

MINUTES**SEPTEMBER 28, 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 September 28, 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, 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 SEPTEMBER 28, 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."**

Before commencing with the regular agenda, Mr. Gardner invited employees of CWA (Communication Workers of America) 1071 to speak as many were present demonstrating for settlement of their labor agreement.

Ms. Lynn Buckley, an employee of CWA, was the first to approach the Board. After introducing herself, she went on to say, "I chair the bargaining that has been going on for Local 1071 and I'm here basically tonight to ask you to reconsider the package that we put in front of you in July that I thought we had an agreement on when we walked out of here the end of June. We believe that it was a good package for the County and a good package for the employees and we don't want to go any further. We're happy with what we had agreed on with Mr. Marvin and we're asking you to reconsider it. That's it."

Mr. Gardner thanked her for coming forward.

Next to approach was Faith Willis, President of CWA Local 1071. She said, "Warren County Freeholders and Warren County Citizens and Taxpayers, the membership of CWA Local 1071 respectfully requests some of your time in order to discuss the issue of the impasse over our proposed contract. As you are aware, we are currently requesting mediation in this matter. It has occurred to some of us that few people in Warren County are aware of what the employees of Warren County Temporary Assistance (TASS) do and who we are. Warren County TASS is a full service social agency providing direct services to the residents of Warren County. We work with the poorest of the poor, the weakest of the weak, the damaged, the homeless, refugees, the displaced, the abused and abusers. We provide direct service, aid, food stamps, financial aid to families for children and single adults, medical care for children and families, disabled adults, single adults and the elderly. We provide placement for job training, housing, child care, education and nursing home care. We grant emergency assistance for housing and aid to prevent homelessness. If there is any social program in Warren County, Warren County TASS is on the front line, providing services and aid in an objective, caring and professional manner. Few of us work the

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prescribed 35-hour work week. Many of us come in early and stay late – whatever it takes to get the job done. We work hard, too. A recent comparison of units of service for Warren County, Morris County and Somerset County that was done this year shows that Warren County Temporary Assistance and Social Services outperforms Morris County by 19% and Somerset County by 24%. For the General Assistance and TANF (Temporary Assistance to Needy Families) caseloads, Morris County has four times the population of Warren County, but less than half of Warren County's cases. Warren County gave 1,675 units of service in the same period of time Morris County provided 793 units of service. Warren County has twice the caseload for TANF and General Assistance, but has one-third the staff of

Morris County. Warren County has 50, Morris County has 150. We are providing service at a real bargain for Warren County taxpayers. We need your help. We have been bargaining in good faith; we have attempted to find unique solutions to some of the sticking points in counter and collective bargaining and have tried to be mindful of the concerns of Warren County taxpayers. After all, we're taxpayers too, but we find that the County is offering us the same contract that we were offered at the first bargaining session nine months ago. We would please like you to reconsider the rejection of the contract. Thank you very much for your time. Good night."

Mr. Gardner thanked Ms. Willis as CWA 1071 members applauded.

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Minutes of the Regular Session held on September 14, 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 September 14, 2005 were approved.

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

Mr. Gardner then welcomed Robert Witko and his colleague from Liberty Election Systems of Albany, NY and invited them to begin a demonstration of their electronic voting machine. Mr. Witko introduced the machine, known as Liberty Vote, as a direct recording electronic (DRE) system. The machine currently meets 2002 federal standards and is the first full-face machine in the U.S. to meet these requirements. Currently in the process of completing certification by the State Attorney General's Office, a favorable response is anticipated within the next two weeks.

The presentation lasted approximately 30 minutes and provided the following information. The system is firmware as opposed to software driven. Features include bi-lingual capabilities and a 16 hour battery backup. There are 17,000 Liberty machines currently in use internationally. Each one weighs 55 pounds and can be folded up like a suitcase. Apparently, six can be stored in the same amount of space taken up by one of the competition's machines and can withstand storage temperatures from 15° - 20° below zero to 130° Fahrenheit and does not require access to electricity while in storage. A poll worker will be required to reactivate the machine after each voter finishes. The cost of each machine is \$7,300. The five year warranty can be extended year by year.

PROCLAMATION 558-05

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 September 28, 2005

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**PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH-
OCTOBER 2005.**

WHEREAS, in Warren County, over 803 women became active open cases as victims of domestic violence in 2004; and

WHEREAS, we in Warren County are committed to restoring our first civil right the right to freedom from fear in our own homes; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and social barriers; and

WHEREAS, in our quest to impose sanctions on those who break the law by perpetrating violence; we must also meet the needs of battered women and their children who often suffer grave financial, physical and psychological losses; and

WHEREAS, impact of domestic violence is wide ranging, affecting society as a whole.

NOW, THEREFORE, BE IT RESOLVED that in recognition of the important work done by domestic violence programs, the Board of Chosen Freeholders of the County of Warren does hereby proclaim the month of October 2005 as **DOMESTIC VIOLENCE AWARENESS MONTH** and urges all citizens to actively participate in the scheduled activities and programs sponsored by the Domestic Abuse and Rape Crisis Center (D.A.R.C.C.) to work toward the elimination of personal and institutional violence against women.

Richard D Gardner, Director
Board of Chosen Freeholders

John DiMaio, Deputy Director
Board of Chosen Freeholders

Everett Chamberlain, Freeholder
Board of Chosen Freeholders

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

Steve Marvin Clerk of the Board

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

Mr. DiMaio recognized that the work that goes on at D.A.R.C.C. is "very important". No one should be fearful in their own home.

Mr. Chamberlain agreed and said we should be doing all we can to prevent domestic violence. Education is important to prevention.

Mr. Gardner said it seems almost daily we hear of horrid situations and tend to think of urban settings, but these events also take place in Warren County, tragic as it is. He was grateful to Patricia Sweeney, Executive Director of D.A.R.C.C., for being present to receive the proclamation.

Ms. Sweeney thanked the Board on behalf of the D.A.R.C.C., citizens and victims. She announced the Dorothy Blake House transitional housing open house 12:00 noon-7:00 pm on October 5, followed by a candlelight vigil to recognize victims of domestic violence and honor survivors thereof.

RESOLUTION 559-05

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 September 28, 2005

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RESOLUTION TO PAY BILLS.

Be and it is hereby resolved that Master Voucher Certificate For Certification/Ratification for Payments No. 2005-38 dated September 28, 2005 in the amount of \$ 3,164,730.76 including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2005-38	1,796,395.94
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Payroll 9/15/05	1,368,334.82
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GRAND TOTAL	<u>\$ 3,164,730.76</u>
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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, Gardner yes

RESOLUTION 560-05

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 September 28, 2005

INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$10,500.00 FROM THE STATE OF NEW JERSEY, OFFICE OF TRAVEL & TOURISM, COOPERATIVE MARKETING SPONSORSHIP PROGRAM.

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 \$10,500.00, which item is now available from the State of New Jersey, Office of Travel & Tourism, Cooperative Marketing Sponsorship Program.

BE IT FURTHER RESOLVED the Local Match of \$2,625.00 is included in the 2005 County Budget – Economic Development and Tourism OE Sheet 13. Also Townships of Knowlton, Blairstown and Hope will aid in this promotion grant program.

BE IT FURTHER RESOLVED that a like sum of \$ \$10,500.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Office of Travel & Tourism, Cooperative Marketing Sponsorship Program (administered by the Public Information & Tourism Department)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Office of Travel & Tourism.

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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 561-05

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 September 28, 2005

INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$208,829.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH & SENIOR SERVICES, SPECIAL CHILD HEALTH SERVICES, EARLY INTERVENTION SERVICE COORDINATION #06-370-EIP-L-3.

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 \$10,500.00, which item is now available from the State of New Jersey, Office of Travel & Tourism, Cooperative Marketing Sponsorship Program.

BE IT FURTHER RESOLVED the Local Match of \$2,625.00 is included in the 2005 County Budget – Economic Development and Tourism OE Sheet 13. Also Townships of Knowlton, Blairstown and Hope will aid in this promotion grant program.

BE IT FURTHER RESOLVED that a like sum of \$ \$10,500.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Office of Travel & Tourism, Cooperative Marketing Sponsorship Program (administered by the Public Information & Tourism Department)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Office of Travel & Tourism.

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 562-05

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 September 28, 2005

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE LOPATCONG BOARD OF EDUCATION AND THE WARREN COUNTY HEALTH DEPARTMENT TO PROVIDE NURSING SERVICES TO PHILLIPSBURG CHRISTIAN ACADEMY THROUGH THE DIVISION OF PERSONAL HEALTH SERVICES FOR THE SUM OF \$4,901.00 FOR THE PERIOD SEPTEMBER 1, 2005 THROUGH JUNE 30, 2006.

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WHEREAS, Chapter 226 laws of 1991 provided that medical examinations, hearing screenings and other services may be provided to non-public schools as a board of health activity; and

WHEREAS, the Warren County Health Department, Division of Personal Health Services has trained personnel to provide nursing services to Phillipsburg Christian Academy; and

WHEREAS, the Lopatcong Board of Education is interested in continuing last year's agreement;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the attached contract agreement between the Lopatcong Board of Education and the Warren County Health Department to provide nursing services to Phillipsburg Christian Academy through the Division of Personal Health Services of the Health Department for the sum of \$4,901.00 for the period of September 1, 2005 to June 30, 2006, be and is hereby approved, and further, that the Freeholder Director is 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 563-05

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 September 28, 2005

RESOLUTION REGARDING PROPOSED REPEAL AND NEW RULES: N.J.A.C. 7:36 (GREEN ACRES PROGRAM).

WHEREAS, the Commissioner of the New Jersey Department of Environmental Protection recently announced proposed new Green Acres Program rules; and

WHEREAS, the change in purpose or use provisions of the proposed rules exceed that necessary to protect the public interest and inappropriately impose State oversight on local decision-making; and

WHEREAS, these provisions will unduly increase the time and expense to develop much-needed public recreation facilities and initiate park improvement projects and will discourage local participation in the Green Acres Program; and

WHEREAS, the proposed rules are to be imposed by the State retroactively on all funded and unfunded parkland currently on a local unit's Recreation and Open Space Inventory; regardless of the date of acquisition, the Green Acres rules in effect at the time of acquisition, or the source of funding; and

WHEREAS, local governments acquired these lands in good faith and agreed to be bound by Green Acres' restrictions in effect at the time, but did not agree to future restrictions that may be amended or supplemented nor did they agree to sign away future rights to develop properties to meet public recreation needs; and

WHEREAS, the proposed rules will require local governments to conduct a public hearing on a land acquisition project prior to getting under a contract of sale with a landowner thereby eliminating the confidentiality required in good-faith negotiations.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of Warren County supports the Green Acres Program in the protection of parkland from diversion or disposal but recommends a fairer, more balanced approach, such as advanced notification and audit of any other local action; and

BE IT FURTHER RESOLVED that the Board of Chosen Freeholders of Warren

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County does not support the requirement contained in the proposed rules that lands acquired by local governments for recreation and conservation purposes be subject to Green Acres restrictions as may be amended or supplemented in the future nor does it support the retroactive application of the proposed rules on all properties currently listed on a local unit's Recreation and Open Space Inventory and recommends that the State remove these provisions from the proposed rules; and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Commissioner of the New Jersey Department of Environmental Protection, the Governor and members of the New Jersey Legislature, the New Jersey League of Municipalities, the New Jersey Association of Counties, the New Jersey Recreation and Park Association, and Warren County Municipal Clerks.

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 564-05

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 September 28 2005

RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE A GRANT APPLICATION WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF ADDICTION SERVICES THROUGH THE 2006 CHAPTER 51 GRANT FOR \$227,737 ANTICIPATED STATE FUNDS AND \$97,557 ANTICIPATED COUNTY MATCH; SUBJECT TO THE AVAILABILITY OF FUNDS.

WHEREAS, the NJ Department of Human Services, Division of Addiction Services, has notified the Warren County Board of Chosen Freeholders of the anticipated availability of \$227,737 from the Alcohol Beverage Tax (Chapter 51) Grant funds for Calendar Year 2006 to include a county match of \$97,557; and

WHEREAS, the Warren County Department of Human Services, Division of Administration, has prepared an application for use of these funds.

NOW, THEREFORE BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Warren that the Director of the Board is authorized to execute the 2006 Chapter 51 grant application for funds in the anticipated amount of \$227,737 from the NJ Department of Human Services, with a local county match of \$97,557, subject to availability of funds.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 565-05

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 September 28 2005

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE COUNTY OF HUNTERDON TO PROVIDE HOUSING FOR HUNTERDON COUNTY JUVENILES AT THE WARRENCOUNTY JUVENILE DETENTION FACILITY.

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WHEREAS, there exists a need for Professional Engineering Services for the Soils and Foundation Investigation for the Warren County Public Safety Storage Building, Franklin Township; and

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

WHEREAS, adequate funds are available in account 0404C704 5060 and certified by the County Chief Financial Officer; and

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Melick-Tully and Associates, P.C. of South Bound Brook, N.J., for professional services for the above project in the amount of \$10,780.00, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 566-05

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 September 28, 2005

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0568 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR WARREN COUNTY EDUCATIONAL PARK WASTEWATER TREATMENT FACILITY OPERATION AND MAINTENANCE.

BE IT RESOLVED, that specification WC0568 for Warren County Educational Park Wastewater Treatment Facility Operation and Maintenance is hereby approved

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

Funding for this contract will be provided in budget account 013143/5029 – Buildings & Grounds 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

Regarding Items H1 and H2 on the agenda, Mr. Gardner asked what was responsible for the increases.

Mr. Hicks replied by saying this was the remainder of monies due. At the time of

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contract approval, there had not been enough funds in place to cover the entire amount. The DEP continues to be unreasonable in terms of the Lommason Glen Road Project; they want \$4,000 to review hydrology.

RESOLUTION 567-05

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 September 28, 2005

RESOLUTION APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT #WCO513P WITH CHERRY, WEBER & ASSOCIATES, P.C. FOR ENGINEERING SERVICES FOR THE FINAL DESIGN PHASE FOR FLOOD REPAIRS TO CONTY ROUTE #626 (LOMMASON GLEN RD.) WHITE TOWNSHIP FOR A NET INCREASE OF \$28,800.00 AND A REVISED CONTRACT AMOUNT OF \$95,585.00

WHEREAS, Cherry, Weber & Associates, P.C. was awarded a contract for Engineering Services for the Final Design Phase for Flood Repairs to County Route #626 (Lommason Glen Rd.) White Township in the amount of \$66,785.00; and

WHEREAS, additional survey, permit and preliminary design alternatives analysis and final contract documents and bidding resulted in a net increase of \$28,800.00; and

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

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

WHEREAS, adequate funds are available in account 0405A201 5063 and certified by the County Chief Financial Officer.

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

1. Hereby approve Contract Modification #1 with Cherry, Weber & Associates, and P.C. for the above project for a net increase of \$28,800.00 and a revised contract amount of \$92,585.00
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 568-05

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 September 28, 2005

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**RESOLUTION APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT #WC0518P
WITH CHERRY, WEBER & ASSOCIATES, P.C. FOR ENGINEERING
SERVICES FOR FINAL DESIGN
PHASE II FOR FLOOD REPAIRS TO COUNTY
ROUTE #623 (BRASS CASTLE RD.) WHITE TOWNSHIP
FOR A NET INCREASE OF \$37,513.00
AND A REVISED CONTRACT AMOUNT OF \$82,144.00.**

WHEREAS, Cherry, Weber & Associates, P.C. was awarded a contract for Engineering Services for the Phase I Design for Flood Repairs to County Route #623 (Brass Castle Rd.), White Township in the amount of \$44,631.00; and

WHEREAS, phase II final design resulted in a net increase of \$37,513.00.00; and

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

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

WHEREAS, adequate funds are available in accounts 0403A202 5063 and 0405A201 5063 and certified by the County Chief Financial Officer.

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

1. Hereby approve Contract Modification #1 with Cherry, Weber & Associates, P.C. for the above project for a net increase of \$37,513.00 and a revised contract amount of \$82,144.00
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 569-05

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 September 28, 2005

**RESOLUTION APPROVING CHANGE ORDER #3 FOR CONTRACT #WC0398 TO
INTERCOUNTY PAVING ASSOCIATES, LLC FOR THE COUNTY
ROUTE #604 (WATERLOO ROAD) ROADWAY IMPROVEMENTS,
ALLAMUCHY TOWNSHIP & TOWN OF HACKETTSTOWN
FOR A NET DECREASE OF \$10,856.95 AND A FINAL
CONTRACT AMOUNT OF \$1,791,599.95.**

WHEREAS, Contract #WC0398 was awarded to Intercounty Paving Associates, LLC for the Contract #WC0398 for the County Route #604 (Waterloo Road) Roadway Improvements, Allamuchy Township & Town of Hackettstown in the revised amount \$1,802,456.59; and

WHEREAS, final as-built quantities resulted in a net decrease of \$10,856.95; and

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NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve change order #3 for the above project with Intercounty Paving Associates, LLC for a net decrease of \$10,856.95 and a final contract amount of \$1,791,599.95.

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 570-05

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 September 28, 2005

RESOLUTION AWARDING CONTRACT #WC0567P TO MELICK-TULLY AND ASSOCIATES, P.C. FOR THE SOILS AND FOUNDATION INVESTIGATION FOR THE WARREN COUNTY PUBLIC SAFETY STORAGE BUILDING, FRANKLIN TOWNSHIP IN THE AMOUNT OF \$10,780.00.

WHEREAS, there exists a need for Professional Engineering Services for the Soils and Foundation Investigation for the Warren County Public Safety Storage Building, Franklin Township; and

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

WHEREAS, adequate funds are available in account 0404C704 5060 and certified by the County Chief Financial Officer; and

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Melick-Tully and Associates, P.C. of South Bound Brook, N.J., for professional services for the above project in the amount of \$10,780.00, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 571-05

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 September 28, 2005

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**RESOLUTION RE: AWARD OF A PURCHASE ORDER
TO QUANTUM ART TO PROVIDE SOFTWARE
AND ASSOCIATED PRODUCTS FOR CONTENT
MANAGEMENT SOLUTIONS SPECIFICALLY FOR
PUBLIC AGENCIES FOR DEVELOPMENT OF WEB PAGES
AND WEB CONTENT THRU THE WARREN COUNTY
INFORMATION SYSTEMS DEPARTMENT
IN THE TOTAL AMOUNT OF \$74,693.80.**

WHEREAS, it has been recommended that the county issue a purchase order for software for content management solutions specifically for public agencies for the development of web pages and web content thru the Warren County Information Systems Department; 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 Quantum Art of San Francisco, California for providing software and associated products for content management solutions specifically for public agencies for the development of web pages and web content using 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 Quantum Art of San Francisco, California.
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 associated products.
3. A notice of this action shall be published in the The Star-Ledger.
Funding for this contract is provided in capital account 0405A409/5059 – Annual Upgrades

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 572-05

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 September 28 2005

**RESOLUTION RE: AWARD OF A PURCHASE ORDER
TO QUANTUM ART TO PROVIDE SOFTWARE
AND ASSOCIATED PRODUCTS FOR CONTENT
MANAGEMENT SOLUTIONS SPECIFICALLY FOR
PUBLIC AGENCIES FOR DEVELOPMENT OF WEB PAGES
AND WEB CONTENT THRU THE WARREN COUNTY
INFORMATION SYSTEMS DEPARTMENT
IN THE TOTAL AMOUNT OF \$74,693.80.**

WHEREAS, THE Warren County Agriculture Development Board has developed a

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list of Farms for preservation for the year 2007; and

WHEREAS, Warren County is interested in obtaining appraisals on various farm properties as listed in the proposal; and

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

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067 – Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and Robert F. Heffernan, SCGREA, in the amount of \$29,700.00 to prepare appraisals on the various farms listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 573-05

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 September 28, 2005

RESOLUTION RE: AWARD OF CONTRACT TO CURRAN REALTY ADVISERS OF PRINCETON, NEW JERSEY FOR APPRAISAL SERVICES ON THE GETTO FARM, MANSFIELD TOWNSHIP, BLOCK 601.2, LOT 32, APPROXIMATELY 46 ACRES AND THE JANSEN FARM, HARMONY TOWNSHIP, BLOCK 34, LOT 4, APPROXIMATELY 76.5 ACRES PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$5,378.00.

WHEREAS, THE Warren County Agriculture Development Board has developed a list of Property for preservation for the year 2007; and

WHEREAS, Warren County is interested in obtaining appraisals on various farm properties as listed in the proposal; and

WHEREAS, land appraisals are required by the State Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for Land Easement Purposes; and

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067, – Open Space Farmland – Preliminary Expenses

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

1. The agreement between the County of Warren and Curran Realty Advisors, in the amount of \$5,378.00 to prepare an appraisal on the land listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.

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3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 574-05

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 September 28, 2005

RESOLUTION RE: AWARD OF CONTRACT TO LAND MARK APPRAISAL OF CHESTER, NEW JERSEY FOR APPRAISAL SERVICES ON THE SMITH, PEHOWSKI, GROCHOWICZ, SIGLER, HEATH, PERTICAN, KASHARIAN, TOPOLESKI, DEPIETRO, JENSEN, OWENS, PARKER, MCCLOSKEY, PAANS, KURMETZ, MATTHEWS AND JANSEN PROPERTIES APPROXIMATELY 1196.34 ACRES PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$47,850.00.

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2007; and

WHEREAS, Warren County is interested in obtaining appraisals on various farm properties as listed in the proposal; and

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

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067 – Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and Land Mark Appraisal, in the amount of \$47,850.00 to prepare appraisals on the various farms listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 575-05

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 September 28, 2005

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RESOLUTION RE: AWARD OF CONTRACT TO LAND MARK APPRAISAL OF CHESTER, NEW JERSEY FOR APPRAISAL SERVICES ON THE RIGOLETTI PROPERTY, WASHINGTON TOWNSHIP, BLOCK 75, LOT 2.03 APPROXIMATELY 37 ACRES PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$2,650.00.

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2007; and

WHEREAS, Warren County is interested in obtaining appraisals on various farm properties as listed in the proposal; and

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

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067 – Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and Land Mark Appraisal, in the amount of \$2,650.00 to prepare appraisals on the various farms listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 576-05

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 September 28, 2005

RESOLUTION RE: AWARD OF CONTRACT TO ROBERT W. LEE ASSOCIATES, INC., OF HAMPTON, NEW JERSEY FOR APPRAISAL SERVICES ON THE GURBA 3 FARM, FRELINGHUYSEN TOWNSHIP, BLOCKS 1701 AND 1501, LOTS 4, 12.02 AND 3.02, APPROXIMATELY 56 ACRES PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$18, 110.00.

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2007; and

WHEREAS, Warren County is interested in obtaining appraisals on various open space properties as listed in the proposal; and

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

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal

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Practice;

WHEREAS, adequate funds are available in account 03895 5067 - Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and Robert W. Lee Associates, Inc., in the amount of \$18,110.00 to prepare appraisals on the various property listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 577-05

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 September 28, 2005.

RESOLUTION RE: AWARD OF CONTRACT TO MASER CONSULTING PA., OF HACKETTSTOWN, NEW JERSEY FOR APPRAISAL SERVICES ON THE CROSSROADS FARM, WHITE TOWNSHIP, BLOCK 48, LOT 6.01, APPROXIMATELY 120 ACRES PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$3,000.00.

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2007; and

WHEREAS, Warren County is interested in obtaining appraisals on various open space properties as listed in the proposal; and

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

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067, - Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and Maser Consulting, P.A., in the amount of \$3,000.00 to prepare appraisals on the various property listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin Clerk of the Board

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

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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 September 28, 2005

RESOLUTION RE: AWARD OF CONTRACT TO MGM ASSOCIATES OF FLEMINGTON, NEW JERSEY FOR APPRAISAL SERVICES ON THE SMITH, PEHOWSKI, VAN HORN, GROCHOWICZ, FRITZ, QUICK, PAANS AND MATTHEWS PROPERTIES, APPROXIMATELY 719.67 ACRES PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$21, 500.00.

WHEREAS, THE Warren County Agricultural Development Board has developed a list of Property for preservation for the year 2007; and

WHEREAS, Warren County is interested in obtaining appraisals on various farm properties as listed in the proposal; and

WHEREAS, land appraisals are required by the State Green Acres Program prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for Land Easement Purposes; and

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067 – Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and MGM Associates, in the amount of \$21,500.00 to prepare an appraisal on the land listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 579-05

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 September 28, 2005

RESOLUTION RE: AWARD OF CONTRACT TO MGM ASSOCIATES OF FLEMINGTON, NEW JERSEY FOR APPRAISAL SERVICES ON THE RIGOLETTI PROPERTY, WASHINGTON TOWNSHIP, BLOCK 75, LOT 2.03, APPROXIMATELY 37 ACRES PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$2,800.00.

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2007; and

WHEREAS, Warren County is interested in obtaining appraisals on various open space properties as listed in the proposal; and

WHEREAS, land appraisals are required by the State Agricultural Committee prior to negotiations for acquisitions in order to be eligible to receive Cost Share Funding for

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Farm Easement Purposes; and

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067, - Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and MGM Associates, in the amount of \$2,800.00 to prepare appraisals on the various property listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin Clerk of the Board

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

RESOLUTION 580-05

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 September 28, 2005

RESOLUTION RE: AWARD OF CONTRACT TO C.L. ORBACKER AND ASSOCIATES INC. OF FLEMINGTON, NEW JERSEY FOR APPRAISAL SERVICES ON THE MATUCH, SIGLER, JENSEN, OWENS, PARKER AND KUMETZ PROPERTIES, PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$16,200.00.

WHEREAS, THE Warren County Agricultural Board has developed a list of Farms for preservation for the year 2007; and

WHEREAS, Warren County is interested in obtaining appraisals on various farm properties as listed in the proposal, consisting of 437.40 acres; and

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

WHEREAS, said appraisals will be in accordance with the Agriculture Retention Program Appraisal Handbook, and the Uniform Standard of Professional Appraisal Practice;

WHEREAS, adequate funds are available in account 03895 5067 – Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and C.L. Orbacker & Associates, in the amount of \$16,200.00 to prepare appraisals on the various farms listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin Clerk of the Board

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

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RESOLUTION 581-05

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 September 28, 2005

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE AN AGREEMENT BETWEEN THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN, THE WARREN COUNTY PROSECUTOR AND THE DETECTIVES OF PBA LOCAL 331 FOR THE PERIOD JANUARY 1, 2004 THROUGH DECEMBER 31, 2007.

WHEREAS, the Warren County Board of Chosen Freeholders, the Warren County Prosecutor and representatives of the Detectives of PBA Local 331, have completed contract negotiations including acceptance of a Recommended Interest Arbitration Award rendered by Arbitrator Robert M. Glasson, NJ Public Employment Relations Commission, and have agreed to the terms and conditions of employment;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Director of the Board is hereby authorized and directed to execute an agreement between the Board of Chosen Freeholders of the County of Warren, the Warren County Prosecutor and the Detectives of PBA Local 331, for the period January 1, 2004 through December 31, 2007.

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 582-05

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 September 28, 2005

RESOLUTION CREATING A PART-TIME POSITION OF CLERK TYPIST, CLASSIFIED, AND ABOLISHING A PART-TIME POSITION OF SENIOR ACCOUNT CLERK TYPING, CLASSIFIED, IN THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, ADJUSTER'S OFFICE.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a part-time position of *Clerk Typist*, classified, is created in the Warren County Human Services Department, County Adjuster's Office to enhance the efficiency and effectiveness of operations; and

BE IT FURTHER RESOLVED that a part-time position of *Senior Account Clerk Typing*, classified, is hereby abolished.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the newly created part-time position of *Clerk Typist* is established on AFSCME Local 3287, Range 0240 and made effective immediately.

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

Steve Marvin Clerk of the Board

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

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RESOLUTION 583-05

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 CREATING A FULL-TIME POSITION OF PRINCIPAL CLERK TYPIST, CLASSIFIED, AND ABOLISHING TWO FULL-TIME POSITIONS, SENIOR CLERK TYPIST AND CLERK TYPIST, CLASSIFIED, IN THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *Principal Clerk Typist*, classified, is created in the Warren County Department of Human Services to enhance the efficiency and effectiveness of operations; and

BE IT FURTHER RESOLVED by the Warren County Board of Chosen Freeholders that two full-time positions, *Senior Clerk Typist*, and *Clerk Typist*, classified, are hereby abolished.

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the newly created position of *Principal Clerk Typist* is established on AFSCME Local 3287, Range 0640 and made effective on October 14, 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

Under Reports and Comments, County Engineer Dave Hicks requested Board members review the information he had submitted in regard to Route 643. This was a draft of appropriate short and long-term remedies.

County Administrator Steve Marvin requested direction from the Board regarding the request from Warren County Community College to expand their parking lot.

A discussion ensued with respect to millings, topsoil, location and size of the potential lot and potential Engineering and Road Department involvement.

Mr. DiMaio pointed out that enrollment at the college is already at capacity and thought the situation must be dealt with.

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, **TO PURSUE ESTABLISHMENT OF ADDITIONAL PARKING BY STRIPPING TOPSOIL AND PUTTING MILLINGS DOWN, DONE EITHER IN-HOUSE OR CONTRACTING OUT.**

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

Mr. Marvin then updated the Board on the PP&L fly ash spill situation. In response to the letter Mr. Marvin had drafted on behalf of the Board, DEP Commissioner Bradley Campbell had said he would be happy to lead or participate in a public hearing. Since the Township of Harmony planned to address the topic at their next regular meeting on October 4, and had invited the Freeholders to same, it seemed logical to attend and to invite Mr. Campbell as well. Mr. Chamberlain said PP&L representatives should also be there.

The next topic for discussion involved the collection of solid waste enforcement fees for 2006. Mr. Chamberlain had concerns about the percentage of funds that would come

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back to Warren County vs. the DEP. He wanted to find out how the funds were to be divided up before forming an opinion.

Warren County Technical School's proposed tuition plan for the 2006-07 School Year was the next subject. This is an incremental phased-in tuition plan in which a portion of total revenues would be collected for tuition. Neither Mr. DiMaio nor Mr. Chamberlain had a problem with the concept, it is currently being implemented in other counties, but required more information. The Board decided to think about it and to invite Acting Superintendent Alan Naimoli in to ask questions.

Mr. Marvin informed the Board that Public Information Officer Art Charlton has been very busy as of late in his role as custodian of public records due to a voluminous OPRA request.

Michael Santos, Superintendent of Weights and Measures, has been doing an "outstanding job" in the interest of local citizens, said Mr. Marvin. In regard to recent charges of price gouging by gas stations, Mr. Santos has been aggressively chasing down offenders and even uncovered cases in which regular unleaded gasoline was being sold as super. Mr. Gardner recommended the Board send Mr. Santos a letter of commendations.

Lastly, Mr. Marvin reminded the Board of the Annual Employee Service Awards Dinner at Harkers Hollow on October 7 at 6:00 pm. He then Apologized for taking up so much of the Board's time.

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

Mr. Gardner had recently spoken with Hunterdon County Freeholders Marcia Karrow and Nancy Palladino, who attended a special session of the Senate Environmental Committee in which Senator Bob Smith purportedly said he would bet a cup of coffee that land values would not decrease in the Highlands Preservation Area. Mr. Gardner was incensed that such a trivial remark be made about what could possibly be the equivalent of citizens' life savings.

Mr. Marvin informed the Board that Land Preservation Director Bob Resker intends to put together a comparative spread sheet of land values once the numerous appraisals authorized this evening are complete.

There were no closing public comments.

RESOLUTION 584-05

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, at 9:21 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 28, 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

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authorized by Resolution, and

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

(1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

(2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

(3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

(4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

(6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection. Any investigations of possible violations of the law.

(7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the 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.

MINUTES**SEPTEMBER 28, 2005**

(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 September 28, 2005 that an Executive Session closed to the Public shall be held on September 28, 2005, at 9:21 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 10:06 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 10:07 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board