

MINUTES**SEPTEMBER 9, 2009**

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 9, 2009 at 7:33 p.m.

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

The Pledge of Allegiance was led by Director Gardner.

Director Gardner read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF SEPTEMBER 9, 2009 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. Accetturo, the Minutes of the Regular Session held on August 26, 2009 were approved.

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

On motion by Mr. Accetturo, seconded by Mr. Chamberlain, the Minutes of the Executive Session held on August 26, 2009 were approved.

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

After welcoming everyone, Mr. Gardner began by saying he was pleased to announce and present the 2009 NJAC Foundation and PSE&G Foundation Green Scholarship to Christian English.

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, **PRESENTATION OF THE 2009 NJAC FOUNDATION & PSE&G FOUNDATION GREEN SCHOLARSHIP TO CHRISTIAN ENGLISH.**

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

Accompanied by both his mother and WCTS Vice-Principal Geta Vogel, Mr. English thanked the Board. Ms. Vogel said Christian set “a whole new standard” when he graduated from Warren Tech in 2009. He pursued the idea of green studies with his teacher and wrote his senior paper on alternate use of energies. I’m very proud to be here, she said, and this is a young Warren County resident of whom we can all be proud.

PROCLAMATION 508-09

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

DOMESTIC VIOLENCE AWARENESS MONTH – OCTOBER 2009

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WHEREAS, in Warren County, over 1,000 women became active open cases as victims of domestic violence in 2008; and

WHEREAS, we in Warren County are committed to restoring our first civil right - - - the right to freedom from fear in our own homes; and

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and social barriers; and

WHEREAS, in our quest to impose sanctions on those who break the law by perpetrating violence; we must also meet the needs of battered women and their children who often suffer grave financial, physical and psychological losses; and

WHEREAS, impact of domestic violence is wide ranging, affecting society as a whole.

NOW, THEREFORE, BE IT RESOLVED that in recognition of the important work done by domestic violence programs, the Board of Chosen Freeholders of the County of Warren does hereby proclaim the month of October 2009 as **DOMESTIC VIOLENCE AWARENESS MONTH** and urges all citizens to actively participate in the scheduled activities and programs sponsored by the Domestic Abuse & Sexual Assault Crisis Center to work toward the elimination of personal and institutional violence against women.

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 September 9, 2009.

Steve Marvin, Clerk of the Board

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

Mr. Chamberlain said it is disheartening to realize the existence of this much domestic violence; it's a very important issue that affects the entire family and subsequent generations. We appreciate all the work done by those who help victims of these crimes.

Mr. Accetturo said it is important for us to continue support for programs that combat this problem. The statistics are hard to believe; 1,000 women in our small county is a lot.

Mr. Gardner agreed. Oftentimes, we watch television news and think it only happens in other areas, but it's a societal problem. We have great people working to help make these people whole again and move forward. Present to accept the proclamation was Malaika Berry who thanked the Board for its support.

PROCLAMATION 509-09

On motion by Mr. Accetturo, 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 September 9, 2009.

NATIONAL POW/MIA RECOGNITION DAY-SEPTEMBER 18, 2009

WHEREAS, there were thousands of American prisoners of war and those still listed as missing in action as a result of all wars; and

WHEREAS, men and women today are serving their nation in all corners of the globe; and

WHEREAS, in Warren County we are committed to remembering all veterans who served their country and those still missing in action and prisoners of war; and

WHEREAS, this day will remind everyone of the personal sacrifices made by all war veterans; to ensure that future generations of American citizens will be able to enjoy our

country's freedoms.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does join our nation in this day of remembrance to demonstrate the country's continued commitment to the POW/MIA issue.

I hereby certify the above to be a true copy of a proclamation adopted by the Board of

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Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

Steve Marvin, Clerk of the Board

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

Bill Fusco of Rolling Thunder was in attendance to accept the proclamation. Mr. Accetturo said he appreciated the work done by Mr. Fusco and his peers to keep this issue in the forefront.

Mr. Chamberlain said we must never forget those that have sacrificed so much to defend our freedoms. Some have paid the ultimate price to protect what our country stands for. We deeply appreciate efforts to locate and bring POW/MIAs home.

We do this every year, said Mr. Gardner, and it is the duty of all Americans not to forget. Many of these cases are decades old. The ultimate sacrifice has profound significance. He thanked Mr. Fusco and Rolling Thunder for doing a fantastic job of keeping the issue in the forefront.

On behalf of veterans and all people of Warren County, Mr. Fusco thanked the Freeholders for their support.

PROCLAMATION 510-09

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

RECOGNIZING LAND OF MAKE BELIEVE FOR ITS CONTRIBUTION TO WARREN COUNTY'S ECONOMY AND ENVIRONMENT

WHEREAS, Hermann and Marie Maier opened the Land of Make Believe in Hope Township on August 6, 1954, as the first children's amusement park in the United States specifically designed for parents to participate with their children instead of being passive spectators; and

WHEREAS, for the past 55 years, the Land of Make Believe has created enchanted family memories for millions of smiling children and their parents, as it gracefully blends old-fashioned charm with the state-of-the-art in its educational and historical rides, attractions and water park; and

WHEREAS, the Land of Make Believe is Warren County's largest privately owned tourist attraction, as well as one of the county's largest employers and its biggest youth employer; and

WHEREAS, the Land of Make Believe serves as a major economic engine for the region, generating income for other area businesses through its own spending on payroll and to purchase goods and services locally, and by bringing in more than 200,000 visitors each year, many of whom patronize other local establishments as part of their visit to the area; and

WHEREAS, the Land of Make Believe through donations supports more than 1,000 schools, nonprofit organizations, food banks, community and enrichment programs, particularly ones that deal with children; and

WHEREAS, the Land of Make Believe is a facility dedicated to prudent environmental stewardship that keeps 450 acres of Hope Township open and green; and

WHEREAS, as the recipient of many honors and awards, the Land of Make Believe continues to be a family-run attraction, with park owner Christopher Maier staying true to his family's vision of providing a wholesome setting for parents and children to make memories;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Chosen Freeholders of the County of Warren congratulates the owners and staff of Land of Make Believe as they conclude

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a successful 55th season, and honors the amusement park as a valuable and irreplaceable asset to our county, its economy and its environment.

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 September 9, 2009.

Steve Marvin, Clerk of the Board

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

Mr. Gardner said most of us in this room have probably gone to Land of Make Believe over the years. It's a fantastic recreational place to take the family. It's nice to have such a clean and safe park so close to home.

Mr. Accetturo said he had visited there a couple of times this past summer. Parts of the Land of Make Believe have not changed since he was a kid. It's a great experience to take your own child to a place you enjoyed as a youngster. He also thought Chris Maier's accomplishments were very impressive.

Being a bit older than his colleagues, Mr. Chamberlain noted that it was a great place to take the grandchildren. Land of Make Believe has a wonderful family atmosphere and we appreciate having it here. It provides summer jobs to a lot of local students.

Public Comments (Agenda Items Only)

Cheryl Leggio, a Public Health Nursing Agency employee, inquired about the creation of a Principal Account Clerk in her own department. Two years ago, she and two other individuals had been recommended for promotions and raises by the department's prior director. That never happened, ostensibly because of budget constraints. She had heard that the position was not going to be posted for public bidding, but was a lateral transfer for an existing employee. Ms. Leggio couldn't understand why a position was being created when they don't even need the extra help.

Mr. Chamberlain tried to explain that this was a unique situation and he couldn't really go into detail. The position may not actually be filled.

Regarding the promised promotion, Mr. Marvin said anything Ms. Leggio had been told by the former director was subject to approval by the Board which did not come to pass. As for this new position, Mr. Marvin said it relates to pending litigation and concerns of protection of members of Ms. Leggio's own bargaining unit. The position may or may not be filled.

Mr. Chamberlain apologized, saying he would like to provide more information, but could not go into further detail.

RESOLUTION 511-09

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

RESOLUTION TO PAY BILLS

Be and it is hereby resolved that Master Voucher Certificate **For Certification / Ratification for Payments No. 2009-35 and 2009-36 dated September 9, 2009** in the amount of **\$ 2,966,844.74** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers by the Board of Chosen Freeholders.

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2009-35	9/2/09	\$	742,354.71	
2009-36	9/9/09		775,909.56	
			<hr/>	
TOTAL				\$ 1,518,264.27
Payroll	8/27/09	\$	1,448,580.47	
			<hr/>	
TOTAL				<u>1,448,580.47</u>
GRAND TOTAL				<u>\$ 2,966,844.74</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 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 512-09

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

INSERTION INTO THE 2009 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$50,000.00 FROM THE STATE OF NEW JERSEY, HIGHLANDS WATER PROTECTION & PLANNING COUNCIL SUSTAINABLE AGRICULTURE 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 requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2009 in the sum of \$ 50,000.00, which item is now available from the State of New Jersey, Highlands Water Protection & Planning Council Sustainable Agriculture Grant.

BE IT FURTHER RESOLVED that a like sum of \$ 50,000.00 be and the same is hereby appropriated under caption:

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

State of New Jersey, Highlands Water Protection & Planning Council Sustainable Agriculture Grant (administered by Planning Board).

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Highlands Water Protection & Planning Council.

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 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 513-09

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT EASEMENT ON THE PECK FARM, BLOCK 61, LOT 13 IN KNOWLTON TOWNSHIP CONSISTING OF APPROXIMATELY 39 ACRES

WHEREAS, the Board of Chosen Freeholders of the County of Warren has determined that the property known as the Peck Farm, owned by Peter and Teresa Peck located on Block 61 Lot 13, in Knowlton Township, consisting of approximately 39 acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation programs; and

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

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

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

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

1. The Board hereby grants permission for the purchase of the development easement on the above described property based on an easement value of \$3,500 per acre as certified by the State Agricultural Development Committee (SADC). Cost to be shared with the SADC as follows: SADC \$2,500, Warren County \$500, Knowlton Township \$500.

2. This approval includes the following conditions

a. No existing residences on preserved premises

b. No existing agricultural labor housing units

c. One non-severable exception of two acres

d. No RDSOs allocated

e. No non-agricultural uses

f. No preexisting access easements or proposed trails

g. SADC funding from Base grant

3. The County's share in regard to the purchase of said easement is estimated at \$19,500. The Freeholder Director or Administrator of Warren County is authorized to sign the Assignment of Deed of Easement, the Cost Share Agreement, and any and all documents necessary for the acquisition of the development easement on the above property in the Township of Knowlton, County of Warren, State of New Jersey under the terms outlined above.

BE IT FURTHER RESOLVED that adequate funds in the amount of \$19,500 in account #03895-5067-8950907-5067 have been certified by the Chief Financial Officer.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 514-09

On motion by Mr. Accetturo, 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 9, 2009.

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RESOLUTION TO AUTHORIZE RENEWAL OF AN AGREEMENT WITH THE NATURE
CONSERVANCY FOR THE MANAGEMENT OF BLOCK 901, LOT 4 IN HARDWICK
TOWNSHIP

WHEREAS, the County of Warren purchased Block 901, Lot 4, in Hardwick Township, known as White Lake Natural Resource Area as part of the County's Open Space Acquisition Program; and

WHEREAS, said property has been identified as having 86 species and communities of state, regional, national or global conservation concern; and

WHEREAS, the Nature Conservancy is an international non-profit organization whose mission is to preserve the diversity of life on earth which organization has the specific expertise required to manage stewardship activities at White Lake Natural Resource Area; and

WHEREAS, the Nature Conservancy has managed this site since August 30, 2005, and has presented a proposal to provide an enhanced stewardship program for White Lake Natural Resource Area including an estimate of associated costs,

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders have reviewed the AGREEMENT REGARDING WHITE LAKE with the Nature Conservancy and authorize the Freeholder Director to execute said Agreement upon return of the signed Agreement from the Nature Conservancy.

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 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 515-09

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION AUTHORIZING THE COUNTY OF WARREN, DEPARTMENT OF PUBLIC SAFETY, TO PURCHASE FROM THE TOWNSHIP OF NUTLEY, NEW JERSEY, ONE (1) 1980 FORD FOAM ENGINE FOR THE SUM OF ONE DOLLAR (\$1.00) TO BE USED TO ENHANCE FIREFIGHTING CAPABILITIES WITHIN THE COUNTY

WHEREAS, the County of Warren and its local Fire Agencies currently do not have the capability to adequately respond to and mitigate all types and sizes of fires resulting from motor vehicle accidents or fuel spills of oil, gasoline, or other flammable materials; and

WHEREAS, the Township of Nutley, New Jersey has offered to sell for the sum of one dollar (\$1.00) a Firefighting Truck, also known as a Foam Engine, capable of holding 750 gallons of foam concentrate suitable for resolving most of these fires; and

WHEREAS, the purchase of said Foam Engine would greatly enhance the safety of all persons who reside in or travel through the County of Warren;

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren, that the Director of the Board and the Clerk are hereby authorized to sign any and all documents in order to effectuate with the Township of Nutley, New Jersey, and/or their assigns, the purchase of this Engine, contingent on acceptance of these terms by the Township of Nutley and on agreement by the Elected Officials of the Town of Hackettstown to house said Engine at the Miller Street Fire Station.

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 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 516-09

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION AUTHORIZING AN AGREEMENT BETWEEN THE LOPATCONG BOARD OF EDUCATION AND THE WARREN COUNTY HEALTH DEPARTMENT TO PROVIDE NURSING SERVICES TO PHILLIPSBURG CHRISTIAN ACADEMY THROUGH THE DIVISION OF PERSONAL HEALTH SERVICES FOR THE SUM OF \$3,937.00 FOR THE PERIOD SEPTEMBER 1, 2009 THROUGH JUNE 30, 2010

WHEREAS, Chapter 226 laws of 1991 provided that medical examinations, hearing screenings and other services may be provided to non-public schools as a board of health activity; and

WHEREAS, the Warren County Health Department, Division of Personal Health Services has trained personnel to provide nursing services to Phillipsburg Christian Academy; and

WHEREAS, the Lopatcong Board of Education is interested in continuing last year's agreement;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the attached contract agreement between the Lopatcong Board of Education and the Warren County Health Department to provide nursing services to Phillipsburg Christian Academy through the Division of Personal Health Services of the Health Department for the sum of \$3,937.00 for the period of September 1, 2009 to June 30, 2010, be and is hereby approved, and further, that the Freeholder Director is hereby authorized and directed to execute said agreement.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 517-09

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION SUPPORTING THE DIVISION OF TEMPORARY ASSISTANCE AND SOCIAL SERVICES' RECOMMENDATION TO ACCEPT THE LIQUIDATION OF REAL ESTATE FOR THE PURPOSE OF DETERMINING MEDICAID ELIGIBILITY; ACCEPTANCE BASED ON SALE OF PROPERTY AT AN AMOUNT LESS THAN FAIR MARKET VALUE; ASSESSED AT \$46,000; ACCEPTANCE OF SALE AT \$41,300

WHEREAS, the NJ Medicaid Only Manual (10:71-4.7) requires that a Medicaid applicant 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, according to the Manual, it is the responsibility of the county welfare agency (or TASS) to determine whether Fair Market Value is received for any real property at the time of disposition; and

WHEREAS, in the event the property is to be sold at an amount that is below Fair Market Value, as determined by independent appraisal(s) authorized by TASS, the final approval is the

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responsibility of the Director of the Board of Chosen Freeholders; and

WHEREAS, the property listed below has been appraised through TASS at \$46,000 which exceeds the amount offered for the sale of the property:

757 South Main Street
Phillipsburg, NJ 08865

and; **WHEREAS**, Warren County TASS recommends the county accept this offer of \$41,300.

NOW, THEREFORE BE IT RESOLVED, that the Warren County Board of Freeholders supports the recommendation of Warren County TASS to accept the sale offer for 757 So. Main St., Phillipsburg, NJ 08865, for the purpose of determining program eligibility for a Medicaid applicant.

BE IT FURTHER RESOLVED that the Director of the Board is hereby authorized to sign the 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 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 518-09

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION AUTHORIZING DIRECTOR OF BOARD TO EXECUTE THE FY '10 SECTION 5311 GRANT AGREEMENT WITH NJ TRANSIT FOR A TOTAL OF \$513,998 (\$262,189 FEDERAL; \$125,904 STATE, AND \$125,905 COUNTY MATCHING FUNDS); SUBJECT TO THE AVAILABILITY OF FUNDS

WHEREAS, on June 24, 2009, the Warren County Board of Chosen Freeholders approved the FY '10 Section 5311 grant application with NJ Transit Corporation for a total of \$513,998 (\$262,189 federal; \$125,904 state, and \$125,905 county matching funds); and

WHEREAS, NJ Transit has subsequently awarded Warren County FY '10 Section 5311 funds as outlined in the application.

NOW, THEREFORE BE IT RESOLVED by the Board of Chosen Freeholders that the Director of the Board is authorized to execute the FY '10 Section 5311 Grant Agreement with NJ Transit for a total of a total of \$513,998 (\$262,189 federal; \$125,904 state, and \$125,905 county matching funds); funding subject to availability.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 519-09

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION TO SUBMIT A HIGHLANDS PLAN CONFORMANCE GRANT APPLICATION IN THE AMOUNT OF \$20,000 TO THE HIGHLANDS COUNCIL

WHEREAS, in recognition of the costs associated with local government efforts to conform to the Regional Master Plan (RMP), the Highlands Act provided a funding mechanism through the creation of the Highlands Protection Fund; and

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WHEREAS, the Highlands Protection Fund includes grant funds that are available for municipalities and counties seeking to conform with the RMP; and

WHEREAS, the Highlands Water Protection and Planning Council (Highlands Council) has developed the Plan Conformance Grant Program for counties to fund reasonable expenses incurred to meet the requirements of basic Plan Conformance within the Preservation Area where conformance is mandatory; and

WHEREAS, the Warren County Board of Chosen Freeholders believes that it is in the best interest of the County of Warren to apply to the Highlands Council for a Plan Conformance Grant in the amount of \$20,000.

NOW, THEREFORE BE IT RESOLVED, that the Board of Chosen Freeholders of the County of Warren hereby authorizes the submission of the aforementioned Highlands Plan

Conformance Grant Application to the Highlands Council, and that the Freeholder Director is authorized to sign the grant application.

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 9, 2009.

Steve Marvin, Clerk of the Board

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

Michele LaRocco and Eric Olsen of the Nature Conservancy were on hand to witness the renewal of the White Lake Natural Resource Area Agreement.

Mr. Olsen thanked the Board for the wonderful contract to ecologically manage White Lake. This is our third year, he said, and we look forward to continuing the partnership. He encouraged the Freeholders to visit the area and see what they are doing to preserve Warren County's heritage.

In reference to the acquisition of a foam engine from Nutley (Agenda Item E3), Mr. Marvin cautioned the Board that this is setting a precedent. The County has never before taken ownership of firefighting equipment. Hackettstown will house the truck and it will be operated by a team of volunteer firefighters.

Mr. Chamberlain thought this was an opportunity that should be taken advantage of. In response to Mr. Accetturo's inquiry about insurance, Mr. Marvin confirmed that the County will provide insurance for the truck and its operators.

Mr. Gardner asked for more detail on the Highlands Plan Conformance Grant Application (Agenda Item E7). County Planner Dave Dech said this is another grant to offset staff costs that will be incurred for plan conformance that has to be done by December. He thought this amount would be enough to cover it, but he can put in a request for more if overages occur.

RESOLUTION 520-09

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE PAVEMENT REPAIR & RESURFACING ON COUNTY ROUTE #519, HARMONY & WHITE TOWNSHIPS, CONTRACT #WC0925

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BE IT RESOLVED that the plans and specifications for Contract #WC0925 for the Pavement Repairs & Resurfacing on County Route #519 in Harmony & White Townships are hereby approved.

BE IT FURTHER RESOLVED that the County Engineer is hereby directed to advertise for proposals for the above project at least 10 days prior to the receipt of bids in

THE STAR LEDGER & THE DAILY RECORD

TENTATIVE SCHEDULE

ADVERTISING DATE – November 19th, November 26th & December 3rd

BIDS TO BE RECEIVED – December 22, 2009

AWARD DATE – February 10, 2010

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 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 521-09

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION APPROVING CHANGE ORDER #1 FOR CONTRACT #WC0922 WITH BARNARD CONSTRUCTION COMPANY FOR THE RECONSTRUCTION OF WARREN COUNTY BRIDGE #20025, CARPENTERSVILLE ROAD, POHATCONG TOWNSHIP, FOR A NET INCREASE OF \$4,538.00 AND A FINAL CONTRACT AMOUNT OF \$229,238.00

WHEREAS, Contract #WC0922 was awarded to Barnard Construction Company for the Reconstruction of Warren County Bridge #20025, Carpentersville Road, Pohatcong Township in the amount of \$224,700.00; and

WHEREAS, final as built quantities resulted in a net increase of \$4,538.00; and

WHEREAS, said changes were recommend by the County Engineer; and

WHEREAS, adequate funds have been established in account S81655302 5063 and certified by the County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that the members of the Board of Chosen Freeholders of the County of Warren do hereby approve change order #1 for the above project with Barnard Construction Company for net increase of \$4,538.00 and a final contract amount of \$229,238.00.

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 September 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 522-09

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION AWARING CONTRACT #WC0906FO-5 TO MEDINA CONSULTANTS, PC FOR CONSTRUCTION INSPECTION SERVICES FOR THE REPLACEMENT OF COUNTY BRIDGE #05039/B-26-W, SHURTS/VALLEY ROAD OVER THE MUSCONETCONG RIVER,

MINUTES **SEPTEMBER 9, 2009**
FRANKLIN/BETHLEHEM TOWNSHIPS IN THE CONTRACT AMOUNT OF \$30,000.00

WHEREAS, the County requested proposals to be received on Tuesday, February 24, 2009 for Contract #WC0906FO-5 for Construction Inspection Services for the Replacement County Bridge #05039, Shurts/Valley Road over the Musconetcong River, Franklin/Bethlehem Townships; 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 Medina Consultants, PC meets the needs of the program, price and other factors considered in the amount of \$30,000.00; and

WHEREAS, adequate funds are available in accounts F91655349 5064 and 0406A301 5064 and certified by the County Chief Financial Officer.

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Medina Consultants, PC of Hackettstown, N.J. for professional services for the above project in the amount of \$30,000.00 (Hunterdon County to reimburse Warren County for 50% of contract amount), 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. A notice of this action shall be published in the Star Ledger.

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 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 523-09

On motion by Mr. Accetturo, 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 9, 2009.

**RESOLUTION RE: AUTHORIZATION TO ISSUE A PURCHASE ORDER TO STEMPLER
 DRAPERY & CARPET FOR INSTALLATION OF CARPETING IN THE WARREN COUNTY
 ADMINISTRATION BUILDING UNDER NEW JERSEY STATE CONTRACT #A65753
 COVERING CARPETING, FLOOR COVERINGS AND DRAPERY FOR THE WARREN COUNTY
 BUILDINGS & GROUNDS DEPARTMENT
 IN THE TOTAL CONTRACT AMOUNT OF \$41,316.98**

BE IT RESOLVED that the purchasing department is authorized to issue a purchase order for Carpeting installation, for the Warren County Buildings & Grounds Department and is hereby awarded

to . . . Stempler Drapery & Carpet, Hillside, New Jersey

in the amount of . . . \$41,316.98

at the prices established under New Jersey State Contract #A65753

Funding for this contract has been provided in capital account 0407A512/5062 – 07 Capital Carpet Replacement and 0409A504/5062 – Administration Building Carpet Replacement.

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 9, 2009.

Steve Marvin, Clerk of the Board

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

MINUTES**SEPTEMBER 9, 2009****RESOLUTION 524-09**

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION RE: AUTHORIZATION TO ISSUE PURCHASE ORDERS TO ALLIED OIL, LLC T/A ALLIED OIL CO. UNDER THE SOMERSET COUNTY COOPERATIVE CONTRACT #CC-36-09, FUEL OIL, DIESEL & KEROSENE AT A FIXED MARK UP OF \$.0449 PER GALLON FOR #2 FUEL OIL AND A FIXED MARK UP OF \$.0449 PER GALLON FOR DIESEL FUEL, AN APPROXIMATE ANNUAL CONTRACT AMOUNT OF \$400,000.00

BE IT RESOLVED that the purchasing department is authorized to issue purchase orders for #2 fuel oil and diesel fuel for the Warren County Road Department, Warren Haven, Warren Acres and the Warren County Buildings & Grounds Department and is hereby awarded to . . . Allied Oil, LLC t/a Allied Oil Co., Hillsborough, NJ in the approximate amount of . . . \$400,000.00

at the prices established under Somerset County Cooperative Contract #CC-36-09

Funding for this contract has been provided in budget accounts 014600/5074 – Gasoline – Gasoline and Diesel Fuel and 013511/5074 – Warren Haven Transportation Gasoline and Diesel Fuel, 013100/5070 – Bldgs & Grds Heating Fuel, 012770/5070 – Juvenile Detention Center Heating Fuel, 013510/5070 – Warren Haven Utilities, Heating Fuel.

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 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 525-09

On motion by Mr. Accetturo, 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 9, 2009.

RESOLUTION RE: AUTHORIZATION TO RESCIND THE AWARD OF CONTRACT WC0939FO FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE WARREN COUNTY LIBRARY/HUMAN SERVICES/PHNA/ ELECTION BOARD BUILDING PROJECT IN THE CONTRACT AMOUNT OF \$264,940.00 WITH CAMBRIDGE CONSTRUCTION MANAGEMENT, INC. OF SOMERVILLE, NEW JERSEY

WHEREAS, Cambridge Construction Management, Inc., was awarded the contract by resolution, July 22, 2009 for construction management services for the Warren County Library/Human Services/PHNA/Election Board Building Project; and

WHEREAS, the Warren County Board of Chosen Freeholders wishes to reexamine the design and scope of the project and to rescind the award of contract for provision of construction management services.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby rescind the award of contract to Cambridge Construction Management, Inc., of Somerville, New Jersey effective September 9, 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 9, 2009.

Steve Marvin, Clerk of the Board

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

MINUTES**SEPTEMBER 9, 2009****RESOLUTION 526-09**

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

**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 Trustee Search Committee for a one-year term effective September 10, 2009:

REAPPOINT:

Laurel Napolitani
912 Liberty Street
Belvidere, NJ 07823

Term to expire: September 9, 2010

Bob Rokosz
4 Doe Drive
Columbia, NJ 07832

Term to expire: September 9, 2010

Diane Kebles
112 Fox Run Road
Stewartsville, NJ 08886

Term to expire: September 9, 2010

Arthur Sheninger
213 East Quarry Road
Oxford, NJ 07863

Term to expire: September 9, 2010

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 9, 2009.

Steve Marvin, Clerk of the Board

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

RESOLUTION 527-09

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

**RESOLUTION TO REAPPOINT A REGULAR AND AN ALTERNATE MEMBER TO THE
WARREN COUNTY PLANNING BOARD**

BE IT FURTHER RESOLVED by the Board of Chosen Freeholders of the County of Warren hereby reappoints the following regular and alternate members to the Warren County Planning Board with terms to expire September 18, 2012.

Alex Lazorisak, Alternate 2
42 Kent Street
Oxford, NJ 07863

Term: 9/19/09 – 9/18/12

Anthony W. Wyhopen
7 W. Quarry Road
Belvidere, NJ 07823

Term: 9/19/09 – 9/18/12

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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 9, 2009.

Steve Marvin, Clerk of the Board

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

Regarding the Warren County Community College Trustee Search Committee, Mr. Marvin said traditionally, the Board has provided guidance as to how many individuals should be sought for nomination. One vacancy (Smith) currently exists, another (Dana) is expiring and a resignation (Mackey) is likely. Assuming Holly Mackey wins a Township Committee seat for which she is running unopposed, she will have to resign. Mr. Chamberlain recommended the Search Committee provide at least four, possibly five names from which to choose to fill the vacancies.

RESOLUTION 528-09

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

**RESOLUTION CREATING A FULL-TIME POSITION OF PRINCIPAL ACCOUNT CLERK,
CLASSIFIED, IN THE WARREN COUNTY HEALTH DEPARTMENT,
DIVISION OF PUBLIC HEALTH NURSING**

BE IT RESOLVED by the Warren County Board of Chosen Freeholders that a full-time position of Principal Account Clerk, classified, is created in the Warren County Health Department, Division of Public Health Nursing to enhance the efficiency and effectiveness of operations and;

NOW, THEREFORE BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the newly created full-time position of Principal Account Clerk is established on AFSCME Local 3287, Range 0735 and made effective on October 1, 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 9, 2009.

Steve Marvin, Clerk of the Board

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

Mr. Chamberlain reiterated that this personnel matter is a special circumstance. Our current policy is not to create new positions in the County, but hold our staffing levels.

Reports and Comments

County Counsel Joe Bell had only matters for Executive Session.

County Engineer Dave Hicks had nothing further. Mr. Gardner complimented him on cost savings for bridge construction projects.

County Planner Dave Dech had no report.

County CFO Charles Houck had no report, but he was asked about the upcoming auction. Purchasing Director Chris Pessolano announced that the annual County Surplus Goods Auction was being held at 10:00 a.m. on Saturday, September 12 with items available for preview the Friday before from 9:00 a.m.-3:00 p.m.

County Administrator Steve Marvin asked if there were any comments or questions on the latest Vacancy Report. There were none. Due to some scheduling conflicts that had arisen, it was

MINUTES**SEPTEMBER 9, 2009**

decided to cancel the next regularly scheduled meeting.

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, **CANCEL THE SCHEDULED REGULAR SESSION MEETING OF SEPTEMBER 23, 2009.**

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

Freeholder Comments

Mr. Chamberlain said advertisements for bids for the Court House Project will be in tomorrow's newspaper. They will be opened and read on October 27. The process will then move forward with a contractor being selected at the first meeting of the Board of Chosen Freeholders in November.

Mr. Accetturo reported that the PCFA Pre-Treatment Plant should be up and running in three to four weeks.

Mr. Gardner encouraged all to attend Victorian Days in Belvidere, September 12-13. Held in our County Seat, this event includes a classic car show, vintage baseball game and period costumes.

RESOLUTION 529-09

On motion by Mr. Accetturo, seconded by Mr. Chamberlain, at 8:28 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 9, 2009.

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 – assignment of fact-finder and first scheduled meeting of November 6, 2009 ; negotiations with AFSCME 3287, AFSCME 671, CWA 1071-PHNA and CWA 1032-Prosecutor's Clerical and PBA 280-Sheriff's Officers; PBA 331-Prosecutor's Detectives final form of agreement.

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 9, 2009.

Steve Marvin, Clerk of the Board

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

On motion by Mr. Chamberlain, seconded by Mr. Accetturo, the Board adjourned executive session at 9:26 p.m. and returned to open session.

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

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

MINUTES**SEPTEMBER 9, 2009**

September 9, 2009.

**THE BOARD AUTHORIZED THE COUNTY ADMINISTRATOR TO TAKE ACTIONS ON A
PERSONNEL MATTER AS DISCUSSED IN EXECUTIVE SESSION**

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 9, 2009.

Steve Marvin, Clerk of the Board

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

On motion by Mr. Accetturo, seconded by Mr. Chamberlain, and there being no further business to come before the Board at this time, the meeting was adjourned at 9:27 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board