

## MINUTES

305  
JUNE 28, 2006

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 June 28, 2006 at 7:30 p.m.

The meeting was called to order by Director Chamberlain and upon roll call, the following members were present: Freeholder Everett Chamberlain, Freeholder John DiMaio and Freeholder Richard Gardner. 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 Chamberlain.

Director Chamberlain read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF JUNE 28, 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.”**

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Minutes of the Regular Session held on June 14, 2006 were approved.

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

On motion by Mr. DiMaio, seconded by Mr. Gardner, the Minutes of the Executive Session held on June 14, 2006 were approved.

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

### **PROCLAMATION 397-06**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on June 28, 2006.

#### **PROCLAMATION – PRISONER OF WAR/MISSING IN ACTION AWARENESS WEEK, JULY 9-15, 2006.**

**WHEREAS**, there were thousands of American prisoners of war and those listed as missing in action as a result of all the wars; and

**WHEREAS**, in Warren County we are committed to remembering all veterans who served their country and those still missing in action and prisoners of war; and

**WHEREAS**, in our efforts to maintain peace and oppose all aggressive acts against our freedoms, we hope that this event will serve as a reminder of our country's heritage and for those whose lives were given in pursuit of democracy; and

**WHEREAS**, this event will remind everyone of the personal sacrifices made by war veterans so that generations of American citizens could and can continue to enjoy our country's freedoms.

**NOW, THEREFORE, BE IT RESOLVED** that in recognition of the important work performed by **NEW JERSEY CHAPTER III OF ROLLING THUNDER, INC.** in their quest to publicize the **POW/MIA** issue to educate the public that many American prisoners of war were left behind after all past wars; and to help correct the past; and to protect future veterans from being left behind, should they become Prisoners of War/Missing in Action; and are committed to helping

**MINUTES**

disabled veterans from all wars.

**BE IT FURTHER RESOLVED**, that the Board of Chosen Freeholders of the County of Warren does hereby proclaim the week of July 9- July 15, 2006 as **PRISONER OF WAR/MISSING IN ACTION AWARENESS WEEK**.

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

Mr. DiMaio said the Rolling Thunder Organization, of which County Clerk Terry Lee is a member, is instrumental in promoting awareness of POW/MIA issues. It is important for families to have a sense of closure.

Mr. Gardner said it seems as if during past wars, there were more POW/MIA cases than today, but this is a very important issue that needs to remain in the forefront and is very traumatic for families.

Mr. Chamberlain said we never want to forget those who are left behind. The work Rolling Thunder does to educate the public is vital.

There were no comments from the public regarding Agenda Items.

**RESOLUTION 398-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION TO PAY BILLS.**

**Be and it is hereby resolved** that Master Voucher Certificate For **Certification/Ratification for Payments No. 2006-24, 2006-25 dated June 28, 2006** in the amount of **\$ 3,238,798.79** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

<b>2006-24</b>	<b>693,608.28</b>	
<b>2006-25</b>	<b>1,126,266.20</b>	
<b>TOTAL</b>		<b><u>\$ 1,819,874.48</u></b>
<b>Payroll 6/22/06</b>	<b>1,414,549.31</b>	
<b>Uniform 6/22/06</b>	<b>4,375.00</b>	
<b>TOTAL</b>		<b><u>\$ 1,418,924.31</u></b>
<b>GRAND TOTAL</b>		<b><u>\$ 3,238,798.79</u></b>

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 399-06**

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 June 28, 2006.

**RESOLUTION AMENDING ORDINANCE NUMBER 2006-A – AN ORDINANCE AUTHORIZING CERTAIN CAPITAL IMPROVEMENTS AND THE APPROPRIATION OF \$8,809,110 FROM**

JUNE 28, 2006

**MINUTES**  
**THE WARREN COUNTY GENERAL CAPITAL FUND BUDGET FOR SUCH PURPOSES**  
**(APPROPRIATING \$125,000.00 TO WARREN COUNTY TECHNICAL**  
**SCHOOL CAPITAL PROJECT).**

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren, New Jersey (the "County"), finally adopted an Ordinance on March 8, 2006 entitled,

**CAPITAL IMPROVEMENT ORDINANCE**  
**NUMBER 2006-A**

**AN ORDINANCE AUTHORIZING CERTAIN CAPITAL**  
**IMPROVEMENTS AND THE APPROPRIATION OF \$8,809,110**  
**FROM THE WARREN COUNTY GENERAL CAPITAL**  
**FUND BUDGET FOR SUCH PURPOSES; and**

**WHEREAS**, Ordinance 2006-A provided for certain Capital Improvements, specifically Buildings and Grounds Improvements included in the 2006 General Capital Fund Budget; and

**WHEREAS**, there exists a need to expend additional funds in the amount of \$125,000 for Buildings and Grounds Improvements during 2006 in order to pay for construction costs not originally anticipated in the 2006 General Capital Fund Budget; and

**WHEREAS**, the Board of Chosen Freeholders has determined that it is in the best interest of the County to appropriate additional Capital Improvement Fund monies for the projects during 2006 in order to finance the additional cost of the improvements and, thereby, avoid the need to delay the completion of the projects until subsequent years.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN, NEW JERSEY, AS FOLLOWS:**

**SECTION 1.** Capital Improvement Ordinance 2006-A is hereby amended to include additional appropriations for the design, construction or renovation and improvement of various county facilities and is hereby authorized by this Resolution, specifically the installation of equipment in connection with the Restaurant Practice Room Fit-Up project in the Warren Technical School.

**SECTION 2.** The additional amount of \$125,000 in Buildings and Grounds Improvements shall be funded from the Capital Improvement Fund account within the General Capital Fund, no part of which shall be borrowed.

**SECTION 3.** The 2006 Capital Improvement Plan and Capital Budget are hereby amended to conform with the provisions of this resolution to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing the full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services as on file with the Clerk to the Board of Chosen Freeholders and is available for public inspection.

**SECTION 5.** 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 400-06**

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

JUNE 28, 2006

**MINUTES**

by the Board of Chosen Freeholders of the County of Warren at a meeting held on June 28, 2006.

**INSERTION INTO THE 2006 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$105,034.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF YOUTH & FAMILY SERVICES, PERSONAL ATTENDANT SERVICE PROGRAM.**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2006 in the sum of \$ 105,034.00, which item is now available from the State of New Jersey, Department of Human Services, Division of Youth & Family Services, Personal Attendant Service Program.

**BE IT FURTHER RESOLVED** that a like sum of \$ 105,034.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Human Services, Division of Youth & Family Services, Personal Attendant Service Program (administered by the Human Services Dept)

**BE IT FURTHER RESOLVED** that the above is the result of the approval by the State of New Jersey, Department of Human Services, Division of Youth & Family Services.

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 401-06**

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 June 28, 2006.

**INSERTION INTO THE 2006 BUDGET OF THE COUNTY OF WARREN IN THE ADDITIONAL AMOUNT OF \$1,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF YOUTH & FAMILY SERVICES, PLANNING AND ADMINISTERING HUMAN SERVICE GRANTS, #06ALWN FOR A TOTAL AMOUNT OF \$283,230.00.**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2006 in the sum of \$ 1,000.00, which item is now available from the State of New Jersey, Department of Human Services, Division of Youth & Family Services, Planning and Administering Human Service Grants #06ALWN.

**JUNE 28, 2006****MINUTES**

**BE IT FURTHER RESOLVED** that a like sum of \$ 1,000.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Human Services, Division of Youth & Family Services, Planning and Administering Human Service Grants #06ALWN (administered by Human Services)

**BE IT FURTHER RESOLVED** that the above is the result of the approval by the State of New Jersey, Department of Human Services, Division of Youth & Family Services.

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 402-06**

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 June 28, 2006.

**INSERTION INTO THE 2006 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$291,694.00 FROM THE STATE OF NEW JERSEY, JUVENILE JUSTICE COMMISSION, STATE/COMMUNITY PARTNERSHIP GRANT PROGRAM & THE FAMILY COURT SERVICES PROGRAM.**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2006 in the sum of \$ 291,694.00, which item is now available from the State of New Jersey, Juvenile Justice Commission, State/Community Partnership Grant Program & the Family Court Services Program.

**BE IT FURTHER RESOLVED** that a like sum of \$ 291,694.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Juvenile Justice Commission, State/Community Partnership Grant Program & Family Court Services Program (administered by Human Services Dept.)

**BE IT FURTHER RESOLVED** that the above is the result of the approval by the State of New Jersey, Juvenile Justice Commission.

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 403-06**

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

JUNE 28, 2006

**MINUTES**

by the Board of Chosen Freeholders of the County of Warren at a meeting held on June 28, 2006.

**INSERTION INTO THE 2006 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$7,902.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, JUVENILE JUSTICE COMMISSION, JUVENILE ACCOUNTABILITY INCENTIVE BLOCK GRANT JAIBG-05-21.**

**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 2006 in the sum of \$ 7,902.00, which item is now available from the State of New Jersey, Department of Law & Public Safety, Juvenile Justice Commission, Juvenile Accountability Incentive Block Grant JAIBG-05-21.

**BE IT FURTHER RESOLVED** the County's Cash Match (10%) of \$ 878.00 is included in the 2006 County Budget – Youth Shelter – OE (Sheet 20-c) in the total amount of 120,000.00.

**BE IT FURTHER RESOLVED** that a like sum of \$ 7,902.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Law & Public Safety, Juvenile Justice Commission, Juvenile Accountability Incentive Block Grant JAIBG-05-21 (administered by Human Services Dept.)

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

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 404-06**

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 June 28, 2006.

**INSERTION INTO THE 2006 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$11,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL, ATTORNEY IDENTIFICATION PROGRAM.**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2006 in the sum of \$ 11,000.00, which item is now available from the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General, Attorney

**MINUTES**

Identification Program.

**BE IT FURTHER RESOLVED** that a like sum of \$ 11,000.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Law & Public Safety, Office of the Attorney General, Attorney Identification Program (administered by Sheriff's Dept.)

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

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 405-06**

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 June 28, 2006.

**INSERTION INTO THE 2006 BUDGET OF THE COUNTY OF WARREN IN THE ADDITIONAL AMOUNT OF \$271,788.00 FROM THE STATE OF NJ, DEPT. OF HEALTH AND SENIOR SERVICES, DIVISION OF AGING AND COMMUNITY SERVICES, WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF SENIOR SERVICES AREA PLAN GRANT PROGRAM FOR A TOTAL APPROPRIATION OF \$973,690.00.**

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2006 in the sum of \$271,788.00 which item is now available from the State of N.J., Dept. of Health and Senior Services, Div. of Aging and Community Services, Division of Senior Services Area Plan Grant Program.

**BE IT FURTHER RESOLVED** that a like sum of \$271,788.00 be and the same is hereby appropriated under caption:

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

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

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

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

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

**JUNE 28, 2006****MINUTES**

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

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 406-06**

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 June 28, 2006.

**RESOLUTION APPROVING THE AUDIT REPORT OF THE COUNTY OF WARREN  
FOR THE YEAR 2005.**

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

**WHEREAS**, the Annual Report of Audit for the year 2005 has been filed by a Registered Municipal Accountant with the Clerk of the Board of Chosen Freeholders pursuant to the requirements of N.J.S.A.40 A:5-6, and a copy has been received by each member of the governing body; and

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

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

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

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

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

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

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

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

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

## MINUTES

313  
JUNE 28, 2006

Steve Marvin, Clerk of the Board

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

Regarding the funds to be fronted to the Technical School for remodeling (Item D2) on the Agenda), Mr. DiMaio said he did examine the drawing as requested. The project does involve a lot of mechanical-type work, so the bids seemed fairly consistent.

Mr. Chamberlain mentioned the 2005 Audit Report referred to in Agenda Item D9 and the fact that only one recommendation had been made. He acknowledged the difficulty of the job and thanked Mr. Houck for his efforts. Mr. Houck responded by saying the process is a group effort and credited his staff for their contributions.

### **RESOLUTION 407-06**

On motion by Mr. Gardner, 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 June 28, 2006.

#### **RESOLUTION RE: MEDICAID RATE FOR WARREN HAVEN.**

**WHEREAS**, Warren Haven is the Warren County Nursing Home and the State of New Jersey Division of Medicaid Rate Setting has established a Medicaid Rate effective July 1, 2005 through June 30, 2006 of \$195.91.

**NOW, THEREFORE, BE IT RESOLVED** that the Warren County Board of Chosen Freeholders have approved the Medicaid Per Diem Rate of \$195.91 effective June 28, 2006. This rate was established based on financial data furnished in the Warren Haven Medicaid Cost Report for 2004 prepared by HUBCO Health Care Group.

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 408-06**

On motion by Mr. Gardner, 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 June 28, 2006.

#### **RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ENTER INTO AN UNDERGROUND UTILITY AGREEMENT WITH THE OWNER OF LOT 17.03 BLOCK 1201 IN FRELINGHUYSEN TOWNSHIP FOR THE CONSTRUCTION & MAINTENANCE OF ELECTRIC, TELEPHONE, CABLE T.V. SERVICES WITHIN THE RIGHT-OF-WAY OF COUNTY ROUTE #519.**

**WHEREAS**, Warren Haven is the Warren County Nursing Home and the State of New Jersey Division of Medicaid Rate Setting has established a Medicaid Rate effective July 1, 2005 through June 30, 2006 of \$195.91.

**NOW, THEREFORE, BE IT RESOLVED** that the Warren County Board of

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 409-06**

On motion by Mr. Gardner, 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 June 28, 2006.

#### **RESOLUTION APPROVING THE ACQUISITION OF ADDITIONAL RIGHT-OF-WAY ALONG COUNTY ROUTE #648, LOT 17 BLOCK 16, WASHINGTON TOWNSHIP FOR A SUM OF \$4,129.79.**

JUNE 28, 2006

## MINUTES

**WHEREAS**, the owner of Lot 17, Block 16 in Washington Township has agreed to sell additional right-of-way to the County along County Route #648; and

**WHEREAS**, appraisals have been prepared through the Farmland Preservation Program; and

**WHEREAS**, .254 acres of additional right-of-way will be acquired at the fair market value of \$4,129.79.

**WHEREAS**, adequate funds are available in account 0405A204 5063 and Certified by the Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren that the above right-of-way acquisition of .254 acres for \$4,129.79 is hereby approved.

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 410-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION TO ESTABLISH A TEMPORARY SPEED LIMIT AND A TEMPORARY WEIGHT LIMIT ON COUNTY ROUTE #623 (BRASS CASTLE ROAD) WHITE TOWNSHIP, WARREN COUNTY, NEW JERSEY.**

**WHEREAS**, the Warren County Board of Chosen Freeholders has authorized construction along County Route #623 (Brass Castle Road) in White Township, and

**WHEREAS**, the Warren County Board of Chosen Freeholders, in order to expedite this Project, needs to authorize a reduction of the speed limit and establish a weight limit restriction for the term of construction, and

**WHEREAS**, it is in the best interest of the motorists and public safety to reduce such speed limits and establish a weight limit restriction for the term of construction,

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

1. The construction speed limit for both directions of traffic along, County Route #623 (Brass Castle Road) in White Township shall be and is hereby established at 25 MPH from 900 feet north of County Route #624 to County Route #624, and 20 MPH from County Route #624 to 1900 feet south of County Route #624, between the dates of July 15, 2006 and October 15, 2006, or until construction is completed, whichever comes first. Temporary signs are to be posted accordingly only when one or more of the following conditions exist:

- A. Where hazards or obstructions are present.
- B. When workers are on or adjacent to the traveled way.
- C. When other conditions exist which are deemed potential hazards to the traveling public.

**WHEN**, none of the above conditions exist, the temporary construction zone signs R2-1 and W3-5 or W3-5a shall be covered with an opaque material at such time as directed by the Engineer, during which period permanent speed limit signs shall be visible.

2. Trucks over eight (8) tons gross weight are hereby excluded from County Route #623 (Brass Castle Road) in White Township, between County Route #624 and County Route #626, except for local pickup and delivery, between the dates of July 15, 2006 and October 15, 2006, or until construction is completed, whichever comes

**MINUTES**

first.

That this resolution shall be forwarded to the New Jersey Department of Transportation, the Warren County Engineer, and to the Clerk of White Township

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

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

Mr. Gardner inquired about the temporary speed and weight limits on Route #623. Mr. Hicks said the measures were taken due to construction.

**RESOLUTION 411-06**

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 June 28, 2006.

**RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE RECONSTRUCTION OF WARREN COUNTY CULVERT #10034, COUNTY ROUTE #621 OVER A TRIBUTARY TO THE DELAWARE RIVER, HARMONY TOWNSHIP, CONTRACT #WC0669.**

**BE IT RESOLVED** that the plans and specifications for Contract #WC0669 for the reconstruction of Warren County Culvert #10034, County Route #621 over a Tributary to the Delaware River, Harmony Township are hereby approved.

**BE IT FURTHER RESOLVED** that the County Engineer is hereby directed to advertise for proposals for the above project at least 10 days prior to the receipt of bids in

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**THE STAR LEDGER**

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**TENTATIVE SCHEDULE**

**ADVERTISING DATE - THURSDAY, JULY 6, 2006**

**BIDS TO BE RECEIVED - TUESDAY, AUGUST 1, 2006**

**AWARD DATE - WEDNESDAY, AUGUST 9, 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 412-06**

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 June 28, 2006.

**RESOLUTION RE: APPROVAL OF SPECIFICATION WC0670 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR LUMBER FOR VARIOUS DEPARTMENTS.**

**BE IT RESOLVED**, that specification WC0670 for lumber for various departments is hereby approved

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

Funding for this contract will be provided in various department budget accounts.

JUNE 28, 2006

**MINUTES**

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 413-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION AUTHORIZING THE RENEWAL OF A SERVICES CONTRACT WITH THE WARREN COUNTY REGIONAL CHAMBER OF COMMERCE FOR ECONOMIC DEVELOPMENT FUNCTIONS AND SERVICES.**

**WHEREAS**, the Warren County Board of Chosen Freeholders has considered the year end report and proposal by the Warren County Regional Chamber of Commerce with regard to continuation of economic development functions and services in Warren County; and

**WHEREAS**, the Warren County Regional Chamber of Commerce is a duly incorporated organization with offices at 10 Brass Castle Road, Washington, NJ with its primary mission to develop and implement programs of economic development for Warren County; and

**WHEREAS**, the goals of stimulating private investment, increasing non-residential tax revenues and creating competitive employment opportunities compatible with the character and environment of Warren County has been endorsed by the Board of Chosen Freeholders; and

**WHEREAS**, the County of Warren and the Warren County Regional Chamber of Commerce desire to enter into an Agreement setting forth the respective responsibilities of the parties in relation to the aforementioned economic development program; and

**WHEREAS**, N.J.S.A. 40A:5-16.3 and N.J.S.A. 40:23-5.1 et seq. authorizes the payment of public funds in order to cover the County's share of administrative costs applicable to a statutorily authorized cooperative venture and for purposes of economic development.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Chosen Freeholders of the County of Warren that the County of Warren agrees to enter into a services contract which is attached hereto and made a part hereof with the Warren County Regional Chamber of Commerce for the purpose of developing and implementing, in partnership with the County business community, a County economic development program; and

**BE IT FURTHER RESOLVED**, that the annual public funding commitment to the Warren County Regional Chamber of Commerce by the County of Warren for 2006 is \$50,000.00, subject to the terms and conditions of the Agreement between the parties and to future budget approvals and appropriations; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to the Board of Directors of the Warren County Regional Chamber of Commerce and the Warren 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 414-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION AWARDED CONTRACT #WC0619 TO COOPERSMITH BROS., INC. FOR THE CONSTRUCTION OF THE NEW PUBLIC SAFETY STORAGE BUILDING AT THE WARREN COUNTY FIRE ACADEMY, FRANKLIN TOWNSHIP IN THE AMOUNT OF \$469,000.00.**

**WHEREAS**, the County advertised for bids to be received on Thursday, June 1, 2006 at

JUNE 28, 2006

**MINUTES**

1:30 P.M. for Contract #WC0619 for the Construction of the New Public Safety Storage Building at the Warren County Fire Academy, Franklin Township; and

**WHEREAS**, Coopersmith Bros., Inc. of Phillipsburg, New Jersey submitted the lowest responsible and responsive bid of \$469,000.00; and

**WHEREAS**, adequate funds have been established in accounts 0406A701 5061 and 0404C703 5061 and certified by the County Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to Coopersmith Bros., Inc. in the amount \$469,000.00.

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 415-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION AWARDED CONTRACT #WC0655 TO TILCON NEW YORK, INC. FOR THE 2006 RESURFACING & REHABILITATION OF COUNTY ROUTES #620, #623, #624, #637 & #647, TOWN OF BELVIDERE & WHITE, OXFORD, GREENWICH & HARMONY TOWNSHIPS IN THE AMOUNT OF \$2,072,547.50.**

**WHEREAS**, the County advertised for bids to be received on Tuesday, June 20, 2006 at 1:30 P.M. for Contract #WC0655 for the 2006 Resurfacing & Rehabilitation of County Routes #620, #623 & #624, #637, #647, Town of Belvidere, and White, Oxford, Greenwich & Harmony Townships; and

**WHEREAS**, Tilcon New York, Inc. of Wharton, New Jersey submitted the lowest responsible and responsive bid of \$2,072,547.50; and

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

**WHEREAS**, adequate funds have been established in accounts 0406A101 5063, 0405A101 5063 and S61655302 5063 and certified by the County Chief Financial Officer.

**NOW, THEREFORE, BE IT RESOLVED** that the members of the Board of Chosen Freeholders of the County of Warren do hereby award the contract for the above project to Tilcon New York, Inc. in the amount \$2,072,547.50.

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 416-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION AWARDED THE CONTRACT FOR THE RECONSTRUCTION OF INTERCOUNTY BRIDGE #22024/L-92-W, NEW HAMPTON ROAD/SPRINGTOWN ROAD OVER THE MUSCONETCONG RIVER, WASHINGTON/LEBANON TOWNSHIPS, WARREN/HUNTERDON COUNTIES TO EMPCO CONTRACTING, INC. IN THE CONTRACT AMOUNT OF \$987,060.00 (WARREN COUNTY'S SHARE \$493,530.00).**

**WHEREAS** the County of Hunterdon received bids on Thursday, June 8, 2006 for the Reconstruction of Intercounty Bridge #22024/L-92-W, New Hampton Road/Springtown Road over the Musconetcong River, Washington/Lebanon Townships, Warren/Hunterdon Counties;

JUNE 28, 2006

**MINUTES**

and

**WHEREAS** Empco Contracting, Inc. of Dumont, New Jersey submitted the lowest responsible and responsive bid of \$987,060.00; and

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

**WHEREAS**, the County of Hunterdon Engineer's Office and Purchasing Department have reviewed the bid and recommend the award; and

**WHEREAS**, adequate funds have been established in account S2165 5380 5064 and certified by the County Chief Financial Officer for Warren County's share (1/2) of the cost in the amount of \$493,530.00.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Warren does hereby approve the award of the contract for the above project to Empco Contracting, Inc. in the amount of \$987,060.00 (Warren County's share \$493,530.00).

**BE IT FURTHER RESOLVED** that the Director of the Board and Clerk are hereby authorized to sign the joint Intercounty contract for the project.

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 417-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION APPROVING CONTRACT #WC0638P WITH KEY-TECH FOR CORING AND BITUMINOUS TESTING ON VARIOUS WARREN COUNTY CONSTRUCTION PROJECTS FOR 2006 IN THE CONTRACT AMOUNT \$26,550.00.**

**WHEREAS**, there exists a need for professional engineering services for Coring and Bituminous Testing on Various Warren County Construction Projects for 2006; and

**WHEREAS**, in accordance with the Local Public Contracts Law (N.J.S.A. 40A:11-5 et. seq.) the resolution and contract for "professional services" for this project are available for public inspection in the office of the Director of Purchasing; and

**WHEREAS**, the contract is awarded in accordance with N.J.S.A 19:44A-20.4 as a non-fair and open contract; and

**WHEREAS**, all necessary documents including the Business Entity Disclosure Certification and Determination of Value have been received and are on file in the office of the Director of Purchasing; and

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

**WHEREAS**, adequate funds are available in accounts 0401A101 5063 01A101 5063, 0402A101 5063, 0403A101 5063, 0404A101 5063 & 0405A101 5063 and certified by the County Chief Financial Officer.

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Key-Tech of Keyport, N.J. for professional services for the above project in the amount of \$26,550.00, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a

JUNE 28, 2006

**MINUTES**

person or persons authorized by law to practice a recognized profession.

4. Notice of this action shall be published in The Star Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 418-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT #WC0103P WITH HAROLD E. PELLOW & ASSOCIATES, INC. FOR ENGINEERING/SURVEYING SERVICES FOR THE CONSTRUCTION PHASE OF HIGHWAY SAFETY IMPROVEMENTS ON VARIOUS WARREN COUNTY ROADS FOR A NET INCREASE OF \$139,000.00.**

**WHEREAS**, Harold E. Pellow & Associates, Inc. was awarded a contract for Engineering/Surveying Services for Highway Safety Improvements on Various Warren County Roads in the current amount of \$292,976.81; and

**WHEREAS**, construction phase services and on-site inspection for the project are needed for a net increase of \$139,000.00; and

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

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

**WHEREAS**, adequate funds are available in account F61655347 5063 and certified by the County Chief Financial Officer.

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

1. Hereby approve Contract Modification #1 with Harold E. Pellow & Associates, Inc. for the above project for a net increase of \$139,000.00.
2. The Director is hereby authorized to execute said letter of agreement by signing same.
3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. Notice of this action shall be published in The Star Ledger, as required by law, within ten days of its adoption.

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

**RESOLUTION 419-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION APPROVING CHANGE ORDER #2 FOR CONTRACT #WC0445 WITH SPARWICK CONTRACTING, INC. FOR THE RECONSTRUCTION OF WARREN COUNTY BRIDGE #16004, KINGS HIGHWAY OVER THE MUSCONETCONG RIVER, MANSFIELD TOWNSHIP FOR A NET DECREASE OF \$52,637.96 AND A FINAL CONTRACT AMOUNT OF \$1,709,383.60.**

**WHEREAS**, Sparwick Contracting, Inc. was awarded a contract by Warren and Morris

JUNE 28, 2006

## MINUTES

Counties for Contract #WC0445 for the Reconstruction of Warren County Bridge #16004, Kings Highway over the Musconetcong River, Mansfield Township (Morris County Bridge #1197, Washington Township) in the revised contract amount of 1,762,021.56 (Warren County's share \$881,010.78 and Morris County's share \$881,010.78).

**WHEREAS** final as built quantities resulted in a net decrease of \$52,637.96; and

**WHEREAS**, said changes were recommended by the County Engineers; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren do hereby approve change order #2 for the above project with Sparwick Contracting, Inc. for a net decrease of \$52,637.96 and a final contract amount of \$1,709,383.60 (Warren County's share \$854,691.80 and Morris County's share \$854,691.80).

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 420-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION RE: AWARD OF CONTRACT TO TUWAY COMMUNICATIONS OF BETHLEHEM, PENNSYLVANIA FOR DEDICATED REPEATERS INSTALLED**

**AT WARREN AND HACKETTSTOWN HOSPITALS TO COMMUNICATE WITH THE WARREN COUNTY COMMUNICATIONS CENTER IN THE TOTAL CONTRACT AMOUNT OF \$52,360.00.**

**WHEREAS**, there exists a need for dedicated repeaters installed at Warren and Hackettstown Hospital to Communicate directly with the Warren County Communications Center; and

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

**WHEREAS**, 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, Certificate of Compliance With Campaign Contribution Law and the Determination of Value and these forms are on file; and

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

**NOW THEREFORE BE IT RESOLVED**, 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 contract to TuWay Communications of Bethlehem, Pennsylvania for services for the above project, at a total contract amount of \$52,360.00 per letter of agreement which is on file in the Office of the Director of Purchasing and is made a part hereof by reference.
2. This contract is awarded without competitive bidding as an "Extraordinary, Unspecifiable Service" in accordance with 40A:11-5(1) (a) of the Local Public Contracts Law because the services defined cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training and proven reputation in the field of endeavor are obtained.
3. A notice of this action shall be published in the Star Ledger.  
Funding for this contract is provided in grant account F52505351/5054 – 05 Homeland Security Communications Equipment

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.

# MINUTES

321  
JUNE 28, 2006

Steve Marvin, Clerk of the Board

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

## RESOLUTION 421-06

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION RE: AWARDING THE PROFESSIONAL SERVICES AGREEMENT WC0671R FOR PROFESSIONAL DRUG AND ALCOHOL TESTING SERVICES FOR CDL REQUIREMENTS TO NATIONAL DRUG SCREEN, INC., FOR THE PERIOD OF AUGUST 1, 2006 THROUGH JULY 31, 2007 IN AN AMOUNT NOT TO EXCEED \$5,000.00.**

**WHEREAS**, there exists a need for the professional services of a drug and alcohol test screening service for CDL requirements; and

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

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

**WHEREAS**, adequate funds are available in budget account 012900/5093 – Roads – Medical Expenses including Physicals and certified by the County Chief Financial Officer,

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and National Drug Screen Inc., of Belvidere, New Jersey, for professional services for the above project, in the amount not to exceed \$5,000.00 per letter of agreement currently on file in the Office of the Director of Purchasing, be made part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director is hereby authorized to execute said letter of Agreement by signing same.
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A notice of this action shall be published in The Star-Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin, Clerk of the Board

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

## RESOLUTION 422-06

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION RE: AUTHORIZING THE DIRECTOR OF THE BOARD OF CHOSEN FREEHOLDERS TO EXECUTE AGREEMENT WITH ALL QUALITY CARE**

**TO**

**PROVIDE HEALTH CARE THROUGH THE WARREN COUNTY PUBLIC HEALTH NURSING AGENCY FOR THE PERIOD OF JULY 1, 2006 THROUGH JUNE 30, 2007 IN THE TOTAL ESTIMATED AMOUNT OF \$140,000.00.**

**WHEREAS**, the County of Warren requires the professional services of home health aides,

JUNE 28, 2006

**MINUTES**

and nursing Services, through the Warren County Public Health Nursing Agency for the period of July 1, 2006 through June 30, 2007; and

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

**WHEREAS**, 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, Certificate of Compliance With Campaign Contribution Law and the 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**, adequate funds are available in account numbers – 19330-5723, 19330-5719, 19330-05615, and certified by the Chief Financial Officer; and

**NOW THEREFORE BE IT RESOLVED**, by the Board of Chosen Freeholders of the County of Warren and the contractors are on file in the Office of the Clerk of the Board of Chosen Freeholders and are made a part hereof by reference, are hereby approved and shall be entered into by this Board on behalf of the County of Warren:

**A. CERTIFIED HOME HEALTH AIDE SERVICES:**

All Quality Care, 81 Main Street, Newton, NJ 07882 at \$20.00 per hour regular time and \$26.00 per hour holiday, weekends \$22.00 per hour.

1. The Director is hereby authorized to execute said letter of Agreement by signing same.
2. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
3. A notice of this action shall be published in the Star-Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 423-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION RE: AUTHORIZING DIRECTOR OF THE BOARD OF CHOSEN FREEHOLDERS TO EXECUTE AGREEMENT WITH VISITING HOMEMAKER SERVICE OF WARREN COUNTY TO PROVIDE HEALTH CARE THROUGH THE**

**WARREN**

**COUNTY PUBLIC HEALTH NURSING AGENCY FOR THE PERIOD OF**

**JULY**

**1, 2006 THROUGH JUNE 30, 2007 IN THE TOTAL ESTIMATED AMOUNT OF \$140,000.00.**

**WHEREAS**, the County of Warren requires the professional services of home health aides, and nursing Services, through the Warren County Public Health Nursing Agency for the period of July 1, 2006 through June 30, 2007; and

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

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

JUNE 28, 2006

**MINUTES**

**WHEREAS**, Warren County has received all necessary documentation to allow award of this contract including the Business Entity Disclosure Certification, Certificate of Compliance With Campaign Contribution Law and the 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**, adequate funds are available in account numbers – 19330-5723, 19330-5719, 19330-05615, and certified by the Chief Financial Officer; and

**NOW THEREFORE BE IT RESOLVED**, by the Board of Chosen Freeholders of the County of Warren and the contractors are on file in the Office of the Clerk of the Board of Chosen Freeholders and are made a part hereof by reference, are hereby approved and shall be entered into by this Board on behalf of the County of Warren:

**B. CERTIFIED HOME HEALTH AIDE SERVICES:**

Visiting Homemaker Service of Warren County, 18 Broad Street, Washington, NJ 07882 at \$21.50 per hour regular time and \$22.50 per hour holiday, weekends \$22.00 per hour.

1. The Director is hereby authorized to execute said letter of Agreement by signing same.
2. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
3. A notice of this action shall be published in the Star-Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 424-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION RE: AUTHORIZING DIRECTOR OF THE BOARD OF CHOSEN FREEHOLDERS TO EXECUTE AGREEMENT WITH COMFORCARE SENIOR SERVICES TO PROVIDE HEALTH CARE THROUGH THE WARREN COUNTY PUBLIC HEALTH NURSING AGENCY FOR THE PERIOD OF JULY 1, 2006 THROUGH JUNE 30, 2007 IN THE TOTAL ESTIMATED AMOUNT OF \$140,000.00.**

**WHEREAS**, the County of Warren requires the professional services of home health aides, and nursing Services, through the Warren County Public Health Nursing Agency for the period of July 1, 2006 through June 30, 2007; and

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

**WHEREAS**, 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, Certificate of Compliance With Campaign Contribution Law and the 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**, adequate funds are available in account numbers – 19330-5723, 19330-5719, 19330-05615 and certified by the Chief Financial Officer; and

**NOW THEREFORE BE IT RESOLVED**, by the Board of Chosen Freeholders of the County of Warren and the contractors are on file in the Office of the Clerk of the Board of Chosen

JUNE 28, 2006

**MINUTES**

Freeholders and are made a part hereof by reference, are hereby approved and shall be entered into by this Board on behalf of the County of Warren:

**C. CERTIFIED HOME HEALTH AIDE SERVICES:**

Comforcare Senior Services, 71 East Washington Ave, Washington, NJ 07882 at \$19.00 per hour regular time and \$24.00 per hour holiday, weekends \$28.50 per hour.

1. The Director is hereby authorized to execute said letter of Agreement by signing same.
2. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
3. A notice of this action shall be published in the Star-Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 425-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION RE: AWARD OF CONTRACT TO ROBERT F. HEFFERNAN & ASSOCIATES, OLDWICK, NEW JERSEY FOR APPRAISAL SERVICES ON THE PEQUEST DEVELOPMENT, LLC PROPERTY, WHITE TOWNSHIP, BLOCK 47 AND LOT 7.03, APPROXIMATELY 60 ACRES PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$3,400.00.**

**WHEREAS**, Warren County is interested in obtaining appraisals on the property as listed in the proposal; and

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

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

**WHEREAS**, adequate funds are available in account 03895-5067 – Open Space Trust Fund – Preliminary Expenses and various other projects

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

1. The agreement between the County of Warren and Robert F. Heffernan & Associates in the amount of \$3,400.00 to prepare appraisal on the farm listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten (10) days of adoption.

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

Steve Marvin, Clerk of the Board

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

**RESOLUTION 426-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION RE: AWARD OF CONTRACT TO HOLZHAUER AND HOLENSTEIN, LLC, NEWTON, NEW JERSEY FOR APPRAISAL SERVICES ON THE PEQUEST**



JUNE 28, 2006

**MINUTES****RESOLUTION APPOINTING THOMAS P. MARSHALL, JR. AS ALTERNATE MEMBER #1 TO THE WARREN COUNTY BOARD OF RECREATION COMMISSIONERS:****THOMAS P. MARSHALL, JR. – TERM TO EXPIRE 1/1/11**

**BE IT HEREBY RESOLVED** by the Warren County Board of Chosen Freeholders that in accordance with N.J.S.A. 40:12-1, the following individual shall be appointed as Alternate Member #1 of the Warren County Board of Recreation Commissioners:

Thomas P. Marshall, Jr.                      Term to expire: January 1, 2011  
215 Washington Street  
Hackettstown, NJ 07840

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 429-06**

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 June 28, 2006.

**RESOLUTION REAPPOINTING HARRY BROWN AS AT-LARGE ALTERNATE TO THE WARREN COUNTY MUNICIPAL & CHARITABLE CONSERVANCY TRUST FUND COMMITTEE:**

**HARRY BROWN – TERM TO EXPIRE 3/25/08**

**BE IT HEREBY RESOLVED** by the Warren County Board of Chosen Freeholders that the following individual shall be reappointed as an At-Large Alternate of the Warren County Municipal & Charitable Conservancy Trust Fund Committee with term March 26, 2006 through March 25, 2008:

Harry Brown                                      Term to expire: March 25, 2008  
134 Deerfield Drive  
Hackettstown, NJ 07840

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 430-06**

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 June 28, 2006.

**RESOLUTION REAPPOINTING MEMBERS OF THE WARREN COUNTY CONSTRUCTION BOARD OF APPEALS:**

**DALE DURLING – TERM TO EXPIRE 12/31/07**  
**JAMES BERNASI – TERM TO EXPIRE 12/31/06**  
**LOUIS CEVETELLO – TERM TO EXPIRE 12/31/08**  
**JOHN INSCHO – TERM TO EXPIRE 12/31/09**  
**RAY O'BRIEN – TERM TO EXPIRE 12/31/08**  
**MICHAEL FINELLI – TERM TO EXPIRE 12/31/08**

JUNE 28, 2006

## MINUTES

**WHEREAS**, N.J.S.A. 52:27D-127 and N.J.A.C. 5:23A-1.3 establish and require specified terms of office and qualifications for members of the Construction Board of Appeals and the Warren County Board of Chosen Freeholders does hereby reappoint members of said Board to comport with the requirements of governing statute and code.

**NOW, THEREFORE, BE IT RESOLVED** that the Warren County Board of Chosen Freeholders does hereby approve the reappointments to the Warren County Construction Board of Appeals as follows:

	<u>Membership Status</u>	<u>Qualification</u>	<u>Term Dates</u>
Dale Durling	Regular Member	Electrical Subcode	1/1/04-12/31/07
James Bernaski	Regular Member	P.E.	1/1/03-12/31/06
Louis Cevetello	Regular Member	Fire Subcode & Fire Official	1/1/05-12/31/08
John Inscho	Regular Member	Plumbing Subcode & Fire Official	1/1/06-12/31/09
Ray O'Brien	Regular Member	R.A.	12/31/08
Michael Finelli	Special Member	P.E. Municipal	1/1/05-12/31/08

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

**RECOMMENDATION**

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following recommendation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on June 28, 2006.

**RECOMMENDATION TO ACCEPT THE RESIGNATION OF PATRICK E. BRADY FROM THE WARREN COUNTY POLLUTION CONTROL FINANCING AUTHORITY EFFECTIVE JULY 15, 2006.**

I hereby certify the above to be a true copy of a recommendation 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 431-06**

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 June 28, 2006.

**RESOLUTION APPOINTING A MEMBER TO THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY:**

**EVERETT A. CHAMBERLAIN – TERM TO EXPIRE – 2/1/11**

**WHEREAS**, the resolution of the County of Warren, entitled "Resolution Creating the Pollution Control Financing Authority of Warren", adopted August 14, 1974, has become and is fully effective and the Clerk of the Board of Chosen Freeholders has filed a certified copy thereof in the Office of the Secretary of State of New Jersey as provided in Section 4 (e) of the New Jersey Industrial Pollution Control Financing Law, and there has been duly created and there is validly existing the Pollution Control Financing Authority of Warren County, a body corporate and politic of the State of New Jersey, pursuant to said New Jersey Industrial Pollution Financing Law; and

**WHEREAS**, the Warren County Board of Chosen Freeholders must file with the Secretary

JUNE 28, 2006

**MINUTES**

of State of the State of New Jersey a resolution reappointing or replacing members of the Authority; and

**WHEREAS**, the term of Patrick E. Brady, duly appointed to the authority, expired effective February 1, 2006 and he has continued to hold said appointment in holdover capacity and has submitted a letter of resignation effective July 15, 2006..

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

Section 1. The following person is appointed as a member of the Pollution Control Financing Authority of Warren County to serve for a term expiring on the first day of February of the year set opposite his name:

Everett A. Chamberlain

Term to expire: February 1, 2011

Section 2. A copy of this resolution, duly certified by the Clerk of the Board of Chosen Freeholders of the County of Warren shall forthwith be filed by said Clerk in the Office of the Secretary of State of the State of New Jersey.

Section 3. This resolution shall take effect July 16, 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

Mr. Chamberlain requested a letter of thanks be drafted and sent to Patrick Brady for his achievements in making the PCFA financially solvent.

Mr. Gardner noted the Construction Board of Appeals has not attracted any new members. This is a very important board. Regarding secretarial support for same, Mr. Hicks said a job description is still being compiled as the duties will encompass more than just attending meetings.

**RESOLUTION 432-06**

On motion by Mr. Gardner, 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 June 28, 2006.

**RESOLUTION CREATING AN INTERIM POSITION OF CHIEF SANITARY INSPECTOR,  
CLASSIFIED, WITHIN THE WARREN COUNTY HEALTH DEPARTMENT.**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that an interim full-time position of *Chief Sanitary Inspector*, classified, is created in the Warren County Health Department for the purpose of enhancing the efficiency and effectiveness of the daily operations; and

**NOW, THEREFORE BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that Tracey Hess be appointed as interim *Chief Sanitary Inspector* and that said position be established on AFSCME Local 671, Range 2140 and made effective July 1, 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

County Counsel had no report.

County Engineer Dave Hicks notified the Board of recently passed legislation regarding low speed vehicles similar to golf carts which may be legal on 25 mph roads. There are some concerns regarding their safety on the open road as they do not have all the safety features of regular cars. It is the County's responsibility to exclude certain roads for operation.

Regarding a recently completed bridge in Beattystown, Mr. Chamberlain remarked how beautiful it turned out and the way it was consistent with the historic character of the area. Mr. Gardner inquired about when construction is set to begin on the Hampton Bridge. Mr. Hicks was not sure if the plans had yet been approved by Hunterdon County, but the next step is to get the contracts signed within the next month or two.

County Planner Dave Dech had no report.

County CFO Charles Houck had not report, but advised the Board he will be unable to attend the July meeting as he will be on vacation.

County Administrator Steve Marvin reminded the Board of an important meeting on July 17 where the reauthorization of the Garden State Preservation Trust is scheduled to be discussed. Mr. Chamberlain said he has plans to attend. Mr. Gardner tentatively expected to be there. Mr. DiMaio will be unable to make it.

Under Freeholder Comments, Mr. DiMaio spoke of having met with Phillipsburg Mayor Harry Wyant regarding the current flooding along the Delaware River. This is the third time in less than two years residents and businesses have been faced with this very unfortunate situation. The river has not yet crested and people are being evacuated. Mr. DiMaio wondered if there should be a bi-state or tri-state commission formed with Pennsylvania and New York to try and mitigate what has become a recurring problem. Perhaps a dam would be appropriate. Mr. Gardner pointed out the EPA and Department of the Interior do not allow construction of dams.

Mr. Gardner said in spite of the progress the Projects Committee has made to alleviate the County's space problems, the Bar Association continues to pursue their lawsuit by taking it to the State Supreme Court. He finds this to be perplexing.

Back on the topic of flooding, Mr. Chamberlain had been in contact with Public Safety Director David Gallant, who said evacuations and road closings have gone well and people are being cooperative. The flooding causes a lot of devastation and hardship; we're trying to do all we can. Congressman Scott Garrett called to offer assistance. Mother Nature is a powerful force.

Regarding the Bar Association lawsuit, Mr. Chamberlain said the action provides no positive means to make the process move any faster and forces the expenditure of more taxpayer dollars which is very upsetting.

Under Closing Public Comments, Washington Township Mayor David Dempski was pleased to announce a closing scheduled for June 30 on the AJR Farm. He said Land Preservation Administrator Bob Resker does an outstanding job and thanked the Board on behalf of Washington Township for their support.

**RESOLUTION 433-06**

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 June 28, 2006.

**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 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

**JUNE 28, 2006****MINUTES**

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 June 28, 2006 that an Executive Session closed to the Public shall be held on June 28, 2006 at 8:04 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.

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

On motion by Mr. DiMaio, seconded by Mr. Gardner, the Board adjourned executive session at 8:39 p.m. and returned to open session.

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

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 8:40 p.m.

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

**ATTESTED TO:**

**Steve Marvin, Clerk of the Board**