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AUGUST 8, 2007

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 8, 2007 at 7:31 p.m.

The meeting was called to order by Deputy Director DiMaio and upon roll call, the following members were present: 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. Freeholder Director Everett Chamberlain, recovering from a recent heart attack, was absent.

The Pledge of Allegiance was led by Deputy Director DiMaio.

Deputy Director DiMaio read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF AUGUST 8, 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 25, 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 25, 2007 were approved.

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

RESOLUTION 442-07

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 August 8, 2007.

RESOLUTION TO PAY BILLS

Be and it is hereby resolved that Master Voucher Certificate **For Certification / Ratification for Payments No. 2007-30 and 2007-31 dated August 8, 2007** in the amount of **\$3,908,505.79** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

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2007-30	1-Aug-07	\$ 735,777.01	
2007-31	8-Aug-07	1,648,019.12	
TOTAL		<hr/>	\$2,383,796.13
Payroll	2-Aug-07	\$ 1,479,809.66	
Subsistance		-	
Uniforms	26-Jul-07	44,900.00	
TOTAL		<hr/>	<u>1,524,709.66</u>
GRAND TOTAL			<u><u>\$3,908,505.79</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 443-07

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 August 8, 2007.

INSERTION INTO THE 2007 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$7,000.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF MILITARY & VETERAN AFFAIRS FOR VETERANS TRANSPORTATION #VL08T21

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 2007 in the sum of \$ 7,000.00, which item is now available from the State of New Jersey, Department of Military & Veteran Affairs, For Veterans Transportation #VL08T21.

BE IT FURTHER RESOLVED that a like sum of \$ 7,000.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Military & Veteran Affairs, For Veterans Transportation #VL08T21 (administered by Human Services Dept.)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department Military & Veteran 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

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Steve Marvin, Clerk of the Board

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

RESOLUTION 445-07

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 August 8, 2007.

RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$77,370.49 FROM THE NEW JERSEY TRANSIT CORPORATION, SECTION 5311 PROGRAM

WHEREAS, a receivable balance of \$ 77,370.49 entitled New Jersey Transit Corporation, Section 5311 Program remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

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

NOW, THEREFORE, BE IT RESOLVED that the following grant receivable and appropriation balances be cancelled in the amount of \$ 77,370.49:

Account Title	Account Number	Amount
	(Appropriation)	
NJ Transit Corp., Section 5311 Program	S53555340 5614	\$ 77,370.49
	(Revenue)	
NJ Transit Corp., Section 5311 Program	S5355 4340	\$ 77,370.49

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 446-07

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 August 8, 2007.

RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$103.99 FROM STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION, SIGN MANAGEMENT - VARIOUS ROADS

WHEREAS, an unexpended balance of \$ 103.99 entitled Transportation Sign Management – Various Roads remains on the Grant Fund Balance Sheet dedicated to a Federal Grant which has been completed.

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

NOW, THEREFORE, BE IT RESOLVED that following grant appropriation and receivable balances be cancelled in the amount of \$ 103.99:

Account Title	Account Number	Amount
	(Appropriation)	
DOT Safety Improvements	F31655318 5063	\$ 103.93
	MRNA 4738	\$.06

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	(Revenue)	
DOT Safety Improvements	F3165 4318	\$ 103.99

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 447-07

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 August 8, 2007.

RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$753.77 FROM STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL, ATTORNEY IDENTIFICATION PROGRAM

WHEREAS, an unexpended balance of \$ 753.77 entitled Attorney Identification Program remains on the Grant Fund Balance Sheet dedicated to a Federal Grant which has been completed.

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

NOW, THEREFORE, BE IT RESOLVED that following grant appropriation and receivable balances be cancelled in the amount of \$ 753.77:

Account Title	Account Number	Amount
	(Appropriation)	
Attorney Identification Program	S62705324 5100	\$ 753.77
	(Revenue)	
Attorney Identification Program	S6270 4324	\$ 753.77

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 448-07

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 August 8, 2007.

RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$3,568.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, SOCIAL SERVICES FOR THE HOMELESS

WHEREAS, a receivable balance of \$ 3,568.00 entitled Social Services for the Homeless Program remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

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

NOW, THEREFORE, BE IT RESOLVED that the following grant receivable and appropriation balances be cancelled in the amount of \$ 3,568.00:

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Account Title	Account Number	Amount
	(Appropriation)	
Social Services for the Homeless	S6355309 5029 MRNA 4738	\$ 3,567.66 <u>.34</u> \$ 3,568.00
	(Revenue)	
Social Services for the Homeless	S6355 4309	\$ 3,568.00

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 449-07

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 August 8, 2007.

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE
BALANCE OF \$6,234.47 FROM THE STATE OF NEW JERSEY,
DEPARTMENT OF LAW & PUBLIC SAFETY,
DIVISION OF CRIMINAL JUSTICE,
SANE PROJECT**

WHEREAS, a receivable balance of \$ 6,234.47 entitled Work First New Jersey Program remains on the Grant Fund Balance Sheet dedicated to a Federal Grant which has been completed.

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

NOW, THEREFORE, BE IT RESOLVED that the following grant receivable and appropriation balances be cancelled in the amount of \$ 6,234.47:

Account Title	Account Number	Amount
	(Appropriation)	
S.A.N.E. Project	F62755350 5029	\$ 6,234.47
	(Revenue)	
S.A.N.E. Project	F6275 4350	\$ 6,234.47

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 450-07

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 August 8, 2007.

**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE
BALANCE OF \$9,286.14 FROM THE STATE OF NEW JERSEY, DEPARTMENT
OF LAW & PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE,
VICTIM ASSISTANCE PROGRAM**

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WHEREAS, a receivable balance of \$ 9,286.14 entitled Victim Assistance Program remains on the Grant Fund Balance Sheet dedicated to a Federal Grant which has been completed.

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

NOW, THEREFORE, BE IT RESOLVED that the following grant receivable and appropriation balances be cancelled in the amount of \$ 9,286.14:

Account Title	Account Number	Amount
	(Appropriation)	
Victim Assistance	F62755337 5100	\$ 9,286.14
	(Revenue)	
Victim Assistance	F6275 4327	\$ 9,286.14

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 451-07

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 August 8, 2007.

RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE BALANCE OF \$23,779.58 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, HOMELAND SECURITY GRANT FY-04

WHEREAS, a receivable balance of \$ 23,779.58 entitled Homeland Security Grant Program remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

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

NOW, THEREFORE, BE IT RESOLVED that the following grant receivable and appropriation balances be cancelled in the amount of \$ 23,779.58:

Account Title	Account Number	Amount
	(Appropriation)	
Homeland Security	F52525351 5100	\$ 23,779.58
	(Revenue)	
Homeland Security	F5252 4351	\$ 23,779.58

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 452-07

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 August 8, 2007.

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**RESOLUTION AUTHORIZING THE CANCELLATION OF UNCOLLECTED RECEIVABLE
BLANCE OF \$43,817.00 FROM THE MORRIS/SUSSEX/WARREN
EMPLOYMENT TRAINING SERVICES (EEI)**

WHEREAS, a receivable balance of \$ 43,817.00 entitled Employment Training Services (EEI) Grant Program remains on the Grant Fund Balance Sheet dedicated to a State Grant which has been completed.

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

NOW, THEREFORE, BE IT RESOLVED that the following grant receivable and appropriation balances be cancelled in the amount of \$ 43,817.00:

Account Title	Account Number	Amount
	(Appropriation)	
EEI Program	S53455363 5100	\$ 20,066.00
EEI Program	S53555363 5100	\$ 17,751.00
EEI Program	S63455363 5614	<u>\$ 6,000.00</u>
		\$ 43,817.00
	(Revenue)	
EEI Program	S5345 4363	\$ 20,066.00
EEI Program	S5355 4363	\$ 17,751.00
EEI Program	S6345 4363	<u>\$ 6,000.00</u>
		\$ 43,817.00

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 453-07

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 August 8, 2007.

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

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

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

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

Account Title	Account Number	Amount
	(Appropriation)	
CEHA	S63355325 5100	\$ 3,000.00
	(Revenue)	

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CEHA

S6335 4325

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\$ 3,000.00

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 454-07

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 August 8, 2007.

RESOLUTION ESTABLISHING THE ANNUAL SALARIES FOR THE COUNTY CLERK, COUNTY SHERIFF AND COUNTY SURROGATE IN ACCORDANCE WITH APPLICABLE STATE STATUTES AND RECENT AMENDMENTS

WHEREAS, the annual salaries of the County Clerk (N.J.S.A. 40A:9-76), County Sheriff (N.J.S.A. 40A:9-104) and County Surrogate (N.J.S.A. 2B:14-3) are established at a minimum of 65% of the annual salary of a Judge of the Superior Court, and

WHEREAS, the State of New Jersey FY 2008 Budget provided a salary increase to \$149,000 annually for Judges of the Superior Court,

NOW, THEREFORE, BE IT RESOLVED that effective July 1, 2007, the minimum annual salary for the County Clerk, County Sheriff and County Surrogate shall be \$96,850 annually and the salaries of those individuals currently holding said offices shall be adjusted accordingly.

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 455-07

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 August 8, 2007.

RESOLUTION APPROVING A CONTRACT MODIFICATION TO GRANT AGREEMENT 07BDWN WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF DISABILITY SERVICES FOR AN ADDITIONAL \$59,672 OF NJ DHS FUNDING THEREBY RAISING THE GRANT CEILING TO \$165,756

WHEREAS, on December 6, 2006, the Warren County Board of Chosen Freeholders approved a grant with the NJ Department of Human Services for \$106,084 in NJ DHS, DDS funding (#07BDWN) to provide personal attendant services; and

WHEREAS, the NJ Department of Human Services has subsequently awarded Warren County an additional \$59,672 for this agreement to provide services to individuals with disabilities who are on the PASP waiting list in Warren County; and

WHEREAS, the grant agreement ceiling will increase to \$165,756 with inclusion of these anticipated funds.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Warren County Board of Chosen Freeholders is authorized to sign the grant amendment for an additional \$59,672 in NJ Department of Human Services, Division of Disability Services funding; grant ceiling to increase to \$165,756.

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 456-07

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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 8, 2007.

RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT EASEMENT ON THE BABINSKY FARM IN POHATCONG TOWNSHIP PROVIDING COUNTY FUNDS IN AN AMOUNT NOT TO EXCEED POHATCONG 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 Babinsky Farm located on Block 99, Lot 2.02, in Pohatcong Township, consisting of approximately 44 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 based on an easement value of \$12,000.00 per acre to be cost shared with the State Agriculture Development Committee and Pohatcong Township.
2. This approval includes the following conditions:
 - a. One (1) non-severable exception of one (1) acre
 - b. No non-agriculture use on the premises
3. The County's share in regard to the purchase of said easement shall be no greater than the share that the Township of Pohatcong provides, the County's share is estimated at \$123,200.00. 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 Pohatcong, County of Warren, State of New Jersey under the terms outlined above.

BE IT FURTHER RESOLVED that adequate funds in the amount of \$123,200.00 in account #03895-5067-8950734-5067 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 457-07

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 August 8, 2007.

RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ENTER INTO AN UNDERGROUND UTILITY SERVICE AGREEMENT WITH THE OWNER OF LOT 6.01, BLOCK 901 IN HARDWICK TOWNSHIP FOR THE CONSTRUCTION & MAINTENANCE OF ELECTRIC,

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**TELEPHONE, CABLE T.V. SERVICES WITHIN
THE RIGHT-OF-WAY OF COUNTY
ROUTE #659**

WHEREAS, Owner of Lot 6.01, Block 901 has constructed underground electric, telephone and cable T.V. services in the right-of-way of County Route #659 to service Lot 6.01, Block 901 in Hardwick Township; and

WHEREAS, the County owns the right-of-way of County Route #659 in Hardwick Township; and

WHEREAS, the lot Owner and Warren County agree that the lot Owner shall own and be responsible for the construction and maintenance of the underground electric, telephone and cable T.V. services; and

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren in the State of New Jersey hereby approves the Underground Utility Service Agreement between the Owner of Lot 6.01, Block 901 and the County of Warren for the construction and maintenance of the above underground electric, telephone and cable T.V. services within the right-of-way of County Route #659 in Hardwick 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 absent

RESOLUTION 458-07

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 August 8, 2007.

**RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ENTER INTO AN
UNDERGROUND UTILITY SERVICE AGREEMENT WITH THE OWNER OF
LOT 8.04 BLOCK 15 IN WASHINGTON TOWNSHIP FOR THE
CONSTRUCTION & MAINTENANCE OF ELECTRIC,
TELEPHONE, CABLE T.V. SERVICES WITHIN
THE RIGHT-OF-WAY OF COUNTY
ROUTE #648**

WHEREAS, Owner of Lot 8.04, Block 15 has constructed underground electric, telephone and cable T.V. services in the right-of-way of County Route #648 to service Lot 8.04, Block 15 in Washington Township; and

WHEREAS, the County owns the right-of-way of County Route #648 in Washington Township; and

WHEREAS, the lot Owner and Warren County agree that the lot Owner shall own and be responsible for the construction and maintenance of the underground electric, telephone and cable T.V. services; and

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren in the State of New Jersey hereby approves the Underground Utility Service Agreement between the Owner of Lot 8.04, Block 15 and the County of Warren for the construction and maintenance of the above underground electric, telephone and cable T.V. services within the right-of-way of County Route #648 in Washington 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

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

Regarding the pending increase in Constitutional Officers' salaries (Agenda Item E1), Mr. Gardner lamented the State mandate forcing counties to pay 65% of a Superior Court Judge's salary. Warren doesn't have as large a population base as many other counties and this is a significant increase.

RESOLUTION 459-07

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 August 8, 2007.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0769C AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR HEALTHCARE MANAGEMENT SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER AND WARREN ACRES UTILIZING THE COMPETITIVE CONTRACT PROCESS

BE IT RESOLVED that specification WC0769C for healthcare management services at the Warren County Correctional Center and Warren Acres 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 budget account 012800/5093 – Correctional Center – Medical Expenses

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 460-07

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 August 8, 2007.

RESOLUTION APPROVING CHANGE ORDER #1 WITH EMPKO CONTRACTING, INC., FOR THE RECONSTRUCTION OF INTERCOUNTY BRIDGE #22024/L-92-W, NEW HAMPTON ROAD/SPRINGTOWN ROAD OVER THE MUSCONETCONG RIVER, WASHINGTON/LEBANON TOWNSHIPS, WARREN/HUNTERDON COUNTIES FOR A NET DECREASE OF \$41,679.10 AND A FINAL CONTRACT AMOUNT OF \$945,380.90 (WARREN COUNTY'S SHARE \$472,690.45)

WHEREAS Empko Contracting, Inc. was awarded a contract by Warren and Hunterdon Counties for the Reconstruction of Intercounty Bridge #22024/L-92-W, New Hampton Road/Springtown Road over the Musconetcong River, Washington/Lebanon Townships, Warren/Hunterdon Counties in the amount of \$987,060.00 (Warren County's share \$493,530.00); and

WHEREAS final as-built quantities resulted in a net decrease of \$41,679.10; and

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren does hereby approve change order #1 for the above project with Empko Contracting, Inc. for a net decrease of \$41,679.10 and a final contract amount of \$945,380.90 (Warren County's share \$472,690.45 and Hunterdon County's share \$472,690.45).

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 461-07

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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 8, 2007.

RESOLUTION APPROVING CHANGE ORDER #2 FOR CONTRACT #WC0692 WITH A.B. DESIGNS CONTRACTING CORP. FOR WARREN COUNTY HOME AND CARETAKER'S HOUSE RENOVATIONS, MANSFIELD TOWNSHIP, FOR A NET INCREASE OF \$73,497.00 AND A REVISED AMOUNT OF \$3,000,612.00

WHEREAS, for Contract #WC0692 was awarded to A.B. Designs Contracting Corp. for the Warren County Home & Caretaker's House Renovations, Mansfield Township in the revised amount of \$2,927,115.00; and

WHEREAS, changes are necessary resulting in a net increase of \$73,497.00 (see attached change order #2); and

WHEREAS, the completion date is extended from October 1, 2007 to December 1, 2007; and

WHEREAS, said changes were recommend by the Project Architect; and

WHEREAS, adequate funds have been established in account 03893 5065 JINS 5062 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 #2 for the above project with A.B. Designs Contracting Corp. for a net increase of \$73,497.00 and a revised amount \$3,000,612.00.

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 462-07

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 August 8, 2007.

RESOLUTION APPROVING CONTRACT MODIFICATION #3 FOR CONTRACT #WC9952P WITH SCHOOR DEPALMA, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE RECONSTRUCTION OF COUNTY BRIDGE #15016, STRYKERS ROAD, OVER THE LOPATCONG CREEK, LOPATCONG & GREENWICH TOWNSHIPS FOR A NET INCREASE OF \$9,100.00 AND A REVISED CONTRACT AMOUNT OF \$115,211.58

WHEREAS, Schoor DePalma, Inc. was awarded a contract for Engineering Services for the Reconstruction of County Bridge #15016, Strykers Road over the Lopatcong Creek, Lopatcong & Greenwich Townships in the revised amount of \$106,111.58; and

WHEREAS, additional NJDEP requirements and resubmittal resulted in a net increase of \$9,100.00; and

WHEREAS, said changes are recommended by the County Engineer; and

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

WHEREAS, adequate funds are available in accounts S01655380 005380 5064 and S1655380 5064 and certified by the County Chief Financial Officer.

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

1. Hereby approve Contract Modification #3 for the above project for a net increase of \$9,100.00 and revised contract amount of \$115,211.58.
2. The Director is hereby authorized to execute said Contract Modification by signing same.

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3. This contract is awarded without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law because the services are to be performed by a person or persons authorized by law to practice a recognized profession.

4. Notice of this action shall be published in the Star Ledger, as required by law, within ten (10) 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 absent

RESOLUTION 463-07

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 August 8, 2007.

RESOLUTION RE: AWARD OF CONTRACT WC0756FO FOR ENGINEERING & ARCHITECTURAL SERVICES FOR THE WARREN COUNTY LIBRARY/HUMAN SERVICES/PHNA/ELECTION BOARD BUILDING PROJECT TO JAMES R. GUERRA, P.A., FOR A TOTAL CONTRACT AMOUNT OF \$668,200.00

BE IT RESOLVED that contract WC0756FO for Engineering & Architectural Services for the Warren County Library/Human Services/PHNA/Election Board Building Project is hereby awarded

to . . . James R. Guerra P.A., Phillipsburg, New Jersey
in the amount of . . . \$668,200.00

as per their proposal submitted . . . June 15, 2007

and reviewed and recommended by the Board of Chosen Freeholders as the lowest responsible and responsive proposal received price and other factors considered through the Fair and Open Process in accordance with N.J.S.A.19:44A-20.4.

Funds for this contract are provided in capital account 0407A701/5028 – Building Expansion Renovation, Design Work.

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 464-07

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 August 8, 2007.

RESOLUTION RE: AWARD OF CONTRACT WC0757 COMMERCIAL PROPANE TO AMERIGAS PROPANE, L.P. FOR THE PERIOD OF SEPTEMBER 1, 2007 THROUGH AUGUST 31, 2008 WITH THE RIGHT TO EXTEND FOR A SECOND YEAR AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(1) IN THE APPROXIMATE AMOUNT OF \$68,000.00

BE IT RESOLVED that Warren County Contract WC0757 for commercial propane is hereby awarded

to . . . Amerigas Propane, LP., King of Prussia, Pennsylvania
In the approximate amount of . . . \$68,000.00

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as per their bid submitted . . . July 31, 2007

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 budget accounts 013100/5070 – Bldgs & Grds – Heating Fuel, 012900/5070 – Roads – Heating Fuel, and 013510/5030 – Warren Haven Utilities – Operating Supplies.

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 465-07

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 August 8, 2007.

RESOLUTION RE: AWARD OF CONTRACT WC0758 LUMBER FOR THE PERIOD OF SEPTEMBER 1, 2007 THROUGH AUGUST 31, 2008 TO L.E. RITTER LUMBER CO. AT THE UNIT PRICES AND DISCOUNTS OFFERED, NO GUARANTEED ANNUAL AMOUNT

BE IT RESOLVED that contract WC0758 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 31, 2007

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 absent

RESOLUTION 466-07

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 August 8, 2007.

RESOLUTION RE: AUTHORIZATION TO ISSUE A PURCHASE ORDER TO COMMERCIAL INTERIORS DIRECT INC. UNDER NEW JERSEY STATE CONTRACT #A65751 COVERING CARPET & PADDING SUPPLIES AND INSTALLATION FOR CARPET INSTALLATION AT THE WARREN COUNTY

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BE IT RESOLVED that the Purchasing Department is authorized to issue a purchase order for carpet installation for the Warren County CDH Branch Library and is hereby awarded

to . . . Commercial Interiors Direct Inc., Riverdale, New Jersey

in the amount of . . . \$42,865.75

at the prices established under New Jersey State Contract #A65751

Funding for this contract has been provided in library account 153906/5062 – Library Blairstown Building Renovations.

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 the decrease in the contract amount for the New Hampton Road/Springtown Road Bridge (Agenda Item H1), Mr. Gardner commended County Engineer Dave Hicks for his diligence which results in savings to the taxpayer.

Referring to Agenda Item H4, Mr. Gardner was pleased the contract was being awarded and said this is a significant movement ahead for this project. Mr. DiMaio clarified this contract pertains to drawings for the proposed new Human Services and Library Building on the White Township campus. The contract was awarded to the firm submitting the lowest responsible bid. Mr. Gardner suggested naming the building the Warren County Library Headquarters and Human Resource Center.

RESOLUTION 467-07

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 August 8, 2007.

**RESOLUTION CREATING A FULL-TIME POSITION OF WELDER, CLASSIFIED AND
ABOLISHING A FULL-TIME POSITION OF SENIOR WELDER, CLASSIFIED
WITHIN THE WARREN COUNTY ROAD DEPARTMENT**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of *welder*, classified, is created in the Warren County Road Department for the purpose of increasing the efficiency and effectiveness of operations; and

BE IT FURTHER RESOLVED that the position of *senior welder*, classified, is abolished;

NOW THEREFORE BE IT RESOLVED that the created position of *welder* is established on AFSCME Local 3287, Range 0840 and be 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 absent

RESOLUTION 468-07

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 August 8, 2007.

**RESOLUTION CREATING FIVE (5) PART-TIME POSITIONS OF STUDENT ASSISTANT,
UNCLASSIFIED, WITHIN THE WARREN COUNTY LIBRARY**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that five (5)

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part-time positions of *Student Assistant*, unclassified, are created within the Warren County Library where there is a need to facilitate effective scheduling of the Library branches; and

NOW, THEREFORE BE IT RESOLVED that the five (5) newly created positions of part-time *Student Assistant* are established at an hourly rate of \$7.15 and be 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 absent

Prior to hearing Reports and Comments, Mr. DiMaio said a few words regarding Mr. Chamberlain's condition. Our Freeholder Director is not with us this evening "for obvious reasons", he said. Mr. DiMaio had spoken with Mr. Chamberlain after he came home from the hospital and it seems he is doing better every day. We wish him a speedy recovery.

County Counsel Joe Bell had nothing out of the ordinary to report.

County Engineer Dave Hicks provided an accident summary for the prior year. Nothing had really changed much from other years, but it allows us to keep track of important data. Traffic through the intersection of Route 22 and 519 is very high; we'll be improving signage and striping to make it as safe as it can be.

Also submitted to the Board was a summary of bridges with efficiency ratings, including a list of those with sufficiency ratings below 50. The County is in "pretty decent shape" with our larger bridges, said Mr. Hicks. There is some outdated information circulating, but the data is constantly changing. Bridges are inspected every two years and we continually make repairs and improvements. The best source of up-to-date information is the Department of Transportation's Structural Inventory. The bridges on the top of the list are older, but historic in nature and the goal is to keep them in place if at all possible.

Regarding bridges classified as "functionally obsolete", this term does not denote structural integrity. A lot of factors are considered such as geometric or width issues – when the bridge itself may be narrower than the approaching road. Mr. Hicks said it's an ongoing process we have to keep working on.

Mr. Gardner was under the impression that State bond funds were virtually depleted. Mr. Hicks said funding for bridge improvements may come from a combination of federal aid, historic bridge dollars and the Engineering Department's own capital budget. Some State aid is available through the Transportation Trust Fund, but we would like to have more.

Mr. DiMaio said he appreciated the information. He had immediately received phone calls in reaction to the recent bridge collapse tragedy in Minnesota.

County Planner Dave Dech had submitted a full set of Solid Waste Management Plan Amendments as endorsed by the Solid Waste Advisory Council (SWAC). He requested the Board establish two public hearings during the regularly scheduled meeting on September 12, 2007. One hearing would deal with the Recycling Plan and facility inclusion procedures; the other would pertain to Solid Waste Management Plan Amendments including long-term (10 year) disposal strategy. Holding two hearings would help facilitate the process with the Department of Environmental Protection (DEP).

On motion by Mr. Gardner, seconded by Mr. DiMaio, ESTABLISHING TWO PUBLIC HEARINGS ON SEPTEMBER 12, 2007.

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

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Continuing with his report, Mr. Dech said his department is still compiling comments on wastewater planning rules. The recent meeting with the DEP representative was interesting. Mr. Dech said it did not appear that the municipalities wanted the County to take on this role and he doesn't see a lot of benefit. If the County were to take it over, further long-term costs would be incurred and we would have to negotiate zoning changes with municipalities. The nine month timeframe to comply is unrealistic and a "logistical nightmare", according to Mr. Dech.

Mr. Gardner agreed the DEP's plan is unrealistic. Who better to assess their needs than the municipalities themselves?

Mr. DiMaio said it would be difficult to plan, mentioning the Highlands Legislation and how certain service areas have been pulled back into the planning zones with waivers. He also noted, as he had in the past, that the Hackettstown service area crosses the county line into Morris.

County CFO Pete Houck summarized a memo he had sent to the Board regarding increases in pension and benefit expenses. The County will be paying about \$1 million more – a 61% increase – over the prior year.

We are preparing to send out the Budget Call Letter to the departments for the year 2008, continued Mr. Houck. He asked the Board for a general direction. For the past few years, we have requested department heads do their best to hold the line. The CAP Laws will allow for very few exceptions. Mr. Houck predicted a very difficult budget year.

Mr. DiMaio advised sending the same conservative letter requesting department heads cut expenses.

Under Freeholder Comments, Mr. Gardner expressed concern about the financial situation described by Mr. Houck and the implications to the taxpayer. We have to be more diligent with expenditures while continuing to provide quality services. Warren County has efficient department heads that do a great job. We try to help out our municipalities as best we can by keeping the county tax rate down.

Mr. DiMaio said he had spent a lot of time at the Warren County Farmers' Fair last week and it was a great success complete with good weather.

Judge Wolfson's report on the PCFA matter is now complete and the Board has scheduled a meeting tomorrow, August 9 at 3:00 p.m. to release the findings. I have read it and would like to get it out to the public as soon as possible, he said.

RESOLUTION 469-07

On motion by Mr. Gardner, seconded by Mr. DiMaio, at 8:00 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 8, 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

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

(1) *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law of State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.

(2) *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.

(3) *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program, including but not limited to information relative to the individual's personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

(4) *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

(5) *Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds*: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

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

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

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

(9) *Matters Relating to the Potential Imposition of a Penalty*: Any deliberations of a public body 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

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Freeholders, assembled in public session on August 8, 2007 that an Executive Session closed to the Public shall be held on August 8, 2007 at 8:00 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 9:30 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 9:31 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board