

MINUTES**FEBRUARY 9, 2011**

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 February 9, 2011 at 7:15 p.m.

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

The Pledge of Allegiance was led by Director Chamberlain.

Mr. Chamberlain apologized for the late start due to an earlier Budget Session running overtime.

Director Chamberlain read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF FEBRUARY 9, 2011 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. Sarnoski, seconded by Mr. Gardner, the Minutes of the Budget Session held on January 15, 2011 were approved.

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

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the Minutes of the Budget Session held on January 19, 2011 were approved.

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

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the Minutes of the Budget Session held on January 22, 2011 were approved.

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

Public Comments (Agenda Items Only)

None.

RESOLUTION 87-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION TO PAY BILLS

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Be and it is hereby resolved that Master Voucher Certificate **For Certification / Ratification for Payments No. 2011-2, 2011-3, 2011-4 and 2011-5 dated February 9, 2011**, in the amount of **\$11,455,788.23** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers by the Board of Chosen Freeholders.

2011-2	1/19/11	\$	903,981.73	
2011-3	1/26/11		966,401.10	
2011-4	2/2/11		661,288.51	
2011-5	2/9/11		3,464,577.54	
			<hr/>	
TOTAL				\$ 5,996,248.88

Wire Transfers

January Medical	1/11/11	\$	1,174,704.99	
February Medical	2/7/11		1,160,528.80	
			<hr/>	
TOTAL WIRE TRANSFERS				2,335,233.79

Payroll	1/13/11	\$	1,563,571.70	
Subsistence	1/13/11		-	
Payroll	1/27/11		1,560,733.86	
Subsistence	1/27/11		-	
			<hr/>	
TOTAL				<u>3,124,305.56</u>
GRAND TOTAL				<u><u>\$ 11,455,788.23</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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 88-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE VICTIM AND WITNESS ADVOCACY FUND SUPPLEMENTAL GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the Warren County Prosecutor's Office wishes to apply for funding for a project under the Victim and Witness Advocacy Fund Supplemental Grant Program and

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

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WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Warren County Prosecutor's Office for the purposes described in the application;

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

- 1) As a matter of public policy the Warren County Prosecutor's Office wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
- 2) The Attorney General will receive funds on behalf of the applicant.
- 3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
- 4) The State Office of Victim Witness Advocacy shall initiate allocations to each applicant as authorized.
- 5) The following are the applicant's authorized signatories for the grant agreement documents, detailed cost statements, State payment vouchers and programmatic progress reports:

Thomas S. Ferguson County Prosecutor

Charles L. Houck County Comptroller

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 89-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE AN APPLICATION TO THE VICTIM AND WITNESS ADVOCACY FUND SUPPLEMENTAL GRANT PROGRAM BETWEEN THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY AND THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT OF \$16,809 STATE SHARE FOR A TOTAL OF \$16,809.00 FOR THE PERIOD OF JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

BE IT RESOLVED BY the Board of Chosen Freeholders of the County of Warren that the Director of the Board is authorized to execute an application for the Victim and Witness Advocacy Fund Supplemental Grant Program between the NJ Division of Criminal Justice, Department of Law And Public Safety and the Warren County Prosecutor's Office in the amount of \$16,809 State Share for a total of \$16,809.00 for the period of January 1, 2011 through December 31, 2011.

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 90-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE VICTIMS OF CRIME ACT (VOCA) GRANT PROGRAM ADMINISTERED BY THE DIVISION OF

MINUTES**FEBRUARY 9, 2011****CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY**

WHEREAS, the Warren County Prosecutor's Office wishes to apply for funding for a project under the Victims of Crime Act Victim Assistance Grant Program, and

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

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the Warren County Prosecutor's Office for the purposes described in the application;

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

1) As a matter of public policy the Warren County Prosecutor's Office wishes to participate to the fullest extent possible with the Department of Law and Public Safety.

2) The Attorney General will receive funds on behalf of the applicant.

3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.

4) The State Office of Victim Witness Advocacy shall initiate allocations to each applicant as authorized.

5) The following are the applicant's authorized signatories for the grant agreement documents, detailed cost statements, State payment vouchers and programmatic progress reports:

Thomas S. Ferguson County Prosecutor

Charles L. Houck County Comptroller

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 91-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION AUTHORIZING DIRECTOR OF THE BOARD TO EXECUTE AN APPLICATION TO THE VICTIMS OF CRIME ACT (VOCA) COUNTY OFFICE OF VICTIM WITNESS ADVOCACY GRANT PROGRAM BETWEEN THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY AND THE WARREN COUNTY PROSECUTOR'S OFFICE IN THE AMOUNT OF \$21,253.00 COUNTY SHARE AND \$85,013.00 FEDERAL SHARE FOR A TOTAL OF \$106,266.00 FOR THE PERIOD OF JANUARY 1, 2011 THROUGH DECEMBER 31, 2011

BE IT RESOLVED BY the Board of Chosen Freeholders of the County of Warren that the Director of the Board is authorized to execute an application for the Victims of Crime Act (VOCA) County Office of Victim Witness Advocacy Grant Program between the NJ

Division of Criminal Justice, Department of Law And Public Safety and the Warren County Prosecutor's Office in the amount of \$21,253.00 County Share and \$85,013.00 Federal Share for a total of \$106,266.00 for the period of January 1, 2011 through December 31, 2011.

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 92-11

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

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by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

**RESOLUTION GRANTING APPROVAL OF THE PURCHASE OF A DEVELOPMENT
EASEMENT ON THE RING FARM, BLOCK 34, LOTS 25 & 25.01 IN KNOWLTON TOWNSHIP
CONSISTING OF APPROXIMATELY 44 ACRES**

WHEREAS, the Board of Chosen Freeholders of the County of Warren has determined that the property known as the Ring Farm, located on Block 34 Lots 25 & 25.01, in Knowlton Township, consisting of approximately 44 acres, has available for purchase a development easement in accordance with the requirements of the farmland preservation programs; and

WHEREAS, final 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 \$4,100 per acre as certified by the State Agricultural Development Committee (SADC). Cost to be shared with the SADC as follows: SADC \$2,860 per acre, Warren County \$620 per acre, Knowlton Township \$620 per acre.
2. This approval includes the following conditions
 - a. No additional housing opportunities on preserved premises.
 - b. No agriculture housing
 - c. One non-severable exception of 2.07 acres with a single family residence and an apartment
 - d. No RDSO's allocated
 - e. No preexisting non-agricultural uses.
 - f. SADC funding from Base grant, competitive round or both.
3. The County's share in regard to the purchase of said easement is estimated at \$27,280. 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 \$27,280 in account #03895-5067-8951101-5067 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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 93-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

**RESOLUTION APPROVING THE CLOSING OF COUNTY ROUTE #624, BELVIDERE
AVENUE, FROM THE INTERSECTION OF MT. PISGAH AVENUE AND STATE HIGHWAY**

MINUTES **FEBRUARY 9, 2011**
ROUTE #31 IN THE TOWNSHIP OF OXFORD ON SATURDAY, MAY 21, 2011 FOR THE
OXFORD EMERGENCY SQUAD'S 40TH ANNIVERSARY PARADE

WHEREAS, the Oxford Emergency Squad of the Township of Oxford has requested permission to close a County Route #624, Belvidere Avenue between the intersection of Mt. Pisgah Avenue to State Highway Route #31. The Parade will go from the Mt. Pisgah Avenue proceeding down County Route #624, Belvidere Avenue through the Town of Oxford, crossing over State Highway Route #31 to Wall Street and ending at the Oxford Volunteer Fire Department on Saturday, May 21, 2011 from 1:00 PM to 3:00 PM for the Oxford Emergency Squad's 40th Anniversary Parade.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren does hereby approve the use and closing of a County Route #624, Belvidere Avenue, Township of Oxford for the above mentioned event with the following conditions:

1. Approval of the events by the Municipality.
2. All barricades, detours, and traffic control signs shall conform to the Manual on Uniform Traffic Control Devices.
3. Police supervision of the barricading of the roads and handling of safety shall be provided.

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 94-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

**RESOLUTION AUTHORIZING THE COUNTY OF WARREN TO ENTER INTO AN AGREEMENT
 WITH THE COUNTY OF HUNTERDON FOR THE REPLACEMENT OF INTERCOUNTY
 BRIDGE #16009/#L-25-W POINT MOUNTAIN ROAD OVER THE MUSCONETCONG RIVER,
 MANSFIELD/LEBANON TOWNSHIPS**

WHEREAS, the Intercounty Bridge known as Warren County Bridge #16009 and Hunterdon County Bridge #L-25-W, Point Mountain Road, over the Musconetcong River, Mansfield Township, Warren County and Lebanon Township, Hunterdon County is in need of replacement; and

WHEREAS, both parties are desirous of effecting the bridge replacement.

NOW, THEREFORE, BE IT RESOLVED that the Director and Clerk of the Board are hereby authorized and directed to execute said Agreement attached hereto and made a part hereof.

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 95-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

**RESOLUTION CONCERNING THE N.J. DEPARTMENT OF ENVIRONMENTAL
 PROTECTION'S LAKE HOPATCONG WATER LEVEL MANAGEMENT PLAN AMENDMENTS**

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WHEREAS, the Warren County Board of Chosen Freeholders supports the activities of the Musconetcong River Management Council and its mission to implement the Musconetcong River Management Plan which was prepared as a part of the National Wild and Scenic Rivers designation process; and

WHEREAS, the legal and historic minimum passing flow in the Musconetcong River as established at the Headwaters of the River (the Lake Hopatcong dam) has been a minimum flow of 12 cubic feet per second (cfs); and

WHEREAS, the State of New Jersey Department of Environmental Protection (NJDEP) has been reviewing the Lake Hopatcong Water Level Management Plan (LHWLMP) and has convened a Citizens Advisory Committee (CAC) to assist in the review and said LHWLMP has a direct impact on the flow of the water in the Musconetcong River and requires 12 cfs outflow to the river at minimum; and

WHEREAS, the most recent meeting of the CAC was held on September 13, 2010 and subsequent to this CAC Meeting, the NJDEP took unilateral action, without notice to the members of the CAC or to downstream users, to reduce the outflow of the Lake Hopatcong dam to the Musconetcong River below the minimum passing flow, said action not based upon any declared emergency; and

WHEREAS, despite heavy rains on September 30, 2010 that brought the lake to nearly full levels, the NJDEP maintained the restricted outflow of the lake under the mandated 12 cfs until October 14, 2010; and

WHEREAS, subsequent to the most recent meeting of the CAC, the NDJEP unilaterally amended the draft LHWLMP previously distributed to CAC and said proposal includes no provision for notification to or consideration of downstream stakeholders on the Musconetcong River.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders requests the NJDEP to:

1. Withhold or withdraw the draft plan from public comment until such time as the CAC can reconvene to consider the amendments unilaterally added by NJDEP.

2. Suspend or withdraw any portion of the draft LHWLMP that allows for the restriction of the minimum passing flow of 12 cfs until such time as a full Environmental Impact Analysis can be conducted on the impact of the reduced flow on:

a. The ecology and biology of the Musconetcong River (particularly on the stretch between Lake Hopatcong and Lake Musconetcong);

b. The ability of the Musconetcong River to assimilate the discharges from the Musconetcong Sewerage Authority at the reduced flow;

c. The impact upon Lake Musconetcong of the reduced flow in the river, particularly as it relates to weed growth in the lake and the rare and endangered plant species found in the lake.

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 96-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION APPROVING THE WARREN COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF TEMPORARY ASSISTANCE & SOCIAL SERVICES, CY 2011 BUDGET APPLICATION IN THE TOTAL AMOUNT OF \$6,198,481; FUNDS SUBJECT TO AVAILABILITY FROM THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES AND WARREN COUNTY

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WHEREAS, the Warren County Department of Human Services, Division of Temporary Assistance and Social Services (TASS) has prepared the Calendar Year 2011 Budget Application to the NJ Department of Human Services, Division of Family Development; and

WHEREAS, the TASS budget reflects a total of \$6,198,481 anticipated revenue for the period January 1, 2011 through December 31, 2011 from the following sources; funds subject to availability:

State & Federal Funds - \$4,288,797

Warren County Funds - \$1,909,684

and; **WHEREAS**, these anticipated funds will be used to support both the administration and operating expenses of TASS.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby approve the Calendar Year 2011 Department of Human Services/TASS Budget Application to the NJ Department of Human Services, Division of Family Development, for an anticipated total of \$6,198,481; 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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 97-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION RE: APPROVAL OF SPECIFICATION WC1115 AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR PREPARATION, PACKAGING & DELIVERY OF MEALS TO HOMEBOUND INDIVIDUALS IN PHILLIPSBURG AND THE SURROUNDING AREA FOR THE WARREN COUNTY DIVISION OF AGING SERVICES

BE IT RESOLVED that specification WC1115 for preparation, packaging & delivery of meals to homebound individuals in Phillipsburg and the surrounding area for the Warren County Division of Aging Services is hereby approved.

BE IT FURTHER RESOLVED that the Director of Purchasing is hereby directed to advertise for bids for the above in The Star Ledger.

Funds for this contract will be provided in trust account F11352 5303 115303 – H 5029 – Area Plan Grant Meals at Home and budget account 48352/5029 – Aging – Meals, 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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 98-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE RESTORATION OF CO. RT. #602 (BRIDGE STREET) FROM MAIN STREET TO BLAIR PLACE & CO. RT. #601 (BLAIR PLACE), BLAIRSTOWN TOWNSHIP, CONTRACT #WC1114

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BE IT RESOLVED that the plans and specifications for Contract #WC1114 for the Restoration of Co. Rt. #602 (Bridge Street) from Main Street to Blair Place & Co. Rt. #601 (Blair Place) in Blairstown Township 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**TENTATIVE SCHEDULE****ADVERTISING DATE – THURSDAY, FEBRUARY 17, 2011****BIDS TO BE RECEIVED – TUESDAY, MARCH 15, 2011****AWARD DATE – WEDNESDAY, MARCH 23, 2011**

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

Regarding the delivery of meals to the homebound, Mr. Gardner said this is an extremely valuable service the County provides to the public. The program is successful and implemented very well. He thanked Human Services Director Karen Kubert and all others involved with the program.

Mr. Sarnoski asked if this was Meals on Wheels for which his wife volunteers and says is run very well. Ms. Kubert said the program is divided in two with part of the home delivered meals' contract split out to run just in Phillipsburg, but Meals on Wheels is a component of the overall program.

RESOLUTION 99-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION RE: AWARD OF CONTRACT WC1116R FOR THE LEASE OF COUNTY PROPERTY (WATTLES PROPERTY) FOR FARMING FOR THE PERIOD OF APRIL 1, 2011 THROUGH MARCH 31, 2012 TO ROGER WOOLF D/B/A WOOLF FARMS, LLC FOR ANNUAL RENT OF \$40.00 PER ACRE, TOTAL AMOUNT \$9,450.00

BE IT RESOLVED that Contract WC1116R for lease of county property for agricultural purposes in Mansfield Township, property identified as Block 1505, Lot 1.01, Block 1506, Lot 2, Block 1506, Lot 2.01, Block 1506, Lot 6.01 and Block 1506, Lot 6.03 approximately 236.25 acres is hereby awarded

to . . . Roger Woolf d/b/a Woolf Farms, LLC., Washington, New Jersey
annual rent of \$40.00 per acre for a total amount of \$9,450.00

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

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 100-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9,

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2011.

RESOLUTION RE: EXTENSION OF CONTRACT WC0902 FOR THE LEASE OF COUNTY PROPERTY (HAMLEN FARM) FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT FOR THE PERIOD OF APRIL 1, 2011 THROUGH MARCH 31, 2012 TO SUNNY HILL FARM LLC FOR ANNUAL RENT IN THE AMOUNT OF \$1,520.00

BE IT RESOLVED that Contract WC0902 for lease of county property for agricultural purposes in Greenwich and Lopatcong Townships, property identified as Block 23, Lot 7, and Block 98, Lot 2, approximately 38 acres is hereby extended to . . . Sunny Hill Farm LLC, Phillipsburg, New Jersey annual rent of \$40.00 per acre for a total amount of \$1,520.00 as per his bid submitted February 10, 2009

and reviewed and recommended by the Director of Purchasing as the highest responsible and responsive bid received.

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

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 101-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION RE: EXTENSION OF CONTRACT WC0903 FOR THE LEASE OF COUNTY PROPERTY (LANDFILL PROPERTY) FOR THE THIRD AND FINAL YEAR OF A THREE YEAR CONTRACT FOR THE PERIOD OF APRIL 1, 2011 THROUGH MARCH 31, 2012 TO JIM SMITH FARMS LLC FOR ANNUAL RENT IN THE AMOUNT OF \$431.40

BE IT RESOLVED that Contract WC0903 for lease of county property for agricultural purposes in White Township, Landfill property identified as Block 32, Lot 18, approximately 43.14 acres is hereby extended

to . . . Jim Smith Farms LLC, Belvidere, New Jersey annual rent of \$10.00 per acre for a total amount of \$431.40 as per his bid submitted February 10, 2009

and reviewed and recommended by the Director of Purchasing as the highest responsible and responsive bid received.

BE IT FURTHER RESOLVED that there were no bids received for county property in Mansfield Township, Warren Haven identified as Parcel A-1, and A-2.

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

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

Steve Marvin, Clerk of the Board

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

MINUTES**FEBRUARY 9, 2011****RESOLUTION 102-11**

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION RE: EXTENSION OF CONTRACT WC1003 FOR THE LEASE OF COUNTY PROPERTY (PROPERTY ADJACENT TO ADMINISTRATION BUILDING) FOR FARMING FOR THE PERIOD OF APRIL 1, 2011 THROUGH MARCH 31, 2012 FOR THE SECOND YEAR OF A THREE YEAR CONTRACT TO POSTMA FARMS, LLC FOR ANNUAL RENT OF \$71.00 PER ACRE, TOTAL AMOUNT OF \$1,065.00

BE IT RESOLVED that Contract WC1003 for lease of county property for agricultural purposes in White Township identified as Block 21, Lot 14, approximately 15 acres is hereby awarded

to . . . Postma Farms, Belvidere, New Jersey
annual rent of \$71.00 per acre for a total amount of \$1,065.00

as per his bid submitted February 17, 2010

and reviewed and recommended by the Director of Purchasing as the highest responsible and responsive bid received.

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

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 103-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION RE: EXTENSION OF CONTRACT WC1004 FOR THE LEASE OF COUNTY PROPERTY (NABOZNY PROPERTY) FOR FARMING FOR THE PERIOD OF APRIL 1, 2011 THROUGH MARCH 31, 2012 FOR THE SECOND YEAR OF A THREE YEAR CONTRACT TO TRUSZKOWSKI FARMS FOR ANNUAL RENT OF \$165.50 PER ACRE, TOTAL AMOUNT \$13,074.50

BE IT RESOLVED that Contract WC1004 for lease of county property for agricultural purposes in Franklin and Greenwich Townships, property identified as Block 39, Lot 1, and Block 15, Lot 4, approximately 79 acres is hereby awarded

to . . . Truskowski Farms, Stewartville, New Jersey
annual rent of \$165.50 per acre for a total amount of \$13,074.50

as per his bid submitted February 17, 2010

and reviewed and recommended by the Director of Purchasing as the highest responsible and responsive bid received.

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

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 104-11

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On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION RE: AMENDING AWARD OF CONTRACT WC1006R FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR REVIEW, PLANNING, DESIGN AND PREPARATION OF BID READY SPECIFICATIONS AND DRAWINGS FOR THE RENOVATION OF THE NORTHEAST BRANCH LIBRARY TO RAYMOND E. O'BRIEN R.A. INC. OF BLAIRSTOWN, NEW JERSEY FOR AN ADDITIONAL AMOUNT OF \$2,188.75, TOTAL CONTRACT AMOUNT NOT TO EXCEED \$59,888.75

WHEREAS, there exists a need for the professional services of an architect to provide review, planning, design and preparation of bid ready specifications and drawings for the renovation of the Northeast Branch Library;

and

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

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

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

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

WHEREAS, adequate funds are available in capital account 0409A701/5060 – Library Human Service Project.

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Raymond E. O'Brien R.A. Inc., of Blairstown, New Jersey, for professional services for the above project, in a additional amount of \$2,188.75 the approximate amount not to exceed \$59,888.75 per letter of agreement and outline of hourly rates, fees and expenses, currently on file in the Office of the Director of Purchasing, be made part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.
2. The Director of the Board of Chosen Freeholders is hereby authorized to execute said letter of Agreement by signing same.
3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.
4. A notice of this action shall be published in the Star-Ledger, as required by law, within ten days of its adoption.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 105-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION RE: AMENDING AWARD OF CONTRACT WC07118R FOR PROFESSIONAL ARCHITECTURAL SERVICES FOR REVIEW, PLANNING, DESIGN AND PREPARATION OF

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**BID READY SPECIFICATIONS AND DRAWINGS FOR THE RENOVATION OF THE WARREN
COUNTY COURT HOUSE TO RAYMOND E. O'BRIEN R.A. INC. OF BLAIRSTOWN, NEW
JERSEY FOR AN ADDITIONAL AMOUNT OF \$12,500.00, TOTAL CONTRACT AMOUNT NOT
TO EXCEED \$533,200.00**

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

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

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

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

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

WHEREAS, adequate funds are available in capital account 0409A510/5062 CHOUSE/5062 Courthouse Renovation.

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

1. The agreement between the Board of Chosen Freeholders of the County of Warren and Raymond E. O'Brien R.A. Inc., of Blairstown, New Jersey, for professional services for the above project, in a additional amount of \$12,500.00 the approximate amount not to exceed \$533,200.00 per letter of agreement and outline of hourly rates, fees and expenses, currently on file in the Office of the Director of Purchasing, be made part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.

2 The Director of the Board of Chosen Freeholders is hereby authorized to execute said letter of Agreement by signing same.

3. This contract is awarded without competitive bidding as a Professional Service under the provisions of the Local Public Contracts Law (40A:11-5(1)(a)(i) because the services are to be performed by a person or persons authorized by law to practice a recognized profession.

4. A notice of this action shall be published in the Star-Ledger, as required by law, within ten days of its adoption.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 106-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

**RESOLUTION AWARDDING CONTRACT #WC0943FO-3 TO KEEGAN TECHNOLOGY &
TESTING ASSOC. T/A KEY-TECH FOR PROFESSIONAL TESTING AND BITUMINOUS
CORING SERVICES ON VARIOUS WARREN COUNTY ROAD PROJECTS FOR 2011 IN THE
CONTRACT AMOUNT \$49,490.00**

WHEREAS, the County requested proposals to be received on May 28, 2009 for the

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Coring and Bituminous Testing on Various Warren County Construction Projects for 2009-2011; 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 Keegan Technology & Testing Assoc. T/A Key-Tech of Keyport, New Jersey meets the needs of the program, price and other factors considered in the amount of \$43,060.00; and

WHEREAS, adequate funds are available in account 0410A101 5063 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 Keegan Technology & Testing Assoc. T/A Key-Tech for professional services for the above project in the amount of \$43,060.00, currently on file in the Office of the County Engineer, be made a part of this resolution by reference and approved and entered into by the Board on behalf of the County of Warren.

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

3. 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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 107-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION APPROVING CONTRACT MODIFICATION #2 FOR CONTRACT #WC0811FO WITH KELLER & KIRKPATRICK FOR PHASE II CONSTRUCTION ENGINEERING SERVICES FOR THE REHABILITATION OF INTER-COUNTY BRIDGE #16007/L-97-W, OLD TURNPIKE ROAD OVER THE MUSCONETCONG RIVER, MANSFIELD/LEBANON TOWNSHIP, WARREN/HUNTERDON COUNTIES

WHEREAS, Contract #WC0811FO was awarded to Keller & Kirkpatrick for Engineering Services for the Rehabilitation of Inter-County Bridge #16007, Old Turnpike Road over the Musconetcong River, Mansfield Township, Warren County & Lebanon Township, Hunterdon County in the current contract amount of \$72,520.00 (Warren County's share \$36,260.00 & Hunterdon County's share \$36,260.00); and

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

WHEREAS, the required phase II Construction Engineering Services resulted in a net increase of \$5,300.00 (Warren County's share \$2,650.00 and Hunterdon County's share \$2,650.00)

WHEREAS, adequate funds are available in account 0408A305 6064 and certified by the County Chief Financial Officer.

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

1. Hereby approving Contract Modification #2 with Keller & Kirkpatrick for the above project for a net increase of \$5,300.00 and a revised contract amount of \$77,820.00. (Warren County's share \$38,910.00 and Hunterdon County's share \$38,910.00)

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

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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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 108-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION APPROVING CONTRACT MODIFICATION #1 FOR CONTRACT #WC0870FO-1 TO MASER CONSULTING, P.A. FOR ENGINEERING SERVICES FOR THE REPLACEMENT OF WARREN COUNTY CULVERTS #06069, #20016 & #20024, FRELINGHUYSEN & POHATCONG TOWNSHIPS FOR A NET INCREASE OF \$8,060.00 AND A REVISED CONTRACT AMOUNT OF \$151,490.00

WHEREAS, Contract #WC0870FO-1 was awarded to Maser Consulting, P.A. for Engineering Services for the replacement of County Culverts #06069, #20016 & #20024 in the amount of \$143,430.00; 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, additional hydraulic analysis required by NJDEP for Culvert #06069, Ackerson Road resulted in a net increase of \$8,060.00; and

WHEREAS, adequate funds are available in account 0409A308 5064 and certified by the County Chief Financial Officer.

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

1. Hereby approving Contract Modification #1 with Maser Consulting, P.A. for a net increase of \$8,060.00 and a revised contract amount of \$151,490.00.
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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 109-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

AMEND THE RESOLUTION OF JANUARY 26, 2011 APPOINTING WILLIAM HUNT AS DEPUTY EMERGENCY MANAGEMENT COORDINATOR/ DEPUTY PUBLIC SAFETY DIRECTOR TO INCORPORATE AN ANNUAL SALARY OF \$65,000.00

BE IT HEREBY RESOLVED by the Warren County Board of Chosen Freeholders that in accordance with N.J.S.A. App. A:9-42.1b(a), William Hunt is appointed to the position of Warren County Deputy Emergency Management Coordinator /Deputy Public Safety

Director within the Division of Emergency Management in the Warren County Department of Public Safety at an annual salary of \$65,000.00 effective January 27, 2011.

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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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 110-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION APPROVING THE SALARY OF THE FIRST ASSISTANT PROSECUTOR AS RECOMMENDED BY THE PROSECUTOR

WHEREAS, in accordance with N.J.S.A. 2A:158-15.3, the Prosecutor shall recommend and the Board of Chosen Freeholders shall approve, the salary of the First Assistant Prosecutor, and

WHEREAS, the Prosecutor has appointed Kelly Shelton to the position of First Assistant Prosecutor effective February 1, 2011 at a recommended annual salary of \$135,000.00;

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby approve the recommended \$135,000.00 annual salary of First Assistant Prosecutor Kelly Shelton effective February 1, 2011.

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 111-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

RESOLUTION REAPPOINTING STEVE MARVIN AS WARREN COUNTY CLERK OF THE BOARD OF CHOSEN FREEHOLDERS

WHEREAS, the Board of Chosen Freeholders of the County of Warren is required to appoint a Clerk of the Board of Chosen Freeholders pursuant to N.J.S.A. 40A:9-26;

NOW, THEREFORE, BE IT RESOLVED that Steve Marvin is hereby reappointed to the position of Clerk of the Board of Chosen Freeholders for a term of three (3) years commencing February 10, 2011 and terminating February 9, 2014.

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

Regarding the salary of the First Assistant Prosecutor, Mr. Chamberlain said this individual's salary is being raised from \$83,000 to \$135,000 and that's a 62 percent increase. During our last meeting, Mr. Sarnoski argued about bringing an attorney into the Surrogate's Office at the Judge's recommendation for \$78,000. Yet this is okay. I find that

very disappointing, Mr. Chamberlain said.

Mr. Gardner said he respected Mr. Chamberlain's opinion, but the Prosecutor said he could save money on some of the other positions. I hope we can take him at his word; that's what I'm counting on.

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Mr. Sarnoski said in his view, this issue is very different from the last meeting. We're giving somebody a promotion and paying them less than what their predecessor was making. A promotion often comes with a salary increase because there are more responsibilities with the new job title. This is totally different than raising the pay of the position of the Deputy Surrogate.

Mr. Chamberlain disagreed. Mr. Gardner wondered if the Board should hold off on approving the salary of the First Assistant Prosecutor. Mr. Chamberlain said the Prosecutor is recommending it. I asked him if he would negotiate down and he said no, which Mr. Chamberlain found disturbing.

Mr. Sarnoski noted this would be the fourth lowest First Assistant Prosecutor salary in the state. Mr. Chamberlain said we can't compare ourselves to counties such as Bergen and Essex and yet, we did when justifying having an attorney in the Deputy Surrogate position, Mr. Sarnoski said. Mr. Chamberlain disputed that point. Mr. Sarnoski said, "Yes, we did. We said, 'other counties have an attorney doing those jobs, so we should.'" "That's right," Mr. Chamberlain said. Mr. Gardner said the press did not accurately depict the Deputy Surrogate salary, but we're on this issue now. He was willing to defer the judgment call to the Prosecutor, but also wanted to hold him accountable. He indicated he intends to save us a lot of money.

Following the roll call, Mr. Marvin thanked the Board for his reappointment as Clerk of the Board.

Reports and Comments

County Counsel Joe Bell said he had one item for Executive Session regarding contract negotiations.

County Engineer Dave Hicks said the solar project is moving along albeit not as fast as we would like, but they are still shooting for completion by March 1. "Time will tell, with the weather," Mr. Hicks said. Mr. Chamberlain asked if there has been any response to a letter the Freeholders sent to the Board of Public Utilities asking for an extension on the grant. Mr. Hicks said no. Assemblyman DiMaio had also written a letter on behalf of the Freeholders.

County Planner Dave Dech reported on a recent Solar and Wind Power Seminar hosted by the Planning Board. He said about 80 people signed in and probably closer to 100 people were in attendance. The purpose was to help municipal planning boards gain a better understanding of issues to be faced as development applications for solar energy are increasing greatly due to recently enacted legislation. The information conveyed was well received. Mr. Gardner said he attended and thought the program was put together well.

County CFO Charles Houck had no report.

County Administrator Steve Marvin had only the latest Vacancy Report for the Board's review. It contained nothing unusual and the Freeholders had no questions.

Freeholder Comments

Mr. Gardner noted that cost overruns have occurred in the Road Department due to overtime plowing necessary during this harsh winter. He hoped the remainder of the winter would be milder.

Mr. Sarnoski revealed that he would be participating in the Special Olympics' Polar Bear Plunge in Seaside Heights on February 26. He encouraged anyone interested in learning more to

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contact him or visit the website www.SONJ.org.

Mr. Chamberlain announced a ribbon cutting event at the Warren County Court House on February 24. The public is invited to tour the new Court Rooms, Jury Assembly Area and new holding area for inmates. Projects Committee Chairman Joe Houston added that this was a great opportunity to view the first renovations to the Court House in 50 years. He complimented the Freeholders for achieving positive gains in space and efficiency at a fraction of the cost of a one-time proposal for an addition to the Court House.

Closing Public Comments

Mike Swick of Phillipsburg came forward to comment on the earlier Budget Session. An employee of the Phillipsburg Police Department, Mr. Swick said he respected the Freeholders' stated responsibility to investigate savings opportunities for the taxpayers, but, he said, part of that investigation process should include understanding what goes on. You don't work there so you don't know; just like I don't know your job, he said. Several weeks ago, there was an armed robbery and we do rely heavily on the Prosecutor's Office. An Assistant Prosecutor came out to help us draft a search warrant. These are legal issues that we don't have the expertise to do ourselves. That guy came out on a Sunday and helped us through the process. Mr. Swick said his point was that the main priority is for justice to be served on behalf of victims. If we don't do the job correctly, justice isn't served.

Joe Infinito of Mansfield Township approached the Board with copies of a news article regarding the potential purchase of the Anderson Hotel to house the Chamber of Commerce through a grant program. Mr. Infinito was not in favor of this property being taken off the tax rolls and deemed it a total waste of money. Mr. Gardner said it hinges on a federal grant there is very little chance of getting. Dave Dech explained that this was low on the list of projects recommended for the National Scenic Byway Program. A Morris Canal project is at the top of the list. Mr. Infinito was relieved.

Another issue raised by Mr. Infinito was a cement wall in front of an abandoned house on Route 57 East in Beattystown. A member of the local fire company, Mr. Infinito said this is the site of many accidents and a guardrail should be installed there. This is a state highway. Mr. Infinito said township officials have not been helpful in trying to resolve this issue. He hoped someone could approach the State to get this taken care of.

Harold Warne of Washington was next to come before the Board. He said since the Freeholders are the governing body of Warren Haven, he is going to continue to make them

aware of deficiencies at the facility as found in the 2010 State Report. The first deficiency he chose to read was "Personal Privacy/Confidentiality of Records". Mr. Warne read the definition of the requirement and details of its failure to have been met in cases of residents' names not being covered on posted lists of confidential clinical information in common areas.

The second deficiency read by Mr. Warne was "Development of Abuse, Neglect, etc. Policies". The facility must develop and implement written policies and procedures that prohibit mistreatment, neglect and abuse of residents and misappropriation of resident property. Mr. Warne said the report found the facility failed to investigate resident-to-resident abuse incidents.

Mr. Chamberlain asked about the level of severity of these incidents. Mr. Warne said he did not see that information provided in the report. Mr. Chamberlain said in 2010, one deficiency was rated Level B - no actual harm with potential for minimum harm. He said there were six deficiencies in Level D - no actual harm with potential for more than minimal harm that is not

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immediately in jeopardy. There was one deficiency in Level E - no actual harm with potential for more than minimal harm that is not immediately in jeopardy. Levels J, K and L are upper severity categories. Mr. Chamberlain said he was told the deficiencies described by Mr. Warne were minor and it sounds as if corrective action was taken.

When asked the question, Mr. Warne said his mother resided in Warren Haven for nine years. Mr. Chamberlain then asked if he thought it was a terrible place. "Not for my mother, no," Mr. Warne said, adding that he spent a lot of time there and she got good care. Mr. Gardner asked if he suspected other residents were not getting that same level of care. "Yes," Mr. Warne said. He viewed the Freeholder Board, as the governing body, as being remiss in providing needed oversight. "That's what this is all about," Mr. Warne said. "It's for you to review these deficiencies and take some action that's appropriate."

Mr. Chamberlain thought action had been taken with Mr. Warne himself having read the remedies. Mr. Gardner agreed that corrective action had been taken on these issues and asked Mr. Warne if he had any suggestions. Mr. Warne reiterated concerns he had voiced during the Budget Session of January 15, 2011 regarding modifications to the dining service at Warren Haven. With certain residents having specific dietary needs such as thickened water, this information must be posted, yet that is a violation of confidentiality. Mr. Chamberlain said charts with dietary instructions are kept at each table with residents' names covered up to satisfy HIPPA regulations and the cover was knocked off accidentally.

Mr. Warne said he would continue to attend Freeholder Meetings to read more deficiencies. Mr. Chamberlain said that's fine; we appreciate your coming, but you did say your mother received good care at Warren Haven.

Louis Cartabona of Alpha said issues with Warren Haven keep being discussed and open and transparent government is important. He asked for further explanation of the history of the facility's oversight. Mr. Chamberlain said the Welfare Board had been an autonomous board that presided over welfare programs and contracted services and operated outside of the purview of the Freeholders. Karen Kubert explained that in 2002, the Freeholders took over the Welfare Board by disbanding it and all its programs were then directly under County Government. At the same time, the nursing home was partitioned off

and created as a separate division. The internal operations of Welfare, including everything from food stamps to social services, has been under the Department of Human Services since 2002.

Mr. Cartabona noted that Warren is the only county in new Jersey with three Freeholders and the County has grown over the years, so that is a lot of work on your shoulders. He thought perhaps a board or commission that would conduct a certain amount of review of Warren Haven would be a good idea so these issues didn't always fall in the laps of the Freeholders.

Mr. Chamberlain said nursing homes are one of the most highly regulated government entities in this country. They are inspected regularly and any complaints are investigated with corrective action taken if required. A volunteer group operates at the facility. Senator Doherty's wife volunteers there. If there were serious problems, we would be made aware of them. We're dealing with a special, fragile population and it isn't an easy job.

Should the County be in the nursing home business? Mr. Chamberlain asked. Probably not. We're competing with private industry, but we are in the business based on a decision made a long time ago. We have to do the best we can to provide the best services possible at the least possible cost to the taxpayer. This year, Warren Haven will cost us in the ballpark of \$385,000 to operate depending upon Medicare reimbursement rates which are undergoing a lot of changes.

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The facility is staffed with Civil Service workers with union representation, health insurance and pension obligations so it costs us a lot more to operate.

Mr. Cartabona asked Mr. Chamberlain if he was stating that due to the highly regulated nature of the business and the oversight provided by the State, that there is no need for oversight? Mr. Chamberlain described, not for the first time, how he has met with representatives of the Tea Party and went through questions about budget operations in great detail, answering all their questions. Mr. Chamberlain said he would be happy to meet with them again to address any questions regarding management. He said he would also be very willing to have an independent evaluation of the facility conducted by a panel to include a doctor, nurse and social worker. We receive a lot of positive comments and letters about Warren Haven. Mr. Chamberlain said people come up to him all the time to say what a wonderful, caring place it is.

Mr. Cartabona said he was supportive of what Mr. Chamberlain described, mitigating concerns raised, but a separate committee still might be a good idea. Mr. Chamberlain said anyone can come to Freeholders at any time. "I answer my phone," he said.

Mr. Gardner added that nursing homes are only assessed in terms of deficiencies. They don't tell you what you're doing right. Over the past seven years, Warren Haven has received three and four-star ratings. Mr. Warne was correct that in 2009, the rating was two stars.

RESOLUTION 112-11

On motion by Mr. Gardner, seconded by Mr. Sarnoski, at 8:10 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on February 9, 2011.

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: Status of negotiations with FOP 170 and FOP 171 2011-2013; AFSCME 3287 & 671 negotiations for 2009-2011 and CWA 1071-TASS negotiations; PBA 280-Sheriff's Officers Interest Arbitration 2009-2011; CWA 1071-PHNA negotiations 2009-2011.

(2) *Matters Relating to Purchase, Lease of Real Property*: Items to be discussed include: Village Square II acquisition-report from Appraisal Consultants Corp.

(3) *Matters Relating to Litigation, Negotiations & Attorney-Client Privilege*: Items to be discussed include: Eileen O'Hare (Elaine Reichert) v. Warren Haven/Warren County.

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 February 9, 2011.

Steve Marvin, Clerk of the Board

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

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On motion by Mr. Gardner, seconded by Mr. Sarnoski, the Board adjourned executive session at 8:30 p.m. and returned to open session.

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

On motion by Mr. Gardner, seconded by Mr. Sarnoski, and there being no further business to come before the Board at this time, the meeting was adjourned at 8:30 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board