquisition of the Development Easement on the above property in the Township of Knowlton, County of Warren, State of New Jersey under the term outlined above.

BE IT FURTHER RESOLVED that adequate funds in the amount of \$31,500. In account #03895-5067-8950612-5067 have been certified by the Chief Financial Officer.

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.

MINUTES**AUGUST 10, 2005**Steve Marvin Clerk of the Board

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

Mr. Gardner inquired as to the location of Edison Road in White Township. Mr. Hicks told him this is the next bridge up from Route 519 off of Titman Road. There is only one person that lives down the existing lane who currently parks where the easement is, so the lower weight limit will "change the way they do things," but there is another access, so we can't spend a lot of public money on this bridge.

RESOLUTION 495-05

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 August 10, 2005

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0557 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR CONVERSION OF MICROFILM IMAGES INTO A DIGITAL FORMAT FOR ELECTRONIC STORAGE & RETRIEVAL FOR THE WARREN COUNTY CLERK'S DEPARTMENT.

BE IT RESOLVED, that specification WC0557 for conversion of microfilm images into a digital format for electronic storage and retrieval for the Warren County Clerk's Department 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 grant account S51405377/5029 – PARIS Grant – Contracted Services

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

Steve Marvin Clerk of the Board

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

RESOLUTION 496-05

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 August 10, 2005

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0558 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR MOBILE TRACK SHELVING FOR THE WARREN COUNTY INFORMATION SYSTEMS DEPARTMENT.

BE IT RESOLVED, that specification WC0558 for mobile track shelving for the Warren County Information Systems Department 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 grant account S51405377/5029 – PARIS Grant – Contracted Services.

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

Steve Marvin Clerk of the Board

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

MINUTES

375
AUGUST 10, 2005
RESOLUTION 497-05

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 RE: AWARD OF A PURCHASE ORDER TO THE CENTER FOR INFORMATION MANAGEMENT, INC. TO PROVIDE DATA COLLECTION SOFTWARE AND DATABASE HOSTING IN SUPPORT OF A PILOT PROGRAM WITH THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES IN CONJUNCTION WITH THE WARREN COUNTY DEPARTMENT OF SENIOR SERVICES IN THE TOTAL AMOUNT OF \$24,900.00.

WHEREAS, it has been recommended that the county issue a purchase order for data collection software and database hosting in support of a pilot program with the New Jersey Department of Health and Senior Services in conjunction with the Warren County Department of Senior Services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5(dd)) is an exception and requires a resolution authorizing the award of contracts without competitive bids and the contract itself must be available for public inspection; and

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

NOW THEREFORE, BE IT RESOLVED, that a contract be awarded to Center for Information Management Inc., of Ann Arbor, Michigan for providing data collection software and database hosting on licensed products for the Warren County Department of Senior Services.

BE IT FURTHER RESOLVED by the Board of Chosen Freeholders of the County of Warren as follows:

1. The Director of Purchasing is hereby authorized and directed to issue a purchase order to Center for Information Management, Inc., of Ann Arbor, Michigan.
2. This contract is awarded without competitive bidding as an "Exception" in accordance with 40A:11-5(dd) of the Local Public Contracts Law because the services provided are for proprietary computer software and database hosting.
3. A notice of this action shall be published in the The Star-Ledger.
Funding for this contract is provided in grant account S43525329/5029 – New Jersey Ease – Contracted Services

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

Steve Marvin Clerk of the Board

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

RESOLUTION 498-05

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 RE: AWARD OF CONTRACT WC0534 LOWER-MODE TRANSPORTATION SERVICES FOR THE WARREN COUNTY DEPARTMENT OF

MINUTES

AUGUST 10, 2005

TEMPORARY ASSISTANCE AND SOCIAL SERVICES TO AKAB, INC., FOR THE PERIOD OF SEPTEMBER 1, 2005 THROUGH AUGUST 31, 2006 WITH THE RIGHT TO EXTEND FOR TWO ADDITIONAL YEARS AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15, AT A UNIT COST BASED ON \$2.15 PER MILE, TOTAL CONTRACT AMOUNT NOT TO EXCEED \$70,000.00.

BE IT RESOLVED, that contract WC0534 for lower-mode transportation services for the Warren County Department of Temporary Assistance and Social Services is hereby awarded

toAkab, Inc., Phillipsburg, New Jersey

in the amount of.....\$2.17 per mile not to exceed \$70,000.00

as per their bid submittedJune 14, 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 013450/5029 – TASS – Contracted Services

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 499-05

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 RE: AWARD OF CONTRACT WC0538 FOR A 2005 MCCORMICK MODEL CX75 TRACTOR WITH ALAMO MACHETE FLAIL MOWER FOR THE WARREN COUNTY ROAD DEPARTMENT TO STORR TRACTOR COMPANY, IN THE TOTAL CONTRACT AMOUNT OF \$74,434.00.

BE IT RESOLVED, that contract WC0538 for a 2005 McCormick Model CX75 Tractor with Alamo Flail Mower for the Warren County Road Department is hereby awarded

to Storr Tractor Company, Sommerville, New Jersey

in the amount of\$74,434.00

as per their bid submittedJune 28, 2005

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

MINUTES**AUGUST 10, 2005**

Funding for this contract will be provided in capital account 0405A603/5058 – 05 Capital – Roads Tractor Mower.

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 500-05

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 RE: AWARD OF CONTRACT WC0559R TO CHENOA INFORMATION SERVICES OF EDISON, NEW JERSEY FOR DEVELOPMENT OF A RECORDS MANAGEMENT STRATEGIC PLAN AND A RECORDS MANAGEMENT NEEDS ASSESSMENT FOR THE COUNTY OF WARREN IN THE AMOUNT OF \$110,000.00.

WHEREAS, there exists a need for development of a records management strategic plan and a records management needs assessment for the County of Warren, Paris Grant Project 05210001; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a) et. seq.) requires a resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

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

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

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

Funding for this contract is provided in grant account S51405377/5029 – PARIS Grant Contracted Services

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

Steve Marvin Clerk of the Board

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

MINUTES**AUGUST 10, 2005****RESOLUTION 501-05**

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 RE: AWARD OF CONTRACT WC0560R TO CHENOA INFORMATION SERVICES OF EDISON, NEW JERSEY FOR BUSINESS CONTINUITY & DISASTER RECOVERY PLANNING SERVICES FOR THE WARREN COUNTY SURROGATE'S OFFICE IN THE AMOUNT OF \$42,000.00.

WHEREAS, there exists a need for business continuity and disaster recovery services and planning for the Warren County Surrogate's Office, Paris Grant Project 05210002; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5(1)(a) et. seq.) requires a resolution authorizing the award of contracts for "Extraordinary, Unspecifiable Services" without competitive bids and the contract itself must be available for public inspection; and

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

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

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

Funding for this contract is provided in grant account S51405377/5029 – PARIS Grant Contracted Services

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

Steve Marvin Clerk of the Board

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

RESOLUTION 502-05

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 APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0512 WITH DENVILLE LINE PAINTING, INC. FOR 2005 PAVEMENT MARKINGS ON VARIOUS WARREN COUNTY ROADS FOR A NET INCREASE OF \$4,535.00 AND A REVISED CONTRACT AMOUNT OF \$235,920.20.

WHEREAS, Contract #WC0512 was awarded to Denville Line Painting, Inc.

MINUTES**AUGUST 10, 2005**

for the 2005 Pavement Markings on Various Warren County Roads in the contract amount of \$231,385.20; and

WHEREAS, additional pavement marking items are needed resulting in a net increase of \$4,535.00; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve Change Order #1 for the above project with Denville Line Painting, Inc. for a net increase of \$4,535.00 and a revised contract amount of \$235,920.20.

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

Steve Marvin Clerk of the Board

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

Regarding Item H-6 on the agenda, Mr. Chamberlain asked if all County roads were included in the contracted amount. Mr. Hicks said Denville Line Painting, Inc. had been awarded the line painting contracting this year. Additional road work had to be done which is what caused the increase. The company is paid by the linear foot and the original amount was based on an estimate by the Engineering Department.

Mr. Marvin asked if the contract included all surfacing projects and all oil and chip on the roads. Mr. Hicks replied that sometimes resurfacing is included and sometimes not. He wasn't sure if in this case it was included; sometimes coordination problems arise. It can cost just as much for temporary latex lines because they have to be put down within a week or two and to have that provision in the contract causes the price to go up to almost what it costs to have a permanent epoxy line. "We're trying to figure out the best way to do that and get it coordinated," said Mr. Hicks. "It's not as easy as we would like it to be at times."

Mr. Marvin apprised the Board of the latest developments regarding the purchase of new voting machines. The Election Board has recommended the larger, full face model. Due to the second meeting in August of the Freeholder Board being cancelled, plus the nearing deadline for which the paperwork can be submitted to the Attorney General's Office for reimbursement, Mr. Marvin urged the Board to decide which of the models they prefer to enable preparation of documents for the next regularly scheduled meeting on September 14. The deadline had previously been understood to be October 1, 2005 for January 1, 2006 compliance, but in a recent conversation between Election Board Administrator Mary Meyers and the Deputy Attorney General, Ms. Meyers was led to believe that the deadline may be extended beyond January 1. Upon second reading of the HAVA Law, the Attorney General's Office has arrived at the opinion that the law is not applicable until the primary election in June of 2006. Aside from the fact that there may be more time available than had originally been understood, that does not change the fact that the Board must arrive at a decision soon. There is a fairly substantial amount of documentation required to recover reimbursement.

Mr. Gardner mentioned he thought the County's share was supposed to be

MINUTES**AUGUST 10, 2005**

about \$280,000, but now the amount is more like \$400,000. Mr. Marvin said \$100,000 had been built into the Budget, but he did not recall that the Board ever heard the other figure.

The smaller machines come in components which would require three separate hook-ups by poll workers, while the full face machines recommended by the Election Board would only have to be plugged into an electrical outlet. Barry Smith described the connection process in detail and said the more that has to be connected on site, the higher the chances of something going wrong. There are "quite a few steps involved" in putting the machines together.

In response to Mr. Gardner's inquiry regarding moving and storage costs, Mr. Marvin replied storage is expected to cost about \$36,000 plus an additional \$10,000 to \$12,000 for moving expenses per year. A covered vehicle with a lift gate would be required to move the larger machines. The County would probably have to employ professional movers as opposed to utilizing "in house" personnel as had been done in the past.

Mr. Chamberlain expressed a concern in the way candidates' names would be placed on the ballot if the full face machines are purchased. He likes the system in use now where names are positioned on the ballot arbitrarily. He wants the voting to be as fair as possible and with names positioned on a "party line", some candidates will be at a disadvantage. This is currently being done in Hunterdon County. How do we maintain control so that candidates are put on the ballot fairly and evenly regardless of party affiliation?

Mr. Shaw cited problems with the last gubernatorial primary election in which some names were actually on the second page of the ballot even though they were running for the same office, resulting in a restructuring of the ballot. There is always the potential for "bracketing", but there are limits. He did not know if the machine in question would exacerbate the problem of bracketing or not.

Mr. DiMaio shared his personal experience of having been on the Hunterdon County ballot in the recent primary election. He noted the candidate listed below him won more votes than he. He was of the opinion that voters are "much smarter today" with respect to candidates, particularly in primary elections.

Mr. Chamberlain said, "That may be so," but it remains a concern and he likes the current system in terms of setting up the ballot.

Mr. Shaw thought placement was determined by the County Clerk. Mr. Marvin asked him to research Title 19 and report to the Board whether or not the Board has the ability to determine ballot structure.

Mr. Chamberlain asked if there was a warranty on these machines. Mr. Smith thought there was a two year warranty. Mr. Chamberlain expressed concern that there is no track record for these machines, and again cited moving and storage expenses and the fact that they are not currently in production, there are only

AUGUST 10, 2005

MINUTES

prototypes.

Certification of the new machines is expected by September 30 and Mr. Marvin intends to build an escape clause into the purchase order in case they fail to be certified. Election Board Member C.J. Koop said the machines are "out there and being tested" in Connecticut and California and all the information can be found on Avante's website.

Mr. DiMaio pointed out that on the larger screen the entire ballot shows up as one page, whereas on the smaller screen, you have to move from race to race. Ms. Koop confirmed this and said the voters can't see the selections they have already made. They have to go back which takes longer.

Mr. DiMaio said he understands Mr. Chamberlain's concerns, but having election workers who may not have the technological experience dealing with this equipment only three or four times a year, having to do all the hookups may be "somewhat chaotic".

Mr. Chamberlain asked about the opinions of the roughly 360 poll workers regarding the two voting machines. Mr. Koop said those under the age of 60 had no problems at all; older people did take a bit longer. The machines have been available for demonstration at three different places so far. On the larger machines, people liked that the point size can be enlarged for a particular race for better viewing. Once the selection is made, the point size drops back down to display the entire ballot. The seniors thought this was great. On the smaller machine, the point size is unalterable and the voter must move from race to race without a display of the ballot in its entirety.

Mr. DiMaio mentioned voter drop-off; there being less and less interest as you move down the ballot. Ms. Koop said these are known as "residual votes" and demonstrates another way in which the Avante machines are superior to Sequoia. Avante tells the voter when they have skipped a choice, so they cannot unintentionally skip a race.

Mr. Chamberlain apologized for not having had the opportunity to speak with Mary Meyers recently, but intends to speak with her soon regarding these issues.

RESOLUTION 503-05

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 MEMBER TO THE WARREN COUNTY MUNICIPAL
AND CHARITABLE CONSERVANCY TRUST FUND COMMITTEE:
ELAINE EMILIANI – TERM TO EXPIRE 3/25/07**

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;

MINUTES**AUGUST 10, 2005**

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

Region 2 Representative:

Elaine Emiliani

Term to expire: 3/25/07

215 Aldin Road

Stewartsville, NJ 08886

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

PROCLAMATION 504-05

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 August 10, 2005

PROCLAMATION – HONORING MEMBERS OF T.R.A.I.L. (TEEN RUSSIAN/AMERICAN INTERNATIONAL LEADERSHIP) PROGRAM – AUGUST 10, 2005.

WHEREAS, members of the Warren County 4-H Teen Council Jesse Mazzariello, Michael Mazzariello, Jordan Race, Kira Race and Lucia Riotto, organized an effort known as the T.R.A.I.L. (Teen Russian/American International Leadership) Program; along with Alayne Torretta, County 4-H Agent and Sharon Fitch, Warren County 4-H Volunteer; and

WHEREAS, the goals of the T.R.A.I.L. Program are to create an opportunity for Russian youth to visit the U.S and American youth to visit Russia; to establish 4-H clubs in Russia that meet the needs of Russian youth; to increase awareness and understanding of the two cultures and societies; to develop lasting relationships among American and Russian youth; and to increase leadership skills among teens; and

WHEREAS, the T.R.A.I.L. members visited Russia last year, and this year are hosting a visit from Maksim Moiseev and Semen Revyakin to further the program's goals;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Chosen Freeholders of the County of Warren welcomes Maksim Moiseev and Semen Revyakin on their visit to the United States of America, and expresses its admiration and support for the members of T.R.A.I.L. from both nations as they serve as ambassadors working to enhance cross-cultural understanding.

Richard D. Gardner, Director
Board of Chosen Freeholders

John DiMaio, Deputy Director
Board of Chosen Freeholders

Everett A. Chamberlain, Freeholder
Board of Chosen Freeholders

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

Steve Marvin Clerk of the Board

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

MINUTES**AUGUST 10, 2005**

Mr. Gardner said it was a pleasure to have the Russian teens in attendance this evening; he had the good fortune of meeting them at the fair last week.

Mr. DiMaio said this is exciting and hopes they are having a pleasant stay.

Mr. Chamberlain said if there is ever going to be world harmony, it will be through the youth. This is a great opportunity to strive toward resolving conflicts in the world today.

Mr. Gardner agreed and mentioned the Palestinian-Israeli conflicts. Youth is the way to go in efforts to bring about world peace. He commended County 4-H Agent Alayne Torretta and the Teen Council for enabling the young men to visit.

There were no reports or comments submitted by County Counsel, County Engineer or County Planner.

County CFO Charles Houck informed the Board that the Town of Belvidere requested a 30-day extension of the third quarter County tax payment due to costs incurred by the April flooding and late mailing of tax bills. The County is entitled to impose a 6% penalty for late payment. Mr. Houck reminded the Board that Belvidere and Washington Township are still delinquent in the final 2003 payment as well.

Mr. Gardner asked about the financial impact. Mr. Houck said the situation "is not a huge problem", but suggested a letter be sent saying the 30-day extension without penalty would be acceptable, but the County expects receipt of the 2003 payment.

Mr. Gardner and Mr. Chamberlain agreed with Mr. Houck's recommendation as long as the practice does not become habitual.

Mr. Chamberlain mentioned money recently having been received from FEMA and asked for a status report. Mr. Hicks said there is still a significant amount of money to come and lots of work to be completed on Lommason Glen Road and Brass Castle Road because of wall reconstruction. These are located in Highlands Preservation Areas. Communication is continuing with Federal Highway and Federal Aid Road Projects, since we were granted about one-third of what we think is needed. They came out to assess damage without notification, so County Engineer personnel did not have the opportunity to meet with them to explain what was temporary and what was permanent.

Mr. Gardner asked if a separate \$500 fee would be required to obtain approval for each project in the preservation area. Mr. Hicks did not think a Letter of Determination would be necessary after speaking with the Bureau Chief; he intends to submit the application for the rest of Lommason Glen Road "to see what they do with it". Mr. Hicks is of the opinion that this project should be exempt from regulations and from an individual wetlands permit. Communication and interpretation seems to take a long time in these instances.

MINUTES**AUGUST 10, 2005**

Mr. Gardner asked if the road would be finished before the winter; he is concerned about the risk of having only one lane.

Mr. Hicks said he understands, but even if there had been an affirmative decision two months ago, there would not have been time to go through the permit process, advertise bids, award contracts and complete the work this year. One of the resolutions approved this evening will allow for a stop sign with warnings leading up to it to make the roadway as safe as possible.

Mr. Marvin said an agenda has yet to be established for the upcoming Five County Coalition Meeting. Ilene St. John, Clerk of the Board in Morris County, recommended rail transportation as a topic for presentation. Other ideas include a presentation by Morris County on Their evaluation of the DEP rules and a presentation on the Highlands Improvement Act.

Mr. DiMaio said although he did see Sussex County Freeholder Sue Zellman recently and broached the subject, she has yet to get back to him. He thought the topic of rail transportation was a very good idea. Mr. Gardner agreed, but also thought the Highlands Improvement Act should be included as an ancillary topic.

Mr. Marvin then reminded the Board of a letter that had been sent nearly four weeks ago to the DOT to inquire as to the status of the joint trust account with the County's money that had been established for the purchase of land for the Transportation Heritage Center. There has been no answer or return phone call. His suggestion was to put the DOT on notice of the County's intention to void the agreement and close the account, particularly in light of Phillipsburg's alternate development plans. The Board agreed.

Referencing an earlier meeting with Mr. Chamberlain, Special Counsel Joe Houston, Karen Kubert and Brown & Brown representatives in regard to a question on indemnification of Special Counsel, Mr. Marvin asked the Board to vote on the following resolution to be formally memorialized at the September 14 meeting.

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, RESOLUTION APPROVING THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS' DECISION TO PROVIDE DEFENSE AND INDEMNIFICATION TO JOSEPH HOUSTON, ESQ., EDWARD PALMER, ESQ. AND THE FIRM OF HOUSTON & PALMER FOR ANY AND ALL SUITS OR COURT ACTIONS WHICH MIGHT BE BROUGHT AS A RESULT OF THEIR APPOINTMENT AS SPECIAL COUNSEL TO WARREN COUNTY FOR ACTIVITIES RELATIVE TO THE DEPARTMENT OF HUMAN SERVICES EXCEPTING ANY CASES INVOLVING GROSS NEGLIGENCE.

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

Under Freeholder Comments, Mr. Gardner again thanked County 4-H Agent Alayne Torretta for bringing the Russian teens to Warren County. He thought the Warren County Farmers' Fair was very successful this year.

Neither Mr. DiMaio nor Mr. Chamberlain had any comments.

MINUTES

AUGUST 10, 2005

Under Closing Public Comments, Fred Cook approached the Board regarding eminent domain. In reaction to the recent Supreme Court ruling, the Blairstown Township Committee drafted a letter to Acting Governor Codey asking for a special session before the election to pass legislation to prevent the seizure of private houses through eminent domain. He asked the Freeholders to support S2739 co-sponsored by Nia Gill (D-34) and Diane Allen (R-7) by asking the Governor for a special session to deal with the issue.

Mr. Gardner and Mr. Chamberlain agreed eminent domain is wrong and will invite corruption. The Board was expected to review the documentation.

Ms. C.J. Koop of Lopatcong Township came forward on behalf of the Redevelopment Advisory Board in Phillipsburg in regard to the \$875,000 earmarked for the Transportation Heritage Center the County is expected to repossess. She respectfully requested the funds continue to be committed to Phillipsburg. Some of that money may be needed to move things around to help make downtown Phillipsburg a tourist attraction.

Mr. Gardner said use of the funds will be at the Board's discretion. He was not under the impression that Phillipsburg was interested in the rail transportation museum. Ms. Koop said that was not the case. The intention is to keep it, just not on one single tract of land. She said Phillipsburg "absolutely" still wants to be a tourist destination.

Mr. Gardner said, "We'll have to see." He expressed concerns about space for parking. Ms. Koop said parking was allowed for in the plan and urged the Board to take the time to look at it.

RESOLUTION 505-05

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, at 8:45 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 10, 2005

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

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

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

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

1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered

MINUTES

AUGUST 10, 2005

confidential or excluded from the provisions of the Open Public Meetings Act.

- 2) *Matters Where the Release of Information Would Impair the Right to Receive Funds:* Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- 3) *Matters Involving Individual Privacy:* Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- 4) *Matters Relating to Collective Bargaining Agreements:* Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- 5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:* Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- 6) *Matters Relating to Public Safety and Property:* Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of possible violations of the law.
- 7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
- 8) *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer 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 August 10, 2005 that an Executive Session closed to the Public shall be held on August 10, 2005, at 8:45 p.m. in the

MINUTES**AUGUST 10, 2005**

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 9:50 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 9:51 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board