

MINUTES**NOVEMBER 25, 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 November 25, 2008 at 7:33 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 County Engineer Dave Hicks, CFO Charles Houck, Assistant County Counsel Erik Hassing and County Administrator Steve Marvin.

The Pledge of Allegiance was led by Director DiMaio.

Director DiMaio read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF NOVEMBER 25, 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. Chamberlain, seconded by Mr. Gardner, the Minutes of the Work Session held on November 5, 2008 were approved.

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

On motion by Mr. Gardner, seconded by Mr. Chamberlain, the Minutes of the Regular Session held on November 12, 2008 were approved.

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

On motion by Mr. Chamberlain, seconded by Mr. Gardner, the Minutes of the Executive Session held on November 12, 2008 were approved.

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

Harold Hess and Robert Blum, members of the Town of Belvidere Ad Hoc Committee on Taxation, came forward to present a study on the financial impact of County owned properties within the town that would last about 50 minutes.

A resident of 151 Wall Street in Belvidere, Mr. Hess said his family has lived there since 1937. His property taxes are now more than the purchase price paid in 1937. Mr. Hess thought everything possible should be done on the local, county and state levels to help alleviate this burden. Mr. Hess highlighted certain contentions as he guided the Board through a 13 page report.

In a list ranking Warren County municipalities by percentage of tax exempt properties, Hardwick Township was listed first because of the presence of the Delaware Water Gap Recreation Area followed by the Town of Belvidere. Considering that Hardwick is the largest municipality in geographic size and also the least populated, the committee argued that in fact, Belvidere should be ranked as number one. Belvidere is the smallest municipality by

geographical size.

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Regarding taxation by population, Mr. Hess pointed out that Belvidere's population has not expanded very much, only growing by about 300 people in the last 28 years. In the "County Tax" column of the 2008 Abstract of Ratables for the County of Warren, Belvidere's rate was 1.003 – the only municipality with a one in front of the decimal point. The town has not had a revaluation since 1988.

Two spreadsheets comparing and contrasting the Towns of Belvidere and Hackettstown illustrated that although Hackettstown's taxes are also high, the change in rate did not escalate as much from the Year 2000 to 2005 due to rapid growth. Mr. Hess contended that the 32% increase in Belvidere's County tax rate from the Year 2006 to 2008 was "unsustainable". He said the distribution is not equitable.

A part-time police officer is needed to enforce parking ordinances near the Court House and police look after County properties after business hours. Regarding County owned properties in town, committee members conceded that while they would not like to see the Court House go, they would prefer it if the County would divest itself back to more like it was 20 years ago.

Mr. Hess noted that \$2.7 million was allocated for paving in the County Budget. The entire budget of the Town of Belvidere was merely \$2.98 million. One suggestion to alleviate some of the tax burden was for the County to pave Second Street and/or the alley behind the Court House; another was to make a direct contribution to the town's rescue squad and/or volunteer fire department for new capital vehicle purchases and a third was shared services agreements or commodity compensation such as a donation of rock salt.

Mr. Hess thanked the Board for the opportunity to make his presentation.

Mr. Gardner pointed out that Belvidere continues to have its own library. Mr. Hess said he had broached the subject, but the town library has a tremendous amount of public support.

Mr. Chamberlain said he appreciated the gentlemen coming and was listening to their suggestions. He agreed that the alley behind the Court House should be the County's responsibility. He thought it already was. We want to be a friend to Belvidere, he continued, and we plow snow a little further than we have to. In regard to the traffic police, if the officer does not pay for himself through revenue generated by tickets, maybe the patrol is unnecessary.

Mr. Marvin said the County does make donations to emergency squads throughout the County and also runs the fire academy.

Mr. Gardner said he was pleased with the committee's analysis and further dialog on shared services would be appropriate. The plan is to get some of the Prosecutor's Office properties back on the tax rolls upon completion of the new Library Building and Court House renovations.

Mr. Gardner wondered if contracting out garbage collection services should be explored. Mr. Hess said while that would likely save money, the town would prefer to have the control. Mr. Blum said the point was well taken and they may need to examine the issue again.

Mr. DiMaio thanked the committee members for coming by.

PROCLAMATION 656-08

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On motion by Mr. Gardner, seconded by Mr. Chamberlain, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 25, 2008.

**PROCLAMATION – NATIONAL DRUNK AND DRUGGED DRIVING (3D)
PREVENTION MONTH 2008**

WHEREAS, nationally, about three in every ten Americans will be involved in an alcohol-related crash at some point in their lives (National Highway and Traffic Safety Administration (2006)); and

WHEREAS, according to the national Highway and Traffic Safety Administration (2007), someone dies in an alcohol related traffic crash every thirty minutes and someone is injured in an alcohol related accident every two minutes; and

WHEREAS, Warren County Intoxicated Driver Resource Center Program provides the mandatory alcohol and drug education program for approximately 325 convicted drunk drivers a year in an effort to reduce DWI's in the county; and

WHEREAS, Warren County is a partner in the effort to make our roadways safer by promoting awareness of the problems associated with driving under the influence; and

WHEREAS, community-based programs provide drug and alcohol education and treatment services as well as advocate for more effective laws and stronger police enforcement which have proven to be successful in reducing impaired driving; and

WHEREAS, organizations from every state are joining together to provide safe rides home for potential drunk drivers to improve our nation's roadways and support sober driving programs and policies; and

NOW, THEREFORE BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby proclaim December 2008 as National Drunk and Drugged Driving (3D) Prevention Month in Warren County. The Board of Chosen Freeholders calls upon all citizens, agencies, business leaders, hospitals, schools and public and private institutions in Warren County to support programs and policies to reduce the incidence of impaired driving, encourage more responsible driving and increase public safety during this December holiday season and throughout the year.

I hereby certify the above to be a true copy of a proclamation adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 25, 2008.

Steve Marvin, Clerk of the Board

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

The Holiday Season is upon us, Mr. Chamberlain said, and urged all to be cognizant. Have a friend drive you home if need be. This is a problem that can be prevented.

Mr. Gardner said driving under the influence can have tragic consequences, especially for young people just starting their driving careers. He said he has been very concerned for a long time about teenagers receiving insufficient driver education.

Mr. DiMaio thought it appropriate as a reminder this time of year. People are feeling festive and there are a lot of parties. It is our responsibility to make sure our kids are aware of the risks, he said.

Deputy Director Shawn Buskirk thanked the Board on behalf of the Warren County Department of Human Services, Division of Administration. She said the bottom line is to increase public safety with responsible driving.

PROCLAMATION 657-08

On motion by Mr. Chamberlain, seconded by Mr. Gardner, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 25, 2008.

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PROCLAMATION – HOLLY MACKEY, 2008 NEW JERSEY OUTSTANDING YOUNG FARMER

WHEREAS, Holly Mackey of Mackey's Orchard in White Township was named New Jersey's 2008 Outstanding Young Farmer and presented with this award at the New Jersey Agricultural Convention held in Cherry Hill; and

WHEREAS, Mackey and her husband, Devlen, an eighth-generation farmer, have diversified Mackey's Orchard to ensure the commercial viability of the farm in a changing world. Under the leadership of this generation of Mackeys, the 96-acre operation that grew and sold apples and other fruit has expanded by enlarging its farm market and bakery, by incorporating fruits grown on the farm as value-added products, and by adding an ice cream stand, a greenhouse, school tours, a playground, "Mackey's Backyard BBQ," pick-your-own offerings with nearly 100 varieties of apple trees, and more to create a successful farming and agritourism operation; and

WHEREAS, Mackey's farm has implemented various soil and water conservation practices recommended by the United States Department of Agriculture including the installation of grass buffers to prevent runoff, utilization of trickle irrigation and development of a water management plan, while the greenhouse operation practices reduced water and fertilizer consumption; and

WHEREAS, Mackey's Orchard provides the public with an opportunity to learn about farming as a community business and exposes them to issues facing agriculture; and

WHEREAS, Holly Mackey, a graduate of Class Five of the New Jersey Agricultural Leadership Development Program, is extremely active in her community, serving on the Warren County Community College Board of Trustees, as President of the White Township Business Association, and as a member of the New Jersey Farmers Direct Marketing Association, while she also previously served on the Board of Directors of the Skylands of New Jersey Tourism Council, Inc.;

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders honors Holly Mackey as New Jersey's 2008 Outstanding Young Farmer, and congratulates her on being the first woman ever to be selected for this recognition. Her innovative marketing efforts and her can-do attitude are helping to preserve Warren County's agricultural heritage.

I hereby certify the above to be a true copy of a proclamation adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 25, 2008.

Steve Marvin, Clerk of the Board

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

Mr. DiMaio noted how the business has diversified in numerous ways since Ms. Mackey joined the family.

Under Public Comments (Agenda Items Only), Belvidere Councilwoman Sylvia McInerney expressed her thanks to the Freeholders for listening to the Ad Hoc Committee's presentation. She said Garrett D. Wall Park does enhance the quality of life for residents; we're just trying to reduce our burden. We did look at the garbage operation in the past and will do so again.

RESOLUTION 658-08

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 November 25, 2008.

RESOLUTION TO PAY BILLS

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Be and it is hereby resolved that Master Voucher Certificate **For Certification / Ratification for Payments No. 2008-46 and 2008-47, dated November 26, 2008** in the amount of **\$ 3,987,445.56** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers by the Board of Chosen Freeholders.

2008-46	11/19/08	\$ 1,805,300.63	
Election Pay	11/25/08	73,400.00	
2008-47	11/26/08	614,535.69	
TOTAL			\$ 2,493,236.32
Payroll	11/20/08	\$ 1,493,209.24	
Subsistence	11/20/08	1,000.00	
TOTAL			<u>1,494,209.24</u>
GRAND TOTAL			<u><u>\$ 3,987,445.56</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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 659-08

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 November 25, 2008.

INSERTION INTO THE 2008 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$61,140.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY, MULTI-JURISDICTIONAL NARCOTICS TASK FORCE GRANT

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2008 in the sum of \$ 61,140.00, which item is now available from the State of New Jersey, Department of Law & Public Safety, Multi-Jurisdictional Narcotics Task Force Grant.

BE IT FURTHER RESOLVED that the Grant Match of \$ 61,140.00 is included in the 2008 County Budget, Sheet 17 Group Insurance for Employees and Sheet 32 Employer Social Security.

BE IT FURTHER RESOLVED that a like sum of \$ 61,140.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Law & Public Safety, Multi-Jurisdictional Narcotics Task

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Force Grant (administered by the Prosecutor's Dept).

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Law & Public Safety.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 660-08

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 November 25, 2008.

INSERTION INTO THE 2008 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$247,000.00 FROM THE STATE OF NEW JERSEY, DIVISION OF ARCHIVES & RECORD MANAGEMENT – PUBLIC ARCHIVES AND RECORDS INFRASTRUCTURE SUPPORT GRANT (PARIS)

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 \$ 247,000.00, which item is now available from the State of New Jersey, Division of Archives & Record Management – Public Archives and Records Infrastructure Support Grant (PARIS)

BE IT FURTHER RESOLVED that a like sum of \$ 247,000.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Division of Archives & Record Management – Public Archives and Records Infrastructure Support Grant (PARIS) (Administered by the Information Systems Dept.)

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Division of Archives & Record Management.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 661-08

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 November 25, 2008.

INSERTION INTO THE 2008 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$380,641.00 FROM THE NEW JERSEY TRANSIT CORPORATION, SECTION 5311 GRANT PROGRAM

WHEREAS, N.J.S.A. 40A-4-87 provides that the Director of the Division of Local

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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 \$ 380,641.00, which item is now available from the New Jersey Transit Corporation, Section 5311 Grant Program.

BE IT FURTHER RESOLVED that the County's Match of \$ 123,420.00 is included in the 2008 County Budget (Sheet 26) Match Funds for Grants & Aid Transit 5311 appropriation of \$ 121,622.00 and Match Funds for Grants & Aid of \$17,868.00.

BE IT FURTHER RESOLVED that a like sum of \$ 380,641.00 be and the same is hereby appropriated under caption:

"UNDER STATE AND FEDERAL PROGRAMS OFF-SET BY REVENUES"

New Jersey Transit Corporation, Section 5311 Grant Program (administered by the Human Services Dept).

BE IT FURTHER RESOLVED that the above is the result of the approval by the New Jersey Transit Corporation.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 662-08

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 November 25, 2008.

RESOLUTION REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE COLLECTION AND DISBURSEMENT OF CONTRIBUTIONS TO BE USED TO DEFRAY THE COST OF EXPENDITURES FOR OPERATING THE WARREN COUNTY CHILD ADVOCACY CENTER

WHEREAS, a Child Advocacy Center has been established in the Warren County Prosecutor's Office located at 323 Front Street, in the town of Belvidere, owned by the County of Warren (the County); and

WHEREAS, a number of concerned citizens and affected parties have expressed an interest in participating in the sharing of the cost of operating said center; and

WHEREAS, the Board of Chosen Freeholders and the County Prosecutor are appreciative of any donations made for the use of The Child Advocacy Center; and

WHEREAS, N.J.S.A. 40A: 5-29 permits the County to collect and accept donations and pay related operational expenditures through the establishment of a trust fund and budgetary rider; and

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WHEREAS, the County desires to establish a dedicated fund into which shall be deposited contributions received from said interested parties to be used to defray the cost of operating said center; and

WHEREAS, N.J.S.A. 40A: 4-39 provides that the Director of the Division of Local Government Services may approve expenditure of these additional funds by dedication of rider;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Chief Financial Officer is directed to request permission of the Director of the Division of Local Government Services for approval and, upon the granting of said approval, to establish a Child Advocacy Center Trust Fund.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 663-08

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 November 25, 2008.

RESOLUTION AMENDING A RESOLUTION OF NOVEMBER 5, 2008 CONCERNING WARREN COUNTY PEQUEST RIVER MUNICIPAL UTILITIES AUTHORITY'S MEMBERSHIP

BE AND IT IS HEREBY RESOLVED by the Warren County Board of Chosen Freeholders that the resolution of November 5, 2008, #612-08, is hereby amended as to residency requirements for appointment or reappointment to the Warren County Pequest River Municipal Utilities Authority shall include the Town of Belvidere, Frelinghuysen Township, Hope Township, Liberty Township, Township of Oxford and the Township of White.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 664-08

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 November 25, 2008.

RESOLUTION APPROVING A LEASE AGREEMENT BETWEEN THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS AND THE BOARD OF EDUCATION OF THE WARREN COUNTY SPECIAL SERVICES SCHOOL DISTRICT FOR THE PROPERTY KNOWN AS THE CARETAKER'S HOUSE, MANSFIELD TOWNSHIP

BE AND IT IS HEREBY RESOLVED by the Warren County Board of Chosen Freeholders that the Lease Agreement, incorporated herein by reference as if set forth in full, with the Warren County Special Services School District for the property known as the

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Caretaker's House, 682 Oxford Road, Mansfield Township, New Jersey is hereby approved and the Freeholder Director is authorized to execute same on behalf of Warren County.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 665-08

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 November 25, 2008.

RESOLUTION APPROVING THE ACQUISITION OF A PERMANENT CONSTRUCTION AND MAINTENANCE EASEMENT FROM THE OWNER OF LOT 3.01, BLOCK 6.01, INDEPENDENCE TOWNSHIP

WHEREAS, there is a need for a permanent construction and maintenance easement on Lot 3.01, Block 6.01 in Independence Township for construction of traffic signal equipment, sidewalk, drainage facilities and utilities at the intersection of County Routes #517 & #665 as shown on the attached plan bearing the latest revision date of 7-23-08; and

WHEREAS, the Hackettstown Baptist Church owns Lot 3.01, Block 6.01 in Independence Township and has accepted the established amount of \$500.00 for the above easement; and

WHEREAS, adequate funds are available in account 0401A205 5063 and certified by the County's Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren does hereby approve the acquisition of a permanent construction and maintenance easement at the agreed amount of \$500.00.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 666-08

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 November 25, 2008.

RESOLUTION AUTHORIZING THE FREEHOLDER DIRECTOR TO EXECUTE THE SUBCONTRACT AGREEMENT FOR FISCAL YEAR 2009 SUBREGIONAL TRANSPORTATION PLANNING WORK PROGRAM BETWEEN THE NEW JERSEY INSTITUTE OF TECHNOLOGY, THE NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY, INC. AND THE COUNTY OF WARREN IN THE AMOUNT OF \$64,880

WHEREAS, in order to improve subregional or county transportation planning, the New Jersey Department of Transportation has initiated a program to pass Federal Highway Administration and Federal Transit Administration funds through to individual counties to supplement existing state and regional planning efforts; and

WHEREAS, this subregional transportation planning effort is aimed at developing staff capability and improving institutional systems in the Warren County Planning Department; and

WHEREAS, this Subregional Transportation Planning Program is jointly administered by

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the New Jersey Institute of Technology and the North Jersey Transportation Planning Authority, Inc., (NJIT/NJTPA), and has been undertaken in Warren County by the Warren County Planning Department; and

WHEREAS, Warren County's proposed Subregional Transportation Planning Work Program for Fiscal Year 2009 follows a specific program designed jointly by the Warren County Planning Department, New Jersey Institute of Technology, and the North Jersey Transportation Planning Authority, Inc., and

WHEREAS, Warren County's proposed Subregional Transportation Planning Work Program for Fiscal Year 2009 has been approved by the NJIT/NJTPA; and

WHEREAS; the NJIT/NJTPA allocated \$64,880 for the Subregional Transportation Planning Program as outlined in Volume II of the FY 2009 Unified Work Program for Warren County; and

WHEREAS, under the subcontract, Warren County is authorized to incur costs, starting July 1, 2008 and ending June 30, 2009 to a maximum of \$64,880; and

WHEREAS, this amount consists of Federal Highway Administration and Federal Transit Administration planning funds of \$51,904 (80%) and \$12,976 (20%) of Warren County in-kind match; and

WHEREAS, the funding level and the contract agreement are subject to adjustment based on review and audit of Warren County's FY 2007 STP Program performance and the availability of federal funds;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The agreement for subregional transportation planning for FY 2009 between the County of Warren, the New Jersey Institute of Technology, and the North Jersey Transportation Planning Authority, Inc., is approved subject to adjustment based on review and audit of the FY 2007 STP Program performance and availability of federal funds.
2. The Freeholder Director is hereby directed to execute said agreement.
3. Costs incurred under this contract shall not exceed \$64,880.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 667-08

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 November 25, 2008.

RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE AN AGREEMENT WITH THE NJ TRANSIT CORPORATION FOR SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE FUNDS IN THE AMOUNT OF \$566,919 FOR THE PERIOD JANUARY 1, 2009 THROUGH DECEMBER 31, 2009

WHEREAS, on June 25, 2008, the Warren County Board of Chosen Freeholders approved the 2009 Senior Citizen and Disabled Resident Transportation Assistance Program (SCDRTAP) application through the NJ Transit Corporation for \$566,919; and

WHEREAS, NJ Transit has approved the 2009 Warren County SCDRTAP application with anticipated funding of \$566,919.

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Director of the Board is authorized to execute the Agreement with the NJ Transit Corporation for the use of the 2009 Senior Citizen and Disabled Resident Transportation Assistance Program funds for a total of \$566,919.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

Regarding the lease agreement with the Special Services School District, Mr. Gardner asked if all the correspondence was clear. Mr. Marvin said this was the best and final form that could be agreed upon.

RESOLUTION 668-08

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 November 25, 2008.

RESOLUTION MODIFYING CONTRACT TO FAMILY GUIDANCE CENTER FOR PROVISION OF WORK FIRST NEW JERSEY FOR THE PERIOD JULY 1, 2008 THROUGH DECEMBER 31, 2008; CONTRACT CEILING TO INCREASE TO \$934,493

BE IT RESOLVED that the Board of Chosen Freeholders approves the 2008 county contract modification with Family Guidance Center for an additional \$12,500; contract ceiling to increase to \$934,493 for the period July 1, 2008 through December 31, 2008.

BE IT FURTHER RESOLVED that funds will be available in county account S83455332 5029 (Work First NJ 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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 669-08

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 November 25, 2008.

RESOLUTION RE: EXTENSION OF CONTRACT WC0683 WITH ARAMARK CORRECTIONAL SERVICES INC. FOR COUNTYWIDE FOOD SERVICE FOR THE WARREN COUNTY CORRECTIONAL CENTER, WARREN ACRES AND CORRECTIONAL CENTER STAFF FOR THE PERIOD OF JANUARY 1, 2009 THROUGH DECEMBER 31, 2009 FOR THE THIRD YEAR OF A FIVE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(10) IN THE APPROXIMATE AMOUNT OF \$372,074.50

BE IT RESOLVED that Warren County Contract WC0683 for providing meals for the Warren County Correctional Center and Warren Acres is hereby extended for the third year of a five year contract as provided by the Local Public Contract Law 40A:11-15(10) said contract is hereby extended for the period of January 1, 2009 through December 31, 2009

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

In the approximate amount of . . . \$372,074.50

as per their bid submitted . . . October 31, 2006

Funds for this contract are provided in budget account 012800/5029 – Correctional Center – 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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

MINUTES**NOVEMBER 25, 2008****RESOLUTION 670-08**

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 November 25, 2008.

RESOLUTION RE: EXTENSION OF CONTRACT WC0780 FOR FOOD SERVICE FOR THE WARREN COUNTY SENIOR NUTRITION PROGRAM (DIVISION OF SENIOR SERVICES) TO WHITSONS FOOD SERVICE (BRONX) CORP. FOR THE PERIOD OF JANUARY 1, 2009 THROUGH DECEMBER 31, 2009 FOR THE SECOND YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(10), COST PER MEAL \$4.4648 – APPROXIMATE ANNUAL CONTRACT = \$517,916.80

BE IT RESOLVED that Warren County Contract WC0780 for food service for the Warren County Senior Nutrition Program is hereby extended for the second year of a three year contract as provided by the Local Public Contract Law 40A:11-15.(10) said contract is hereby extended for the period of January 1, 2009 through December 31, 2009 to . . . Whitsons Food Service (Bronx) Corp., Islandia, New York In the approximate contract amount of . . . \$517,916.80, \$4.4648 per meal as per their bid submitted . . . October 23, 2007

Funds for this contract are provided in budget account 013540/5029 – Nutrition Program Operating Supplies and F9352 5303 075303-M 5029 Area Plan Grant Nutrition Site Meals.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 671-08

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 November 25, 2008.

RESOLUTION RE: APPROVING THE AGREEMENT WC08100R FOR PROFESSIONAL DENTAL BENEFIT NETWORK SERVICES TO PROVIDE ADMINISTRATION, CASE MANAGEMENT, CLAIMS PROCESSING, QUALITY IMPROVEMENT, REPORTING AND OTHER SERVICES FOR THE WARREN COUNTY SELF INSURED EMPLOYEE MEDICAL INSURANCE PROGRAM FOR THE PERIOD OF JANUARY 1, 2009 THROUGH DECEMBER 31, 2009 TO DELTA DENTAL PLAN OF NEW JERSEY, INC. IN THE AMOUNT OF \$10.38 PER EMPLOYEE

WHEREAS, there exists a need for the professional services of a Dental Insurance Administrator to provide administration and expanded network healthcare services for the Warren County Employee Medical Insurance Program; 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, the Director of Purchasing has certified that this contract meets the statute and regulations governing the award of such contracts; and

WHEREAS, adequate funds are available in budget accounts 33105/5721 – Medical Healthcare

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Administrative Costs 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 Delta Dental Plan of New Jersey, Inc., Parsippany, New Jersey for professional services for the above project, for the term of January 1, 2009 through December 31, 2009 per the fee schedule based on usage as outlined per the agreement is hereby approved and the Director is hereby authorized and directed to execute the appropriate contract.
2. This contract is awarded without competitive bidding as a Professional Service in accordance with the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i))
3. 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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

With respect to the Food Service Contract with Whitsons, Mr. Chamberlain said he would really like to see Warren Haven take a look at potential opportunities in the coming year in this area and report back to the Board. Mr. Gardner agreed.

RESOLUTION 672-08

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 November 25, 2008.

RESOLUTION ABOLISHING A FULL-TIME POSITION OF SENIOR MAINTENANCE REPAIRER, CLASSIFIED WITHIN THE WARREN COUNTY BUILDINGS AND GROUNDS DEPARTMENT

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of Senior Maintenance Repairer, classified, is hereby abolished within the Warren County Buildings and Grounds Department effective immediately.

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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

Mr. Chamberlain said he wanted to make a few comments in Executive Session before voting on the reappointments of Lorraine Scheibener and Arthur Charlton. When Mr. Gardner questioned the five year term of Thomas Kitchen, Mr. Marvin said the term length was statutory. It was decided to also discuss this appointment in Executive Session prior to voting.

Under Reports and Comments, Assistant County Counsel Erik Hassing had no report.

County Engineer Dave Hicks playfully wished the Board a Happy Thanksgiving on behalf of the residents of Belvidere.

County Planner Dave Dech had provided further information on the Delaware River Basin Committee that had been brought up at the last meeting. The committee's purpose is to determine if flood plane regulations need to be updated. With New Jersey rules being stricter than those of Pennsylvania and New York, it will be evaluated whether the entire region can be upgraded to New Jersey standards. At a minimum, Mr. Dech suggested a

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Warren County person attend the group's next meeting to be held in January and report back to the Board. He volunteered and the Board approved.

County CFO Pete Houck reported that Department of Community Affairs granted approval for the County to utilize revolving loan funds for improvements to the ARC Building and Warren Haven. He wished all a Happy Thanksgiving.

County Administrator Steve Marvin offered to answer any questions regarding the latest Personnel Vacancy Report. There were no questions or comments.

At Mr. DiMaio's request, Warren County Transportation Coordinator JanMarie McDyer came forward. She publicly announced that Warren County Transportation, the County's public transit system, received the Federal Transit Administration's 2008 Administrator's Award for Outstanding Rural Program. Ms. McDyer had received the award on October 22 at the 18th Annual National Conference on Rural Public and Intercity Bus Transportation held in Omaha, Nebraska. "This award was presented to five counties throughout the nation and this is the first time it has been awarded to Warren County," McDyer told the Freeholder Board as she presented them with the glass plaque commemorating the honor.

First Transit Inc., a transportation company, is contracted to operate Warren County's public transportation system which includes a demand-response program and fixed bus routes such as the Route 57 Shuttle System. First Transit Driver Kelly Ferrari was named New Jersey Driver of the Year by the New Jersey Council on Special Transportation on September 19. This is the first time in the organization's history that a driver from Warren County has been given this honor, said Ms. McDyer.

Last year, Warren County Transportation provided more than 278,000 one-way trips and drove more than 963,000 miles in providing transportation to County residents. This year, the transportation program is on course to exceed more than a million miles with 222,000 rides provided and 863,000 miles driven as of October 31.

"It goes to show how committed we are in Warren County to providing transportation opportunities to our residents," Freeholder Director John DiMaio said, adding, "It's a great honor to be recognized by the FTA."

According to Ms. McDyer, NJ Transit nominated Warren County for its efforts in establishing partnerships with numerous community agencies including non-profit groups, governmental entities and the local transportation management association. "These efforts enhance the spirit of the United We Ride planning process and serve as an example of a transportation system that has put the needs of its customers first," she said.

Mr. Gardner commended Ms. McDyer for doing an "outstanding job".

Under Freeholder Comments, Mr. Chamberlain wished everyone a Happy Thanksgiving, hoping all would be safe and enjoy a nice holiday with family and friends.

Mr. Gardner commented against COAH and its "ridiculous laws". This is burdensome for many Warren County municipalities and lacks legitimate rationale, he said. With that, he also wished a Happy Thanksgiving to all and said we should be thankful for our blessings.

Mr. DiMaio was in agreement with the COAH sentiments and noted that the legislature

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allows it to happen.

Mr. DiMaio attended a meeting a day earlier at the Communications Center. Emergency Management Coordinator Frank Wheatley had arranged the meeting due to concerns about communications during power outages. A severe October snowstorm left many homes without power. Representatives from BPU and JCP&L made assurances that attempts will be made to improve communications regarding outages and restoration information in the future.

Mr. DiMaio joined his colleagues in wishing everyone a Happy Holiday.

RESOLUTION 673-08

On motion by Mr. Chamberlain, seconded by Mr. Gardner, at 8:55 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 25, 2008.

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

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: CWA 1071-TASS ratification and move from mediation to fact finding; PBA 331-Prosecutor's Detectives' arbitration 12/10/08 and negotiations with AFSCME 3287, AFSCME 671, PBA 280, CWA 1071(PHNA) and CWA 1032.

(2) *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Items to be discussed include: Dispute with Juvenile Justice Commission in re: Warren Acres Closure, results of conference with A.J.S.C. Ciccone on 11/17/08; letter from attorney re: Road Dept.; discussion regarding State Health Benefits Plan.

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 November 25, 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 10:25 p.m. and returned to open session.

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

RESOLUTION 674-08

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 November 25, 2008.

RESOLUTION REAPPOINTING LORRAINE SCHEIBENER TO THE POSITION OF DIVISION HEAD, UNCLASSIFIED, IN THE DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES WITHIN THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES

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BE IT RESOLVED by the Warren County Board of Chosen Freeholders that, pursuant to N.J.S.A. 11A: 3-5(l), Lorraine Scheibener is hereby reappointed to the position of Division Head, Unclassified, in the Division of Temporary Assistance and Social Services within the Warren County Department of Human Services effective December 1, 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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 675-08

On motion by Mr. Gardner, seconded by Mr. Charlton, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on November 25, 2008.

**RESOLUTION REAPPOINTING ARTHUR L. CHARLTON, JR. AS WARREN COUNTY
DIRECTOR OF PUBLIC INFORMATION**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that, pursuant to N.J.S.A. 11A: 3-5(l), Arthur L. Charlton, Jr. is hereby reappointed to the position of Warren County Director of Public Information, Unclassified, effective December 6, 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 November 25, 2008.

Steve Marvin, Clerk of the Board

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

RESOLUTION 676-08

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 November 25, 2008.

**RESOLUTION APPOINTING THOMAS R. KITCHEN TO THE POSITION OF SUPERVISOR OF
ROADS, UNCLASSIFIED, WITHIN THE WARREN COUNTY ROAD DEPARTMENT**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that pursuant to N.J.S.A. 27:14-24, Thomas R. Kitchen is hereby appointed to the position of Supervisor of Roads, Unclassified, within the Warren County Road Department at an initial annual Salary of \$80,000.00.

BE IT FURTHER RESOLVED that the term of appointment shall be for five (5) years effective December 8, 2008 and expiring December 7, 2013.

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 November 25, 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, and there being no further business to come before the Board at this time, the meeting was adjourned at 10:27 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board