

MINUTES

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 July 25, 2007 at 7:30 p.m.

The meeting was called to order by Deputy Director DiMaio who explained that Freeholder Director Everett Chamberlain was on vacation in Alaska. Upon roll call, the following members were present: Freeholder John DiMaio and Freeholder Richard Gardner. Also attending were County Engineer Dave Hicks, County Counsel Joseph J. Bell and County Administrator Steve Marvin.

The Pledge of Allegiance was led by Deputy Director DiMaio followed by a moment of silence in honor of former longtime County Surrogate Al Ruh who recently passed away.

Deputy Director DiMaio read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF JULY 25, 2007 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 11, 2007 were approved.

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Minutes of the Executive Session held on July 11, 2007 were approved.

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

On motion by Mr. Gardner, seconded by Mr. DiMaio at 7:34 p.m., OPEN PUBLIC HEARING ON THE RESOLUTION DIRECTING THE WARREN COUNTY CLERK TO PRINT UPON THE OFFICIAL BALLOT FOR THE NOVEMBER 6, 2007 GENERAL ELECTION A BINDING COUNTY REFERENDUM QUESTION CONCERNING INCREASING THE MEMBERSHIP OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS FROM THREE (3) TO FIVE (5) MEMBERS.

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

First to speak was Assemblyman and former Warren County Freeholder Michael Doherty, who was in favor of expanding the Board to five members. He thanked the Board for holding a Public Hearing on the issue. Having served both with Mr. Gardner and Mr. DiMaio, Mr. Doherty said he knows how tough it is to run a growing county. It would be very beneficial for Board Members to be able to talk to one another and form subcommittees without violating Sunshine Laws. With the County's Budget now in excess of one hundred million dollars, Mr. Doherty thought the increased salary expense was insignificant at best and that the voters and taxpayers would be well served by a five member Board.

Mr. Gardner noted that, as when Mr. Doherty was a Freeholder, Board Members communicate through the County Administrator. He asked Mr. Doherty if he had felt hampered in so doing. Mr. Doherty didn't think the situation was ideal.

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The following citizens came forward in support of an expanded Freeholder Board and passage of the Resolution: Betty Schultheis, Allamuchy Township Councilwoman; Bill Hann, Chairman of the Warren County Board of Recreation Commissioners and a resident of Phillipsburg; Nancy Brown, Hackettstown Councilwoman; Pamela Thomas, Lopatcong resident; Victor Allen, resident of White Township and one of the initiators of the circulating nonpartisan petition; Rita Foti of White Township; Carl Greico of White Township; Greg Blaszk, Greenwich Township Committee Member and Ed Smith, Franklin Township resident and Chairman of the Warren County Community College Board of Trustees.

The general consensus among those speaking was that a Freeholder Board consisting of five members would provide broader representation and operate more efficiently. Among other reasons cited were the area's increase in population, a heavy workload that may preclude attendance at important meetings and functions and a powerbase concentrated in too few office holders.

On motion by Mr. Gardner, seconded by Mr. DiMaio at 7:54 p.m., the Public Hearing was closed.

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

Mr. Gardner said he firmly believes in democracy and having all voters decide on an issue such as this. Maybe now is the appropriate time to again put this question on the ballot. However, he does not necessarily feel too "hamstrung" by the Sunshine Law which he never violates. Our County Administrator does a "fabulous job", said Mr. Gardner and we operate well.

Mr. DiMaio spoke of having been a local municipal elected official in the Town of Hackettstown prior to serving as Freeholder, serving on a committee comprised of seven members. He has always felt a three-member Board was problematic. With a Board of five members, four votes would be required to bond. You won't hear of too many officials willing to give up 13% of their voting power for better government, he said. We should allow that vote.

RESOLUTION 411-07

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 JULY 25, 2007.

RESOLUTION DIRECTING THE WARREN COUNTY CLERK TO PRINT UPON THE OFFICIAL BALLOT FOR THE NOVEMBER 6, 2007 GENERAL ELECTION A BINDING COUNTY REFERENDUM QUESTION CONCERNING INCREASING THE MEMBERSHIP OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS FROM THREE (3) TO FIVE (5) MEMBERS

WHEREAS, pursuant to N.J.S.A. 40:20-20, the Warren County Board of Chosen Freeholders has determined, after a Public Hearing held on July 25, 2007, that a proposition should be submitted to the voters of the County in the form of a Binding Referendum Question concerning whether the membership of the Board of Chosen Freeholders should be increased from three (3) to five (5) members.

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the Clerk of Warren County is directed to print upon the Official Ballot for the November 6, 2007 General Election, the following Binding County Referendum Question and Interpretive Statement:

COUNTY QUESTION NO. [*]

"Shall the membership of the Board of Chosen Freeholders of Warren County be increased from three (3) to five (5) members?"

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INTERPRETIVE STATEMENT

This Binding County Referendum Question, if approved, would increase the membership of the Warren County Board of Chosen Freeholders from three (3) to five (5) members. The increase would take effect at next year's General Election to be held on November 4, 2008.

BE IT FURTHER RESOLVED THAT a certified copy of this Resolution be sent to the Clerk of Warren County immediately upon its execution and she shall insert the appropriate question number where indicated by "[*]".

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 absent

On motion by Mr. Gardner, seconded by Mr. DiMaio at 8:02 p.m., OPEN PUBLIC HEARING ON THE APPLICATION FOR WARREN COUNTY TO OBTAIN A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROXIMATELY \$500,000 TO CARRY OUT A PROJECT TO REHABILITATE DWELLING UNITS IN WARREN COUNTY TARGET AREAS.

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

Mr. Marvin introduced Contract Consultant Carol Hertweck-Lowy to explain the project. Totally self-sufficient of County funds, the federal grant funding is obtained through an application to the New Jersey Department of Community Affairs. The total amount of the grant application will be \$650,000 which includes \$150,000 in required match taken from the County's repayment account, resulting in a net award of \$500,000. A program that dovetails with COAH, funding through the Community Development Program is principally available to the low and moderate income population. The primary objective of the program is the development of viable urban communities, including decent housing and a suitable living environment and expanding economic opportunities. Funds are awarded on a first come, first serve basis. Warren County will submit the grant application in September with the award usually being received in the winter. The funds are disbursed over the course of one year.

There were no questions or comments from the public.

On motion by Mr. Gardner, seconded by Mr. DiMaio at 8:08 p.m., the Public Hearing was closed.

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 absent

Mr. Gardner remarked on the fabulous job done by Ms. Hertweck-Lowy.

On motion by Mr. Gardner, seconded by Mr. DiMaio at 8:09 p.m., OPEN PUBLIC HEARING ON THE SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT STATUS ON HOUSING REHABILITATION

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

For the benefit of low and moderate income households, the Small Cities Housing Rehabilitation Program provides funding for plumbing, heating, electrical, roof, structural, masonry, well, septic, lead paint stabilization and other rehabilitation improvements. The funds are returned

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to the County when the property is sold or the deed is transferred. Ms. Hertweck-Lowy said the Freeholders have done a good thing by participating and have helped a lot of people.

Anne Hardiman of Washington Borough asked a question about the value of bridges and roads being encompassed in the grant application. Ms. Hertweck-Lowy said since quality roads and bridges benefits the public, documenting their perceived worth enriches the grant application.

On motion by Mr. Gardner, seconded by Mr. DiMaio at 8:12 p.m., the Public Hearing was closed.

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

RESOLUTION 412-07

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 JULY 25, 2007.

RESOLUTION TO PAY BILLS

Be and it is hereby resolved that Master Voucher Certificate **For Certification / Ratification for Payments No. 2007-28 and 2007-29 dated July 25, 2007** in the amount of **\$ 3,681,053.90** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

2007-28	18-Jul-07	\$ 1,607,123.25	
2007-29	25-Jul-07	587,319.91	
TOTAL			\$2,194,443.16
Payroll	19-Jul-07	\$ 1,486,610.74	
Subsistence		-	
Uniforms		-	
TOTAL			<u>1,486,610.74</u>
GRAND TOTAL			<u><u>\$3,681,053.90</u></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 absent

RESOLUTION 413-07

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 JULY 25, 2007.

RESOLUTION APPROVING THE APPLICATION FOR A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROXIMATELY \$500,000 TO CARRY OUT A PROJECT TO REHABILITATE DWELLING UNITS IN WARREN COUNTY TARGET AREAS

WHEREAS, the County of Warren desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$500,000 to rehabilitate dwelling

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units in Warren County target areas;

NOW THEREFORE BE IT RESOLVED:

1. That the Board of Chosen Freeholders of the County of Warren does hereby authorize the application for such a grant; and
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Board of Chosen Freeholders of the County of Warren and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in connection therewith:

Everett A. Chamberlain
Freeholder Director

Steve Marvin
County Administrator

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 absent

RESOLUTION 414-07

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 JULY 25, 2007.

**RESOLUTION APPROVING THE APPLICATION FOR A SMALL CITIES
COMMUNITY DEVELOPMENT BLOCK GRANT**

WHEREAS, the County of Warren has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for a County of Warren housing rehabilitation project; and

WHEREAS, that Grant Agreement requires the County of Warren to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the County of Warren has reviewed the Citizen Participation Plan prepared for Small Cities Community Development Block Grant grantees;

NOW, THEREFORE, BE IT RESOLVED by the Freeholder Director and Board of Chosen Freeholders of the County of Warren, Warren County and State of New Jersey, that:

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the County of Warren; and

The County of Warren will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

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 absent

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RESOLUTION 415-07

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 JULY 25, 2007.

RESOLUTION IDENTIFYING COMMUNITY DEVELOPMENT BLOCK GRANT FAIR HOUSING OFFICER FOR WARREN COUNTY

WHEREAS, the County of Warren is intending to apply for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereinafter DCA) for a housing rehabilitation project within the County of Warren; and

WHEREAS, the housing rehabilitation project will be provided on a County wide basis; and

WHEREAS, the County of Warren must make efforts to affirmatively further fair housing; and

WHEREAS, the County of Warren has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

WHEREAS, the County of Warren has made assurances in the grant agreement that:

1. It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
2. It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
3. It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
4. It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that Steve Marvin, County Administrator, shall be designated as the Fair Housing Officer for the County of Warren.

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the County of Warren; and

BE IT FURTHER RESOLVED that the County of Warren will publish in the local newspaper of record and post at the Administration Building, a public notice announcing the appointment of the Fair Housing Officer and the availability of fair housing advisory 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 absent

RESOLUTION 416-07

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 JULY 25, 2007.

RESOLUTION APPROVING ADOPTION OF HOUSING REHABILITATION POLICY AND PROCEDURAL MANUAL

WHEREAS, the County of Warren is applying for a 2008 Small Cities Community Development Program Housing Rehabilitation Program Grant from the New Jersey Department

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of Community Affairs, and

WHEREAS, in accordance with program terms and conditions, it is necessary that the Board of Chosen Freeholders prepare and approve a Housing Rehabilitation Policy and Procedural Manual for submission to the Department of Community Affairs;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders that the Housing Rehabilitation Policy and Procedural Manual for the Small Cities Program is approved and the County Administrator is authorized and directed to submit a copy of this resolution and the manual to the Department of Community Affairs.

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 absent

RESOLUTION 417-07

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 JULY 25, 2007.

RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT EASEMENT ON THE GREENE FARM IN FRELINGHUYSEN TOWNSHIP PROVIDING COUNTY FUNDS IN AN AMOUNT NOT TO EXCEED FRELINGHUYSEN TOWNSHIP'S SHARE OF THE PURCHASE

WHEREAS, the Board of Chosen Freeholders of the County of Warren has determined that the property known as the Greene Farm located on Block 701, Lot 3.02, in Frelinghuysen Township, consisting of approximately 34 acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation programs; and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agriculture Development Committee and final approval by the Warren County Agriculture Development Board; and

WHEREAS, the property is part of an approved Planning Incentive Grant application; and

WHEREAS, the purchase of the development easement on the property will encourage the survivability of productive agriculture in Warren County.

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

1. The Board hereby grants permission for the purchase of the development easement on the above described property.
2. The County's share in regard to the purchase of said easement shall be no greater than the share that the Township of Frelinghuysen provides the County's share is estimated at \$44,200.00. The Freeholder Director or Administrator of Warren County is authorized to sign the Assignment of Deed of Easement, the Cost Share Agreement, and any and all documents necessary for the acquisition of the development easement on the above property in the Township of Frelinghuysen, County of Warren, State of New Jersey under the terms outlined above.

BE IT FURTHER RESOLVED that adequate funds in the amount of \$44,200.00 in account #03895-5067-8950732-5067 have been certified by the Chief Financial Officer.

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

RESOLUTION 418-07

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 JULY 25, 2007.

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RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT
EASEMENT ON THE SMITH FARM IN FRELINGHUYSEN TOWNSHIP PROVIDING COUNTY
FUNDS IN AN AMOUNT NOT TO EXCEED FRELINGHUYSEN
TOWNSHIP'S SHARE OF THE PURCHASE

WHEREAS, the Board of Chosen Freeholders of the County of Warren has determined that the property known as the Smith Farm located on Block 1701, Lots 5 and 6, in Frelinghuysen Township, consisting of approximately 22 acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation programs; and

WHEREAS, preliminary approval for the purchase of development rights on this farm has been granted by the State Agriculture Development Committee and final approval by the Warren County Agriculture Development Board; and

WHEREAS, the property is part of an approved Planning Incentive Grant application; and

WHEREAS, the purchase of the development easement on the property will encourage the survivability of productive agriculture in Warren County.

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

1. The Board hereby grants permission for the purchase of the development easement on the above described property.
2. The County's share in regard to the purchase of said easement shall be no greater than the share that the Township of Frelinghuysen provides the County's share is estimated at \$31,350.00. The Freeholder Director or Administrator of Warren County is authorized to sign the Assignment of Deed of Easement, the Cost Share Agreement, and any and all documents necessary for the acquisition of the development easement on the above property in the Township of Frelinghuysen, County of Warren, State of New Jersey under the terms outlined above.

BE IT FURTHER RESOLVED that adequate funds in the amount of \$31,350.00 in account #03895-5067-8950731-5067 have been certified by the Chief Financial Officer.

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 absent

RESOLUTION 419-07

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 JULY 25, 2007.

RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT
EASEMENT ON THE JENSEN FARM IN FRELINGHUYSEN TOWNSHIP PROVIDING COUNTY
FUNDS IN AN AMOUNT NOT TO EXCEED FRELINGHUYSEN
TOWNSHIP'S SHARE OF THE PURCHASE

BE IT RESOLVED that Warren County Contract WC0667C for providing voice data & network services for the Warren County Information Systems Department is hereby awarded to . . . United Telephone Company of New Jersey, Mansfield, Ohio

In the approximate amount of . . . \$550,000.00

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as per their bid submitted . . . July 12, 2006

Funding for this contract has been provided in budget account 01440/5076 – Information Systems Telephone Communications and 01440/5076 – Telephone Contracted Equipment Maintenance.

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 absent

RESOLUTION 420-07

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 JULY 25, 2007.

RESOLUTION TO ESTABLISH AND MAINTAIN NO PASSING ZONES ALONG COUNTY ROUTE #623, WASHINGTON AND WHITE TOWNSHIPS

BE IT RESOLVED that No Passing Zones be established and maintained along County Route #623, (Brass Castle Road), Washington and White Townships, Warren County, New Jersey, as authorized by the New Jersey Department of Transportation in accordance with the sketch dated 10/25/90 (Revised 3/15/06), bearing number NPZ-3434-A; 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 absent

RESOLUTION 421-07

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 JULY 25, 2007.

RESOLUTION AUTHORIZING APPROVAL OF A FEDERAL TRANSIT AUTHORITY (FTA) CAPITAL ASSISTANCE PROGRAM (SECTION 5310) TRANSFER OF TITLE AGREEMENT FOR A NJ TRANSIT LEASED VEHICLE OPERATED IN THE WARREN COUNTY TRANSPORTATION PROGRAM

WHEREAS, the Warren County Board of Chosen Freeholders currently leases and operates the Section 5310 program vehicle from NJ Transit for use in the Warren County Transportation Program as follows:

2001 Ford Minibus (1FDXE45F31HA58395); and

WHEREAS, NJ Transit has notified Warren County that this vehicle has exceeded its useful service life requirements and may be transferred to Warren County upon execution of an FTA Capital Assistance Program Transfer for disposition.

NOW, THEREFORE BE IT RESOLVED, that the Warren County Board of Chosen Freeholders does hereby approve the FTA Capital Assistance Program (Section 5310) Transfer of Title Agreement with NJ Transit for the 2001 Ford Minibus currently leased to Warren County.

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 absent

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JULY 25, 2007
RESOLUTION 422-07

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 JULY 25, 2007.

RESOLUTION APPROVING THE WORK FIRST NEW JERSEY FUNDING LETTER OF AGREEMENT BETWEEN THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES AND THE MORRIS/SUSSEX/WARREN EMPLOYMENT AND TRAINING SERVICES; ANTICIPATED FUNDS NOT TO EXCEED \$1,772 FOR THE PERIOD APRIL 1, 2007 THROUGH JUNE 30, 2007

WHEREAS, effective July 1, 2004, all state workforce investment programs were consolidated under the NJ Department of Labor and Workforce Development; and

WHEREAS, this consolidation requires an annual Letter of Agreement between the Warren County Department of Human Services, Division of Temporary Assistance and Social Services, and the Morris/Sussex/Warren Employment and Training Services outlining a coordination of responsibilities for planning, oversight and funding of welfare clients enrolled in the Temporary Assistance to Needy Families (TANF) program for the period April 1, 2007 through June 30, 2007; and

WHEREAS, Morris County has made available to Warren County Division of Temporary Assistance and Social Services funding to support TANF client services in an amount not to exceed \$1,772.

NOW, THEREFORE BE IT RESOLVED that the Warren County Board of Chosen Freeholders approves the Letter of Agreement with the Morris/Sussex/Warren Employment and Training Services for tracking TANF clients who are assigned to non-employment work activities for the period April 1, 2007 through June 30, 2007.

BE IT FURTHER RESOLVED that the Director of the Board is hereby authorized to sign the Letter of Agreement with the Morris/Sussex/Warren Workforce Investment Board.

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 absent

RESOLUTION 423-07

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 JULY 25, 2007.

RESOLUTION RE: AUTHORIZATION TO AUCTION SURPLUS EQUIPMENT, VEHICLES, PARTS, FURNITURE AND SUPPLIES OF THE COUNTY OF WARREN AND OTHER APPROVED AGENCIES

WHEREAS, the County of Warren is presently storing various items no longer needed for public use by county departments and agencies;

BE IT RESOLVED by the County of Warren pursuant to the provisions of N.J.S.A. 40A:11-36, that the said equipment, vehicles and supplies be and the same are hereby ordered to be disposed of by Public Auction, to be held Saturday, September 8, 2007 beginning at 10:00 A.M. prevailing time at the Warren County Road Department facility, Route 519, White Township, New Jersey.

BE IT FURTHER RESOLVED that Notice of said sale be published and in newspapers at least seven (7) days prior to sale;

BE IT FURTHER RESOLVED that all items shall be sold to the highest bidder, and the

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terms of the sale shall be sold as is and where is, without warranty or guarantee of any kind, upon payment of the full amount, subject to all lawfully advertised terms and restriction:

NOW THEREFORE BE IT RESOLVED that the Director of Purchasing is hereby authorized and directed to perform all acts and to execute, on behalf of this body, all documents required by Statute or this Resolution to effectuate said sale.

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 absent

RESOLUTION 424-07

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 JULY 25, 2007.

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 FFY2008 TITLE IV-D PROGRAM

WHEREAS, the New Jersey Department of Human Services, Division of Family Development is accepting applications for funding under the FFY2008 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 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, 2007 through September 30, 2008 (not to exceed \$357,332.63).

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 absent

RESOLUTION 425-07

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 JULY 25, 2007.

RESOLUTION IN OPPOSITION TO THE SALE OF STATE ASSETS

WHEREAS, a great number of residents use New Jersey's toll roads to commute to work on a daily basis and many businesses rely on these major transportation arteries to receive and deliver goods and services, and

WHEREAS, New Jersey's high cost of living and even higher property taxes have placed such a financial strain on taxpayers and business owners that the state is fast becoming an unaffordable place for them to live and work, and

WHEREAS, Governor Jon S. Corzine and key legislative leaders are pushing a plan to sell New Jersey assets, starting most likely with the toll revenues generated by the New Jersey Turnpike, Garden State Parkway and Atlantic City Expressway, and

WHEREAS, language was included in the FY 2008 State Budget authorizing the Corzine Administration to spend whatever amount of money it deems necessary to prepare for the lease or monetization of State assets, and

WHEREAS, the Corzine Administration has publicly stated that specific details of the asset sale will not be disclosed to the public until after the November Legislative Elections, but it

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has confirmed the revenue it would produce is needed to balance a projected multi-billion-dollar shortfall in the FY 2009 State Budget, and

WHEREAS, the Corzine Administration and key legislative leaders are examining the possibility of creating a new public agency that would sell billions of dollars of bonds to private investors backed by future toll road revenue, and

WHEREAS, administration and legislative officials have confirmed annual toll increases over several decades will be necessary to make the bonds attractive to private investors, and

WHEREAS, in the past six years, State debt has more than doubled, from \$15 billion to \$37 billion and the asset sale would instantly add billions of dollars to the debt load and intensify the pressure to raise taxes, and

WHEREAS, experience has shown that whenever tolls are increased, more trucks choose to use state and local roadways to save the expenses, and

WHEREAS, increased truck traffic will accelerate the deterioration of state and local roadways, result in more traffic congestion and create a safety hazard to motorists and pedestrians alike.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders opposes any plan to sell, lease or monetize State assets, particularly State toll roads and revenue they produce because it will make New Jersey more unaffordable for residents and business owners, jeopardize the fiscal integrity of the state and make our roads less safe.

A certified copy of this resolution shall be sent to Governor Jon S. Corzine, Assembly Speaker Joseph Roberts, Senate President Richard J. Codey, Senate Minority Leader Leonard Lance, Assembly Minority Leader Alex DeCroce, Assemblyman Michael Doherty and Assemblywoman Marcia Karrow.

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 absent

RESOLUTION 426-07

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 JULY 25, 2007.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0768 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR ONE PARATRANSIT CONVERSION VAN

WITH

TWO WHEELCHAIR LIFTS FOR THE PARATRANSIT PROGRAM IN THE WARREN COUNTY HUMAN SERVICES DEPARTMENT

BE IT RESOLVED that specification WC0768 for one paratransit conversion van with two wheelchair lifts for the Paratransit Program in the Warren County Human Services Department 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 capital account 0407A609/5050 – Replace Minibuses Human 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 absent

RESOLUTION 427-07

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 JULY 25, 2007.

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**RESOLUTION AWARDING CONTRACT #WC0750 TO OWL CONTRACTING FOR THE 2007
RESURFACING & REHABILITATION OF COUNTY ROUTES #517, #519, #611,
#621 & #646, ALLAMUCHY, INDEPENDENCE, HOPE, LIBERTY &
LOPATCONG TOWNSHIPS & TOWN OF PHILLIPSBURG IN
THE AMOUNT OF \$2,535,535.00**

WHEREAS, the County advertised for bids to be received on Monday, July 10, 2007 at 1:30 P.M. for Contract #WC0750 for the 2007 Resurfacing & Rehabilitation of County Routes #517, #519, #611, #621 & #646, Allamuchy, Independence, Hope, Liberty & Lopatcong Townships & the Town of Phillipsburg; and

WHEREAS, Owl Contracting of Rockaway, New Jersey submitted the lowest responsible and responsive bid of \$2,535,535.00; and

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

WHEREAS, adequate funds have been established in accounts 0407A101 5063, 0406A101 5063, 0405A201 5063, 40165 5100 167 4834, 40165 5100 PB0438SP 4834 and 40165 5100 PB00056 4384 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 Owl Contracting in the amount \$2,535,535.00.

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 absent

RESOLUTION 428-07

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 JULY 25, 2007.

RESOLUTION RE: AWARD OF CONTRACT WC0751 FOR 12,000 TONS OF ROCKSALT OR SOLAR SALT FOR THE WARREN COUNTY ROAD DEPARTMENT FOR THE

**PERIOD OF SEPTEMBER 1, 2007 THROUGH AUGUST 31, 2008 TO
ATLANTIC SALT, INC. AT THE UNIT PRICE OF \$49.19 PER TON AND AN
APPROXIMATE TOTAL CONTRACT AMOUNT OF \$590,280.00**

BE IT RESOLVED that contract WC0751 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 . . . \$590,280.00
as per their bid submitted . . . July 17, 2007

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 Materials.

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 absent

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RESOLUTION 429-07

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 JULY 25, 2007.

RESOLUTION RE: AWARD OF CONTRACT WC0754 FOR OFFICE SECURITY IN THE COURT

HOUSE ANNEX FOR THE DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES FOR THE PERIOD OF AUGUST 1, 2007 THROUGH JULY 31, 2008 WITH THE RIGHT TO EXTEND FOR ONE ADDITIONAL ONE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15 TO U.S. SECURITY ASSOCIATES, INC. AT THE HOURLY RATE OF \$12.25 AND THE OVERTIME RATE OF \$18.38 FOR AN ESTIMATED CONTRACT AMOUNT OF \$25,000.00

BE IT RESOLVED that contract WC0754 for office security in the Courthouse Annex for the Division of Temporary Assistance and Social Services is hereby awarded

to . . . U.S. Security Associates Inc., Willow Grove, Pennsylvania

in the amount of . . . \$12.25 per hour, overtime \$18.38 per hour
estimated contract amount of \$25,000.00

as per their bid submitted . . . June 26, 2007
and reviewed and recommended by the Director of Purchasing as the lowest responsible and responsive bid received.

Funding for this contract will be provided in budget account 013450/5029 – Division of Temporary Assistance – Contracted Services.

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 absent

RESOLUTION 430-07

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 JULY 25, 2007.

RESOLUTION RE: EXTENSION OF CONTRACT WC0350 FOR INMATE TELEPHONE SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER TO INMATE TELEPHONE INC. FOR THE PERIOD OF SEPTEMBER 1, 2007 THROUGH AUGUST 31, 2008 FOR THE FIFTH AND FINAL YEAR OF A FIVE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(8) AT A COMMISSION RATE OF 34%

BE IT RESOLVED that Warren County Contract WC0350 for inmate telephone services for the Warren County Correctional Center is hereby extended for a fifth and final year of a five year contract as provided by the Local Public Contract Law 40A:11-15(8) said contract is hereby extended for the period of September 1, 2007 through August 31, 2008

to . . . Inmate Telephone Inc., Altoona, Pennsylvania

In the amount of . . . contractor to pay commission in the amount of 34%

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as per their bid submitted . . . July 22, 2003

No county funds are required for this 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 absent

RESOLUTION 431-07

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 JULY 25, 2007.

RESOLUTION RE: EXTENSION OF CONTRACT WC0360 FOR AN ELECTRONIC MONITORING SYSTEM FOR THE WARREN COUNTY CORRECTIONAL CENTER TO ELECTRONIC MONITORING SYSTEMS, INC. FOR THE

PERIOD

OF SEPTEMBER 1, 2007 THROUGH AUGUST 31, 2008 FOR THE FIFTH AND FINAL YEAR OF A FIVE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(8) AT THE COST OF UNIT PER DAY OF \$5.30

BE IT RESOLVED that Warren County Contract WC0360 for a electronic monitoring system for the Warren County Correctional Center is hereby extended for a fifth and final year of a five year contract as provided by the Local Public Contract Law 40A:11-15(8) said contract is hereby extended for the period of September 1, 2007 through August 31, 2008

to . . . Electronic Monitoring Systems, Inc., Maplewood, New Jersey

In the amount of . . . \$5.30 per unit

as per their bid submitted . . . August 5, 2003

No county funds are required for this contract, Inmates will be charged for this service.

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 absent

RESOLUTION 432-07

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 JULY 25, 2007.

RESOLUTION RE: EXTENSION OF CONTRACT WC0534 FOR LOWER-MODE TRANSPORTATION SERVICES FOR THE WARREN COUNTY DEPARTMENT OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES

TO

AKAB, INC. FOR THE PERIOD OF SEPTEMBER 1, 2007 THROUGH AUGUST 31, 2008 FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(27) AT A UNIT COST BASED ON \$2.15 PER MILE, TOTAL CONTRACT AMOUNT NOT TO EXCEED \$70,000.00

BE IT RESOLVED that Warren County Contract WC0534 for lower-mode transportation services for the Warren County Department of Temporary Assistance and Social Services is hereby extended for the third and final year as provided by the Local Public Contract Law

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40A:11-15(27) said contract is hereby extended for the period of September 1, 2007 through August 31, 2008

to . . . Akab, Inc., Phillipsburg, New Jersey

In the amount of . . . \$2.15 per mile not to exceed \$70,000.00

as per their bid submitted . . . June 14, 2005

Funding for this contract has been provided in budget account 013450/5029 – TASS – Contracted 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 absent

RESOLUTION 433-07

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 JULY 25, 2007.

RESOLUTION RE: EXTENSION OF CONTRACT WC0665 FOR INMATE COMMISSARY SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER TO ARAMARK CORRECTIONAL SERVICES, INC. FOR THE PERIOD OF SEPTEMBER 1, 2007 THROUGH AUGUST 31, 2008 FOR THE SECOND YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(10) AT A COMMISSION RATE OF 29.5%

BE IT RESOLVED that Warren County Contract WC0665 for inmate commissary services for the Warren County Correctional Center is hereby extended for a second year of a three year contract as provided by the Local Public Contract Law 40A:11-15(10) said contract is hereby extended for the period of September 1, 2007 through August 31, 2008

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

No county funds are required for this 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 absent

RESOLUTION 434-07

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 JULY 25, 2007.

RESOLUTION RE: EXTENSION OF CONTRACT WC0667C WITH UNITED TELEPHONE COMPANY OF NEW JERSEY FOR VOICE DATA COMMUNICATIONS & NETWORK SERVICES FOR THE WARREN COUNTY INFORMATION SYSTEMS DEPARTMENT FOR THE PERIOD OF AUGUST 1, 2007 THROUGH JULY 31, 2008 FOR THE SECOND YEAR OF A SEVEN YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(5) IN AN ESTIMATED CONTRACT AMOUNT OF \$550,000.00

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**FOR INSTALLATION OF EQUIPMENT, PROFESSIONAL SERVICES,
TRAINING AND MAINTENANCE AND 70% DISCOUNT OFF CURRENT
RATES FOR INTERSTATE CALLING, 55% DISCOUNT OFF CURRENT
TARIFF RATES FOR INTRASTATE AND INTRA LATA CALLING AND FOR
LOCAL SERVICES AND DIAL TONE AND MANAGED NETWORK
SERVICES**

BE IT RESOLVED that Warren County Contract WC0667C for providing voice data & network services for the Warren County Information Systems Department is hereby awarded

to . . . United Telephone Company of New Jersey, Mansfield, Ohio
In the approximate amount of . . . \$550,000.00

as per their bid submitted . . . July 12, 2006

Funding for this contract has been provided in budget account 01440/5076 – Information Systems Telephone Communications and 01440/5076 – Telephone Contracted Equipment Maintenance.

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 absent

RESOLUTION 435-07

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 JULY 25, 2007.

RESOLUTION RE: AUTHORIZATION TO ISSUE A PURCHASE ORDER TO VERIZON NEW JERSEY INC. UNDER NEW JERSEY STATE CONTRACT #A51015 COVERING 9-1-1 TELECOMMUNICATIONS EQUIPMENT AND ACCESSORIES FOR MAARS 9-1-1 SYSTEM MAINTENANCE FOR THE PERIOD OF JULY 1, 2007 THROUGH JUNE 30, 2008 FOR THE WARREN COUNTY COMMUNICATIONS CENTER IN THE TOTAL AMOUNT OF \$28,746.45

BE IT RESOLVED that the Purchasing Department is authorized to issue a purchase order for MAARS 9-1-1 System maintenance for the Warren County Communications Center and is hereby awarded

to . . . Verizon New Jersey Inc., South Plainfield, New Jersey

in the amount of . . . \$28,746.45

at the prices established under New Jersey State Contract #A51015

Funding for this contract has been provided in budget account 012500/5026 – Communications Center Contracted Equipment Maintenance.

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 absent

RESOLUTION 436-07

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 JULY 25, 2007.

RESOLUTION RE: AUTHORIZATION TO ISSUE PURCHASE ORDERS TO ALLIED OIL, LLC

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T/A ALLIED OIL CO. UNDER THE SOMERSET COUNTY COOPERATIVE CONTRACT #CC-09-06, GASOLINE, FOR UNLEADED GASOLINE AT A FIXED MARK UP OF .0483 PER GALLON, AN APPROXIMATE ANNUAL CONTRACT AMOUNT OF \$299,000.00

BE IT RESOLVED that the Purchasing Department is authorized to issue purchase orders for unleaded gasoline for the Warren County Road Department and is hereby awarded

to . . . Allied Oil, LLC t/a Allied Oil Co., Hillsborough, NJ

in the approximate amount of . . . \$299,000.00

at the prices established under Somerset County Cooperative Contract #CC-09-06

Funding for this contract has been provided in budget accounts 014600/5074 – Gasoline – Gasoline and Diesel Fuel and 013511/5074 – Warren Haven Transportation Gasoline and Diesel Fuel.

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 absent

RESOLUTION 437-07

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 JULY 25, 2007.

RESOLUTION RE: AUTHORIZATION TO ISSUE PURCHASE ORDERS TO PRO-STAT, INC. FOR THE PERIOD OF AUGUST 1, 2007 THROUGH JULY 31, 2008 UNDER THE HEALTH CARE GROUP PURCHASING, INC., CONTRACT #1130 AS ALLOWED BY N.J.S.A. 30:9-87 FOR ADULT INCONTINENT PRODUCTS FOR WARREN HAVEN IN THE APPROXIMATE AMOUNT OF \$90,000.00

BE IT RESOLVED that the Purchasing Department is authorized to issue purchase orders for adult incontinent products for Warren Haven

to . . . Pro-Stat, Inc., Somerset, New Jersey

in the approximate amount of . . . \$90,000.00

at the prices established under the Health Care Group Purchasing, Inc., contract #1130

Funding for this contract has been provided in budget account 013505/5035 – Warren Haven Janitorial Supplies.

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 absent

On Agenda Item H2, Mr. Gardner asked if the lowest price in the state had been procured for the salt. Mr. Marvin could not confirm if this was the case. This is the County's contract which is up 12.34% from last year. Although a substantial inventory remains, it could be depleted rapidly. Mr. Gardner supposed much of the increase was attributable to fuel and trucking costs.

RESOLUTION 438-07

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 JULY 25, 2007.

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

Steve Marvin, Clerk of the Board

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

Regarding David Dech's appointment to the PCFA, on behalf of Freeholder Director Chamberlain, Mr. DiMaio was pleased to thank Mr. Dech for graciously agreeing to serve. Mr. Chamberlain had reached out to him due to his extensive knowledge of solid waste planning and experience as Solid Waste Coordinator. Mr. Gardner expressed gratitude as well.

Neither County Counsel Joe Bell nor County Engineer Dave Hicks had reports.

County Planner Dave Dech announced he had invited municipal officials and Municipal Utilities Authority Officials to the July 30, 2007 Planning Board Meeting. Larry Baier, Director of the DEP's Division of Watershed Management, will be speaking and answering questions on the impact of the proposed wastewater planning regulations.

On behalf of vacationing CFO Charles "Pete" Houck, Mr. Marvin apprised the Board of the Warren County Community College Chapter 12 Bonds Sale held on July 18. Nine bids were generated by three bidders with the winning bid coming in at 4.1204% for 15 year bonds. Fifty percent of the debt service will be satisfied by the State and half of the remaining half will be satisfied by WCCC.

County Administrator Steve Marvin had no other reports.

Under Freeholder Comments, Mr. Gardner praised County Engineer Dave Hicks, saying Warren County has some of the best roads in the state. He said Lommason Glen Road, having been torn up by Hurricane Ivan, is now "fantastic".

The Warren County Farmers' Fair is set to begin, running July 29-August 4. Mr. Gardner encouraged all to attend and have a good time.

Mr. Gardner mentioned some recently reported news he found interesting: A Morris County Superior Court Judge apparently ruled in favor of construction of a golf course in what he believed to be the Long Valley area in spite of the Highlands Legislation.

Mr. DiMaio provided an update on the County's construction projects. The Warren Home (formerly referred to as the JINS Building) is moving along beautifully and he urged people to go take a look. Projects Committee Chairman Joseph Houston was recognized for his service.

Regarding the Prosecutor's Bank Building, however, Mr. DiMaio was a bit frustrated with the pace of progress due to prevailing wage requirements. He explained that on government projects, contractors are obligated to pay a minimum prevailing wage to workers. The threshold for applicability of prevailing wage requirements has been lowered to \$2,000. The Bank Building job is too small for larger companies to be interested in and smaller contractors have trouble affording the prevailing minimum wage. This results in delays due to the fact that no one is willing to perform the work. Even land leased by the County is subject to these restrictions. Mr. Marvin said he was curious to see how this continues to develop, particularly with our senior nutrition sites.

An answer from the State Historic Preservation Office (SHPO) is expected by July 31 regarding plans for the former Warden's Quarters. This structure adjacent to the Court House, is expected to house the Sheriff's Department and Election Board when complete. Mr. DiMaio lamented that in government, it is much more difficult to move construction projects along and get things done than it is in the private sector.

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Under Closing Public Comments, Mr. Joseph Meyner of Phillipsburg approached the Board to ask them to request a feasibility study of the Musconetcong River as a source of power from a company such as General Electric. He said there is enough power in running water to run all our cars and homes without burning fuel to make fuel as with corn. There is tremendous power in this little river which could be tapped into with a simple turbine generator at each existing dam. Mr. Gardner thought between restrictions by the U.S. Department of the Interior and the Musconetcong's Wild and Scenic designation, alterations would not be allowed.

Bud Allen of Brookfield Drive in White Township was next to speak. Located on County Route 519, Brookfield consists of 274 single family homes, a newer garden apartment complex and an assisted living facility currently under construction. Originally, Route 519 in front of the complex was a passing zone in both directions. The southbound lane was later converted to a "no passing" zone. Mr. Allen said northbound traffic often passes on the right when vehicles are stopped to make a left into the development. A boulder and mulch were recently placed just off the road in this area and although orange cones were later put in place, Mr. Allen feared this was a potentially dangerous situation. Mr. Hicks explained that the area is beyond the County's ownership and we don't have the right of way. The property owner has been approached regarding widening the road there without success so far. In lieu of a wider road, Mr. Allen suggested making the northbound lane a "no passing" zone and removing the mulch. Mr. Hicks said his office would take a look at it.

Ann Hardiman of Washington Borough came forward with several questions. Since newspaper coverage often doesn't tell the whole story or follow up on certain issues, she was interested in obtaining updated information. She wondered what happened to Dick Zimmer in regard to the Highlands Legislation. Mr. DiMaio explained that Mr. Zimmer had been employed to lobby in Trenton as opposed to fighting the legislation as an attorney and is no longer acting on our behalf regardless. Steve Shaw, the attorney working on the Highlands Lawsuit, charges an hourly fee and submits an itemized invoice on a monthly basis. Ms. Hardiman wanted more details on the lawsuit and to view a copy of the complaint. She was advised to consult the Public Information Department. Later, Public Information Officer Art Charlton confirmed that the complaint and accompanying press release were available on the County's website and he gave Ms. Hardiman instructions on how to access same.

Ms. Hardiman also wanted to know details on the status of the PCFA Investigation. Mr. Marvin said the last of the scheduled depositions had been held earlier today and a draft report is expected by the next Freeholder Meeting for the Board's review. The process should not extend much beyond the end of August.

Further discussion ensued about access to more detailed information and public documents. She was again directed to the Department of Public Information.

Greg Blaszkka of Stewartville approached to say he agrees Warren County has beautiful roads, but some bike paths would be great.

RESOLUTION 440-07

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 JULY 25, 2007.

RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN, NEW JERSEY, REVISING THE POLICY REGARDING FEES FOR OPEN PUBLIC RECORDS REQUESTS

WHEREAS, the Board of Chosen Freeholders has re-evaluated the County's policy on fees for copies of public records in response to requests for records under the Open Public

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Records Act, N.J.S.A. 47:1A:-1, et seq., in light of a request by the Express-Times to reduce their costs for obtaining copies of public records; and

WHEREAS, the Board of Chosen Freeholders wishes to encourage access to the public and the press of all such public records, and has determined that the fees established by the New Jersey Legislature under the Open Public Records Act, which were adopted under the County's policy, may be excessive in some circumstances, and may serve to discourage the dissemination of records and information to the public;

WHEREFORE, the Board of Chosen Freeholders has therefore decided to revise the schedule of fees charged by the County for copies of public records to reduce the costs to the persons requesting same in most instances.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren, New Jersey, that the following schedule of fees and charges for copies of public records is hereby adopted as the policy of the County of Warren for documents requested through the County's Public Information Department:

- a. For the first ten (10) pages of a request, there will be no charge or expense to either the public or the press;
- b. After ten (10) pages, the fee will be fifteen cents (15¢) per page.
- c. The fee for duplicating audiotapes on CD or cassette will be \$2.00 for each cassette or CD.
- d. The charge for any other copy that cannot be made by photocopy on the County's copying machine or is not otherwise specifically provided in the policy shall be the actual cost of duplication.
- e. The charge for a copy on CD of the County voter registration list shall be \$125 per CD, or a \$10 fee for a copy on CD of the voter registration list for an election district within the County.
- f. Special service fee: Whenever a request for public records involves an extraordinary expenditure of time and effort to accommodate, the County will charge an additional service charge, in addition to the actual costs of copying, based on the administrative costs of providing the copy or copies, and may take into account the salaries of staff members who perform the document collection and copying. If such special service charge will be imposed, the requestor will be notified in advance of the fee to be charged.

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 absent

Mr. DiMaio explained that until now, the County has followed the Schedule for Copying Fees for Documents as detailed in OPRA Statutes. Due to both an appeal from the press and pending legislation, this resolution lowers the fees considerably. Mr. Gardner expressed his opinion that we should be on par with other counties. Our citizens deserve transparency in government, but if the press demands multitudes paper, we don't want to be taken advantage of. He was in favor of trying the new policy for a while although it may need to be readdressed in the future. Mr. Marvin mentioned another bill making its way through the Legislature which would require posting all public records on the internet. Information Systems Director Barry Smith noted the Identity Theft Protection Act requires certain personal information be redacted from all records before posting on line. Doing so will come at a huge cost in terms of software and manpower.

RESOLUTION 441-07

On motion by Mr. Gardner, seconded by Mr. DiMaio, at 9:07 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on JULY 25, 2007.

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

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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 July 25, 2007 that an Executive Session closed to the Public shall be held on July 25, 2007 at 9:07 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 absent

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Board adjourned executive session at 10:25 p.m. and returned to open session.

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

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 10:25p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board