

MINUTES

369
AUGUST 9, 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 August 9, 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 AUGUST 9, 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 July 19, 2006 were approved.

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

Mr. Chamberlain requested a clarification regarding trucks being forced to turn around on Route 622, at times causing property damage. Drivers are simply misinterpreting the signs. The situation has nothing to do with recent flooding as had been stated in the Minutes.

On motion by Mr. DiMaio, seconded by Mr. Gardner, the Minutes of the Executive Session held on July 19, 2006 were approved.

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

CERTIFICATE OF MERIT

On motion by Mr. Gardner, seconded by Mr. DiMaio, the following certificate was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 9, 2006.

CERTIFICATE OF MERIT – THORNTON BLEASE – FOR BEING THE YOUNGEST PERSON TO RECEIVE A SCHOLASTIC ART & WRITING AWARD FROM THE ALLIANCE FOR YOUNG ARTISTS & WRITERS.

I hereby certify the above to be a true copy of a certificate 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 congratulated the ten year old Thornton on his accomplishment, saying he is a talented young man who should be very proud. Mr. Gardner agreed this was quite an accomplishment and was proud of the fact that Thornton hails from his own Franklin Township. He wished him well in the future.

Mr. Chamberlain was pleased to present the Certificate of Merit to the young man, saying he has a bright future. Each Freeholder was given a copy of Thornton's publication which is also available on Amazon.com. The young author said it takes a lot of hard work to write stories and

MINUTES

poems. The words don't always come easily.

RESOLUTION 476-06

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 August 9, 2006.

RESOLUTION TO PAY BILLS.

Be and it is hereby resolved that Master Voucher Certificate For Certification/Ratification for **Payments No. 2006-28, 2006-29, 2006-30 dated August 9, 2006** in the amount of **\$ 6,995,325.13** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2006-28		560,473.32	
2006-29		1,368,515.24	
2006-30		2,152,545.53	
TOTAL			<u>\$4,081,534.09</u>
Payroll	7/20/06	1,447,284.03	
Clothing Allowance	7/27/06	45,937.50	
Payroll	8/3/06	1,420,569.51	
TOTAL			<u>\$ 2,913,791.04</u>
GRAND TOTAL			<u>\$ 6,995,325.13</u>

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 477-06

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 August 9, 2006.

INSERTION INTO THE 2006 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$189,000.00 FROM THE STATE OF NEW JERSEY, OFFICE OF EMERGENCY TELECOMMUNICATIONS SERVICES (OETS), ENHANCED 911 CONSOLIDATION GRANT.

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2006 in the sum of \$ 189,000.00, which item is now available from the State of New Jersey, Office of Emergency Telecommunications (OETS), Enhanced 911 Consolidation Grant.

BE IT FURTHER RESOLVED that a like sum of \$ 189,000.00 be and the same is hereby

MINUTES

appropriated under caption:

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

State of New Jersey, Office of Emergency Telecommunications (OETS), Enhanced 911 Consolidation Grant (administered by the Public Safety Dept.)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Office of Emergency Telecommunications (OETS).

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 478-06

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 August 9, 2006.

INSERTION INTO THE 2006 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$41,605.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HEALTH & SENIOR SERVICES, PREVENTION ORIENTED SYSTEM FOR CHILD HEALTH GA#07-205-CHS-L-O.

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 \$ 41,605.00, which item is now available from the State of New Jersey, Department of Health & Senior Services, Prevention Oriented System for Child Health GA#07-205-CHS-L-O.

BE IT FURTHER RESOLVED that a like sum of \$ 41,605.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Health & Senior Services, Prevention Oriented System for Child Health, GA#07-205-CHS-L-0 (administered by the Public Health Nursing Dept.)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Health & Senior 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 479-06

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 August 9, 2006.

RESOLUTION AMENDING BOND ORDINANCE NUMBER 2003-B.

WHEREAS, the Board of Chosen Freeholders of the County of Warren, New Jersey (the

AUGUST 9, 2006

MINUTES

“County”), finally adopted a Bond Ordinance on May 14, 2003 entitled, “**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF LAND TO BE ACQUIRED FOR OPEN SPACE PRESERVATION PURPOSES, IN AND BY THE COUNTY OF WARREN, STATE OF NEW JERSEY; APPROPRIATING \$5,775,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,500,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF AND, UPON FINAL ADOPTION, INCREASING THE PRESENT DOLLAR AMOUNT OF GROSS COUNTY INDEBTEDNESS TO \$33,228,871**” (the “Ordinance”); and

WHEREAS, following the effective date of the Ordinance, the County issued obligations to fully fund the Ordinance and to finance the improvements or purposes authorized therein; and

WHEREAS, the Ordinance provided for the acquisition of, all or certain portions of properties therein which may be available for purchase for open space preservation purposes. Such properties are identified by the Block and Lot numbers on the official tax map of the respective municipalities as indicated in the approved Ordinance; and

WHEREAS, a number of the properties listed in the original Ordinance are no longer available for purchase; and

WHEREAS, as a result, the County has determined that a portion of the proceeds of the obligations issued pursuant to the Ordinance for the Open Space Preservation Program (the “Excess Proceeds”) are not necessary for the acquisition of the listed properties that are not available for purchase; and

WHEREAS, in accordance with its statutory powers set forth in section 39 of the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, the Board of Chosen Freeholders has determined that it is in the best interest of the County to reappropriate the Excess Proceeds to finance the cost of additional properties that are now available and, thereby, avoiding the need to incur additional County debt to finance such purpose;

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

SECTION 1. The Improvements authorized by the Ordinance, and the purpose for the financing of which said debt obligations were issued is the preservation of open space. The following properties therein are no longer available for purchase and appropriations for acquisition of same, are hereby cancelled. Such properties are identified by the Block and Lot numbers on the official tax map of the respective municipalities:

<u>MUNICIPALITY</u>	<u>BLOCK</u>	<u>LOT(S)</u>
FRANKLIN TOWNSHIP	12	11
	39	14
	46	37, 42, 44, 45 & 50
HARMONY TOWNSHIP	17	13
	25	18
	38	4
	39	35
LOPATCONG TOWNSHIP	2	51
	3	1
	98	3
	100	6.07
	102	2.01
OXFORD	7	5
WASHINGTON TOWNSHIP	2	1.01
	3	20 & 20G
	28	21
WHITE TOWNSHIP	14	4Q & 52Q

AUGUST 9, 2006

MINUTES

SECTION 2. The total amount of Excess Proceeds is hereby re-appropriated, pursuant to N.J.S.A. 40A: 2-39, and shall be used to finance the cost of acquiring additional properties for open space preservation purposes, all or a portion of all or certain of the following properties or easements therein, which properties or easements therein available for purchase including, but not limited to, as required, surveys, appraisals, title insurance and all work, materials, equipment, labor and appurtenances necessary therefore or incidental thereto. Said properties are identified by the Block and Lot numbers on the official tax map of the respective municipalities:

<u>MUNICIPALITY</u>	<u>BLOCK</u>	<u>LOT(S)</u>
MANSFIELD TOWNSHIP	1505	1.01
	1506	2 and 2.01,
	1506	6.01 and 6.03
	1507	6

SECTION 3. 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 480-06

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 August 9, 2006.

RESOLUTION AUTHORIZING THE APPROVAL AND EXECUTION OF A LEASE AGREEMENT WITH THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY (PCFA) FOR OFFICE SPACE LOCATED AT 500 MT. PISGAH AVENUE, OXFORD, NJ, FOR OFFICE SPACE TO ACCOMMODATE THE OPERATIONS OF THE WARREN COUNTY DEPARTMENT OF LAND PRESERVATION.

WHEREAS, the Warren County Department of Land Preservation requires office space to accommodate operations; and

WHEREAS, the PCFA of Warren County has forwarded a lease agreement to provide this office space for the period of July 1, 2006 to June 30, 2007 at a cost of \$1.00.

NOW, THEREFORE, BE IT RESOLVED, that the lease agreement between the Warren County Board of Chosen Freeholders and the PCFA of Warren County for office space at 500 Mt. Pisgah Avenue, Oxford, NJ is hereby approved and the Freeholder Director is authorized to execute said agreement.

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 481-06

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 August 9, 2006.

RESOLUTION RE: DECLARING AN EMERGENCY AS PROVIDED FOR BY THE LOCAL PUBLIC

CONTRACTS LAW 40A:11-6 AND AUTHORIZATION FOR REPAIR AND REMEDIATION OF THE PROSECUTOR'S BANK BUILDING.

AUGUST 9, 2006

MINUTES

WHEREAS, the Buildings and Grounds Superintendent, James Durborow, has reported that on July 13, 2006 Buildings & Grounds employees began cosmetic repairs caused by a leaking roof at the Prosecutor's Bank Building located in Belvidere, New Jersey, and after removal of wall paper significant mold contamination was discovered; and

WHEREAS, the mold contamination is a direct threat to the health and welfare of County Personnel and the general public, making the Bank Building inoperable, therefore making it impossible to service the needs of the public. It was decided on July 13, 2006 that an environmental consultant was needed to assess the Bank Building. It was advised by the consultant that this would be a large scale remediation project and that the work should start as soon as possible as the building is still partially occupied. Therefore a remediation contractor was hired to begin the mold remediation immediately; and

WHEREAS, the mold contamination has created a potential threat to health, safety and welfare.

NOW THEREFORE BE IT RESOLVED, that the Board of Chosen Freeholders of the County of Warren hereby declares an emergency situation as provided by the Local Public Contract Law 40A:11-6 and authorizes the remediation of the mold contamination at the Prosecutor's Bank Building, Belvidere, New Jersey by the County of Warren at the earliest possible opportunity.

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 482-06

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 August 9, 2006.

RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE A DONOR AGREEMENT COMMITTING ALL OR PART OF THE ANTICIPATED 2006 COUNTY APPROPRIATION TO CATHOLIC CHARITIES AS MATCH TO GRANT FUNDS WITH THE NJ DEPARTMENT OF HUMAN SERVICES.

WHEREAS, the NJ Department of Human Services has been duly designated to administer or supervise the administration of human service programs, as defined by the NJ State Plan for Social Services; and

WHEREAS, the County of Warren wishes to make a donation to support match through all or part of the anticipated 2006 County appropriation as follows:

Catholic Charities (School Aged Child Care) \$3,903

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Director of the Board of Chosen Freeholders is hereby authorized to execute the Catholic Charities 2006 Donor Agreement for a total of \$3,903.

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 483-06

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 August 9, 2006.

RESOLUTION TO ESTABLISH AND MAINTAIN NO PASSING ZONES ALONG COUNTY ROUTE #632, GREENWICH, FRANKLIN, WASHINGTON AND

MINUTES

375
AUGUST 9, 2006

MANSFIELD TOWNSHIPS.

BE IT RESOLVED that No Passing Zones be established and maintained along County Route #632, (Bloomsbury-Asbury Road and Asbury-Anderson Road), Greenwich, Franklin, Washington, and Mansfield Townships, Warren County, New Jersey, as authorized by the New Jersey Department of Transportation in accordance with the sketch dated 8/1/97 (Revised 12/7/05), bearing number NPZ-3466-B; and

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

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 484-06

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 August 9, 2006.

RESOLUTION TO INCREASE GRANT AGREEMENT WITH THE RIDGE AND VALLEY CONSERVANCY IN THE AMOUNT OF \$45, 000.00 FOR THE PURCHASE OF AN EASEMENT ON THE MOUNTAINWOOD SPRING PROPERTY WITH FUNDING FROM THE WARREN COUNTY OPEN SPACE, RECREATION AND FARMLAND AND HISTORIC PRESERVATION TRUST FUND.

WHEREAS, The Ridge and Valley Conservancy, having its offices at P. O. Box 146, Blairstown, New Jersey, hereinafter referred to as the "Conservancy", and the Warren County Board of Chosen Freeholders, 165 County Road 519 S, Belvidere, New Jersey 07823, hereinafter referred to as the "County", and

WHEREAS, the Warren County Board of Chosen Freeholders created the Warren County Open Space, Recreation, and Farmland and Historic Preservation Trust Fund, hereinafter referred to as "Trust Fund", in accordance with P.L. 1997 C. 24 (C.40:12-15.1 et seq.) and,

WHEREAS, the Conservancy has entered into a grant agreement with the County for financial assistance in fiscal year 2003 under the Trust Fund; and,

WHEREAS, said grant agreement was extended for one year in conformance with the scope and the mission of the Trust Fund, and

WHEREAS, the Conservancy has submitted a request for an increase in that grant agreement amount in accordance with the rules and regulations of the Trust Fund and the Trust Fund Committee has reviewed said request and found it to be in conformance with the scope and the mission of the Trust fund, and recommended to the Warren County Board of Chosen Freeholders that the project be awarded additional funding; and,

WHEREAS, the Warren County Board of Chosen Freeholders confirmed the findings of the Trust Fund Committee and approved the increase to the project titled Mountainwood Spring Project hereinafter referred to as "Approved Project" for funding; and,

WHEREAS, the Conservancy has agreed to hold and use the premises of the Approved Project in compliance with the rules and regulations of the Trust Fund; and

WHEREAS, adequate funds are available in account #03894-5065-894215-5065 (Open Space Tax Recreation and Conservation Land Acquisition) and certified by the Chief Financial Officer;

NOW, THEREFORE, BE IT RESOLVED that, in consideration of the award for funding, and in accordance with the application heretofore files, and hereby incorporated this Agreement, the Conservancy and the County agree to that the amount of the grant be increased by \$45,000.00 to a grand total of \$105,000.00

MINUTES

376
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 485-06

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 August 9, 2006.

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE LOPATCONG BOARD OF EDUCATION AND THE WARREN COUNTY HEALTH DEPARTMENT TO PROVIDE NURSING SERVICES TO PHILLIPSBURG CHRISTIAN ACADEMY THROUGH THE DIVISION OF PERSONAL HEALTH SERVICES FOR THE SUM OF \$4,158.00 FOR THE PERIOD SEPTEMBER 1, 2006 THROUGH JUNE 30, 2007.

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the attached contract agreement between the Lopatcong Board of Education and the Warren County Health Department to provide nursing services to Phillipsburg Christian Academy through the Division of Personal Health Services of the Health Department for the sum of \$4,158.00 for the period of September 1, 2006 to June 30, 2007, be and is hereby approved, and further, that the Freeholder Director is hereby authorized and directed to execute said agreement.

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 486-06

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 August 9, 2006.

RESOLUTION AUTHORIZING THE WARREN COUNTY SHERIFF'S OFFICE TO SUBMIT AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT, TO PARTICIPATE IN THE FISCAL YEAR FFY2007 TITLE IV-D PROGRAM.

WHEREAS, the New Jersey Department of Human Services, Division of Family Development is accepting applications for funding under the FFY2007 Title IV-D Program.

WHEREAS, the purpose of the program is to establish a procedure with the Sheriff's Office for arrest services in those Title IV-D cases where a bench warrant pertaining to child support has been issued by a Court.

WHEREAS, the Sheriff's Office, as per the bench warrant, will take the non-custodial

AUGUST 9, 2006

MINUTES

parent into custody for the purpose of establishing support obligation.

WHEREAS, the Sheriff's Office will be reimbursed based on the approved Collection Performance Standard with the cost of arrest services for the period October 1, 2006 through September 30, 2007 (not to exceed \$308,604.00).

NOW, THEREFORE, BE IT RESOLVED that the County Sheriff's Office is authorized to apply for the aforementioned Title IV-D funding.

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 487-06

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 August 9, 2006.

RESOLUTION APPROVING AN AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE OWNERS OF LOT 2, BLOCK 46, COUNTY ROUTE #621, HARMONY TOWNSHIP FOR A CONSTRUCTION & MAINTENANCE EASEMENT FOR A SUM OF \$1,500.00.

WHEREAS, the County of Warren needs to replace County Culvert #10034 on County Route 621, Harmony Township; and

WHEREAS, the County requires a construction and maintenance easement outside the existing right-of-way on Lot 2, Block 46; and

WHEREAS, Joseph J. and Dorothy L. Shandor, owner of Lot 2, Block 46, will grant the easement on their property for the sum of \$1,500.00; and

WHEREAS, adequate funds have been established in account 0406A 206 5063 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the Agreement with Joseph J. and Dorothy L. Shandor for a Construction and Maintenance Easement on Lot 2, Block 46, County Route 621 in Harmony Township.

BE IT FURTHER RESOLVED that the Director and Clerk of the Board are hereby authorized and directed to execute said Agreement.

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 488-06

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 August 9, 2006.

RESOLUTION APPROVING AN AGREEMENT BETWEEN THE COUNTY OF WARREN AND THE OWNERS OF LOT 24, BLOCK 47.01, COUNTY ROUTE #621, HARMONY TOWNSHIP FOR A CONSTRUCTION & MAINTENANCE EASEMENT FOR A SUM OF \$1,500.00.

WHEREAS, the County of Warren needs to replace County Culvert #10034 on County Route 621, Harmony Township; and

WHEREAS, the County requires a construction and maintenance easement outside the existing right-of-way on Lot 24, Block 47.01; and

WHEREAS, Joseph J. and Dorothy L. Shandor, owner of Lot 24, Block 47.01, will grant the easement on their property for the sum of \$1,500.00; and

WHEREAS, adequate funds have been established in account 0406A 206 5063 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the

AUGUST 9, 2006

MINUTES

County of Warren does hereby approve the Agreement with Joseph J. and Dorothy L. Shandor for a Construction and Maintenance Easement on Lot 24, Block 47.01, County Route 621 in Harmony Township.

BE IT FURTHER RESOLVED that the Director and Clerk of the Board are hereby authorized and directed to execute said Agreement.

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 489-06

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 August 9, 2006.

**RESOLUTION AUTHORIZING THE WARREN COUNTY OFFICE OF EMERGENCY
MANAGEMENT TO ACCEPT FROM THE NEW JERSEY OFFICE OF
HOMELAND SECURITY AND PREPAREDNESS A GRANT IN
THE AMOUNT OF \$336,682.00 AS PART OF
THE ONGOING EFFORT TO SUPPORT STATE
HOMELAND SECURITY AND LAW
ENFORCEMENT TERRORISM
PREVENTION.**

WHEREAS, there are monies being made available to the New Jersey Office of Homeland Security and Preparedness, or "State Administrative Agency" (SAA), in the Federal Fiscal Year 2006 budget of the Homeland Security Grant Program; and

WHEREAS, the State Department of Homeland Security, Office of Grants & Training, has allocated funding in the amount of \$336,682.00 to the County of Warren, Office of Emergency Management to enhance the State Homeland Security Program (SHSP) and Law Enforcement Terrorism Prevention Program (LETPP) and to minimize the impact of terrorist attacks and catastrophic events on lives, property and the economy; and

WHEREAS, it would be in the best interest of the County of Warren to accept said monies,

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren, that the Director of the Board and the Clerk are hereby authorized to sign any and all documents in order to effectuate with the New Jersey Department of Homeland Security, Office of Grants & Training (et al), funding of a grant in the total amount of \$336,682.00 to the Warren County Office of Emergency Management to be utilized as follows:

- * A set-aside amount of \$29,021.00, to be retained by the State of New Jersey to support EPINet Costs,
- * An amount not to exceed approximately 38.5% of the total award to fund salaries and fringe benefits for a period of one year for the Domestic Preparedness Planner (DPP) and Critical Infrastructure Coordinator (CIC),
- * An amount of \$165,083.00 to support the SHSP, less funding for salaries and fringe benefits as outlined above, and
- * An amount of \$113,280.00 to support the LETPP, less funding for salaries and fringe benefits as outlined above, and as remaining after a reduction of \$29,298.00 to be retained by the State of New Jersey for potential LETPP Overtime Costs associated with an Orange/Red Elevated Alert.

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 490-06

AUGUST 9, 2006

MINUTES

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 August 9, 2006.

RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE THE FY '07 SECTION 5311 GRANT AGREEMENT WITH NJ TRANSIT FOR \$241,860 FEDERAL FUNDS; \$115,740 STATE FUNDS; AND \$115,740 ANTICIPATED COUNTY MATCHING FUNDS; SUBJECT TO THE AVAILABILITY OF FUNDS.

WHEREAS, on July 19, 2006, the Warren County Board of Chosen Freeholders approved the FY '07 Section 5311 grant application with NJ Transit Corporation for \$357,600 Federal and State funds and \$115,740 anticipated county matching funds; and

WHEREAS, NJ Transit has subsequently awarded Warren County FY '07 Section 5311 funds as outlined in the application.

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders that the Director of the Board is authorized to execute the FY '07 Section 5311 Grant Agreement with NJ Transit for a total of \$357,600 Federal and State funds; and \$115,740 county matching funds; funding subject to availability.

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 491-06

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 August 9, 2006.

RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ADOPT THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) FOR ALL DEPARTMENTS AND AGENCIES OF COUNTY GOVERNMENT, INCLUDING VOLUNTEER ORGANIZATIONS THAT PROVIDE COUNTY GOVERNMENT SERVICES OR RECEIVE FINANCIAL OR OTHER COUNTY SUPPORT.

WHEREAS, the President of the United States has issued Homeland Security Presidential Directive #5, in which he directs the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), thus providing a unified, nationwide approach for responders from multiple jurisdictions and/or disciplines to effectively work together to respond to natural disasters and emergency incidents; and

WHEREAS, the New Jersey Department of Homeland Security has required all counties to adopt NIMS by ordinance or resolution as a condition of eligibility for numerous grant awards, and to apply its mandate to all departments and agencies of County government, including volunteer organizations that provide County government services or receive financial or other County support; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, County, and Local Municipalities; and

WHEREAS, it is critical that Federal, State, County, and Local emergency response organizations utilize unified standards for terminology and structuring, personnel qualifications, comprehensive resource management, and for planning, training, and exercising;

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren, that the County of Warren hereby mandates that the National Incident Management System (NIMS) be utilized for all incident management in the County of Warren; and

BE IT FURTHER RESOLVED, that all Municipalities within the County of Warren be

AUGUST 9, 2006

MINUTES

sent a copy of this Resolution and are requested to adopt a similar 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 492-06

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 August 9, 2006.

RESOLUTION REQUESTING THE EXPEDITED ASSISTANCE OF THE STATE OF NEW JERSEY, THE DELAWARE RIVER BASIN COMMISSION AND THE ARMY CORPS OF ENGINEERS

TO DETERMINE THE CAUSES OF DELAWARE RIVER FLOOD EVENTS AND TO RECOMMEND MITIGATION MEASURES PROVIDING RELIEF TO FLOOD IMPACTED PROPERTY OWNERS.

WHEREAS, significant destructive flood events of the Delaware River have occurred on three occasions in the twenty-one month period spanning September 2004 to June 2006, and

WHEREAS, the flood impacted residents, property owners, businesses, local governments and supporting agencies including police, fire, ambulance/EMS squads and emergency management personnel seek answers as to the causes of these Delaware River flood events and the mitigation measures which may be taken to provide relief, and

WHEREAS, the State of New Jersey and in particular, the Delaware River Basin Commission are, in accordance with N.J.S.A. 32:11D-1 et seq. (L.1961, c.13) charged with the primary purpose to "develop and effectuate plans, policies and projects relating to water resources of the (Delaware River) basin" and "shall adopt and promote uniform and co-ordinated policies for water conservation, **control**, use and **management**" (N.J.S.A. 32:11D-14), and

WHEREAS, the Delaware River Basin Commission is provided with significant statutory general powers with regard to comprehensive management of the Delaware River including those powers central to the monitoring, warning, control and mitigation of flooding (N.J.S.A. 32:11D-19), and

WHEREAS, the Delaware River Basin Commission has been granted specific powers to "plan, design, construct and operate and maintain projects and facilities, as it may deem necessary or desirable for flood damage reduction" (N.J.S.A. 32:11D-34 through 37).

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby request that the State of New Jersey, the Delaware River Basin Commission and the Army Corps of Engineers provide all resources and commit all required funding to determine the causes of Delaware River flood events and to recommend those mitigation measures necessary to provide relief to flood impacted property owners and to ensure the public health, safety and welfare.

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 493-06

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 August 9, 2006.

RESOLUTION SEEKING FINANCIAL ASSISTANCE FROM THE STATE OF NEW JERSEY FOR DELAWARE RIVER FLOOD EVENTS IMPACTING PROPERTY OWNERS AND MUNICIPALITIES IN WARREN COUNTY.

WHEREAS, the Warren County Board of Chosen Freeholders has been advised that as a result of recent Delaware River flood events, a program for buyouts of effected property owners may be contemplated by FEMA, and

AUGUST 9, 2006

MINUTES

WHEREAS, said buyout of property rights may require that up to 25% of the acquisition costs be borne by the municipality in order to be eligible for full financial participation by FEMA, and

WHEREAS, those Warren County municipalities which have suffered the effects of the significant flooding events of the Delaware River, including Belvidere, Harmony, Knowlton, Lopatcong, Phillipsburg, Pohatcong and White have limited tax base resources and would be severely stressed if required to utilize these property taxation revenues to support a buyout program providing long-term relief to flood victims.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby request that the State of New Jersey provide financial assistance to Delaware River flood events victims including property owners and municipalities, especially as concerns local property taxation based financial participation in any mitigation programs which may be offered.

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 494-06

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 August 9, 2006.

RESOLUTION RE: AWARD OF CONTRACT WC0665 FOR INMATE COMMISSARY SERVICES

FOR THE WARREN COUNTY CORRECTIONAL CENTER FOR THE PERIOD OF SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007 WITH THE RIGHT TO EXTEND UP TO TWO ADDITIONAL YEARS AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(10) TO ARAMARK CORRECTIONAL SERVICES, INC., WITH A COMMISSION RATE OF 29.5%.

BE IT RESOLVED, that contract WC0665 for inmate commissary services for the Warren County Correctional Center with a commission rate of 29.5% is hereby awarded

to . . . ARAMARK Correctional Services Inc., Oakbrook Terrace, Illinois

in the amount of . . . contractor to pay commission in the amount of 29.5%

as per their bid submitted . . . July 18, 2006

and reviewed and recommended by the Warden of the Warren County Correctional Center as the lowest responsible and responsive bid received.

No County Funds shall be required for this contract.

BE IT FURTHER RESOLVED, that the Director of the Board of Chosen Freeholders be authorized and directed to execute the necessary contract.

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 495-06

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 August 9, 2006.

AUGUST 9, 2006

MINUTES

RESOLUTION RE: AWARD OF CONTRACT WC0666 FOR 12,000 TONS OF ROCKSALT OR SOLAR SALT FOR THE WARREN COUNTY ROAD DEPARTMENT FOR THE

PERIOD OF SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007 TO ATLANTIC SALT, INC. AT THE UNIT PRICE OF \$43.79 PER TON AND AN APPROXIMATE TOTAL CONTRACT AMOUNT OF \$525,480.00.

BE IT RESOLVED, that contract WC0666 for 12,000 tons of rock salt or solar salt for the Warren County Road Department is hereby awarded

to . . . Atlantic Salt, Inc., Lowell, Massachusetts

in the approximate amount of . . . \$525,480.00

as per their bid submitted . . . July 18, 2006

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

Funds for this contract will be provided in budget account 012900/5125 – Road Department M & R Material.

BE IT FURTHER RESOLVED, that the Director of the Board of Chosen Freeholders be authorized and directed to execute the necessary contract.

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

RESOLUTION 496-06

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 August 9, 2006.

RESOLUTION RE: AWARD OF CONTRACT WC0670-1 LUMBER FOR THE PERIOD OF SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007 TO FELDMAN LUMBER CO., INC. AT THE UNIT PRICES AND DISCOUNTS OFFERED, NO GUARANTEED ANNUAL AMOUNT.

BE IT RESOLVED, that contract WC0670-1 for lumber is hereby awarded

to . . . Feldman Lumber Co., Inc., Brooklyn, New York

this contract establishes unit pricing and discounts

NOTE: New Jersey State Contract is the primary source of supply for lumber.

This contract is to provide a local supply contract in the event that items are not readily available under the state contract when needed.

as per their bid submitted . . . July 25, 2006

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

Funding for this contract has been provided in various department OE budget accounts.

BE IT FURTHER RESOLVED, that the Director of the Board of Chosen

AUGUST 9, 2006

MINUTES

Freeholders be authorized and directed to execute the necessary contract.

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 497-06

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 August 9, 2006.

RESOLUTION RE: AWARD OF CONTRACT WC0670-2 LUMBER FOR THE PERIOD OF SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007 TO L.E. RITTER LUMBER CO., AT THE UNIT PRICES AND DISCOUNTS OFFERED, NO GUARANTEED ANNUAL AMOUNT.

BE IT RESOLVED, that contract WC0670-2 for lumber is hereby awarded

to . . . L. E. Ritter Lumber Co., Belvidere, New Jersey

this contract establishes unit pricing and discounts

NOTE: New Jersey State Contract is the primary source of supply for lumber. This contract is to provide a local supply contract in the event that items are not readily available under the state contract when needed.

as per their bid submitted . . . July 25, 2006

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

Funding for this contract has been provided in various department OE budget accounts.

BE IT FURTHER RESOLVED, that the Director of the Board of Chosen Freeholders be authorized and directed to execute the necessary contract.

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 498-06

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 August 9, 2006.

RESOLUTION RE: AWARDED THE PROFESSIONAL SERVICES AGREEMENT WC0677R FOR

DENTAL SERVICES AT THE WARREN COUNTY CORRECTIONAL CENTER

TO DENTRUST DENTAL FOR THE PERIOD OF SEPTEMBER 1, 2006 THROUGH AUGUST 31, 2007 IN THE TOTAL AMOUNT OF \$27,900.00.

WHEREAS, there exists a need for the professional services of a dental service at the Warren County Correctional Center; 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

AUGUST 9, 2006

MINUTES

and the contract itself must be available for public inspection; and

WHEREAS, this contract is awarded in accordance with N.J.S.A.19:44A-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 budget account 012800/5093 – Correctional Center – 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 Dentrust Dental, PA, of Richboro, Pennsylvania, for professional services for the above project, in the amount of \$27,900.00 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 499-06

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 August 9, 2006.

RESOLUTION AWARDED CONTRACT #WC0669 TO KONKUS CORPORATION FOR THE RECONSTRUCTION OF COUNTY CULVERT #10034, COUNTY ROUTE #621 OVER A TRIBUTARY TO THE DELAWARE RIVER, HARMONY TOWNSHIP IN THE AMOUNT OF \$264,740.00.

WHEREAS, the County advertised for bids to be received on Tuesday, August 1, 2006 at 1:30 P.M. for Contract #WC0669 for the Reconstruction of County Culvert #10034, County Route #621 over a tributary to the Delaware River, Harmony Township; and

WHEREAS, Konkus Corporation of Somerset, New Jersey submitted the lowest responsible and responsive bid of \$264,740.00; and

WHEREAS, adequate funds have been established in account S51655302 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 Konkus Corporation, Inc. in the amount \$264,740.00.

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

MINUTES

385
AUGUST 9, 2006

RESOLUTION 500-06

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 August 9, 2006.

RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0618 WITH KONKUS CORPORATION FOR THE RECONSTRUCTION OF COUNTY BRIDGE #07013, COUNTY ROUTE #637 OVER A TRIBUTARY TO THE POHATCONG CREEK, GREENWICH TOWNSHIP FOR A NET INCREASE OF \$13,632.93 AND A REVISED CONTRACT AMOUNT OF \$362,632.93.

WHEREAS, Contract #WC0618 was awarded to Konkus Corporation for the Reconstruction of County Bridge #07013, County Route #637, over a tributary to the Pohatcong Creek, Greenwich Township in the contract amount of \$349,000.00; and

WHEREAS excessive ground water and soil conditions required changes to stabilize footing foundations resulting in a net increase of \$13,632.93 and a revised contract amount of \$362,632.93; and

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

WHEREAS, adequate funds have been established in account 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 approve change order #1 for the above project with Konkus Corporation for a net increase of \$13,632.93 and a revised contract amount of \$362,632.93.

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

Regarding road salt pricing, Mr. Marvin noted that this year's price for salt is \$2 less per ton due to the addition of solar salt to the bid specification. This is a better rate than Morris County was able to attain and the rate will be available to the fourteen Warren County municipalities participating in our bid.

RECOMMENDATION

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 August 9, 2006.

RECOMMENDATION TO ACCEPT THE RESIGNATION OF ROBERT L. ZELLEY FROM THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY.

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 501-06

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 August 9, 2006.

**RESOLUTION APPOINTING A MEMBER TO THE POLLUTION CONTROL FINANCING AUTHORITY OF WARREN COUNTY:
LAUREL NAPOLITANI – TERM TO EXPIRE 2/1/07**

WHEREAS, the resolution of the County of Warren, entitled "Resolution Creating the

AUGUST 9, 2006**MINUTES**

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

WHEREAS, the term of Robert L. Zelle, duly appointed to the authority, said term to expire effective February 1, 2007, has submitted a letter of resignation effective August 10, 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 the remainder of term expiring on the first day of February of the year set opposite his name:

Laurel Napolitani

Term to expire: February 1, 2007

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 August 10, 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 502-06

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 August 9, 2006.

RESOLUTION REAPPOINTING MEMBERS TO THE WARREN COUNTY**MENTAL HEALTH BOARD:**

MARY E. VANHORN – TERM TO EXPIRE 6/30/09

CAROLINE WILLNER – TERM TO EXPIRE 6/30/09

CHARLES STACKHOUSE – TERM TO EXPIRE 6/30/09

CARRIE SMITH-HELLER – TERM TO EXPIRE 6/30/09

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby reappoint the following individuals to the Warren County Mental Health Board:

Mary E. VanHorn
PO Box 103
Delaware, NJ 07833

Term to expire: 6/30/09

Caroline Willner
Paragon Village
425 Route 46 E., Apt. 319
Hackettstown, NJ 07840

Term to expire: 6/30/09

Charles Stackhouse

Term to expire: 6/30/09

MINUTES

7 Birch Ridge Dr.
PO Box 197
Hope, NJ 07844
Carrie Smith-Heller
75 Mine Hill Rd.
Oxford, NJ 07863

Term to expire: 6/30/09

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 503-06

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 August 9, 2006.

RESOLUTION APPOINTING A MEMBER TO THE WARREN COUNTY CONSTRUCTION

BOARD OF APPEALS:

JOHN S. FRITTS – TERM TO EXPIRE 12/31/09

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 appoint member 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 appointment to the Warren County Construction Board of Appeals as follows:

	<u>Membership Status</u>	<u>Qualification</u>	<u>Term Dates</u>
John S. Fritts	Alternate Member	Building Subcode Official	12/31/09

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 resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 9, 2006.

RECOMMENDATION TO ACCEPT THE VERBAL RESIGNATION OF LORI LUPO FROM THE WARREN COUNTY TRANSPORTATION ADVISORY COUNCIL.

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 504-06

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 August 9, 2006.

RESOLUTION APPOINTING THREE COUNTY DESIGNATED MEMBERS TO THE PHILLIPSBURG FREE PUBLIC LIBRARY BOARD:

AUGUST 9, 2006

MINUTES

append to the Warren County Personnel Policies.

BE IT FURTHER RESOLVED that the Warren County Personnel Department shall heretofore provide copies of this resolution and the annexed policy to all labor organizations currently representing units of Warren County employees.

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 506-06

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 August 9, 2006.

RESOLUTION CREATING TWO (2) PART-TIME POSITIONS OF ASSISTANT SUPERVISOR OF NURSES, CLASSIFIED, AND FOUR (4) PART-TIME POSITIONS OF HEAD NURSE, CLASSIFIED, AND ABOLISHING A FULL-TIME POSITION OF REGISTERED NURSE, CLASSIFIED, WITHIN THE WARREN COUNTY DIVISION OF LONG TERM CARE SERVICES, WARREN HAVEN.

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that two (2) part-time positions of *Assistant Supervisor of Nurses*, classified, and four (4) part-time positions of *Head Nurse*, classified, are created in the Warren County Division of Long Term Care Services, Warren Haven, to ensure the efficiency and effectiveness of operations; and

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

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the newly created positions of *Assistant Supervisor of Nurses* be established on AFSCME Local 671, Range 1740, and the newly created positions of *Head Nurse* be established on AFSCME Local 671, Range 1640 and made effective 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

Mr. Chamberlain asked if the Workplace Violence Policy is new. Mr. Marvin affirmed the County had not previously had such a policy.

County Counsel Joe Bell reported appealing to the Council on Local Governmental Mandates and joining in a suit with Morris County regarding deer carcass removal. A few additional issues will be raised in Executive Session.

County Engineer Dave Hicks provided an update on the Route 622 truck problem. A "pretty good job" has been done to direct the trucks. A call inquiring about signs had not yet been returned. Offending trucks have been narrowed down to one company which has been notified they will be held liable for damages. Mr. Chamberlain said once damage is done, we have to go after it. He thought a sign would do the trick.

County Planner Dave Dech had no report.

County CFO Pete Houck informed the Board that for the second year in a row, the Town of Belvidere has requested an extension on the due date of their third quarter County tax payment. The town had been waiting for confirmation on state aid to mitigate the effects of June's flooding. Interest rates have increased significantly compared to last year, translating to a cost of roughly \$50 per day for the deferred tax payment. The Board was sympathetic in terms of stress caused

AUGUST 9, 2006

MINUTES

by the flood, but noted that making this concession is not fair to the other towns. While granting the extension, the Treasurer of Belvidere was to be notified in writing that the Board does not want the request to be repeated a third time.

On motion by Mr. DiMaio, seconded by Mr. Gardner, **GRANTING AN EXTENSION OF UP TO 30 DAYS BEYOND THE DUE DATE OF AUGUST 15, 2006 TO THE TOWN OF BELVIDERE FOR THE THIRD QUARTER TAX BILL.**

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 Administrator Steve Marvin presented the Board with the Prosecutor's request to make a minor adjustment to Tara Kirkendall's salary due to additional responsibilities.

RESOLUTION 507-06

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 August 9, 2006.

RESOLUTION APPROVING A SALARY ADJUSTMENT FOR AN APPOINTED EMPLOYEE OF THE PROSECUTOR'S OFFICE AS RECOMMENDED BY THE PROSECUTOR.

WHEREAS, in accordance with N.J.S.A. 2A:158-1 et seq., the Prosecutor shall recommend the compensation for the appointed personnel of the Prosecutor's Office in accordance with County guidelines and within the budget allocation and such recommendations shall be reviewed and approved by the Board of Chosen Freeholders; and

WHEREAS, the Prosecutor has, by correspondence of July 19, 2006, recommended a salary adjustment and the Board of Chosen Freeholders has reviewed and approves of same;

NOW, THEREFORE, BE IT RESOLVED THAT the Warren County Board of Chosen Freeholders does hereby approve the following salary, to be made effective July 27, 2006:

Assistant Prosecutor Tara Kirkendall Heater \$65,326

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

Under Freeholder Comments, Mr. DiMaio mentioned how unbearably hot the weather was during the Warren County Farmers' Fair. On another subject, he had met with County Prosecutor Scott Ferguson and Buildings and Grounds Superintendent Jim Durborow regarding a leaky roof in the Prosecutor's bank building, leading to mold problems throughout the building interior.

Mr. DiMaio also met with Jim Sheldon, Executive Director of the Washington Borough Improvement District (BID). Mr. Sheldon wanted to explore the possibility of Washington Borough becoming the new home of the Transportation Heritage Center and shared some interesting thoughts on a rail line from Hackettstown to Phillipsburg. Mr. Chamberlain asked about the reaction of the Friends of the Transportation Heritage Center. Mr. DiMaio said they want a home and are willing to look at different options.

Mr. Gardner raised a concern regarding the new Avante Voting Machines since one had broken down at the fair. Hopefully, excessive heat was the only problem and all machines will be up and running for the election.

Also of great concern to Mr. Gardner was the rumor that a Freeholder from Hunterdon County will become a member of the Highlands Council. This gentleman has no prior experience

AUGUST 9, 2006

MINUTES

in planning nor served on any commissions. This is an elected position and it would seem numerous Mayors and Planning Board Members from both Warren and Hunterdon Counties are more qualified.

Mr. Chamberlain pointed out two resolutions passed this evening (Items E13 and E14 on the Agenda) intended to help provide funding to victims of recent flooding. He requested the resolutions be submitted with a cover letter to the appropriate agencies. Also, as a result of heavy rains, the Prosecutor's Office bank building sustained considerable damage. Hopefully, repairs will be finished soon enabling renovations to the Warden's House to resume.

RESOLUTION 508-06

On motion by Mr. Gardner, seconded by Mr. DiMaio, at 8:02 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 9, 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

AUGUST 9, 2006

MINUTES

funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

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

(7) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

(8) *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance or promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

(9) *Matters Relating to the Potential Imposition of a Penalty:* Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bearing responsibility

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders, assembled in public session on August 9, 2006 that an Executive Session closed to the Public shall be held on August 9, 2006 at 8:02 p.m. in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

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

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

Steve Marvin, Clerk of the Board

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Board adjourned executive session at 8:49 p.m. and returned to open session.

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

Mr. Chamberlain recused himself from any further discussions and left the meeting.

RESOLUTION 509-06

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 August 9, 2006.

RESOLUTION TO AUTHORIZE THE FREEHOLDER DIRECTOR TO EXECUTE A CONTRACT FOR THE PURCHASE OF BLOCK 47, LOT 7.03, WHITE TOWNSHIP, WARREN COUNTY, NEW JERSEY.

WHEREAS, Warren County is interested in purchasing property for farmland preservation, and

AUGUST 9, 2006**MINUTES**

WHEREAS, a contract has been executed by a duly authorized representative of Pequest Development, LLC, owner of Block 47, Lot 7.03 consisting of approximately 60.42 acres in White Township, Warren County, New Jersey, and

WHEREAS, this land acquisition is eligible to receive State Agriculture Development Committee funding through the County Easement Purchase program, and

WHEREAS, adequate funds are available in account #03895-5067-8950801-5067 (Open Space Tax Recreation and Conservation Land Acquisition) and certified by the Chief Financial Officer; and

WHEREAS, at the time of closing the total purchase price of one million seven hundred thousand dollars (\$1,700,000.) is to be paid;

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Deputy Freeholder Director is hereby authorized to execute the attached contract.

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 was recused from discussion and action

On motion by Mr. DiMaio, seconded by Mr. Gardner, and there being no further business to come before the Board at this time, the meeting was adjourned at 8:51 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board