

**MINUTES****SEPTEMBER 24, 2008**

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 September 24, 2008 at 7:08 p.m.

The meeting was called to order by Director DiMaio and upon roll call, the following members were present: Freeholder John DiMaio, Freeholder Richard Gardner and Freeholder Everett Chamberlain. Also attending were CFO Charles Houck, County Counsel Joseph J. Bell and County Administrator Steve Marvin. County Engineer Dave Hicks arrived at 7:30 p.m.

The Pledge of Allegiance was led by Director DiMaio.

Director DiMaio read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF SEPTEMBER 24, 2008 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. Chamberlain, the Minutes of the Work Session held on August 28, 2008 were approved.

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Minutes of the Regular Session held on September 10, 2008 were approved.

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

On motion by Mr. Gardner, seconded by Mr. DiMaio, the Minutes of the Executive Session held on September 10, 2008 were approved.

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

Laurel Napolitani, Chairwoman of the Pollution Control Financing Authority (PCFA), began her presentation by introducing other members of the Authority in attendance: Angelo Accetturo, Treasurer; Everett Chamberlain, Secretary; Todd Yanoff, Member and James Williams, Operations Manager. Unfortunately, Vice-Chairman Dick Mach was unable to attend.

Ms. Napolitani then read from a prepared statement:

We come before you to restore a working relationship and to share the challenges and decisions facing the Authority. Years ago, the PCFA accepted out of county construction waste heavily laden with ammonia. The PCFA had also entered into a contractual agreement with PRMUA stating that once the constituents reached 80%, we would either treat the leachate or build a pre-treatment plant. Contrary to the terms of that agreement, a decision was made to truck the leachate to a facility able to accept it. While leachate trucking costs

continue to escalate, this band-aid fix is no longer cost-effective. Had the pre-treatment plant been constructed 10 years ago when the Board at that time along with the staff engineer was advised, this Board would not be faced with paying for a \$5 million facility in these hard economic times.

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Presently, it is costing over \$1 million a year to treat and truck the leachate.

The decomposition of sheet rock also emits a rotten egg odor which is hydrogen sulfate. To solve this issue and stay in air quality compliance, a sulfur scrubber system was purchased that turned out to be an untested prototype, continually malfunctioning and resulting in expensive repairs and exorbitant fines from the DEP. This year alone, we have been fined over \$120,000 for odors that the surrounding municipalities have had to endure. Accepting this additional waste also caused us to exceed our permitted volume.

A hard decision must be made whether to expand vertically or build cell five. An application for an expansion permit was sent to the DEP back in November, yet to date, we have not received it. Our present permit allows us to fill 3 million cubic yards. Presently, we are at 3.8 million cubic yards. Vertically expanding incurs minimal costs of permits only yet the concern of blasting by our neighboring quarry presents a strong concern to exercise this option. Building cell five will cost approximately \$5 million.

As we look into our finances, we have \$10 million to satisfy necessary projects. The construction of the pre-treatment plant and the building of cell 5 will completely deplete those funds. The post-closure fund mandated by the State is restrictive and the pre-treatment plant was not included within the post-closure plan so those costs cannot be satisfied by those monies.

The Authority is fortunate to have a quality Board sharing experience and expertise enabling them to achieve goals they set to ensure the efficient and effective operation of the Authority. Most operational and environmental issues we face are complex. By weighing information presented by staff and hired professionals, we strive to make choices having the best environmental impact. We are proud of our accomplishments and are committed to more openness during our meetings in an effort to restore public trust. Strongly encouraging an amicable relationship with our host community of White Township and our neighbor, Oxford Township, the Operations Manager and myself have attended committee meetings giving status reports of projects and answering questions of the public.

The Interlocal Agreements we share with the County in finance, legal and insurance have proved to be cost saving and beneficial. We have hired an in-house engineer working closely with our Operations Manager. We now adhere to a rigid, yet meaningful budget. Through the diligence of the financial team overseen by Pete Houck, theft was identified. Internal controls were enhanced and are stringently adhered to. We have a new security system in place doubling the level of security that had not been addressed since the facility was constructed.

Appropriate downsizing has taken place through attrition and elimination of unnecessary positions. Jim Williams has implemented cross-training to ensure a smooth operation and supportive backup to each position both in the administrative area and the landfill.

A comprehensive study was performed regarding the operating hours of the landfill. Results indicated the number of customers coming to the landfill in the latter part of the day dropped dramatically. As of January 1, 2009, new hours will become effective: Monday-Friday, 7:00 a.m. to 2:30 p.m. and Saturday, 7:00 a.m. to 11:00 a.m. This will save us over \$100,000 in fuel annually and over time, we are confident that the efficient operation will continue. Also, through creative scheduling, overtime has been eliminated. The battery collection program is being studied. Doing away with this program would save the Authority \$25,000 per year. Dry cell batteries are now free of lead and mercury and may be disposed of in household garbage.

We have just completed a pilot program for municipal cleanup. Blairstown residents

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brought their cleanup materials directly to the landfill with a cost savings to that municipality of dumpsters and manpower. Oxford has expressed interest in this program. As a good neighbor, we will be soliciting this program to all municipalities within the county.

This year's newsletter will be an opportunity for the PCFA to send their message. With the assistance of Art Charlton, the County's Director of Public Information, an informative and illustrative newsletter has been produced and will be delivered to county residents through The Express-Times and affiliated newspapers.

Ms. Napolitani closed by thanking the Freeholders for the opportunity to share the PCFA's challenges and accomplishments and welcomed their input and questions.

Mr. Gardner said it was a breath of fresh air for the PCFA to state its exact position without whitewashing. He asked about the status of the hydrogen sulfite odor. Ms. Napolitani said as long as the sulfur scrubbing system operates, we don't have a problem.

Mr. Chamberlain lauded Ms. Napolitani and the Authority for their efforts. We've had a lot of things to overcome, he said. Systems were put in place that were essentially prototypes. This unproven technology that had never before been used had been approved by the previous Board. He emphasized that the odors do not exist now, but the system had to be retrofitted to be effective. It cost \$3 million to install and has caused problems.

Mr. Gardner commended the Authority members for their achievements.

Mr. DiMaio said the PCFA is a complex operation. He thanked the Authority members for devoting their time as they are all volunteers. He felt that the landfill, properly managed, is an asset. Relocating the Recycling Center to the site is a major plus that should deter customers from dumping recyclable materials in the landfill. This group has done an exceptional job, said Mr. DiMaio.

Mr. Accetturo thanked the Freeholders for their support, particularly, Mr. Chamberlain for joining the Authority at a difficult time. We were at a low point, he said, but felt that sound decisions have been made since then. On the advice of Joe Bell, Pete Houck and Joe Houston, we made a lot of good moves. While there is still much to be done, Mr. Accetturo thanked the Board for its guidance throughout.

Mr. DiMaio complimented Mr. Chamberlain by saying it takes a lot of dedication to serve on both Boards.

Mr. Chamberlain was pleased with the breadth of expertise on the PCFA. Mr. Yanoff and Mr. Mach are both engineers, Mr. Accetturo is business-familiar, Ms. Napolitani has a background in management and the financial field and Mr. Williams stepped up during a time of real turmoil and has done a fantastic job. And in the true spirit of Shared Services, Pete Houck and Joe Bell came on board to help without hesitation. Dave Dech also lent a hand by serving on the Authority for a time.

This portion of the meeting concluded at 7:26 p.m.

Mr. Hicks arrived at 7:30 p.m.

**RESOLUTION 546-08**

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

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September 24, 2008.

**RESOLUTION TO PAY BILLS**

**Be and it is hereby resolved** that Master Voucher Certificate **For Certification / Ratification for Payments No. 2008-37 and 2008-38, dated September 24, 2008** in the amount of **\$ 5,184,684.61** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers by the Board of Chosen Freeholders.

2008-37	9/17/08	\$ 2,915,778.92	
2008-38	9/24/08	774,766.59	
TOTAL			\$ 3,690,545.51
Payroll	9/11/08		<u>1,494,139.10</u>
GRAND TOTAL			<u><u>\$ 5,184,684.61</u></u>

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 547-08**

On motion by Mr. Chamberlain, 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 September 24, 2008.

**INSERTION INTO THE 2008 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$176,000.00 FROM THE STATE OF NEW JERSEY, NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, NEW JERSEY INSTITUTE OF TECHNOLOGY – ROUTE 22 CORRIDOR STUDY**

**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 2008 in the sum of \$ 176,000.00, which item is now available from the State of New Jersey, North Jersey Transportation Planning Authority, New Jersey Institute of Technology – Route 22 Corridor Study.

**BE IT FURTHER RESOLVED** that the Grant Match of \$ 44,000.00 is included in the 2008 County Budget, Sheet 15 Planning Board S&W and OE.

**BE IT FURTHER RESOLVED** that a like sum of \$ 176,000.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, North Jersey Transportation Planning Authority, New Jersey Institute of Technology – Route 22 Corridor Study (administered by Planning Board).

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**BE IT FURTHER RESOLVED** that the above is the result of the approval by the State of New Jersey, North Jersey Transportation Planning Authority.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

With so many secondary roads coming onto Route 22, Mr. Gardner wondered how congestion could really be alleviated, short of opening up the Raritan Line. County Planner Dave Dech said the purpose of the Corridor Study is to identify ways to improve other forms of transportation and examine land use patterns beyond the Route 22 corridor. Rail is one component.

Mr. Marvin asked if the State had money for improvements to Route 22. County Engineer Dave Hicks said all kinds of plans and grant projects that aren't fundable are out there. Smart Growth issues are involved. It's a difficult area, he said.

Regarding the traffic count on Route 22, Mr. Gardner asked how much impact there had been as a result of the extension of Route 78. Mr. Hicks said Route 22 traffic decreased drastically when Route 78 opened in 1989. Now, with all the subsequent growth, traffic levels have normalized. Links built by developers have helped delay some real problems.

**RESOLUTION 548-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE  
COUNTY PROSECUTOR INSURANCE FRAUD REIMBURSEMENT PROGRAM  
ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE'S INSURANCE FRAUD  
PROSECUTOR**

**WHEREAS**, the Office of the Insurance Fraud Prosecutor has been designated by the Legislature to implement funding reimbursement for anti-insurance fraud activities, pursuant to N.J.S.A. 17:33A-28; and

**WHEREAS**, the Warren County Prosecutor's Office wishes to apply for funding under the reimbursement program and,

**WHEREAS**, the Board of Chosen Freeholders of the County of Warren has reviewed an accompanying application and has approved said request; and

**WHEREAS**, the project is a joint effort between the Office of the Insurance Fraud Prosecutor and the Warren County Prosecutor's Office for the purpose described in the application;

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

- (1) As a matter of public policy, the Warren County Prosecutor's Office wishes to participate to the fullest extent possible with the Office of the Insurance Fraud Prosecutor.
- (2) The Attorney General has allocated funds dedicated for the purpose of reimbursing County Prosecutors for anti-insurance fraud activities.
- (3) The Office of Insurance Fraud Prosecutor shall be responsible for the receipt, review and approval of the applications for said funding.
- (4) The Office of Insurance Fraud Prosecutor shall initiate allocations to

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each applicant as authorized.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 549-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE AN APPLICATION TO THE SEXUAL ASSAULT NURSE EXAMINER PROJECT – VICTIM OF CRIME ACT GRANT BETWEEN THE NJ DIVISION OF CRIMINAL JUSTICE, OFFICE OF VICTIM WITNESS ADVOCACY AND THE WARREN COUNTY PROSECUTOR’S OFFICE IN THE AMOUNT OF \$22,284.00 COUNTY SHARE AND \$89,136.00 FEDERAL SHARE FOR A TOTAL OF \$111,420.00 FOR THE PERIOD OF OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009**

**BE IT RESOLVED BY** the Board of Chosen Freeholders of the County of Warren that the Director of the Board is authorized to execute an application for the Victim Assistance Project – Victim of Crime Act Grant between the NJ Division of Criminal Justice, Office of Victim Witness Advocacy and the Warren County Prosecutor’s Office in the amount of \$22,284.00 County Share and \$89,136.00 Federal Share for a total of \$111,420.00 for the period of October 1, 2008 through September 30, 2009.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 550-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION TO AUTHORIZE THE FREEHOLDER DIRECTOR TO SIGN THE MEMORANDUM OF UNDERSTANDING IMPLEMENTING THE DESIGNATION OF THE MUSCONETCONG RIVER AS A COMPONENT OF THE NATIONAL WILD AND SCENIC RIVERS SYSTEM**

**WHEREAS**, the Musconetcong River, was designated into the National Wild and Scenic Rivers System on December 22, 2006; and

**WHEREAS**, a Musconetcong River Management Plan was prepared by the Musconetcong Advisory Committee with assistance from the National Park Service dated April 2003; and

**WHEREAS**, to implement the Musconetcong River Plan, a Memorandum of Understanding has been prepared describing the roles and responsibilities of the National Park Service and the State, County and Municipal Governments, Non-Profit Organizations, the Delaware River Basin Commission, and the Highlands Council; and

**WHEREAS**, the Warren County Board of Chosen Freeholders supported designating the River as Wild and Scenic in a letter dated September 11, 2002.

**NOW, THEREFORE, BE IT RESOLVED** by the Warren County Board of Chosen Freeholders, that the Freeholder Director is hereby authorized to sign the Memorandum of Understanding, Implementing the Designation of the Musconetcong River as a Component of

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the National Wild and Scenic Rivers System.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 551-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION AMENDING FREEHOLDER APPROVAL TO ACCEPT LIQUIDATION OF REAL ESTATE FOR THE PURPOSE OF DETERMINING MEDICAID ELIGIBILITY AT AN AMOUNT LESS THAN FAIR MARKET VALUE; ACCEPTANCE FOR SALE OF PROPERTY REVISED FROM \$94,500 TO \$62,000**

**WHEREAS**, in accordance with the NJ Medicaid Only Manual (10:71-4.7), Medicaid applicants shall receive Fair Market Value for any resource that is subject to a plan of liquidation for the purpose of determining program eligibility by the Warren County Division of Temporary Assistance and Social Services (TASS); and

**WHEREAS**, on April 9, 2008, the Warren County Board of Chosen Freeholders approved the recommendation from TASS that property at 149 Mercer Street, Phillipsburg, NJ be liquidated at an amount less than Fair Market Value at \$94,500; and

**WHEREAS**, the sale of the property subsequently did not occur resulting in a subsequent offer of \$62,000 for sale of the property; also less than Fair Market Value; and

**WHEREAS**, Warren County TASS is in support of the sale of 149 Mercer Street, Phillipsburg, NJ at \$62,000 for the purpose of determining program eligibility for a Medicaid client.

**NOW, THEREFORE BE IT RESOLVED** that the Warren County Board of Chosen Freeholders supports the recommendation of Warren County TASS to accept the liquidation of property at 149 Mercer Street, Phillipsburg, NJ for the purpose of determining program eligibility for a Medicaid applicant at \$62,000; previously approved liquidation price of \$94,500.

**BE IT FURTHER RESOLVED** that the Director of the Board is hereby authorized to sign the revised Medicaid Liquidation Form for the Warren County Division of Temporary Assistance and Social Services.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 552-08**

On motion by Mr. Chamberlain, 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 September 24, 2008.

**RESOLUTION RE: APPROVAL OF SPECIFICATION WC0874 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR WARREN COUNTY EDUCATIONAL PARK WASTEWATER TREATMENT FACILITY OPERATION AND MAINTENANCE**

**BE IT RESOLVED** that specification WC0874 for Warren County Educational Park Wastewater Treatment Facility Operation and Maintenance is hereby approved.

**BE IT FURTHER RESOLVED** that the Director of Purchasing is hereby directed to

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advertise for bids for the above in The Star-Ledger.

Funding for this contract will be provided in trust account 013143/5029 – Building & Grounds Contracted Services.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 553-08**

On motion by Mr. Chamberlain, 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 September 24, 2008.

**RESOLUTION RE: APPROVAL OF SPECIFICATION WC0876 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR CCTV MAINTENANCE FOR THE WARREN COUNTY CORRECTIONAL CENTER AND WARREN ACRES FOR THE PERIOD OF DECEMBER 1, 2008 THROUGH NOVEMBER 30, 2009 WITH THE RIGHT TO EXTEND FOR FOUR ADDITIONAL ONE YEAR PERIODS AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(7)**

**BE IT RESOLVED** that specification WC0876 for CCTV maintenance for 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 012800/5026 – Correctional Center – Contracted Equipment Maintenance and 012770/5029 – Warren Acres – Sub Contracted Services.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 554-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION RE: AWARD OF CONTRACT WC0865FO FOR ROUTE 22 CORRIDOR STUDY FOR THE WARREN COUNTY PLANNING DEPARTMENT TO MASER CONSULTING P.A. IN THE CONTRACT AMOUNT OF \$175,438.00**

**BE IT RESOLVED** that contract WC0865FO for Route 22 Corridor Study for the Warren County Planning Department is hereby awarded

to . . . Maser Consulting P.A., Red Bank, New Jersey

in the amount of . . . \$175,438.00

as per their proposal submitted . . . August 5, 2008

and reviewed and recommended by the Director of Purchasing 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. Award based upon experience and familiarity with providing the services listed above under the direction of the Warren County Planning Department, and quality of past services rendered.

Funds will be provided in grant account S81805352/5029 – Route 22 Corridor Study.

**BE IT FURTHER RESOLVED** that the Director of the Board of Chosen Freeholders be

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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 of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 555-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION RE: AWARD OF CONTRACT WC0879R FOR RADIO COMMUNICATIONS UPGRADE, PHASE IV & V, UPGRADE EMERGENCY RADIO COMMUNICATION NETWORK POLICE, FIRE AND EMS AND STRUCTURAL TOWER ENGINEERING FOR THE WARREN COUNTY COMMUNICATIONS CENTER TO TUWAY COMMUNICATIONS OF BETHLEHEM, PENNSYLVANIA FOR AN AMOUNT NOT TO EXCEED \$160,896.00**

**WHEREAS**, it has been recommended that the county issue a contract for radio communications upgrade for emergency radio communication network police, fire and EMS and structural engineering for the Warren County Communications Center in an amount not to exceed \$160,896.00, Phase IV and V as outlined in the proposal; and

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

**WHEREAS**, this contract is awarded in accordance with N.J.S.A.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 capital accounts F62505404/5054 – 06 Homeland Security Grant Fund and F72525351/5054 – 07 Homeland Security Grant Fund.

**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 TuWay Communications, of Bethlehem, Pennsylvania, for Extraordinary, Unspecifiable services for the above project, in the approximate amount not to exceed \$160,896.00 per letter of agreement, currently on file in the Office of the Director of Purchasing, be made part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director 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 Extraordinary, Unspecifiable Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services defined cannot reasonably be described by written specifications to assure that the qualitative and quantitative assessment of the problems involved, which require expertise, extensive training and proven reputation in the field of endeavor are obtained.
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

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Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 556-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION RE: AWARD OF A PURCHASE ORDER TO TUWAY COMMUNICATIONS TO PROVIDE NICE RECORDING SYSTEM MAINTENANCE INCLUDING COMPUTER SOFTWARE MAINTENANCE FOR THE PERIOD OF SEPTEMBER 1, 2008 THROUGH AUGUST 31, 2009 FOR THE WARREN COUNTY COMMUNICATIONS CENTER IN THE TOTAL AMOUNT OF \$29,750.00**

**WHEREAS**, it has been recommended that the county issue a purchase order for NICE Recording System maintenance including computer maintenance services on specific special licensed computer software; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-5(dd)) is an exception and requires a resolution authorizing the award of contracts 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 meets the statute and regulations governing the award of said contracts,

**NOW THEREFORE, BE IT RESOLVED**, that a contract be awarded to TuWay Communications, of Bethlehem, Pennsylvania for providing NICE Recording System Maintenance including computer software maintenance on licensed products for the Warren County Communications Center

**BE IT FURTHER RESOLVED** by the Board of Chosen Freeholders of the County of Warren as follows:

1. The Director of Purchasing is hereby authorized and directed to issue a purchase order to TuWay Communications, of Bethlehem, Pennsylvania
  2. This contract is awarded without competitive bidding as an "Exception" in accordance with 40A:11-5(dd) of the Local Public Contracts Law because the services provided are for proprietary computer hardware and software maintenance.
  3. A notice of this action shall be published in the The Star-Ledger.
- Funding for this contract is provided in grant account S82505412/5054 – 2008 OETS GA Grant.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 557-08**

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

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**RESOLUTION RE: EXTENSION OF CONTRACT WC0769C FOR HEALTHCARE MANAGEMENT SERVICES FOR THE WARREN COUNTY CORRECTIONAL CENTER FOR THE PERIOD OF NOVEMBER 1, 2008 THROUGH OCTOBER 31, 2009 FOR THE SECOND YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(29) TO CFG HEALTH SYSTEMS, LLC IN THE APPROXIMATE AMOUNT OF \$1,149,702.91**

**BE IT RESOLVED** that Warren County Contract WC0769C for Healthcare Management Services at the Warren County Correctional Center is hereby extended for the second year of a three year contract as provided by the Local Public Contract Law 40A:11-15(29) said contract is hereby extended for the period of November 1, 2008 through October 31, 2009 to . . . CFG Health Systems, LLC., Marlton, New Jersey  
In the approximate amount of . . . \$1,149,702.91  
as per their bid submitted . . . September 11, 2007

Funding for this contract has been provided in budget account 012800/5093 – Correctional Center – Medical Expenses, Including Physicals.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 558-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION RE: AMENDING AWARD OF CONTRACT WC07118R FOR PROFESSIONAL ARCHITECTURAL SERVICES, FOR REVIEW, PLANNING, DESIGN AND PREPARATION OF BID READY SPECIFICATIONS AND DRAWINGS FOR THE RENOVATION OF THE WARREN COUNTY COURT HOUSE TO RAYMOND E. O'BRIEN R.A. INC. OF BLAIRSTOWN, NEW JERSEY FOR AN ADDITIONAL AMOUNT OF \$200,000.00, TOTAL CONTRACT AMOUNT NOT TO EXCEED \$382,500.00**

**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 Court House; 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 capital account 0407A701/5028 – Building Design Renovation and Expansion.

**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 \$200,000.00 the approximate amount not to exceed \$382,500.00

**MINUTES****SEPTEMBER 24, 2008**

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 of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 559-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION AWARDING CONTRACT #WC0864FO TO FRENCH & PARELLO ASSOCIATES, P.A. FOR ENGINEERING SERVICES FOR THE REHABILITATION OF WARREN COUNTY BRIDGE #09001, HESS ROAD OVER THE PAULINS KILL, HARDWICK TOWNSHIP IN THE CONTRACT AMOUNT OF \$37,990.00**

**WHEREAS**, the County requested proposals to be received on Tuesday, August 19, 2008 for Contract #WC0864FO for Engineering Services for the Rehabilitation of Warren County Bridge #09001, Hess Road over the Paulins Kill, Hardwick Township; and

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

**WHEREAS**, the proposal submitted by French & Parrello Associates, P.A. meets the needs of the program, price and other factors considered in the amount of \$37,990.00; and

**WHEREAS**, adequate funds are available in account 0408A306 6064 and certified by the County Chief Financial Officer.

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and French & Parrello Associates, P.A. of Wall, N.J. for professional services for the above project in the amount of \$37,990.00, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.

2. The Director is hereby authorized to execute said letter of agreement by signing same.

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

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 560-08**

**MINUTES****SEPTEMBER 24, 2008**

On motion by Mr. Chamberlain, 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 September 24, 2008.

**RESOLUTION REAPPOINTING MEMBERS TO THE WARREN COUNTY COMMUNITY  
COLLEGE TRUSTEE SEARCH COMMITTEE**

**BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Warren hereby reappoints the following individuals to the Warren County Community College Search Committee for a one-year term effective September 25, 2008:

**REAPPOINT:**

Laurel Napolitani  
912 Liberty Street  
Belvidere, NJ 07823

Term to expire: September 24, 2009

Ed Kelly  
125 E. Prospect Street  
Hackettstown, NJ 07840

Term to expire: September 24, 2009

Bob Rokosz  
4 Doe Drive  
Columbia, NJ 07832

Term to expire: September 24, 2009

Diane Kebles  
112 Fox Run Road  
Stewartsville, NJ 08886

Term to expire: September 24, 2009

Arthur Sheninger  
213 East Quarry Road  
Oxford, NJ 07863

Term to expire: September 24, 2009

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

Mr. Chamberlain asked if all the members had been notified and wondered if the Freeholders needed to select an individual to chair the committee. Mr. Marvin said a letter would automatically go out to each of the members pending the Board's approval of the reappointments. In the past, members of the committee selected a chair themselves. Two seats on the Board of Trustees are up: David Boone and Terence Finnegan. Mr. Chamberlain stressed that Trustees are appointed by the Freeholder Board, not the Search Committee. He wanted to see four names recommended for the two seats. Mr. Gardner and Mr. DiMaio agreed that they would like to see four nominations.

**RESOLUTION 561-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**MINUTES** **SEPTEMBER 24, 2008**  
**RESOLUTION ABOLISHING A TEMPORARY FULL-TIME POSITION OF SUPERVISING**  
**LIBRARY ASSISTANT, CLASSIFIED WITHIN THE WARREN COUNTY LIBRARY**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that a temporary full-time position of Supervising Library Assistant, Classified, is hereby abolished in the Warren County Library effective retroactive to September 2, 2008.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 562-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION CREATING A FULL-TIME POSITION OF DEPUTY SUPERINTENDENT OF**  
**WEIGHTS AND MEASURES, CLASSIFIED AND ABOLISHING A FULL-TIME POSITION OF**  
**WEIGHTS AND MEASURES APPRENTICE, CLASSIFIED IN THE WARREN COUNTY**  
**DEPARTMENT OF WEIGHTS AND MEASURES**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that a full-time position of Deputy Superintendent of Weights and Measures, Classified, is created in the Warren County Department of Weights and Measures to enhance the efficiency and effectiveness of operations; and

**BE IT FURTHER RESOLVED** by the Warren County Board of Chosen Freeholders that a full-time position of Weights and Measures Apprentice, Classified, is abolished.

**NOW, THEREFORE BE IT RESOLVED** that the newly created full-time position of Deputy Superintendent of Weights and Measures is established on AFSCME Local 0671, Range 1435 and be made effective October 2, 2008.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 563-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION CREATING A FULL-TIME INTERIM POSITION OF COUNTY CORRECTION**  
**LIEUTENANT, CLASSIFIED AND A FULL-TIME INTERIM POSITION OF COUNTY**  
**CORRECTION SERGEANT, CLASSIFIED WITHIN THE**  
**WARREN COUNTY CORRECTIONAL CENTER**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that an interim full-time position of County Correction Lieutenant, Classified, and an interim full-time position of County Correction Sergeant, Classified, are created within the Warren County Correctional Center for the purpose of supplanting an employee that is on approved leave.

**NOW, THEREFORE BE IT RESOLVED** that the interim positions of County Correction Lieutenant and County Correction Sergeant are created and made effective retroactive to September 10, 2008.

**MINUTES****SEPTEMBER 24, 2008**

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 564-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION CREATING A TEMPORARY FULL-TIME POSITION OF TRUCK DRIVER,  
CLASSIFIED WITHIN THE WARREN COUNTY ROAD DEPARTMENT**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that a temporary full-time position of Truck Driver, Classified, is created in the Warren County Road Department to supplant an employee on military leave; and

**BE IT FURTHER RESOLVED** by the Warren County Board of Chosen Freeholders that the temporary full-time position of Truck Driver, Classified, be abolished upon the return of the employee currently absent on approved leave.

**NOW, THEREFORE BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that a temporary full-time position of Truck Driver is created and established on AFSCME Local 3287, Range 0640 and made effective on October 2, 2008.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 565-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**RESOLUTION CREATING A FULL-TIME POSITION OF SHERIFF'S OFFICER LIEUTENANT,  
CLASSIFIED AND ABOLISHING A FULL-TIME POSITION OF CHIEF WARRANT OFFICER,  
UNCLASSIFIED AND A FULL-TIME POSITION OF SHERIFF'S OFFICER SERGEANT,  
CLASSIFIED WITHIN THE WARREN COUNTY SHERIFF'S DEPARTMENT**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that a full-time position of Sheriff's Officer Lieutenant, Classified, is created in the Warren County Sheriff's Department to enhance the efficiency and effectiveness of operations; and

**BE IT FURTHER RESOLVED** that a full-time position of Chief Warrant Officer, Unclassified, and a full-time position of Sheriff's Officer Sergeant, Classified, are abolished.

**NOW, THEREFORE, BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that the newly created position of Sheriff's Officer Lieutenant be made effective October 2, 2008.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

**RESOLUTION 566-08**

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**MINUTES** **SEPTEMBER 24, 2008**  
**RESOLUTION ADJUSTING THE SALARIES OF THREE (3) EMPLOYEES OF THE WARREN**  
**COUNTY SHERIFF'S DEPARTMENT**

**BE IT RESOLVED** by the Warren County Board of Chosen Freeholders that the salaries of three (3) Warren County Sheriff's Department employees as illustrated below be adjusted for 2008.

**NOW, THEREFORE BE IT RESOLVED** that these salary adjustments are approved and made effective October 2, 2008.

	<u>Current Salary</u> <u>2008</u>	<u>Adjusted</u> <u>Salary</u> <u>2008</u>
• Under Sheriff Vera Bunn	\$75,000	\$76,500
• Under Sheriff Frank Stettner	\$72,000	\$73,500
• Secretary Executive Officer, Sheila Sutton	\$36,500	\$37,000

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

Under Reports and Comments, County Counsel Joe Bell provided an update on the Juvenile Justice Commission (JJC) lawsuit. He said concrete responses to the JJC's issues were formulated by Mr. Marvin and Warden Foster. A conference on the matter is expected to take place in early October. Mr. Marvin reminded the Board that the Judge ruled the JJC has no authority to halt the closure, so the County is going to move ahead with the administrative procedures required to close Warren Acres. Mr. Bell added that the County has done its due diligence in justifying the closure. The JJC's arguments are rather vague and unintelligible.

County Engineer Dave Hicks had no report. "All quiet," he said.

County CFO Charles Houck bestowed the latest news regarding the growing economic crisis. He said it appears that the local government credit market has dried up in

New Jersey and throughout the country. There were no bidders today on municipal bonds. Fortunately, the County won't be going into the market soon, but if we had bond anticipation notes and wanted to roll them, we'd be in serious trouble, Mr. Houck said. Mr. Gardner asked if this creeps into school districts and Boards of Education. The answer was yes. This is a "tremendous problem", said Mr. Houck. For local governments, the cost of borrowing money is going to be much higher than in the past and bond insurance is not available right now.

County Planner Dave Dech had no report.

County Administrator Steve Marvin presented the latest Personnel Vacancy Report; it was approved as recommended.

Mr. Marvin reminded the Board of the Six County Coalition Meeting being hosted by Warren County on October 1. Mr. Marvin said he may not be able to attend, depending on his recovery from an upcoming eye surgery. The main topic to be discussed is budget constraints due

**MINUTES**  
to the CAP Law.

**SEPTEMBER 24, 2008**

At the Board's last budget meeting, putting limits on out of state travel was mentioned. Mr. Marvin said a few conference/convention requests have since come across his desk and he asked for a directive. Examples were given and discussion ensued regarding contractual obligations, re-certifications, picking up inmates, grant funded conferences, etc.

The Board established that its main concern was conferences and conventions. The regular routine of conducting business would generally be able to continue. Any contractual obligations for re-certifications would have to be honored and trips funded by grants other than County dollars, should be approved, but other than these exceptions, conventions and meetings held out of state should be restricted. If individuals feel an exception should be made, they may appeal to the Board on a case-by-case basis.

Under Freeholder Comments, Mr. Gardner was the only Board Member to make remarks. He said he had gone to the NJAC Conference the week prior which was very informative. He enjoyed a presentation made by the New Jersey Redevelopment Authority. They do a lot of good work he said. Of the money this group spends on projects, 60% goes toward housing and 40% to commercial/industrial.

With an organization like this, Mr. Gardner wondered why COAH insists on forcing so much housing on us out here. This is contrary to what the Highlands Legislation is supposed to be about. In the last 20 years, Mr. Gardner said the population in his municipality has not changed much, yet the COAH obligation has quadrupled. Something is wrong with their calculators, he said.

Also at the conference, Mr. Gardner brought up the issue of Assembly Bill A2552. This proposal would mandate counties to meet annually with each municipality and Type II School District to forecast five year budget projections. "What does that solve?" he asked. It appears the bill won't get off the ground which is a good thing, said Mr. Gardner.

Mr. DiMaio asked if there had been any discussion regarding the CAP Law at the conference. Nothing specific, though Mr. Gardner had suggested applying for waivers for

certain increases such as energy and health care. Mr. Houck reminded him that the health care issue was addressed in the legislation. We are limited to the State's increase – a number which, in Mr. Houck's opinion, is being artificially subsidized. Any amount above that is inside the CAP. He did not anticipate any relief there. Mr. DiMaio suspected the State's low figure was a "bait and switch" lure.

Mr. Houck reported he will be meeting with his counterparts in Somerset County on October 17. They plan to spend the day brainstorming and sharing strategies on how to deal with the CAP issue. We're coming up with some ideas here in Warren County which we will share at the next budget session, Mr. Houck said.

Mr. Marvin noted that the letters to Department Heads directing them to reduce last year's approved budget by 5% went out last Friday with responses due back next Friday.

**RESOLUTION 567-08**

On motion by Mr. Chamberlain, seconded by Mr. Gardner, at 8:10 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

**A RESOLUTION AUTHORIZING EXECUTIVE SESSION OF THE WARREN COUNTY BOARD**

**MINUTES** **SEPTEMBER 24, 2008**  
**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

**NOW, THEREFORE, BE IT RESOLVED** that this Board hereby excludes the public in order to discuss such matters. The general nature of the subjects to be discussed are as follows:

(1) *Matters Relating to Collective Bargaining Agreements*: Items to be discussed include: PERC mediator Re: labor negotiations with CWA 1071-TASS and Memorandum of Agreement; the preparation for Fall '08 labor negotiations with AFSCME 3287, AFSCME 671, CWA 1071 (PHNA Nurses), CWA 1031 (Prosecutor's Clerical), PBA 280 (Sheriff's Officers) and discussion regarding the State Health Benefits Plan.

(2) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Items to be discussed include: State of New Jersey Juvenile Justice Commission v. County of Warren, et al. and the proposed resolution/agreement with Let's Celebrate Inc. utilizing housing rehabilitation funds.

**BE IT FURTHER RESOLVED** that the Board shall disclose to the public, as soon as practicable, the contents of the discussions after the final disposition of the matters discussed.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 24, 2008.

Steve Marvin, Clerk of the Board

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

On motion by Mr. Chamberlain, seconded by Mr. Gardner, the Board adjourned executive session at 8:58 p.m. and returned to open session.

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

On motion by Mr. Gardner, seconded by Mr. Chamberlain, and there being no further business to come before the Board at this time, the meeting was adjourned at 8:58 p.m.

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

**ATTESTED TO:**

**Steve Marvin, Clerk of the Board**