

**MINUTES****JANUARY 7, 2006**

The Board of Chosen Freeholders of the County of Warren met in Reorganization Session in Court Room #1 at the Warren County Court House, Belvidere, New Jersey on January 7, 2006 at 3:08 p.m.

Director Gardner read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF JANUARY 7, 2006 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.”**

The Pledge of Allegiance was led by Director Gardner.

An invocation was provided by Reverend John Chung of Belvidere United Methodist Church.

County Clerk Terrance Lee read the Certification of Election of Richard D. Gardner for the position of Freeholder. After inviting his children, Kristen, Daniel and Stephanie to come forward, Mr. Gardner took the Oath of Office as administered by Mr. Lee.

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 Counsel Joseph J. Bell and County Administrator Steve Marvin.

**RESOLUTION 01-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006

**RESOLUTION APPOINTING EVERETT A. CHAMBERLAIN AS DIRECTOR OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN FOR THE YEAR 2006.**

**BE IT HEREBY RESOLVED** by the Board of Chosen Freeholders of the County of Warren that Everett A. Chamberlain is appointed Director of the Board of Chosen Freeholders for the year 2006.

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

Steve Marvin, Clerk of the Board

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

Mr. Chamberlain, assisted by his wife Judy, daughter Holly and son Chad, took the Oath of Office of the Director of the Board of Chosen Freeholders as administered by Mr. Lee.

Mr. Chamberlain thanked his fellow Board Members for their support and for making him Director. “This is a proud day and I take the responsibility very seriously,” he said.

**RESOLUTION 02-06**

On motion by Mr. Gardner, 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 January 7, 2006.

**MINUTES****JANUARY 7, 2006****RESOLUTION APPOINTING JOHN DiMAIO AS DEPUTY DIRECTOR OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN FOR THE YEAR 2006.**

**BE IT HEREBY RESOLVED** by the Board of Chosen Freeholders of the County of Warren that John DiMaio is reappointed Deputy Director of the Board of Chosen Freeholders for the year 2006.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 03-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO APPOINT SUCH COMMITTEES AS MAY BE REQUIRED BY LAW OR AUTHORIZED BY THIS BOARD OR WHICH THE DIRECTOR MAY DEEM APPROPRIATE AND APPOINTING FREEHOLDERS AS LIAISON OR MEMBER OF VARIOUS BOARDS AND COMMITTEES.**

**BE IT HEREBY RESOLVED** that the Director of the Board of Chosen Freeholders is authorized to appoint such committees as may be required by law or authorized by this Board or which the Director may deem appropriate and that the appointment of Freeholders as liaison or member of various boards and committees is hereby approved:

Freeholder Everett A. Chamberlain

Audio Visual Aids	Board of Elections
Board of Taxation	County Adjuster
Dept. of Human Services	Health Services
Legal Service	Mosquito Commission
Trustee Warren County Legal Services	Planning Board
Prosecutor	Solid Waste
Superintendent of Schools	Surrogate
War Veterans	

Freeholder John DiMaio

W.C. Community College	Corrections Department
County Transportation Outreach	Domestic Abuse & Rape Crisis Center
Housing Program	Medical Examiner
Mental Health Board	North Jersey Trans. Planning Comm.
Police Chiefs Association	Public Safety
Public Works	Sheriff's Office
Transportation Committee	Women's Commission
W.I.B. (Workforce Investment Board) of Morris/Sussex/Warren	

Freeholder Richard D. Gardner

Agriculture Development Board	Board of Agriculture
Cooperative Extension Service	County Clerk
Cultural and Heritage	Dept. of Long Term Care Services
Environmental Commission	Library Commission
Morris Canal Committee	Municipal & Charitable Conservancy Trust Fund

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Comm.

Planning Board

Shade Tree Commission

Special Services School District

Weights and Measures

Board of Recreation Commissioners

Soil Conservation

Technical School

**ALL THREE FREEHOLDERS**

Freeholders' Office

Personnel Division

CFO/Treasurer's Office

Purchasing Department

County Counsel

Information Systems

Department of Public Information and Tourism

Planning Department

Boards of School Estimate

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 04-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION DIVIDING WARREN COUNTY MUNICIPALITIES INTO THREE DISTRICTS AND ASSIGNING A FREEHOLDER LIAISON TO EACH DISTRICT FOR THE YEAR 2006.**

**BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that the municipalities of Warren County are divided into three districts and a Freeholder is assigned as liaison to each district as follows:

District No. 1: Freeholder Everett A. Chamberlain

Belvidere

White Township

Oxford Township

Blairstown Township

Knowlton Township

Washington Borough

Washington Township

Hardwick Township

District No. 2: Freeholder John DiMaio

Liberty Township

Mansfield Township

Allamuchy Township

Hope Township

Independence Township

Frelinghuysen Township

Hackettstown

District No.3: Freeholder Richard D. Gardner

Phillipsburg

Alpha Borough

Pohatcong Township

Franklin Township

Lopatcong Township

Harmony Township

Greenwich Township

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 05-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION TO SCHEDULE REGULAR MEETINGS OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN FOR THE YEAR 2006.**

**TAKE NOTICE** that pursuant to the provisions of N.J.S.A. 10:4-18, the Open Public Meetings Act, the following is a Schedule of Regular Meetings of the Board of Chosen Freeholders of the County of Warren for the year 2006. All regular meetings shall be held in the Freeholder Meeting Room, Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey on:

January	14 at 9:00 am B	August	9 at 7:30 pm R
January	21 at 9:00 am B	August	23 at 7:30 pm R
January	25 at 7:30 pm R	September	13 at 7:30 pm R
January	28 at 9:00 am B	September	27 at 7:30 pm R
February	8 at 7:30 pm R	October	11 at 7:30 pm R
February	22 at 7:30 pm R	October	25 at 7:30 pm R
March	8 at 7:30 pm R	November	8 at 7:30 pm R
March	22 at 7:30 pm R	*November	21 at 7:30 pm R
April	12 at 7:30 pm R	December	6 at 7:30 pm R
April	26 at 7:30 pm R	December	20 at 7:30 pm R
May	10 at 7:30 pm R		
May	24 at 7:30 pm R	R=	Regular Meeting
June	14 at 7:30 pm R	B =	Budget Meeting
June	28 at 7:30 pm R		
July	12 at 7:30 pm R	All Work Session Meetings will be	
July	26 at 7:30 pm R	advertised in the Star Ledger as needed.	

\* Please note that the second meeting in November is being held on Tuesday, November 21st instead of Wednesday, November 22nd.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 06-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION DESIGNATING THE STAR LEDGER AS THE OFFICIAL NEWSPAPER AND THE DAILY RECORD AS THE ALTERNATE OFFICIAL NEWSPAPER IN WHICH SHALL BE PUBLISHED ALL ADVERTISEMENTS AND NOTICES REQUIRED BY LAW TO BE PUBLISHED ON BEHALF OF THE COUNTY OF WARREN.**

**BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that The Star Ledger is hereby designated as the official newspaper and the Daily Record as the alternate official newspaper in which shall be published all advertisements and notices required

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by law to be published on behalf of the County of Warren. This action is taken pursuant to N.J.S.A. 40:23-13 and N.J.S.A. 35:1-2.2 et seq.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 07-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION APPOINTING MEMBERS FOR REPRESENTATION IN NEW JERSEY ASSOCIATION OF COUNTIES.**

**WHEREAS**, the New Jersey Association of Counties requires official designation of voting and alternate members for each county;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren does hereby reappoint, for representation in the New Jersey Association of Counties, Richard D. Gardner as the Voting Member and Everett A. Chamberlain as the 1<sup>st</sup> Alternate Voting Member and Steve Marvin as the 2<sup>nd</sup> Alternate Voting Member.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 08-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION ADOPTING A CASH MANAGEMENT PLAN DESIGNATING OFFICIALS AUTHORIZED TO INVEST AND DISBURSE FUNDS, AUTHORIZED DEPOSITORIES, PERMITTED INVESTMENTS AND REPORTING REQUIREMENTS FOR WARREN COUNTY PUBLIC MONIES.**

**BE IT HEREBY RESOLVED** by the Board of Chosen Freeholders of The County of Warren that, pursuant to N. J. S. A. 40A: 5-14, the annual Cash Management Plan prepared by the Chief Financial Officer of the County of Warren, is hereby approved and adopted.

**BE IT FURTHER RESOLVED** that the board directs the official charged with the custody of public funds covered under the plan to deposit and invest said funds in accordance with the provisions of said plan.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 09-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**PROVISION UNDER N.J.S.A. 40A:4-19 TO OPERATE UNDER A TEMPORARY APPROPRIATION IN THE AMOUNT OF \$23,752,709.00 THROUGH THE DATE OF ADOPTION OF THE 2006 BUDGET.**

**WHEREAS**, N.J.S.A. 40A:4-19 provides that where any contract, commitment or

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payments are to be made prior to the final adoption of the 2006 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

**WHEREAS**, the date of this Resolution is within the first thirty days of January, and

**WHEREAS**, the total appropriations in the prior year budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance, is the sum of \$90,486,511 and

**WHEREAS**, 26.25 % of the total appropriations in the 2005 Budget, excluding the amount of the appropriations made for Debt Service, Capital Improvement Fund in said 2006 budget is the sum of \$23,752,709.00.

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations in the total amount of \$23,752,709.00 be made and that a certified copy of this Resolution be transmitted to the Chief Financial Officer's Department for their records.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 10-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**PROVISION UNDER N.J.S.A. 40A:4-19 TO APPROPRIATE THE TEMPORARY AMOUNT OF \$4,179,867.32 TO FUND THE PERMANENT DEBT SERVICE REQUIREMENTS OF THE COUNTY OF WARREN THROUGH THE DATE OF ADOPTION OF THE 2006 BUDGET.**

**WHEREAS**, N.J.S.A... 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20 of the year preceding the beginning of the fiscal year; and

**WHEREAS**, the date of this resolution is subsequent to December 19, 2005; and, principal and interest will be due on various dates from January 1, 2006 to December 31, 2006, inclusive, on sundry bonds issued and outstanding:

**NOW, THEREFORE, BE IT RESOLVED** that the following appropriations be made to cover the period from January 1, 2006 to December 31, 2006 inclusive:

**DEBT SERVICE - COUNTY OF WARREN, NJ**

Principal Payment of bonds	\$ 3,270,000.00
Interest Payment on Bonds	808,149.76
Principal Payment of Bond Anticipation Notes	0.00
Interest Payment on Notes	0.00
Green Trust Loan Payments	<u>101,717.56</u>
Total Debt Service	

**\$ 4,179,867.32**

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 11-06**

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On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION AUTHORIZING AN EMPLOYMENT AGREEMENT WITH JOSEPH J. BELL, ESQ. AS WARREN COUNTY COUNSEL AND REAPPOINTING NANCY C. GAGE AS WARREN COUNTY ASSISTANT COUNTY COUNSEL.**

**WHEREAS**, this contract is awarded in accordance with N.J.S.A. 1944A-20.4, as a non-fair and open contract; and

**WHEREAS**, Warren County has received all necessary documentation to allow award of this contract including the Business Entity Disclosure Certification and Determination of Value and these forms are on file; and

**WHEREAS**, the Director of Purchasing has certified that this contract meets the statute and regulations governing the award of such contracts; and

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

1. Pursuant to N.J.S.A. 40A:9-43, Joseph J. Bell, Esq., an Attorney-at-Law of the State of New Jersey with offices located at 40 Bloomfield Avenue, Denville, NJ 07834 will continue as Warren County Counsel for a three (3) year term of office which commenced January 1, 2005 and until December 31, 2007.

2. The Employment Agreement between the Board and Mr. Bell, setting forth the terms and conditions of said appointment and employment in regard to duties, responsibilities and compensation which Employment Agreement is made a part of this resolution by reference, is incorporated herein as if set forth verbatim, is hereby approved and the Freeholder Director is authorized to execute said Employment Agreement on behalf of the Board.

3. Nancy C. Gage, a member of the firm of Bell & Gage, is hereby reappointed as Warren County Assistant County Counsel.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 12-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION AMENDING AND SUPPLEMENTING THE PROFESSIONAL SERVICES CONTRACT OF EMPLOYMENT BY AND BETWEEN THE COUNTY OF WARREN AND JOSEPH J. BELL OF BELL & GAGE AS WARREN COUNTY COUNSEL AND AUTHORIZING A SPECIAL COUNSEL AGREEMENT.**

**WHEREAS**, this contract is awarded in accordance with N.J.S.A. 1944A-20.4, as a non-fair and open contract; and

**WHEREAS**, Warren County has received all necessary documentation to allow award of this contract including the Business Entity Disclosure Certification and Determination of Value and these forms are on file; and

**WHEREAS**, the Director of Purchasing has certified that this contract meets the statute and regulations governing the award of such contracts; and

**WHEREAS**, Joseph J. Bell, Esq. of Bell & Gage was selected to serve as Warren County Counsel on January 2, 2005; and

**WHEREAS**, the Board of Chosen Freeholders negotiated a contract for legal services

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wherein County Counsel would serve in a general legal capacity; and

**WHEREAS**, the Board of Chosen Freeholders have reviewed the services of County Counsel and finds that County Counsel has been defending and prosecuting cases which were not contemplated between the parties as being general legal services; and

**WHEREAS**, the Board of Chosen Freeholders has previously authorized the appointment of Bell & Gage to represent the Board of Chosen Freeholders as well as its constitutional officers, agencies and departments with regard to lawsuits brought for or against the County, its officers and employees; and

**WHEREAS**, lawsuits and other matters not contemplated by the parties for which Mr. Bell has begun a defense or prosecution will be compensated at the Special County Counsel rate; and

**WHEREAS**, future assignments for legal representation shall be approved by the Board of Chosen Freeholders on an "as needed" basis and approved by Resolution at Freeholder meetings.

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

SECTION 1. Bell & Gage is hereby appointed as Special County Counsel for the purpose of representing the County of Warren, its Board of Chosen Freeholders, Agencies and Departments, in connection with such matters as the Board of Chosen Freeholders may assign from time to time. Said assignment to be made by a duly adopted Resolution of the Board of Chosen Freeholders at a public meeting.

SECTION 2. Joseph J. Bell, Esq. and Nancy C. Gage, Esq. of Bell & Gage, as Special Warren County Counsel, shall be compensated at the rate of one hundred thirty dollars (\$130.00) per hour and one hundred twenty-five dollars (\$125.00) per hour for services performed by associates, said agreement being in conformity with existing County Counsel contracts.

SECTION 3. Assignment of the cases listed above shall be considered assignments of Bell & Gage as Special County Counsel pursuant to the terms of the Special Counsel Agreement nunc pro tunc.

SECTION 4. Certain cases undertaken under the General Contract as entered on January 1, 2002/2003/2004/2005 will be continued to be represented under this contract.

**BE IT FURTHER RESOLVED** that any future assignments of legal representation shall be assigned as Special Counsel by the Board of Chosen Freeholders pursuant to the form of Special Counsel Agreement relating to lawsuits filed on behalf of or against the County on an "as needed" basis; and

This Resolution shall take effect immediately.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 13-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION REAPPOINTING CONNELL FOLEY LLP, MICHAEL SHADIACK, ESQ., AS SPECIAL LABOR COUNSEL TO WARREN COUNTY AND AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT.**

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**WHEREAS**, it is in the public interest to maintain effective legal representation of Warren County; and

**WHEREAS**, in furtherance thereof, the Board has determined that Connell Foley LLP, Michael Shadiack, Esq., should be retained to perform professional labor counsel services on behalf of the County, and

**WHEREAS**, this contract is awarded in accordance with N.J.S.A. 1944A-20.4, as a non-fair and open contract; and

**WHEREAS**, Warren County has received all necessary documentation to allow award of this contract including the Business Entity Disclosure Certification and Determination of Value and these forms are on file; and

**WHEREAS**, the Director of Purchasing has certified that this contract meets the statute and regulations governing the award of such contracts; 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 and Connell Foley LLP, Michael Shadiack, Esq., setting forth the terms and conditions of said appointment in regard to duties, responsibilities and compensation, which Agreement is made a part of this resolution by reference and is incorporated herein as if set forth verbatim, is hereby approved by the Board and the Director of the Board is hereby authorized to execute said Agreement on behalf of the Board.

2. Said Agreement is made, negotiated and awarded by the Board without public advertising for bids and bidding therefore, as said Agreement is for professional services under the provisions of the Local Public Contracts Law in as much as the services there under are rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law.

3. Notice of this action, stating the nature, duration, service and amount of said Agreement are on file and available for public inspection in the Office of the Clerk of the Board shall be published in the Star Ledger as required by law within ten (10) days of the adoption of this resolution.

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

**RESOLUTION 14-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION REAPPOINTING SIRKIS & LAVERY ESQS., AS SPECIAL COUNSEL TO WARREN COUNTY AND AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT.**

**WHEREAS**, it is in the public interest to maintain effective legal representation of Warren County; and

**WHEREAS**, in furtherance thereof, the Board has determined that Sirkis & Lavery Esqs., should be retained to perform professional counsel services on behalf of the County, and

**WHEREAS**, this contract is awarded in accordance with N.J.S.A. 1944A-20.4, as a non-fair and open contract; and

**WHEREAS**, Warren County has received all necessary documentation to allow award of this contract including the Business Entity Disclosure Certification and Determination of Value and these forms are on file; and

**WHEREAS**, the Director of Purchasing has certified that this contract meets the statute and regulations governing the award of such contracts; and

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

1. The Agreement between the Board and Sirkis & Lavery Esqs., setting forth the terms and conditions of said appointment in regard to duties, responsibilities and compensation, which Agreement is made a part of this resolution by reference and is incorporated herein as if set forth verbatim, is hereby approved by the Board and the Director of the Board is hereby authorized to execute said Agreement on behalf of the Board.

2. Said Agreement is made, negotiated and awarded by the Board without public advertising for bids and bidding therefore, as said Agreement is for professional services under the provisions of the Local Public Contracts Law in as much as the services there under are rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law.

3. Notice of this action, stating the nature, duration, service and amount of said Agreement are on file and available for public inspection in the Office of the Clerk of the Board shall be published in the Star Ledger as required by law within ten (10) days of the adoption of this resolution.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 15-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION REAPPOINTING HOUSTON & PALMER, ESQS. AS SPECIAL COUNSEL TO WARREN COUNTY AND AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT.**

**WHEREAS**, it is in the public interest to maintain effective legal representation of Warren County; and

**WHEREAS**, in furtherance thereof, the Board has determined that Houston & Palmer, Esqs, should be retained to perform professional counsel services on behalf of the County, and

**WHEREAS**, this contract is awarded in accordance with N.J.S.A. 1944A-20.4, as a non-fair and open contract; and

**WHEREAS**, Warren County has received all necessary documentation to allow award of this contract including the Business Entity Disclosure Certification and Determination of Value and these forms are on file; and

**WHEREAS**, the Director of Purchasing has certified that this contract meets the statute and regulations governing the award of such contracts; 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 and Houston & Palmer, Esqs., setting forth the terms and conditions of said appointment in regard to duties, responsibilities and compensation, which Agreement is made a part of this resolution by reference and is incorporated herein as if set forth verbatim, is hereby approved by the Board and the Director of the Board is hereby authorized to execute said Agreement on behalf of the Board.

2. Said Agreement is made, negotiated and awarded by the Board without public advertising for bids and bidding therefore, as said Agreement is for professional services under

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the provisions of the Local Public Contracts Law N.J.S.A. 40A:11-5(1) (a) (i) inasmuch as the services there under are rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law.

3. Notice of this action, stating the nature, duration, service and amount of said Agreement are on file and available for public inspection in the Office of the Clerk of the Board, shall be published in the Star Ledger as required by law within ten (10) days of the adoption of this resolution.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 16-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT FOR CERTAIN FINANCIAL ADVISORY SERVICES FOR THE COUNTY OF WARREN, NEW JERSEY, WITH VALCO CAPITAL LTD., SEWELL, NEW JERSEY.**

**WHEREAS**, there exists a need for specialized financial consulting services in connection with the authorization and the issuance of bonds and notes by the County of Warren (the "County"), a body corporate of the State of New Jersey, including the preparation of a comprehensive plan to finance the County's multi-year capital improvement needs, negotiating ratings, terms and approvals with the financial community and the preparation of financial documents acceptable to the financial community; and

**WHEREAS**, such financial advisory services can be provided by a recognized financial consultant and the firm of VALCO Capital Ltd., Sewell, New Jersey, is so recognized by the financial community; and

**WHEREAS**, funds are appropriated for this purpose in account 0400B703-5060 and/or will be appropriated by ordinance(s) approved throughout 2006,

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

1. The financial consulting firm of VALCO Capital Ltd., Sewell, New Jersey, is hereby retained for the period January 1, 2005 through December 31, 2005, to provide financial advisory and professional services in connection with the financing of the County in accordance with the proposal dated and submitted to the County.
2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), because it is for services performed by persons authorized by law to practice a recognized profession.
3. The Director is hereby authorized to execute said Agreement.
4. A copy of this resolution as well as the Contract shall be placed on file with the Clerk of the Board of Chosen Freeholders.
5. Notice of this action shall be published in THE STAR LEDGER as required by law within ten (10) days of its adoption.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 17-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION TO APPOINT AN ALTERNATE MEMBER TO THE NORTH JERSEY  
TRANSPORTATION PLANNING AUTHORITY, INC. FOR THE YEAR 2006.  
DAVID K. DECH, WARREN COUNTY PLANNING DIRECTOR**

**BE IT RESOLVED** that David K. Dech is hereby appointed as the alternate voting member, representing the County of Warren, to the North Jersey Transportation Planning Authority, Inc., at those meetings when Freeholder John DiMaio is unable to attend during the year 2006.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 18-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on January 7, 2006.

**RESOLUTION ESTABLISHING RESIDENCY PREFERENCE FOR PROSPECTIVE  
EMPLOYEES OF WARREN COUNTY.**

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

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

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

1. Unless otherwise provided by law or by provision within this Resolution, it is preferred that all officers and employees hired by the local unit, the County of Warren, after the effective date of this Resolution be bona fide residents of the County of Warren. A bona fide resident for the purpose of this Resolution is a person having a permanent domicile within the County of Warren and one which has not been adopted with the intention of again taking up or claiming a previous residence acquired outside of the County of Warren's boundaries prior to permanent appointment. Residence shall mean a single legal residence pursuant to N.J.A.C. 4A: 4-2.11 (b). An applicant seeking to appeal a residency determination shall utilize the procedures contained in N.J.A.C. 4A: 4-6.6. The applicant shall have the burden of proving his or her residence.
2. It is preferred that applicants for positions and employments in the classified service with the County of Warren at the exclusion of the Warren County Prosecutor's Office and the Warren County Sheriff's Office be bona fide residents of the County of Warren. The referenced exclusions are made in accordance with decisional and statutory authority. If the New Jersey Department of Personnel, after ample advertisement, determines that an

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insufficient number of qualified residents exist for available positions or employment in the County of Warren, it may open eligibility lists for such positions or employments to qualified nonresidents pursuant to N.J.S.A. 40A: 9-1.6, as set forth in Paragraph 3 of this Resolution.

3. Whenever the County Administrator shall determine that there cannot be recruited a sufficient number of qualified residents for available specific positions or employments, the Warren County Personnel Department shall advertise for other qualified applicants. The County Administrator shall  
There upon classify all qualified applicants for such positions or employments so determined in the following manner:
  - A. Other residents of contiguous counties.
  - B. Other residents of the State of New Jersey.
  - C. All other qualified applicants.

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

4. Whenever the County Administrator shall determine that there are certain specific positions and employments requiring special talents or skills which are necessary for the operations of the County of Warren and which are not likely to be found among the residents of the County of Warren, such positions or employments so determined shall, pursuant to N.J.S.A. 40A: 9-1.7 be filled without reference to residency. At the time of such a determination, the County Administrator will indicate the formal criteria under which it has been determined that the position or employment requires special skills or talents. The criteria pursuant to which such positions and employments shall be so determined are as follows: (A) Any position or employment, the services which are specialized and qualitative in nature. (B) Any position or employment which requires expertise and extensive training. (C) Any position or employment, the services of which will be required to be performed by an individual who has a proven reputation in the particular field or endeavor. (D) Any position or employment, the talents, skills, services or other important characteristics of which cannot be reasonably described by written specifications. (E) Any position or employment, the services of which must or foreseeable will be rendered or performed by a person authorized by law to practice a recognized profession or a person whose practice is regulated by law. (F) Any position or employment whose performance requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.
5. Preference shall be given in promotion to officers and employees of the local unit, County of Warren, who are bona fide residents of the County of Warren. When promotions are based upon merit as determined by suitable promotion tests or other objective criteria, a resident shall be given preference over a nonresident in any instance when all other measurable criteria are equal. The preference granted by this Paragraph shall in no way diminish, reduce, or affect the preference granted pursuant to any other provision of law.

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6. Should any portion of this Resolution be declared illegal or invalid by any court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect, the provisions hereof being fully severable;
7. This Resolution shall in no way affect or apply to persons already in the employ of the County of Warren as of the effective date of this Resolution. Nothing in this Resolution shall restrict employees from relocating their residence outside of Warren County after permanent employment.
8. This Resolution shall take effect upon adoption of same.
9. All prior resolutions or parts thereof inconsistent with the provisions of this Resolution are hereby repealed as to such inconsistency only.
10. A copy of this Resolution shall be provided to the New Jersey Department of Personnel and all Warren County department heads, to indicate the intent of the Board of Chosen Freeholders. Any subsequent modification of this Resolution shall be forwarded to the New Jersey Department of Personnel within twenty (20) days after adoption.

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

Mr. Lee administered the Oath of Office of Surrogate to Susan A. Dickey as her husband, Gary looked on.

Mr. Chamberlain introduced the following guests and invited them to make a few remarks if inclined to do so.

New Jersey State Senator Leonard Lance began by congratulating Mr. Chamberlain on his Directorship and Mr. Gardner on his overwhelming reelection, saying he was looking forward to working with such a distinguished Board. He also congratulated the following: Susan Dickey (reelected as Surrogate), Michael Doherty (reelected as Assemblyman), Marcia Karrow (elected as Assemblywoman), Michael Lavery (elected as Mayor of Hackettstown) and Sam Race (elected as White Township Committeeman). Senator Lance continued by acknowledging predecessors Bill Schluter and Dick Zimmer, thanking them for their "magnificent" service.

Senator Lance outlined the major issues that he intends to confront in the coming year: ban pay to play, return to fiscal responsibility and reform eminent domain practices. Citing needed reforms of the Schools Construction Corp. (SCC), the Transportation Trust Fund and pension funds, Senator Lance said he has already discussed difficult issues with Governor-Elect Corzine. Here in Warren County, we already have ethical and fiscal responsibility, he said. We are already ahead of what needs to be done statewide. "Trenton should look to Flemington and Belvidere," said Senator Lance. "I'm honored to be here and to serve you in the Senate."

Assemblyman Michael Doherty congratulated Mrs. Dickey, saying she had been a tremendous asset to him when he had been a new Freeholder and that she is a dedicated public servant. He congratulated each member of the Board and wished them good luck.

Assemblywoman-Elect Marcia Karrow said she was pleased to be in attendance and expressed appreciation to all of her supporters, singling out Warren County Republican Party Chairman Douglas Steinhardt for his efforts on her behalf. Ms. Karrow said her favorite Christmas present, a Warren County Flag sent to her by former Assemblyman Dick Kamin, will be proudly hung in her new office.

Former New Jersey State Senator Bill Schluter offered congratulations to Ms. Karrow, Mr. Doherty, Mrs. Dickey and Mr. Gardner. He cited the talent, work ethic and "impeccable integrity" of

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the Freeholder Board and commended all Warren County voters who elected them.

Former Congressman Dick Zimmer thanked the Board for inviting him.

Warren County Sheriff Sal Simonetti said the current Board is a "good team" he looks forward to working with.

Former Freeholder Ken Miller said 2006 will prove to be a very interesting year for New Jersey. He elaborated on the proposed site of the Transportation Heritage Center in Phillipsburg, now slated for residential development. The Friends of the Transportation Heritage Center are currently working on a new 5-year Master Plan as they still hope to bring the center to the Phillipsburg area in an effort to foster economic development and tourism in the region. Much depends upon the Freeholders and how open the new Governor will be to working with our county. Mr. Miller hoped for continuing quality of leadership and good government in Warren County.

Mr. Chris Maier, former Freeholder and owner of the Land of Make Believe Amusement Park in Hope, congratulated Mr. Chamberlain, Mr. Gardner and Mrs. Dickey. He reminded everyone that "tourism is the most environmentally friendly industry there is."

Surrogate Susan Dickey bade all a Happy New Year, congratulated Mr. Gardner and Mr. Doherty on their overwhelming victories and wished Ms. Karrow "all the luck in the world". She looks forward to a very productive 5-year term and thanked her husband, Gary and children, Nicole, Adam and Courtney for their support; particularly during this past election.

County Clerk Terrance Lee congratulated all elected officials and said it was an honor to be called upon to administer Oaths of Office. He thanked Senator Lance for his service.

County Prosecutor Scott Ferguson was recognized by Mr. Chamberlain.

Hunterdon County Freeholder Director Nancy Palladino said the Boards of Hunterdon and Warren Counties have much more in common than just politics and she looks forward to uniting again with Warren County on important issues.

Mr. Chamberlain recognized Warren County Republican Chairman Doug Steinhardt, who had been present earlier.

For his comments, Mr. DiMaio paid respects to all the current and former elected officials seated in the jury box and congratulated Ms. Karrow, saying he's looking forward to a good year of cooperation. Each day, he reflects upon the honor and responsibility of serving as Freeholder in his home county. Being a new year, we should have great hope and expectations and he looks optimistically upon 2006. He thanked his wife, Gina and daughters Sierra and Brittani for their support.

Mr. DiMaio congratulated Mr. Gardner, thanking him for his hard work as Director the past two years and for his efforts in cooperation with the County Projects Committee. He congratulated Mr. Chamberlain on his appointment as Director.

We are facing a lot of challenges, he said, which we must address cooperatively and creatively. We need to pool resources and consolidate debt as we approach the budget and corresponding Cap Law. Important decisions must be made regarding the Library and Court House. "We are thinking creatively" by exploring other funding resources, said Mr. DiMaio. We are going to accomplish great things without borrowing a lot. He expressed gratitude to the many citizens who serve on boards on a volunteer basis. "Guys," said Mr. DiMaio to his fellow Board members, "let's get to work."

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Mr. Chamberlain thanked his colleagues for endorsing his directorship; he recognized mayors and committee members in attendance and expressed appreciation for their support.

Short and long-term strategies will be implemented to address space needs in the County. Mr. Chamberlain lauded the County Projects Committee for their progress with special thanks to Chairman Joe Houston. Cost-effective building techniques may be employed to gain space. The JINS Building near Warren Haven is a beautiful and historic structure that can be converted into office space at no additional taxpayer expense by utilizing Historic Trust Funds. Certain Court House operations should be moved to the Annex and improvements to the Court House would also qualify for existing historic funds. All expansions will be approached with a very conservative mindset.

Mr. Chamberlain said he expects the Board will work very closely with the President of Warren County Community College (WCCC), Dr. Will Austin.

Progress will continue in regard to farmland preservation; installment purchase programs to leverage farmland preservation revenues will be pursued.

Mr. Chamberlain vowed to fight the oppressive actions of a very liberal state government, noting the Highlands Legislation.

In closing, he reiterated his pledge to approach the 2006 Budget in a very conservative manner.

Mr. Gardner greeted everyone in attendance and thanked the public for his successful reelection. He noted, however, that no one person can alone achieve victory and thanked his family as well as Chad Chamberlain, his campaign manager.

After wishing Mr. Chamberlain well as Director of the Board, he recalled two major events during his tenure as Director: signing declarations of disaster in September of 2004 and April of 2005 due to flooding. Although fortunate that Warren County suffered no loss of human life, they were still very tense times and emergency management systems and firefighters throughout the county are owed a debt of gratitude.

Farmland Preservation and Open Space are on pace to achieve the goal of 25,000 preserved acres by the year 2008, according to Mr. Gardner.

Mr. Gardner commended the progress of the County Projects Committee and mentioned each member by name: Joe Houston, Dave Hicks, James Durborow, Jane Primerano, Terry Lee, Richard Moore and Ralph Coppersmith. The primary goals are to renovate the historic Court House, establish a new Library Headquarters and renovate the JINS Building. Another key goal is for the taxpayers to be the beneficiaries of significant cost savings.

As for the next three years, "we're ready to go," he said. He acknowledged Dr. Will Austin and said it was a great pleasure to work with him and will continue to do so in efforts to address the growth needs of WCCC.

In terms of business and commerce, Warren County must be a primary focus. However, "the heavy hand of state regulations continues to dampen the spirit of entrepreneurship," especially here in the Highlands region. We have to continue to work on this with Senator Lance and Assemblyman Doherty leading the way. This Freeholder Board is prepared for the challenges that lie ahead and, as always, we are ready to work with the elected officials of all 22 municipalities.

In closing, Mr. Gardner again thanked his supporters and said it is a "distinct honor and pleasure to serve you every day."

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On motion by Mr. Gardner, seconded by Mr. DiMaio, and there being no further business to come before the Board at this time, the meeting was adjourned at 4:05 p.m.

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

**ATTESTED TO:**

**Steve Marvin, Clerk of the Board**