

## MINUTES

OCTOBER 12, 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 October 12, 2005 at 7:31 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.

Freeholder DiMaio arrived during the flag salute.

Director Gardner read the following statement: **"ADEQUATE NOTICE OF THIS MEETING OF *OCTOBER 12, 2005* WAS GIVEN IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT BY FORWARDING A SCHEDULE OF REGULAR MEETINGS OF THE BOARD OF CHOSEN FREEHOLDERS TO THE WARREN COUNTY CLERK, THE STAR-LEDGER, AND DAILY RECORD AND BY POSTING A COPY THEREOF ON THE BULLETIN BOARD IN THE OFFICE OF THE BOARD OF CHOSEN FREEHOLDERS. FORMAL ACTION MAY BE TAKEN BY THE BOARD OF CHOSEN FREEHOLDERS AT THIS MEETING. PUBLIC PARTICIPATION IS ENCOURAGED. IN ORDER TO ASSURE FULL PUBLIC PARTICIPATION, THOSE INDIVIDUALS WITH DISABILITIES WHO WISH TO ATTEND THE MEETING SHOULD SUBMIT ANY REQUESTS FOR SPECIAL ACCOMMODATION ONE WEEK IN ADVANCE."**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, the Minutes of the Regular Session held on September 28, 2005 were approved.

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Minutes of the Executive Session held on September 28, 2005 were approved.

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

Mr. Gardner introduced Warren County Technical School Acting Superintendent Alan Naimoli. Dr. Naimoli began by thanking the Freeholders for the invitation to appear and for their continued support on behalf of the Vo-Tech. The school has been trying to "raise the bar" with increasing numbers of graduates moving successfully into industry careers, while streamlining operations financially; an administrative position has been eliminated. The proposed tuition plan implements a charge-back to sending school districts; the students still will not be charged tuition. For at least four years, state funding has been "flat" while Warren County support has increased by about 3% per year. Had the state "come through" for the Vo-Tech over the past four years, not only would they not have to charge tuition, but the Freeholder portion would decrease.

The proposed tuition charge to sending districts will be \$2,175 per student (regular) and \$3,250 per student (Special Education) and the implementation has to begin now so districts will be able to budget appropriately. This expense would be within their budget cap.

Mr. DiMaio said he believes this has become a necessity. The State of New Jersey has not done a good job of keeping up funding to any schools, with the exception of Abbot Districts.

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Mr. Chamberlain said state funding is flat and the County share is currently more than 50% of the total budget. The proposed plan is a way to continue to provide a good education by spreading the cost more directly to users to help close the gap left by the state's inadequate funding.

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, **THE BOARD APPROVED SUPPORT OF THE 2006-2007 TUITION CALCULATION AND IMPLEMENTATION PLAN WHICH HAS BECOME A NECESSITY SINCE THE COUNTY HAS TO PAY IN EXCESS OF 50% AND SOON ALL VOCATIONAL/TECHNICAL SCHOOLS IN THE STATE WILL START CHARGING TUITION.**

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

**PROCLAMATION 585-05**

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 October 12, 2005

**PROCLAMATION – RED RIBBON WEEK-OCTOBER 23-31, 2005**

**WHEREAS**, on behalf of the citizens of Warren County, New Jersey, the Warren County Board of Chosen Freeholders is pleased to celebrate the week of October 23 through October 31, 2005 as "Red Ribbon Week" in Warren County; and

**WHEREAS**, this acknowledgement offers an opportunity to raise awareness regarding the solutions related to abuse of alcohol, tobacco and other drugs by bringing together municipalities, organizations, businesses, houses-of-worship, groups and individuals; and

**WHEREAS**, a week is set aside in October to honor the memory of Drug Enforcement Agent, Enrique Camarena, who was assassinated in Mexico by a drug cartel in 1985. This week also honors the hundreds of Warren County prevention workers whose efforts and support to those who have been affected by abuse of alcohol, tobacco and other drugs is invaluable; and

**WHEREAS**, it is the goal of the Warren County Red Ribbon Campaign to promote family and individual responsibility for living a healthy drug free lifestyle, without illegal drugs or the illegal use of legal drugs;

**NOW, THEREFORE, BE IT RESOLVED** that the Warren County Board of Chosen Freeholders does hereby proclaim the week of October 23 through October 31, 2005 as RED RIBBON WEEK.

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*Richard D. Gardner, Director*  
*Board of Chosen Freeholders*

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*John DiMaio, Deputy Director*  
*Board of Chosen Freeholders*

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*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

Regarding the abuse of drugs, alcohol and tobacco, Mr. DiMaio cited the high cost to society – in terms of both financial impact and human suffering. We should do whatever we can to help raise awareness.

Mr. Chamberlain agreed that raising the level of awareness is important and wanted to

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recognize those who work to prevent drug trafficking.

Mr. Gardner said he doubts there is a family in America that has not been touched in some way by an affliction of some sort, whether legal or illegal. The peer pressure in schools is enormous.

Mr. Jim Seng, Vice-Chairman of the Local Advisory Committee on Alcoholism and Drug Abuse (LACADA) was present to accept the proclamation. He thanked the Board for their continued support, enabling prevention and awareness efforts to continue.

The meeting with the Pollution Control Financing Authority of Warren County (PCFA) began at 7:55 pm. Participating in the meeting were the following: Executive Director John Carlton, Chairman Robert Zelle, Vice-Chairman Harry Poole, Secretary Angelo Accetturo, Treasurer Patrick Brady and Attorney James Broscius.

Due to the implementation of the landfill's redesign (approved by the Freeholders in 2003) and conservative financial proforma estimates, the PCFA expects to have 714,268 cubic yards of capacity left at the end of 2006. The proposal is to reduce landfill deliveries to approximately 100,000 tons per year (including ash) beginning 2006 (from the current 260,000 tons per year) which will enable the landfill to continue operations until approximately 2011.

From a financial standpoint, Mr. Zelle said the PCFA has about \$29 million in the bank, at least \$23 million of which will be needed for landfill closure. The landfill has the ability to operate by charging tipping fees equal to about 40% of what is being charged at the present time.

The top priority of the landfill's gas collection and control system is to control the odor. Beyond that, the PCFA is obligated to sell the gas to the gas collection company with no set quality or quantity requirements. Mr. Chamberlain asked about the structure of the recently formed Warren County Landfill Energy, LLC. Mr. Carlton described it as a contractual relationship, not a partnership. The gas collection company is responsible for funding the entire capital outlay of approximately \$8 million. This includes the procurement of grant funds, permits and operation of gas engines. Mr. Carlton assured the Board there was no financial obligation on the part of the PCFA at all. Mr. Zelle said no additional money is being spent and "we're doing something innovative." Mr. Chamberlain said he had no argument with the concept, just wanted to be clear on the nature of the contractual obligation. Mr. DiMaio said the gas to energy concept is exciting and makes a lot of sense.

The PCFA is investigating relocating the Warren County Recycling Center from its present location at the County Road Department Garage to the landfill site during 2006. Mr. DiMaio thought this idea made sense and asked if the PCFA would pay for the new recycling center and take over County expenses. The answer was affirmative.

When Mr. DiMaio asked if tipping fees would decrease, he was told they were in the process of determining this.

Mr. Chamberlain asked if the state would have the right to take over the landfill were it to remain open beyond 2006. Mr. Broscius said theoretically it is possible, but unlikely in his opinion. Mr. Chamberlain remained concerned, saying he does not want Warren County to become the solution to New Jersey's waste problems or to start eating away at funds

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earmarked for closure. He was assured that once the money is designated for closure, the funds cannot be used for any other purpose. No one was aware of the state ever taking over an operational landfill.

Mr. Chamberlain asked about the size of the footprint. He was told the whole area was 360 acres, with the landfill occupying 45 acres.

Mr. DiMaio commended the PCFA for making themselves debt-free after being "thrown into chaos" in 1997. Having been left with \$88 million in "stranded debt", they were able to emerge without burdening taxpayers. Mr. Zellely said, "Our track record is to protect the County of Warren." Mr. Gardner agreed the PCFA deserves credit for getting to this point and for protecting the County, municipalities and the environment, although there are still some concerns. He asked when the hill currently covered in plastic visible from Route 46 would be covered green. He was told as soon as closure is approved by the state – probably next year – the plastic will be put into the landfill and then covered with topsoil and grass seed.

**RESOLUTION 586-05**

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 October 12, 2005 at 8:40 p.m.

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

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

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

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

- (1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law of State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- (2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- (3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- (4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining

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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 October 12, 2005 that an Executive Session closed to the Public shall be held on October 12, 2005, at 8:40 p.m. in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

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

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

Steve Marvin Clerk of the Board

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Board adjourned executive session at 9:24 p.m. and returned to open session.

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

Under Public Comments (Agenda Items Only), Catherine Wojtowicz approached to ask about the execution of an Employment Agreement with Jerry Coyle (Item J1 on the agenda). She wanted to know if there was a percentage increase associated with the Agreement. She was told this was just an Agreement and salary increases are done separately on an annual basis.

**RESOLUTION 587-05**

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

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adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on, October 12, 2005

**RESOLUTION TO PAY BILLS**

**Be and it is hereby resolved** that Master Voucher Certificate **For Certification/Ratification for Payments No. 2005-39, 2005-40 dated October 12, 2005** in the amount of **\$ 5,411,338.10** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

<b>2005-39</b>	<b>2,187,585.43</b>
<b>2005-40</b>	<b><u>1,882,922.81</u></b>
<b>Subtotal</b>	<b>4,070,508.24</b>
<b>Payroll 9/29/05</b>	<b><u>1,340,829.86</u></b>
<b>GRAND TOTAL</b>	<b>\$ 5,411,338.10</b>

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 588-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$1,643.95 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, DOMESTIC PREPAREDNESS GRANT.**

**WHEREAS**, a receivable balance of \$1,643.95 entitled Domestic Preparedness Grant Program remains on the Grant Fund Balance Sheet dedicated to a Federal Grant which has been completed.

**WHEREAS**, it is necessary to formally cancel the receivable and its off-setting appropriations from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that the following grant receivable and appropriation balances be cancelled in the amount of \$1,643.95:

Account Title	Account Number	Amount
	(Appropriation)	
Domestic Preparedness	F33355338 5058	\$1,643.95
	(Revenue)	
Domestic Preparedness	F335 4338	\$1,643.95

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

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RESOLUTION 589-05

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNEXPENDED  
APPROPRIATION BALANCE OF \$262.00 FROM THE STATE OF NEW JERSEY,  
DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF HIGHWAY SAFETY DEER  
REFLECTION PROGRAM.**

**WHEREAS**, a receivable balance of \$262.00 entitled Deer Reflection Program remains on the Grant Fund Balance Sheet dedicated to a Federal Grant which has been completed.

**WHEREAS**, it is necessary to formally cancel the appropriation and its off-setting receivable from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that the following grant receivable and appropriation balances be cancelled in the amount of \$262.00:

Account Title	Account Number	Amount
	(Appropriation)	
Deer Reflection Program	F41655318 5030	\$ 262.00
	(Revenue)	
Deer Reflection Program	F4165 4318	\$ 262.00

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

Steve Marvin Clerk of the Board

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

RESOLUTION 590-05

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED  
APPROPRIATION BALANCE OF \$2,278.12 FROM THE STATE OF NEW JERSEY,  
DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF HIGHWAY TRAFFIC SAFETY,  
SUMMER INTERNSHIP.**

**WHEREAS**, a receivable balance of \$2,278.12 entitled Summer Internship remains on the Grant Fund Balance Sheet dedicated to a Federal Grant which has been completed.

**WHEREAS**, it is necessary to formally cancel the appropriation and its off-setting receivable from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that the following grant receivable and appropriation balances be cancelled in the amount of \$2,278.12:

Account Title	Account Number	Amount
	(Appropriation)	
Summer Internship	F41655317 5011	\$ 2,203.43
	F41655317 5094	\$ 74.69

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	(Revenue)	
Summer Internship	F4165 4317	\$ 2,278.12

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 591-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE IN THE AMOUNT OF \$149.00 FROM STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, DIVISION OF STATE POLICE, SPECIAL NEEDS EMERGENCY PLANNING.**

**WHEREAS**, an unexpended balance of \$149.00 entitled Special Needs Emergency Planning remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

**WHEREAS**, it is necessary to formally cancel the receivable and its offsetting appropriation from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that following grant appropriation and receivable balances be cancelled in the amount of \$149.00:

Account Title	Account Number	Amount
	(Appropriation)	
Special Needs Emergency Planning	S42525316 5100	\$ 149.00
	(Revenue)	
Special Needs Emergency Planning	S4252 4316	\$ 149.00

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 592-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$3,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION, ENVIRONMENTAL HEALTH ACT.**

**WHEREAS**, a receivable balance of \$3,000.00 entitled Environmental Health Act remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

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**WHEREAS**, it is necessary to formally cancel the receivable and its off-setting appropriations from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that the following grant receivable and appropriation balances be cancelled in the amount of \$3,000.00:

Account Title	Account Number	Amount
	(Appropriation)	
Environmental Health Act	S43355325 5100	\$ 3,000.00
	(Revenue)	
Environmental Health Act	S4335 4325	\$ 3,000.00

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 593-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$11,783.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, WORK FIRST NEW JERSEY PROGRAM.**

**WHEREAS**, a receivable balance of \$11,783.00 entitled Work First New Jersey Program remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

**WHEREAS**, it is necessary to formally cancel the receivable and its off-setting appropriations from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that the following grant receivable and appropriation balances be cancelled in the amount of \$11,783.00:

Account Title	Account Number	Amount
	(Appropriation)	
Work First New Jersey Program	S43555332 5100	\$ 11,783.00
	(Revenue)	
Work First New Jersey Program	S4355 4332	\$ 11,783.00

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 594-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE**

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**BALANCE OF \$370.93 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, FOOD STAMP PAYMENT ACCURACY PROGRAM.**

**WHEREAS**, a receivable balance of \$370.93 entitled Food Stamp Payment Accuracy Program remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

**WHEREAS**, it is necessary to formally cancel the receivable and its off-setting appropriations from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that the following grant receivable and appropriation balances be cancelled in the amount of \$370.93:

Account Title	Account Number	Amount
	(Appropriation)	
Food Stamp Payment Accuracy Program	S43455401 5100	\$ 370.93
	(Revenue)	
Food Stamp Payment Accuracy Program	S4345 4401	\$ 370.93

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 595-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$515.45 FROM NEW JERSEY TRANSIT CORPORATION, SENIOR CITIZEN & DISABLED RESIDENT TRANSPORTATION.**

**WHEREAS**, a receivable balance of \$515.45 entitled Senior Citizen & Disabled Resident Transportation remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

**WHEREAS**, it is necessary to formally cancel the receivable and its off-setting appropriations from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that the following grant receivable and appropriation balances be cancelled in the amount of \$515.45:

Account Title	Account Number	Amount
	(Appropriation)	
Senior Citizen & Disabled Resident Transportation	S4355504 5614	\$ 515.45
	(Revenue)	
Senior Citizen & Disabled Resident Transportation	S4355 4304	\$ 515.45

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

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

**RESOLUTION 596-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$772.75 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH & SENIOR SERVICES, WEST NILE VIRUS SURVEILLANCE EQUIPMENT.**

**WHEREAS**, a receivable balance of \$772.75 entitled West Nile Virus Surveillance Equipment remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

**WHEREAS**, it is necessary to formally cancel the receivable and its off-setting appropriations from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that the following grant receivable and appropriation balances be cancelled in the amount of \$772.75:

Account Title	Account Number	Amount
	(Appropriation)	
West Nile Virus Surveillance Equipment	S43355356 5053	\$ 772.75
	(Revenue)	
West Nile Virus Surveillance Equipment	S4335 4356	\$ 772.75

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 597-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$9,101.99 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH & SENIOR SERVICES, BIO-TERRORISM PREPAREDNESS & RESPONSE.**

**WHEREAS**, a receivable balance of \$9,101.99 entitled Bio-terrorism Preparedness & Response remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

**WHEREAS**, it is necessary to formally cancel the receivable and its off-setting appropriations from the balance sheet.

**NOW, THEREFORE, BE IT RESOLVED** that the following grant receivable and appropriation balances be cancelled in the amount of \$9,101.99:

Account Title	Account Number	Amount
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	(Appropriation)	
Bio-terrorism Preparedness & Response	S33355379 5011	\$ 9,101.99

	(Revenue)	
Bio-terrorism Preparedness & Response	S3335 4379	\$ 9,101.99

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 598-05**

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 October 12, 2005

**INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$17,751.00 FROM THE MORRIS/SUSSEX/WARREN EMPLOYMENT AND TRAINING SERVICES FOR EARLY EMPLOYMENT INITIATIVE (EEI).**

**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 \$17,751.00, which item is now available from the Morris/Sussex/Warren Employment & Training Services.

**BE IT FURTHER RESOLVED** that a like sum of \$ \$17,751.00 be and the same is hereby appropriated under caption:

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

Morris/Sussex/Warren Employment and Training Services for Early Employment Initiative  
(administered by the Division of Temporary Assistance & Social Services)

**BE IT FURTHER RESOLVED** that the above is the result of the approval by the Morris/Sussex/Warren Employment & Training 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 599-05**

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 October 12, 2005

**INSERTION INTO THE 2005 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$9,715.20 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF EMERGENCY**

## MINUTES

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## MANAGEMENT, EMERGENCY MANAGEMENT PREPAREDNESS GRANT.

**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 \$9,715.20, which item is now available from the State of New Jersey, Department of Emergency Management, Emergency Management Preparedness Grant..

**BE IT FURTHER RESOLVED** that the County's Match of \$6,476.80 is included in the 2005A Capital Ordinance, Equipment & Furnishing Category..

**BE IT FURTHER RESOLVED** that a like sum of \$9,715.20 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Emergency Management,  
Emergency Management Preparedness Grant  
(administered by the Office of Emergency Management)

**BE IT FURTHER RESOLVED** that the above is the result of the approval by the State of New Jersey, Department of Emergency 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 600-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING EXECUTION OF THE 2006 ANNUAL PLAN FOR PUBLIC HOUSING ASSISTANCE IN WARREN COUNTY.**

**WHEREAS**, the United States Department of Housing and Urban Development requires the submission of an annual and a five-year plan for continued Public Housing Assistance;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren, State of New Jersey, that endorsement of the 2006 Annual Plan for Public Housing Assistance in the County of Warren be and is hereby authorized; and

**BE IT FURTHER RESOLVED** that the Freeholder Director and County Administrator be and are hereby authorized to execute said plan; and

**FURTHERMORE**, that copies of this Resolution be forwarded to the United States Department of Housing and Urban Development and Frank Delmore.

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

**MINUTES****OCTOBER 12, 2005**

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

**RESOLUTION 601-05**

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 October 12, 2005

**A COUNTY RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY  
IN THE COUNTY PROSECUTOR INSURANCE FRAUD REIMBURSEMENT PROGRAM  
ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE'S  
INSURANCE FRAUD PROSECUTOR.**

**WHEREAS**, the Office of the Insurance Fraud Prosecutor has been designated by the Legislature to implement funding reimbursement for anti-insurance fraud activities, pursuant to N.J.S.A. 17:33A-28; and

**WHEREAS**, the Warren County Prosecutor's Office wishes to apply for funding under the reimbursement program and,

**WHEREAS**, the Warren County Board of Chosen Freeholders has reviewed an accompanying application and has approved said request; and

**WHEREAS**, the project is a joint effort between the Office of the Insurance Fraud Prosecutor and the Warren County Prosecutor's Office for the purpose described in the application;

**THEREFORE, BE IT RESOLVED**, by the Warren County Board of Chosen Freeholders that:

- (1) As a matter of public policy, the Warren County Prosecutor's Office wishes to participate to the fullest extent possible with the Office of the Insurance Fraud Prosecutor.
- (2) The Attorney General has allocated funds dedicated for the purpose of reimbursing County Prosecutors for anti-insurance fraud activities.
- (3) The Office of Insurance Fraud Prosecutor shall be responsible for the receipt, review and approval of the applications for said funding.
- (4) The Office of Insurance Fraud Prosecutor shall initiate allocations to each applicant as authorized.

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 602-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING WARREN COUNTY TO ENTER INTO AN AGREEMENT FOR THE  
PROVISION OF HEPATITIS B IMMUNIZATION VACCINES BY THE WARREN COUNTY  
HEALTH DEPARTMENT, PUBLIC HEALTH NURSING AGENCY TO CERTAIN PERSONNEL  
EMPLOYED BY THE TOWN OF PHILLIPSBURG.**

**WHEREAS**, there is a need to provide Hepatitis B inoculations to certain personnel employed by the Town of Phillipsburg, 675 Corliss Avenue, Phillipsburg, NJ 08865; and

**WHEREAS**, the local office of the Town of Phillipsburg has requested that the Warren County Health Department, through the Public Health Nursing Agency provide such inoculations pursuant to contract; and

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**WHEREAS**, the contract permits efficient and economical administration and performance of inoculation services by the county health department for the benefit of certain personnel of the Town of Phillipsburg;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that the freeholder director be and hereby is authorized to execute the attached agreement providing for Hepatitis B inoculations by the Warren County Health Department, Public Health Nursing Agency, to relevant personnel of the Town of Phillipsburg.

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 603-05**

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 October 12, 2005

**RESOLUTION SUPPORTING THE CALENDAR YEAR 2006 MUNICIPAL ALLIANCE SPENDING PLAN FOR SUBSTANCE ABUSE PREVENTION AND EDUCATION PROGRAMS AND FOR COORDINATION EXPENSES OF MUNICIPAL ALLIANCE PROGRAMS; FUNDS AVAILABLE THROUGH THE NJ GOVERNOR'S COUNCIL ON ALCOHOL AND DRUG ABUSE FOR A TOTAL OF \$150,428.**

**WHEREAS**, the NJ Governor's Council on Alcoholism and Drug abuse has made available to Warren County a total of \$150,428 for substance abuse prevention and education programs provided by local municipal alliances and for coordination expenses of municipal alliance programs; and

**WHEREAS**, the Warren County Department of Human Services, Division of Contract Administration, has prepared the 2006 Municipal Alliance Spending Plan for use of these funds, which has been approved by the Local Advisory Committee on Alcoholism and Drug Abuse (LACA/DA) and the County Alliance Steering Subcommittee (CASS).

**NOW, THEREFORE, BE IT RESOLVED**, the Warren County Board of Chosen Freeholders approves the Calendar Year 2006 Municipal Alliance Spending Plan for anticipated funding of \$150,428 from the NJ Governor's Council on Alcoholism and Drug Abuse for prevention and educational substance abuse programs by various municipal alliance programs and for coordination expenses of municipal alliance programs.

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 604-05**

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 October 12, 2005

**RESOLUTION APPROVING THE 2006 WARREN COUNTY COMPREHENSIVE ALCOHOL AND DRUG PLAN, AS PREPARED BY THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF ADMINISTRATION, IN COOPERATION WITH THE WARREN COUNTY LOCAL ADVISORY COMMITTEE ON ALCOHOLISM AND DRUG ABUSE.**

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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 605-05**

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 October 12, 2005

**RESOLUTION APPROVING AMENDMENT TO FOOD STAMP ANALYST AWARD OF CONTRACT TO THOMAS FERRONE OF HARDWICK, NEW JERSEY FOR CONSULTING SERVICES TO ASSIST THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES, FOR AN ADDITIONAL \$5,500 THROUGH DECEMBER 31, 2005; THEREBY RAISING CONTRACT CEILING TO \$39,700.**

**WHEREAS**, on November 23, 2004, the Warren County Board of Chosen Freeholders approved a contract with Thomas Ferrone of Hardwick, New Jersey for consulting services to assist the Warren County Department of Human Services, Division of Temporary Assistance and Social Services, in the analysis and application of Food Stamp Program computer software in the amount of \$34,200; and

**WHEREAS**, there exists a need to continue such consulting services for completion of specified tasks within the Division of Temporary Assistance and Social Services through December 31, 2005; and

**WHEREAS**, an additional \$5,500 is available in the Food Stamp Accuracy Incentive award (budget account S43455399 5029) to support these tasks and thereby, raising the consultant contract ceiling to \$39,700.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Chosen Freeholders of the County of Warren approves the contract amendment with Thomas Ferrone of Hardwick, New Jersey for an additional \$5,500 in Food Stamp Accuracy Incentive funding; contract ceiling to increase to \$39,700.

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 606-05**

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 October 12, 2005

**RESOLUTION RE: AWARD OF A PURCHASE ORDER TO AVANTE INTERNATIONAL TECHNOLOGY, INC., FOR (200) TWO HUNDRED FULL FACE VOTING MACHINES MODEL DRE VOTE-TRAKKER EVCX308-SPR-FF, FOR THE WARREN COUNTY ELECTION BOARD IN THE TOTAL CONTRACT AMOUNT OF \$1,637,900.00.**

**WHEREAS**, it has been recommended that the county issue a purchase order for two hundred full face voting machines model DRE Vote-Trakker EVC308-SPR-FF for the Warren County Election Board as mandated by the Federal Government; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A.40A:11-5(l)) 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

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**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 Avante International Technology, Inc., of Princeton Junction, New Jersey for providing voting equipment for the Warren County Election Board

**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 Avante International Technology, Inc., of Princeton Junction, New Jersey.
2. This contract is awarded without competitive bidding as an "Exception" in accordance with 40A:11-5(j) of the Local Public Contracts Law because the services provided are for the preparation and conduction of an election.
3. Award of contract contingent upon receipt of all required Federal and State of New Jersey Systems certifications.
4. A notice of this action shall be published in the The Star-Ledger.  
Funding for this contract is provided in capital account 0405B401/5059 - Voting Equipment, Data Processing

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 607-05**

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 October 12, 2005

**RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0471 WITH BERTO CONSTRUCTION, INC. FOR THE RECONSTRUCTION OF WARREN COUNTY BRIDGE #21001, SOUTH WANDLING AVE. OVER THE SHABBECONG CREEK, WASHINGTON BOROUGH, FOR A NET INCREASE OF \$16,375.00 AND A FINAL CONTRACT AMOUNT OF \$402,394.00.**

**WHEREAS** Contract #WC0471 was awarded to Berto Construction, Inc. for the Reconstruction of Warren County Bridge #21001 over the Shabbecong Creek, Washington Borough in the amount of \$386,019.00; and

**WHEREAS**, final as built quantities resulted in a net increase of \$16,375.00; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve change order #1 for the above project with Berto Construction, Inc. for a net increase of \$16,375.00 and a final contract amount \$402,394.00.

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 608-05**

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

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adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 12, 2005

**RESOLUTION RE: APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT WC0509 AIR CONDITIONING MAINTENANCE AND SERVICE WITH TOTAL MAINTENANCE & SERVICE CO. INC., FAIRFIELD, NEW JERSEY FOR SERVICE AND MAINTENANCE OF HEATING EQUIPMENT, A NET INCREASE OF APPROXIMATELY \$10,000.00 AND A FINAL ESTIMATED CONTRACT AMOUNT OF \$60,000.00.**

**WHEREAS**, Total Maintenance & Service Co. Inc., were awarded a contract for Air Conditioning Maintenance & Service for the Warren County Buildings & Grounds Department for the estimated contract amount of \$50,000.00; and

**WHEREAS**, there is a need to add the maintenance and service of our heating equipment to this contract as determined by the Warren County Buildings & Grounds Department; and

**WHEREAS**, this change in award will result in a estimated net increase of \$10,000.00 and a final estimated contract amount of \$60,000.00; and

**WHEREAS**, adequate funds are available in budget account 013100/5024 – Buildings & Grounds Maintenance Facility, Maintenance Repair and Cleaning

**NOW THEREFORE BE IT RESOLVED**, that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve Contract Modification #1 for the above project for a net estimated increase of \$10,000.00 and a final estimated contract amount of \$60,000.00

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 609-05**

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 October 12, 2005

**RESOLUTION RE: AUTHORIZATION TO ISSUE PURCHASE ORDERS TO ALLIED OIL, LLC T/A ALLIED OIL CO., UNDER THE SOMERSET COUNTY COOPERATIVE CONTRACT #CC-41-05, FUEL OIL, DIESEL & KEROSENE, FOR #2 FUEL OIL AT A FIXED MARK UP OF .01995 PER GALLON, AN APPROXIMATE ANNUAL CONTRACT AMOUNT OF \$150,000.00.**

**BE IT RESOLVED**, that the purchasing department is authorized to issue purchase orders for #2 fuel oil for various county facilities and is hereby awarded to ..... Allied Oil, LLC t/a Allied Oil Co., Hillsborough, NJ

in the approximate amount of ..... \$150,000.00

at the prices established under Somerset County Cooperative Contract #CC-41-05

Funding for this contract has been provided in budget accounts 013100/5070 – Bldgs & Grds Heating Fuel, 012770/5070 – Juvenile Detention Center Heating Fuel, 013510/5070 – Warren Haven Utilities, Heating Fuel

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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Regarding the Warren County Community College Trustee Search Committee, Mr. Chamberlain asked about the nature of their authority. Mr. Marvin said the committee will make recommendations to the Board; the Board is then free to accept or reject the recommendations.

**RESOLUTION 610-05**

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 October 12, 2005

**RESOLUTION APPOINTING MEMBERS TO THE WARREN COUNTY DIVISION OF SENIOR SERVICES ADVISORY COUNCIL:**

**BETTY JANE LINDSAY – TERM TO EXPIRE 12/31/08**

**REV. PAUL D. BAUKNIGHT – TERM TO EXPIRE 12/31/08**

**EMILY WILSON – TERM TO EXPIRE 12/31/08**

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby *appoint* the following persons to the Warren County Division of Senior Services Advisory Council effective September 30, 2005.

	Term to Expire
Betty Jane Lindsay 41 Wards Rd. Hardwick, NJ 07825 362-9579	12/31/08

Rev. Paul D. Bauknight 95 Lenape Trail Washington, NJ 07882	12/31/08
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Emily Wilson, Branch Manager Valley National Bank 540 County Rte. 519 Belvidere, NJ 07823 475-5633	12/31/08
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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 611-05**

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 October 12, 2005

**RESOLUTION REAPPOINTING MEMBERS TO THE WARREN COUNTY MOSQUITO CONTROL COMMISSION:**

**WILLIAM MANNON – TERM TO EXPIRE 10/18/08**

**EILEEN GREASON – TERM TO EXPIRE 10/18/08**

**DR. ANNE PIEROK, DVM – TERM TO EXPIRE 10/18/08**

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**BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following individuals to the Warren County Mosquito Control Commission with terms to expire on October 18, 2008:

**REAPPOINT MEMBERS:**

William Mannon  
39 River Road  
Washington, NJ 07882

Term to expire: 10/18/08

Eileen Greason  
224 Mountain Lake Road  
Belvidere, NJ 07823

Term to expire: 10/18/08

Dr. Anne Pierok, DVM  
129 Bethlehem Avenue  
Bloomsbury, NJ 08804

Term to expire: 10/18/08

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 612-05**

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 October 12, 2005

**RESOLUTION APPOINTING AND REAPPOINTING MEMBERS TO THE WARREN COUNTY  
COMMUNITY COLLEGE TRUSTEE SEARCH COMMITTEE:**

**DAWN HIGGINS – TERM TO EXPIRE 10/13/06**

**LINNA SELBY – TERM TO EXPIRE 10/13/06**

**LAUREL NAPOLITANI – TERM TO EXPIRE 10/13/06**

**ED KELLY – TERM TO EXPIRE 10/13/06**

**CHRIS WITTMANN – TERM TO EXPIRE 10/13/06**

**BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby appoints and reappoints the following individuals to the Warren County Community College Search Committee for a one-year term:

Dawn Higgins  
113 Harding Drive  
Washington, NJ 07882

Term to expire: October 13, 2006

Linna Selby  
122 Hope Road  
Blairstown, NJ 07825

Term to expire: October 13, 2006

Laurel Napolitani  
912 Liberty Street  
Belvidere, NJ 07823

Term to expire: October 13, 2006

Ed Kelly  
125 E. Prospect Street

Term to expire: October 13, 2006

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Hackettstown, NJ 07840

Chris Wittmann  
 10 Hidden Acres Lane  
 Bloomsbury, NJ 08804

Term to expire: October 13, 2006

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 613-05**

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 October 12, 2005

**RESOLUTION REAPPOINTING JERRY A. COYLE WARREN COUNTY PERSONNEL DIRECTOR  
 AND AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE  
 AN EMPLOYMENT AGREEMENT.**

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren desires to appoint a Personnel Director pursuant to N.J.S.A. 11A:3-5 (1)

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that Jerry A. Coyle is hereby re-appointed Personnel Director for a term of five (5) years commencing on October 12, 2005 and terminating October 11, 2010, subject to the terms of an employment agreement, incorporated herein by reference. The Freeholder Director is hereby authorized and directed to execute said employment agreement.

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

Steve Marvin Clerk of the Board

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

**RESOLUTION 614-05**

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 October 12, 2005

**RESOLUTION CREATING A FULL-TIME POSITION OF COMMUNITY SERVICE AIDE/SENIOR CLERK, CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF SENIOR CLERK, CLASSIFIED, IN THE ENVIRONMENTAL HEALTH DEPARTMENT, DIVISION OF PUBLIC HEALTH NURSING SERVICES.**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that a full-time position of *Community Service Aide/Senior Clerk*, classified, is created in the Warren County Environmental Health Department, Division of Public Health Nursing Services as established by grant funding under the New Jersey Department of Health and Senior Services, Special Child Health Service-Early Intervention Grant; and

**BE IT FURTHER RESOLVED** that a full-time position of *Senior Clerk*, classified, is abolished.

**NOW, THEREFORE BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that the newly created position of *Community Service Aide/Senior Clerk* is created and established on AFSCME Local 3287, Range 0635 and made effective December 1, 2005.

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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 615-05**

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 October 12, 2005

**RESOLUTION CREATING A FULL-TIME POSITION OF MANAGEMENT INFORMATION SYSTEMS COORDINATOR, CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF SUPERVISING DATA CONTROL CLERK, CLASSIFIED, IN THE WARREN COUNTY HUMAN SERVICES DEPARTMENT, DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES.**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that a full-time position of *Management Information Systems Coordinator*, classified, is created in the Warren County Human Services Department, Division of Temporary Assistance and Social Services in compliance with a directive by the New Jersey Department of Personnel as a result of a desk audit; and

**BE IT FURTHER RESOLVED** that a full-time position of *Supervising Data Control Clerk*, classified, is hereby abolished.

**NOW, THEREFORE BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that the newly created position of *Management Information Systems Coordinator* is created and established on CWA Local 1071, Range 19 and made effective retroactive to January 22, 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

County Counsel has no public comments, only a few topics to be discussed in Executive Session.

County Engineer Dave Hicks reported a new flooding problem on Bilby Road in Hackettstown as a result of heavy rains and increased runoff from local area construction. His department will further investigate the problem.

Mr. DiMaio asked about barrels protruding into the northbound lane of Route 632. On a recent drive, he was practically pushed into oncoming traffic. Mr. Hicks was unaware of this and didn't think the barrels had been placed there by his department. He will look into the problem.

Ms. Stacy Apgar approached regarding vehicles speeding through the Village of Asbury on Route 643. A "quality of life issue", the situation is becoming "insufferable", according to Ms. Apgar. She said Mr. Hicks has been very accommodating and has given her several ideas that she intends to bring in front of the Franklin Township Committee at their November meeting. Mr. Chamberlain agreed on the importance of this issue and expressed a willingness to help.

Neither County Planner Dave Dech or CFO Charles Houck had reports.

County Administrator Steve Marvin mentioned only a couple of items for Executive Session. Mr. DiMaio asked about the voting machines approved for purchase and Mr. Marvin said delivery is expected on or by January 1, 2006.

**RESOLUTION 616-05**

On motion by Mr. Chamberlain, seconded by Mr. DiMaio, at 9:47 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 12, 2005

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

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

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

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

- 1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law of State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
- 2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
- 3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
- 4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
- 5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
- 6) *Matters Relating to Public Safety and Property*: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of possible violations of the law.
- 7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or many

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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 October 12, 2005 that an Executive Session closed to the Public shall be held on October 12, 2005, at 9:47 p.m. in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

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

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

Steve Marvin Clerk of the Board

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

On motion by Mr. DiMaio, seconded by Mr. Chamberlain, the Board adjourned executive session at 10:19 p.m. and returned to open session.

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

Mr. Gardner said, "Okay, regarding the contract with CWA Local 1071, we need a motion to re-approve the package that was offered back in July to 1071. Do I hear a motion?"

"I guess this would be a resolution that would authorize the Director to execute an agreement between the Board of Chosen Freeholders of the County of Warren and the Communication Workers of America Local 1071 for the period January 1, 2005 through December 31, 2007. I'll move the resolution," said Mr. DiMaio.

"Second," said Mr. Chamberlain.

"Motion made and seconded. Any further discussion?" asked Mr. Gardner.

Mr. Marvin said, "Mr. Director if I could, I'd like to enter on the record some of the facts behind this particular matter if you would indulge me. This particular bargaining unit, consisting of 54 members with a contract expiring December 31, 2004, has been involved in negotiations with the County from November of 2004 through August 15, 2005 comprising ten negotiations meetings.

At our meeting of June 29, there was a temporary agreement between the parties

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which I was to present to management and they were to present to membership which was, in short form, consisting of a 3.5% increase for 2005, 3% and a July step for 2006, 3.5% for 2007 with a differential from what we've offered and settled with many of our other bargaining units, to the extent that they would not contribute towards medical costs. On approximately July 1 a contract document reflecting those agreements was finalized by my office and promulgated and forwarded to the Union President. On July 6 the Union President e-mailed me requesting that we amend the language in the medical benefits article to except retiree language which would in effect require that future retirees be made subject to future contract agreements. On July 11, I e-mailed the Union President back that no, we wouldn't consider that, we could only consider standing with the standard language which was in place with the majority of county employees in other settlement precedents.

On July 13, Board you'll recall I discussed with you these matters in Executive Session and you directed me to go back to the table with this bargaining unit and negotiate with them a settlement similar to, if not identical to, that which we put into place with six of our nine bargaining units. On August 15 we met with CWA 1071 and the county offer was consistent in entirety with the contract settlements that we have in place, again, with six of our nine bargaining units and in particular with our medical benefits. 660 out of 781 covered employees are now on this new medical benefits plan.

The next day, August 16, the CWA representative Lynn Buckley called me rejecting that proposed settlement saying, and I'll paraphrase here, 'you might as well go ahead and file for mediation with PERC.' When I asked her why, she said the membership 'would not go for medical contributions.' And it's important to know here that at no point after our June 29 meeting were we ever apprised that the membership in fact was given an opportunity to vote for or ratify this proposed settlement. There's never been notification of ratification provided to the County by the union, contrary to what they told the paper two weeks ago when they were here demonstrating on their behalf for a contract settlement.

We in fact filed a notice of impasse with PERC on the 17<sup>th</sup> of August. On the 23<sup>rd</sup> of August, the Director of Conciliation and Arbitration Tim Hundley wrote to myself and to Lynn Buckley (the CWA representative) advising that there was in fact an impasse in place according to his standards and asking whether the parties had any objection to the impasse declaration that was filed by the County. No response was ever filed by CWA 1071, and on September 19, Hundley assigned a mediator to the case. On September 22, the mediator, with the agreement of all the parties – CWA 1071 and the County – established November 9 as a mediation session.

Now, it's important to note a couple of things here. Again, I'll reiterate that the CWA 1071 membership never, to our knowledge, ratified the temporary agreement that we came to on June 29. Secondly, the fact that they came out at the last Freeholder meeting publicly commenting concerning the status of negotiations was probably, in fact, a violation of the ground rules between the parties that were established at our first meeting and duly signed by both parties. In addition, there's been some misinformation promulgated to the press by the union to the effect that this union in entirety has rejected the medical benefits proposal of the County. In fact, one of the sub-units of CWA 1071 is the CWA 1071 Public Health Nurses whose labor agreement expires December 31, 2005...coming up shortly. In advance of that contract expiration and in accordance with the agreement that we have with them currently in place, there was a medical re-opener.

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When we put into place a new medical benefits plan with the majority of county employees, we utilized that medical benefits re-opener, brought the PHNA to the negotiations table and they have, in advance of negotiating their new contract, already signed off on the new medical benefits plan to take effect January 1, 2006. So it is not in fact the case that CWA 1071 in entirety rejects the medical benefits plan. It's obvious based on the sign-off that we have duly documented by the PHNA CWA people and Lynn Buckley the CWA rep, that they have in fact accepted this at least in part. So the CWA TASS people are not perhaps fully informed as to the status of the County's stance where medical benefits are concerned."

Mr. Gardner asked, "So that is one-third of the unit, is that correct, that has in effect signed off?"

Mr. Marvin reiterated that CWA Public Health Nursing is a separate sub-unit of the same CWA local and there are approximately 24 or 25 members. The number of TASS people fluctuates slightly with between 52 to 55 members.

Mr. Gardner said, "I want to jump back to what you stated earlier – September 19? These parties understood that the 1071 and the County understood there was going to be a mediation on November 9, is that correct?"

Mr. Marvin answered, "On August 16, Lynn Buckley the CWA rep advised me to go ahead and file the impasse declaration with PERC. I did that the next day, and two weeks later, three weeks later, Tim Hundley from PERC affirmed that there was in fact an impasse and assigned a mediator to the case. And there's been scheduled mediation in place since September 22. That first mediation session is scheduled for November 9."

Mr. Gardner began, "Okay, but they decided to preempt that opportunity by coming here-"

Mr. Marvin said, "By coming here and prevailing upon you publicly to give them some deal different from, or preferential to, that deal which you have already concluded with the majority of your employees," finished Mr. Marvin.

"Isn't that disingenuous to the process? Counselor?" asked Mr. Gardner.

"They also constitute an unfair labor practice," said Mr. Bell.

Mr. Marvin said, "Well, yes it does, but I don't see any good purpose in pursuing unfair labor practices...just unnecessary time and effort on the part of both parties, to no end. There are no sanctions that can be levied by PERC which amount to anything, so it's meaningless. Nevertheless, CWA 1071 after our last Freeholder meeting filed an unfair labor practice against us, against this Board, against me, because we didn't approve the agreement back in July. The agreement which, I'll say again, they never ratified, and which they attempted to change after our temporary agreement of the end of June."

"Understanding all this now, before this Board, I don't believe that the Board should move forward with our motion. I think the motion should be called amended for the record to vote it down," said Mr. Gardner.

"Well you motioned and seconded a resolution approving, and you know, you can

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vote yes or no. That's your option at this stage of the game, but you need to do something with the motion and second on the table," said Mr. Marvin.

"Alright," said Mr. Gardner, "On the floor we have a motion and a second. We'll call the motion."

**RESOLUTION 617-05**

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 October 12, 2005

**RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE AN AGREEMENT BETWEEN THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN AND THE COMMUNICATION WORKERS OF AMERICA LOCAL 1071 FOR THE PERIOD JANUARY 1, 2005 THROUGH DECEMBER 31, 2007.**

**WHEREAS**, the Warren County Board of Chosen Freeholders and representatives of the Communication Workers of America, Local 1071 have completed labor negotiations 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 and the Communication Workers of America, Local 1071 for the period January 1, 2005 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 no, Mr. DiMaio no, Mr. Gardner no

"And just to reiterate gentlemen, your earlier direction to me, what you seek with this bargaining unit is similar, if not identical, to that which you put in place with all of your other non-interest arbitration eligible bargaining units. Is that correct?" Mr. Marvin asked.

"Absolutely," said Mr. DiMaio.

Mr. Gardner said, "And for the record, you stated there's 660 out of 781 approximately that have gone with the...."

Mr. Marvin said, "Just a minute, let me review my papers...and these are rounded off figures, but we have 781 covered employees (not including dependents) that's spread over, again, nine bargaining units plus your group of unclassified, elected and appointed employees, 781. Six hundred and sixty of whom are in the new medical benefits plan. Now that includes, again, you know you have to draw a distinction between interest arbitration eligible (law enforcement) and non-interest arbitration eligible (everybody else). AFSCME 3287: 430 employees enrolled in the plan, not interest arbitration eligible. AFSCME 671: 70 employees, not interest arbitration eligible. Elected, unclassified, appointed: 85 employees. CWA Prosecutor's clerical unit: 17 employees. And CWA PHNA, again this is a sub-unit of the same unit we're talking about here, CWA 1071 Public Health Nurses: 24 employees effective 1/1/06. So 660 out of 781.

The only groups not in the new medical benefits plan are the CWA TASS group, 54-

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55 employees, 12 members of PBA Sheriff's Office – that's in interest arbitration right now and is certainly going to end up with the same plan the majority of the county employees are in now, and FOP 171 Corrections Officers, that's 55 employees. Their current contract is not up until the end of 2006. But again, we have medical re-opener language with them which we've exercised and had one meeting thus far with them so it's very likely they'll end up with the same plan as well. I really don't see where an exception needs to be created or even considered for this particular unit," said Mr. Marvin.

Mr. Gardner said, "I don't think it's wise to set a precedent and I think if we were to deviate from that it would certainly set the stage for a precedent. I like to be fair with people but I think what has been accomplished is fair and 660 folks see it that way who signed on to it. So why does one particular group think they are special beyond other employees?"

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 10:33 p.m.  
Recorded Vote: Mr. Chamberlain yes, Mr. DiMaio yes, Mr. Gardner yes

**ATTESTED TO:****Steve Marvin, Clerk of the Board**