

MINUTES

413
AUGUST 22, 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 22, 2007 at 7:32 p.m.

The meeting was called to order by Director Chamberlain and upon roll call, the following members were present: Freeholder Everett Chamberlain, Freeholder John DiMaio with Freeholder Richard Gardner participating via speakerphone. Also attending were County Engineer Dave Hicks, CFO Charles Houck, County Counsel Joseph J. Bell and County Administrator Steve Marvin.

The Pledge of Allegiance was led by Director Chamberlain.

Director Chamberlain read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF AUGUST 22, 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 August 8, 2007 were approved.

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

On motion by Mr. DiMaio, seconded by Mr. Gardner, the Minutes of the Executive Session held on August 8, 2007 were approved.

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

RESOLUTION 470-07

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 22, 2007.

RESOLUTION TO PAY BILLS

Be and it is hereby resolved that Master Voucher Certificate **For Certification / Ratification for Payments No. 2007-32 and 2007-33 dated August 22, 2007**

in the amount of **\$ 4,505,831.47** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers By the Board of Chosen Freeholders.

MINUTES

2007-32	15-Aug-07	\$ 649,879.25	
2007-33	22-Aug-07	2,370,105.65	
TOTAL			\$3,019,984.90
Payroll	16-Aug-07	\$ 1,485,604.90	
Subsistance		-	
Uniforms		241.67	
TOTAL			<u>1,485,846.57</u>
GRAND TOTAL			<u><u>\$4,505,831.47</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 yes

RESOLUTION 471-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 2007.

RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ENTER INTO AN UNDERGROUND UTILITY SERVICE AGREEMENT WITH THE OWNER OF LOT 10.01, BLOCK 98 IN POHATCONG TOWNSHIP FOR THE CONSTRUCTION & MAINTENANCE OF ELECTRIC, TELEPHONE, CABLE T.V. SERVICES WITHIN THE RIGHT-OF-WAY OF COUNTY ROUTE #635

WHEREAS, Owner of Lot 10.01, Block 98 has constructed underground electric, telephone and cable T.V. services in the right-of-way of County Route #635 to service Lot 10.01, Block 98 in Pohatcong Township; and

WHEREAS, the County owns the right-of-way of County Route #635 in Pohatcong 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 10.01, Block 98 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 #635 in Pohatcong 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

AUGUST 22, 2007

MINUTES

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

RESOLUTION 472-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 2007.

RESOLUTION IN SUPPORT OF THE ROUND 8 JOB ACCESS REVERSE COMMUTE (JARC) GRANT APPLICATION FUNDING FROM NEW JERSEY TRANSIT FOR A TOTAL OF \$445,915 (\$222,958 FEDERAL FUNDS; AND \$222,957 ANTICIPATED LOCAL MATCHING FUNDS); SUBJECT TO THE AVAILABILITY OF FUNDS

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren supports the application for anticipated funding through NJ Transit in the amount of \$222,958 Federal Round 8 Job Access Reverse Commute (JARC) grant funds;

BE IT FURTHER RESOLVED that the county will consider the provision of the local matching funds totaling \$222,957 through county and state revenue;

BE IT FURTHER RESOLVED that the Director of the Board of Chosen Freeholders is authorized to sign the grant application for anticipated Round 8 Job Access Reverse Commute (JARC) grant funding in the total amount of \$445,915 (\$222,958 Federal; and \$222,957 local matching funds); funding subject to availability.

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 473-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 2007.

**RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT EASEMENT ON THE CARMECI FARM IN KNOWLTON TOWNSHIP PROVIDING COUNTY FUNDS
IN AN AMOUNT NOT EXCEED KNOWLTON 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 Carmeci Farm located on Block 7, Lots 3.01 and 3.02, and Block 3, Lot 15.01, in Township, consisting of approximately 40 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

AUGUST 22, 2007

MINUTES

of \$10,000 per acre to be cost shared with the State Agriculture Development Committee and Knowlton Township.

2. The approval includes the following conditions:
 - a. One (1) non-severable exception of two (2) acres
 - 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 Knowlton provides, the County's share is estimated at approximately \$82,000.00. 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 Knowlton, County of Warren, State of New Jersey under the terms outlined above.

BE IT FURTHER RESOLVED that adequate funds in the amount of \$82,000.00 in account #03895-5067-8950735-5067 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 yes

RESOLUTION 474-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 2007.

RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT EASEMENT ON THE DENJOE FARM IN HARMONY TOWNSHIP PROVIDING COUNTY FUNDS IN AN AMOUNT NOT TO EXCEED HARMONY 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 Denjoe Farm located on Block 45, Lot 2, in Harmony Township, consisting of approximately 62 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 Harmony Township has entered into a contract to purchase the property in fee and wishes to enter it into the farmland preservation program; 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 \$8,900 per acre to be cost shared with the State Agriculture Development Committee and Harmony Township.
2. This approval includes the following conditions:

AUGUST 22, 2007

MINUTES

- 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 Harmony provides, the County's share is estimated at \$110,000.00. 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 Harmony, County of Warren, State of New Jersey under the terms outlined above.

BE IT FURTHER RESOLVED that adequate funds in the amount of \$110,000.00 in account #03895-5067-8950737-5067 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 yes

RESOLUTION 475-07

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 22, 2007.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC0771 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR ONE MOTOR FUEL CALIBRATION TRUCK WITH PROVER FOR THE WARREN COUNTY WEIGHTS & MEASURES DEPARTMENT

BE IT RESOLVED that Specification WC0771 for one Motor Fuel Calibration Truck with Prover for the Warren County Weights & Measures 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 is provided in trust account 46200/5050 – Weights & Measures Trust Account.

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 476-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 2007.

RESOLUTION RE: AWARD OF CONTRACT WC0765 DENTAL SERVICES AT THE WARREN COUNTY CORRECTIONAL CENTER AND WARREN ACRES TO DENTRUST

DENTAL, P.A. FOR THE PERIOD OF SEPTEMBER 1, 2007 THROUGH AUGUST 31, 2008 WITH THE RIGHT TO EXTEND FOR TWO ADDITIONAL ONE YEAR PERIODS AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(29) IN THE CONTRACT AMOUNT OF \$2,600.00 PER MONTH, TOTAL CONTRACT AMOUNT \$31,200.00

MINUTES

418
AUGUST 22, 2007

BE IT RESOLVED that Warren County Contract WC0765 for dental services at the Warren County Correctional Center and Warren Acres is hereby awarded

to . . . Dentrust Dental, P.A., Pipersville, Pennsylvania

In the amount of . . . \$2,600.00 per month, \$31,200.00 yearly

as per their bid submitted . . . August 14, 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 account 012800/5093 – Correctional Center – Medical Expenses.

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

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 477-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 2007.

RESOLUTION RE: EXTENSION OF CONTRACT WC0675F FOR DEER CARCASS REMOVAL FOR THE WARREN COUNTY ROAD DEPARTMENT TO SPACE WILD ANIMAL FARM INC. FOR THE PERIOD OF OCTOBER 1, 2007 THROUGH SEPTEMBER 30, 2008 FOR THE SECOND AND FINAL YEAR OF A TWO YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(1) AT A UNIT COST OF \$50.00 PER DEER, ESTIMATED TOTAL CONTRACT AMOUNT \$15,000.00

BE IT RESOLVED that Warren County Contract WC0675F for deer carcass removal for the Warren County Road Department is hereby extended for the second and final year as provided by the Local Public Contract Law 40A:11-15(1) said contract is hereby extended for the period of October 1, 2007 through September 30, 2008

to . . . Space Wild Animal Farm Inc., Sussex, New Jersey

In the amount of . . . \$50.00 per deer, estimated amount \$15,000.00

as per their bid submitted . . . August 15, 2006

Funding for this contract has been provided in budget account 012950/5029 – Road Department 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 yes

RESOLUTION 478-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22,

AUGUST 22, 2007

MINUTES

2007.

RESOLUTION RE: AMENDING AWARD OF CONTRACT WC0691R FOR PROFESSIONAL ARCHITECTURAL SERVICES, FOR REVIEW, PLANNING, DESIGN AND PREPARATION OF BID READY SPECIFICATIONS AND DRAWINGS FOR THE RENOVATION OF THE WARREN COUNTY WARDEN'S HOUSE AND THE ADJACENT JAIL BUILDING TO RAYMOND E. O'BRIEN R.A. INC. OF BLAIRSTOWN, NEW JERSEY FOR AN ADDITIONAL AMOUNT OF \$5,000.00, TOTAL CONTRACT AMOUNT NOT TO EXCEED \$28,600.00

WHEREAS, there exists a need for the professional services of an architect to provide review, planning, design and preparation of bid ready specifications and drawings for the renovation of the Warren County Warden's House and the adjacent Jail Building; and

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

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

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

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

WHEREAS, adequate funds are available in account 03893 5065 WARDEN 5028 – Warden Residence Renovation

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Raymond E. O'Brien R.A. Inc., of Blairstown, New Jersey, for professional services for the above project, in a additional amount of \$5,000.00 the approximate amount not to exceed \$28,600.00 per letter of agreement and outline of hourly rates, fees and expenses, currently on file in the Office of the Director of Purchasing, be made part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director of the Board of Chosen Freeholders is hereby authorized to execute said letter of Agreement by signing same.
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A notice of this action shall be published in the Star-Ledger, as required by law, within ten days of its adoption.

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

Steve Marvin, Clerk of the Board

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

In reference to the extension of the contract for deer carcass removal (Agenda Item H2), Mr. Chamberlain inquired if there had been any complaints about this method. Mr. Marvin said none to his knowledge. Mr. DiMaio said the arrangement seems to work well, calling it a "unique recycling opportunity".

RECOMMENDATION

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

AUGUST 22, 2007**MINUTES**

by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 2007.

RECOMMENDATION TO ACCEPT THE RESIGNATION OF LORI LUPO FROM THE LOCAL ADVISORY COMMITTEE ON ALCOHOLISM AND DRUG ABUSE

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 479-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 2007.

**RESOLUTION APPOINTING MEMBER TO THE WARREN COUNTY LOCAL ADVISORY COMMITTEE ON ALCOHOLISM AND DRUG ABUSE:
MELANIE RUSSELL – TERM TO EXPIRE 12/31/08**

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby appoint the following individual to the Warren County Local Advisory Committee on Alcoholism and Drug Abuse to fill an unexpired term ending on December 31, 2008.

Melanie Russell

Term to expire: 12/31/08

DYFS

140 Boulevard, Suite 3
Washington, NJ 07882

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

Steve Marvin, Clerk of the Board

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

RESOLUTION 480-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 2007.

RESOLUTION APPROVING A SALARY ADJUSTMENT FOR THE DEPUTY COUNTY CLERK/ACTING COUNTY CLERK

WHEREAS, Deputy County Clerk/Acting County Clerk Patricia Kolb has assumed the full range of duties and responsibilities inherent in the Office of the County Clerk;

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders that effective July 1, 2007, the annual salary of Deputy County Clerk/Acting County Clerk Patricia Kolb be adjusted to the statutory minimum for the Warren County Clerk of \$96,850.00 annually.

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

Steve Marvin, Clerk of the Board

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

Under Reports and Comments, County Counsel Joe Bell said there was a matter involving litigation to be discussed in Executive Session.

MINUTES

County Engineer Dave Hicks had no report, but publicly welcomed Mr. Chamberlain back after his illness.

County Planner Dave Dech had no report, but confirmed public hearings on the Solid Waste Management Plan had been scheduled for September 12, 2007 with the first one commencing at 7:45 p.m.

Regarding the draft call letter for next year's budget previously submitted to the Board, County CFO Pete Houck asked if there were any comments or changes to be made. Mr. Gardner had no comment other than to say the letter is "indicative of our philosophy". Mr. Chamberlain agreed the feelings of the Board are represented in terms of spending and CAP restrictions.

Within the next few weeks, Mr. Houck expected to provide the Board with an analysis comparing the CAP restrictions of 2007 to the new law. The difference is "pretty dramatic", said Mr. Houck.

Under Freeholder Comments, Mr. DiMaio told Mr. Chamberlain it was good to have him back. After touring the County's various construction projects a couple of weeks ago, Mr. DiMaio thought work at the Warden's House was not progressing as quickly as it should. He asked Alex Lazorisak to keep an eye on things and try and move it along. Mr. Chamberlain was appreciative. Regarding the Warren Home Project, he said he was very pleased with the way things are going. It's going to be a real asset, said Mr. Chamberlain.

For his comments, Mr. Gardner welcomed Mr. Chamberlain back. He has been getting very positive feedback from the public on what's being done to the Warren Home. The project is not only practical, but has historic value.

Mr. Chamberlain said it was indeed good to be back and extended his deep appreciation for all the cards, phone calls and visits. It helped inspire me to continue, he said. It's nice to know people are thinking about you. The County carries on, Mr. Chamberlain said, and praised the dedication of department heads and his fellow Board Members.

Dick Mach, a Blairstown Township Committeeman, was in attendance. Mr. Chamberlain publicly recognized him and asked if he had any questions or comments. Mr. Mach said he simply wanted to see how meetings are run on the County level.

Under Closing Public Comments, Purchasing Agent Chris Pessolano announced the County's upcoming annual public auction being held September 8. There are potential bargains to be found with lots of vehicles available. Preview day is September 7.

RESOLUTION 481-07

On motion by Mr. DiMaio, seconded by Mr. Gardner, at 7:46 p.m. the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on August 22, 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

MINUTES

Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

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

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

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

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

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

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

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

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

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

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

MINUTES

bearing responsibility

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders, assembled in public session on August 22, 2007 that an Executive Session closed to the Public shall be held on August 22, 2007 at 7:46 p.m. in the Freeholders Conference Room located at the Wayne Dumont, Jr. Administration Building, 165 County Route 519 South, Belvidere, New Jersey 07823 for the discussion of matters relating to the specific items designated above.

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

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

Steve Marvin, Clerk of the Board

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

On motion by Mr. DiMaio, seconded by Mr. Gardner, the Board adjourned executive session at 8:31 p.m. and returned to open session.

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

On motion by Mr. DiMaio, seconded by Mr. Gardner, and there being no further business to come before the Board at this time, the meeting was adjourned at 8:32 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board