

MINUTES**JULY 27, 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 July 27, 2011 at 7:30 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.

Director Chamberlain read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF JULY 27, 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. Gardner, seconded by Mr. Sarnoski, the Minutes of the Regular Session held on July 13, 2011 were approved.

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

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the Minutes of the Executive Session held on July 13, 2011 were approved.

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

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the Redacted Minutes of Executive Sessions from June 9, 2010 through June 22, 2011 were approved for release.

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

Mr. Sarnoski wanted to be clear that this action was releasing to the public redacted versions of Minutes previously approved. He was not a Freeholder for part of the timespan.

Meetings

Three recent Warren County Technical School graduates were awarded \$500 scholarships through the NJAC Foundation. Thomas Perez and Natasha Hart received Investors Savings Bank Program Scholarships and Michael Carroll received a PSE&G Green Scholarship.

Thomas Perez, a peer counselor and participant in various school sports, was described as a “genuine, nice young man” who plans to study Criminal Justice at County College of Morris.

Michael Carroll will be attending Warren County Community College to pursue an Associate’s Degree in Automotive Technology. He was characterized as a diligent student who is always prepared for class.

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Natasha Hart will study Nursing at Warren County Community College. She is described as a self-motivated, hard-working student that possesses all the necessary characteristics to become a wonderful addition to the healthcare industry.

Both Thomas Perez and Michael Carroll were present to accept their awards. Also attending were Investors Savings Bank Manager Michael Giacobello and Warren County Technical School Chief School Administrator Robert Glowacky.

As the liaison to NJAC, Mr. Gardner congratulated the students and said there is a great partnership with all of the vocational schools. He said these deserving students make Warren County very proud and wished them all the best in their future endeavors.

Mr. Glowacky said Warren Tech has many good students and these three are well deserving of the awards and outstanding representatives of the school.

Geta Vogel of the Technical School's Continuing Education Program expressed thanks on behalf of Natasha Hart and her family. Natasha could not be here this evening due to responsibilities of assisting in a healthcare agency, helping a family to adjust to the situation of being in the facility.

Mr. Giacobello said Investors Savings Bank is a proud sponsor of this scholarship. He congratulated the recipients and wished them good luck in the future.

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the Public Hearing on **APPLICATION FOR WARREN COUNTY TO OBTAIN A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROXIMATELY \$400,000 TO CARRY OUT A PROJECT TO REHABILITATE DWELLING UNITS IN WARREN COUNTY TARGET AREAS** was opened at 7:41 p.m.

Carol Lowy distributed information and provided an overview of the program. She explained that the grant provides funding for both housing rehabilitation and infrastructure for public facilities, principally for the benefit of low and moderate income people. Previously, the grant was in the amount of \$500,000, but this year, it was reduced to \$400,000 with a 20% match of \$80,000. The matching funds come from a revolving account.

The grant typically allows for improvements costing between \$24,000 and \$25,000 per unit. The funds are paid back to the County through a deferred lien and no interest is charged. The funds are recouped when the property is sold or the title is transferred. Since the program's inception, the grant has been able to fund itself with no County Budget support. This application will be submitted to the New Jersey Department of Community Affairs by the end of September. Citizens may submit comments regarding the grant program to the Board of Chosen Freeholders by the end of September or to the DCA within 15 days of this public hearing.

Mr. Chamberlain asked how much money was in the revolving fund and if there are ever any defaults. Ms. Lowy said slightly more than \$700,000 is in the fund and the rate of default is less than one percent. When he asked if they would always keep enough in the fund to provide the match, she responded, "Yes sir."

Since Ms. Lowy is usually asked about income limits for the program, she noted that for a one person household, it is \$44,950/year and for four people, it is \$64,200.

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Mr. Sarnoski asked how many applications are in the pipeline at the present time. Ms. Lowy said the completed grant has 30; the one being worked on now also has 30 applicants that have been qualified. That is generally the number, but it could increase by a few.

Mr. Sarnoski asked if there are inspections to make sure the improvements were indeed made and maintained. She said inspections are performed and all local permits must be met, but maintenance is more difficult to enforce.

There were no comments or questions from the public.

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the Public Hearing on **APPLICATION FOR WARREN COUNTY TO OBTAIN A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROXIMATELY \$400,000 TO CARRY OUT A PROJECT TO REHABILITATE DWELLING UNITS IN WARREN COUNTY TARGET AREAS** was closed at 7:51 p.m.

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the Public Hearing on **SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT STATUS ON HOUSING REHABILITATION** was opened at 7:51 p.m.

Ms. Lowy said this is redundant, but we are required to report on the progress for the local grants for 2010-2011. Grant funds in the amount of \$500,000 from the 2009 grant were given to us in 2010. The guidelines are essentially the same. As with the grant described in the previous public hearing, in prior years, the grant was for \$500,000, but has now been reduced to \$400,000.

Alluding to the current federal debt ceiling crisis "debacle", Mr. Gardner asked Ms. Lowy if she expected the grant funds to recede even further. She said this comes under "entitlements" and she doesn't know exactly what may happen. These dollars have been cut by about 13 percent in the federal budget this past year. She didn't think the State of New Jersey would lose this money, but participating Warren County municipalities may be adversely affected. How much, she couldn't really predict.

Mr. Gardner said there is clearly a significant need out there. Considering the low default rate, that's not a bad track record. Unfortunately however, "the writing is on the wall" for a lot of entitlement programs.

There were no questions or comments from the public.

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the Public Hearing on **SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PROJECT STATUS ON HOUSING REHABILITATION** was closed at 7:55 p.m.

Mr. Chamberlain proceeded with the Regular Agenda.

RESOLUTION 422-11

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 July 27, 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. 2011-28 and 2011-29 dated July 27, 2011**, in the amount of **\$3,366,274.48** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers by the Board of Chosen Freeholders.

2011-28	7/20/11	\$	1,091,138.83	
2011-29	7/27/11		721,915.25	
TOTAL		\$		1,813,054.08
Payroll	7/14/11			1,553,220.40
GRAND TOTAL		\$		3,366,274.48

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 423-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

INSERTION INTO THE 2011 BUDGET OF THE COUNTY OF WARREN IN THE AMOUNT OF \$1,528,262.00 FROM THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION, LOCAL AID & ECONOMIC DEVELOPMENT, CEMETERY ROAD BRIDGE CONSTRUCTION

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

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

NOW, THEREFORE, BE IT RESOLVED that the County of Warren request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the year 2011 in the sum of \$ 1,528,262.00, which item is now available from the State of New Jersey, Department of Transportation, Local Aid & Economic Development, Cemetery Road Bridge Construction.

BE IT FURTHER RESOLVED that a like sum of \$ 1,528,262.00 and the same is hereby appropriated under caption:

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

State of New Jersey, Department of Transportation, Local Aid & Economic Development, Cemetery Road Bridge Construction (Administered by the Engineering Dept.).

BE IT FURTHER RESOLVED that the above is the result of the approval by the State of New Jersey, Department of Transportation.

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

It was noted that Agenda Item E3 was to be modified to reflect the accurate amount of the grant application to the DCA being \$400,000 rather than \$500,000 as stated on the Agenda.

RESOLUTION 424-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION APPROVING THE APPLICATION FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (CITIZEN PARTICIPATION PLAN)

WHEREAS, the County of Warren has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for a County of Warren housing rehabilitation project; and

WHEREAS, that Grant Agreement requires the County of Warren to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the County of Warren has reviewed the Citizen Participation Plan prepared for Small Cities Community Development Block Grant grantees;

NOW, THEREFORE, BE IT RESOLVED by the Freeholder Director and Board of Chosen Freeholders of the County of Warren, Warren County and State of New Jersey, that:

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the County of Warren; and

The County of Warren will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 425-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION APPROVING THE APPLICATION FOR A SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (GRANT MANAGEMENT PLAN)

WHEREAS, the County of Warren has applied for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs for a housing rehabilitation project; and

WHEREAS, that Grant Agreement requires the County of Warren to comply with all federal regulations with respect to grant management; and

WHEREAS, the County of Warren has reviewed the Grant Management Plan prepared for Small Cities Community Development Block Grant submission;

NOW, THEREFORE, BE IT RESOLVED by the Freeholder Director and Board of Chosen Freeholders of the County of Warren and State of New Jersey, that:

The Grant Management Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the County of Warren; and

The County of Warren will follow all regulations set forth in that document throughout the term of the Grant 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 July 27, 2011.

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

RESOLUTION 426-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION APPROVING THE APPLICATION FOR A GRANT FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR APPROXIMATELY \$400,000 TO CARRY OUT A PROJECT TO REHABILITATE DWELLING UNITS IN WARREN COUNTY TARGET AREAS

WHEREAS, the County of Warren desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$400,000 to carry out a project to rehabilitate dwelling units in Warren County target areas;

NOW THEREFORE BE IT RESOLVED:

1. That the Board of Chosen Freeholders of the County of Warren does hereby authorize the application for such a grant; and
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Board of Chosen Freeholders of the County of Warren and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that the persons whose names, titles and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents necessary in

connection therewith:

Everett A. Chamberlain
Freeholder Director

Steve Marvin
County Administrator

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 427-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION IDENTIFYING COMMUNITY DEVELOPMENT BLOCK GRANT FAIR HOUSING OFFICER FOR WARREN COUNTY

WHEREAS, the County of Warren is intending to apply for a Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereinafter DCA) for a housing rehabilitation project within the County of Warren; and

WHEREAS, the housing rehabilitation project will be provided on a County wide basis; and

WHEREAS, the County of Warren must make efforts to affirmatively further fair housing; and

WHEREAS, the County of Warren has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

WHEREAS, the County of Warren has made assurances in the grant agreement that:

1. It will comply with the Housing and Community Development Act of 1974, as amended,

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and regulations issued thereto; and

2. It will comply with the Civil Rights Act of 1964, and the regulations issued thereto; and
3. It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
4. It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that Steve Marvin, County Administrator, shall be designated as the Fair Housing Officer for the County of Warren.

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the County of Warren; and

BE IT FURTHER RESOLVED that the County of Warren will publish in the local newspaper of record and post at the Administration Building, a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory 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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 428-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION APPROVING ADOPTION OF HOUSING REHABILITATION POLICY AND PROCEDURAL MANUAL

WHEREAS, the County of Warren is applying for a 2012-2013 Small Cities Community Development Program Housing Rehabilitation Fund Grant from the New Jersey Department of Community Affairs, and

WHEREAS, in accordance with application terms and conditions, it is necessary that the Governing Body of the County of Warren prepare and approve a Housing Rehabilitation Policy and Procedural Manual for submission to the Department of Community Affairs;

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren that the Housing Rehabilitation Policy and Procedural Manual for the Small Cities Program is approved and the County Administrator/Clerk is authorized and directed to submit a copy of this resolution and the manual to the Department of Community Affairs.

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 429-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION AUTHORIZING THE WARREN COUNTY CULTURAL AND HERITAGE

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**COMMISSION TO ACCEPT AND ADMINISTER A GRANT IN THE AMOUNT OF \$10,000 FOR
 THE 7TH BIENNIAL WARREN COUNTY POETRY FESTIVAL, SEPTEMBER 24, 2011 FROM
 THE NEW JERSEY COUNCIL FOR THE HUMANITIES**

WHEREAS, in accordance with N.J.S.A. 40:33A-1, the Warren County Board of Chosen Freeholders adopted a Resolution creating the Warren County Cultural and Heritage Commission on October 11, 1972; and

WHEREAS, the development of the arts in Warren County is deemed a valuable cultural asset and will have a positive impact on the quality of life in Warren County;

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby authorize the Warren County Cultural and Heritage Commission to accept and administer the New Jersey Council for the Humanities funds in the amount of

\$10,000 for the 7th Biennial Poetry Festival, September 24, 2011 in Warren County.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 430-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

**RESOLUTION RE: AUTHORIZATION TO AUCTION SURPLUS EQUIPMENT, VEHICLES,
 PARTS, FURNITURE AND SUPPLIES OF THE COUNTY OF WARREN AND
 OTHER APPROVED AGENCIES**

WHEREAS, the County of Warren is presently storing various items no longer needed for public use by county departments and agencies;

BE IT RESOLVED, by the County of Warren pursuant to the provisions of N.J.S.A. 40A:11-36, that the said equipment, vehicles and supplies be and the same are hereby ordered to be disposed of by Public Auction, to be held Saturday, September 10, 2011 beginning at 10:00 A.M. prevailing time at the Warren County Road Department facility, Route 519, White Township, New Jersey.

BE IT FURTHER RESOLVED that Notice of said sale be published and in newspapers at least seven (7) days prior to sale;

BE IT FURTHER RESOLVED that all items shall be sold to the highest bidder, and the terms of the sale shall be sold as is and where is, without warranty or guarantee of any kind, upon payment of the full amount, subject to all lawfully advertised terms and restriction.

NOW, THEREFORE, BE IT RESOLVED that the Director of Purchasing is hereby authorized and directed to perform all acts and to execute, on behalf of this body, all documents required by Statute or this Resolution to effectuate said sale.

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 431-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

**RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE A LEASE
 AGREEMENT WITH THE NEW JERSEY TRANSIT CORPORATION FOR RECEIPT AND
 OPERATION OF ONE SECTION 5310 PARATRANSIT VEHICLE**

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WHEREAS, the Warren County Board of Chosen Freeholders approved an application with NJ Transit for one paratransit vehicle through the GY '07 Section 5310 program; and

WHEREAS, NJ Transit has subsequently made available to Warren County the following vehicle through the Section 5310 program:

One (1) Ford E-350 Elkhart Coach Minibus; and

WHEREAS, NJ Transit requires that the county execute a Lease Agreement to operate the vehicle.

NOW, THEREFORE, BE IT RESOLVED that the Director of the Warren County Board of Chosen Freeholders is authorized to execute a Lease Agreement with New Jersey Transit for the operation of the paratransit vehicle through the GY '07 Section 5310 program.

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 432-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE LEASE AGREEMENTS WITH THE NEW JERSEY TRANSIT CORPORATION FOR RECEIPT AND OPERATION OF TWO SECTION 5311 ARRA-NJ-86-0001 PARATRANSIT VEHICLES

WHEREAS, the Warren County Board of Chosen Freeholders approved an application with NJ Transit for two paratransit vehicles through the 2009 Section 5311 ARRA-NJ-86-0001 program; and

WHEREAS, NJ Transit has subsequently made available to Warren County the following vehicles through the 2009 Section 5311 ARRA-NJ-86-0001 program:

Two (2) Ford E-450 Supreme Ext Minibus Rear Lift; and

WHEREAS, NJ Transit requires that the county execute Lease Agreements to operate the vehicles.

NOW, THEREFORE BE IT RESOLVED that the Director of the Warren County Board of Chosen Freeholders is authorized to execute Lease Agreements with New Jersey Transit for the operation of the paratransit vehicles through the 2009 Section 5311 ARRA-NJ-86-0001 program.

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 433-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS RELINQUISHING AND ASSIGNING THE CARE, CUSTODY AND CONTROL OF THE WARREN COUNTY CORRECTIONAL CENTER TO THE WARREN COUNTY SHERIFF

WHEREAS, the Board of Chosen Freeholders of the County of Warren have historically assumed and exercised the care, custody and control of the County Correctional Center; and

WHEREAS, at present, approximately thirteen (13) County Jails/Correctional Facilities in the State of New Jersey are under the care, custody and control of the County

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Sheriff; and

WHEREAS, the Warren County Board of Chosen Freeholders desire that the Warren County Sheriff assume the care, custody and control of the County Correctional Center pursuant to the provisions of N.J.S.A. 30:8-17 et seq.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby approve relinquishing and assigning the care, custody and control of the Warren County Correctional Center to the Warren County Sheriff and the establishment of a Law Enforcement Division and a Corrections Division within the Warren County Sheriff's Office.

This Resolution shall take effect immediately.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

Steve Marvin, Clerk of the Board

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

Mr. Chamberlain commented on Agenda Item E10 which assigns the control of the Warren County Correctional Center to Sheriff Dave Gallant. Over the years, said Mr. Chamberlain, we've done other mergers. The Department of Land Preservation was created from what had previously been operated out of several different entities including the Planning Department and Soil Conservation District. We merged to become more efficient and to bring the operation together under one leadership. The Freeholders also did this with the Department of Human Services when the Welfare Board was abolished and certain departments became divisions under the direction of Karen Kubert. Mr. Chamberlain thought both of those actions were very positive.

Mr. Chamberlain said Warren County Sheriff Dave Gallant has a tremendous amount of experience, expertise and knowledge. He has the staff in place to handle these responsibilities. With the Sheriff's Department in control of security at the Court House, the Sheriff was responsible for inmates once they arrived upstairs for Court, but the Corrections Department was accountable for inmates at other times. This action assigns control of inmates over to the Sheriff regardless of location. Mr. Chamberlain thought there were efficiencies to be gained; for example, streamlined vehicle usage and the serving of warrants as well as opportunities to cross-train personnel to work in both departments. The tactical team in place at the Correctional Center could be mobilized by the Sheriff if needed at the Court House. "Through efficiency, we can save money," said Mr. Chamberlain.

Mr. Gardner thought Mr. Chamberlain did a good job of summarizing the reasoning of this change. The pool of Warren County employees has shrunk in recent years through attrition and that trend will likely continue to some degree. He thought the cross-training was significant and would become even more important as we move forward. "I think Sheriff Gallant is the right man to take charge at this time to make this transition," Mr. Gardner said.

Mr. Chamberlain said he has met with many of the involved parties, including the Acting Warden, Acting Deputy Warden, the Sheriff and his Deputy, the administrative staff at the Correctional Center and the unions to explain what is going to happen and clear up any misunderstandings. "We're not going to have layoffs; we're not going to change facilities, but we will change administration" to create the aforementioned efficiencies to provide the taxpayer with cost savings, Mr. Chamberlain said.

Mr. Sarnoski wished Mr. Gallant luck with his additional duties. The two had taken a tour together of the Morris County Correctional Facility which is being run in this manner. Mr. Sarnoski said this gave him a level of comfort as to why we're doing this and Mr. Gallant's expertise is

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beneficial. "I'm going to keep a close eye on making sure that the operational and administrative efficiencies that we're hoping to see do go through," Mr. Sarnoski said and urged Mr. Gallant to reach out to the Board if he needs any help to make sure things run smoothly. He wished Mr. Gallant good luck in this endeavor.

Sheriff Gallant thanked the Freeholders for the kind words and said he would do his best to live up to their expectations.

RESOLUTION 434-11

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 July 27, 2011.

RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR SIGN & PAVEMENT MARKING UPGRADE ON COUNTY ROUTE #519, HOPE & WHITE TOWNSHIPS, CONTRACT #WC1149

BE IT RESOLVED that the plans and specifications for Contract #WC1149 for Sign & Pavement Marking Upgrade on County Route #519, Hope & 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 & DAILY RECORD

TENTATIVE SCHEDULE

ADVERTISING DATE - AUGUST 11, 2011, AUGUST 18, 2011 & AUGUST 25, 2011
BIDS TO BE RECEIVED - SEPTEMBER 20, 2011
AWARD DATE - OCTOBER 12, 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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 435-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION RE: EXTENSION OF CONTRACT WC0858 FOR INMATE ELECTRONIC MONITORING SYSTEM FOR THE WARREN COUNTY CORRECTIONAL CENTER FOR THE PERIOD OF SEPTEMBER 1, 2011 THROUGH AUGUST 31, 2012 FOR THE FOURTH YEAR OF A FIVE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(8) TO BE INCORPORATED AT THE COST OF UNIT PER DAY OF \$2.84

BE IT RESOLVED that contract WC0858 for inmate electronic monitoring system for the Warren County Correctional Center is hereby extended for the fourth year of a five year contract as provided by the Local Public Contract Law 40A:11-15(8) said contract is hereby extended for the period of September 1, 2011 through August 31, 2012 to . . . BI Incorporated, Boulder, Colorado in the amount of . . . \$2.84 per unit as per their bid submitted . . . August 5, 2008

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

Funds for this contract will be provided in budget account 012800/5030 – Jail Operating Supplies.

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 436-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION RE: EXTENSION OF CONTRACT WC1054 DENTAL SERVICES AT THE WARREN COUNTY CORRECTIONAL CENTER TO DENTRUST DENTAL, P.A. FOR THE PERIOD OF SEPTEMBER 1, 2011 THROUGH AUGUST 31, 2012 FOR THE SECOND YEAR OF A THREE YEAR CONTRACT AS PROVIDED BY THE LOCAL PUBLIC CONTRACT LAW 40A:11-15(29) IN THE CONTRACT AMOUNT OF \$2,600.00 PER MONTH, TOTAL CONTRACT AMOUNT \$31,200.00

BE IT RESOLVED that Warren County Contract WC1054 for dental services at the Warren County Correctional Center is hereby extended for the second year of a three year contract

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

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

as per their bid submitted . . . July 27, 2011

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

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 437-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 2011.

RESOLUTION RE: AWARD OF PURCHASE ORDER TO TUWAY COMMUNICATIONS TO PROVIDE NICE RECORDING SYSTEM MAINTENANCE INCLUDING COMPUTER SOFTWARE MAINTENANCE FOR THE PERIOD OF SEPTEMBER 1, 2011 THROUGH AUGUST 31, 2012 FOR THE WARREN COUNTY COMMUNICATIONS CENTER IN THE TOTAL AMOUNT OF \$33,500.00

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

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licensed computer software; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-5(dd)) is an exception and requires a resolution authorizing the award of contracts without competitive bids and the contract itself must be available for public inspection; and

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

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

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

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

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

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

Funding for this contract is provided in budget account 012500/5026 – Public Safety – 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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

RESOLUTION 438-11

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 July 27, 2011.

**RESOLUTION APPROVING SALARY ADJUSTMENTS WITHIN THE
WARREN COUNTY OFFICE OF THE SHERIFF**

WHEREAS, a resolution has been adopted reorganizing the Warren County Correctional Center as a division within the Warren County Office of the Sheriff; and

WHEREAS, in recognition of the increased duties and responsibilities said reorganization will bring to bear upon Sheriff David Gallant, the Warren County Board of Chosen Freeholders wishes to adjust his annual salary accordingly; and

WHEREAS, in accordance with N.J.S.A. 40A:9-117 et seq., the Sheriff, for those same reasons as set forth above, recommends an annual salary adjustment for Undersheriff Kenneth McCarthy.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby approve an annual salary for Sheriff David Gallant of \$122,250.00 and an annual salary for Undersheriff Kenneth McCarthy of \$80,000.00 both to be made effective July 28, 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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

MINUTES**JULY 27, 2011**Reports and Comments

County Counsel Joe Bell had no report.

County Engineer Dave Hicks had no report, but Mr. Chamberlain said the Board received a resolution from Washington Borough asking the County to consider assuming responsibility for a couple of streets in the borough. Mr. Hicks said he hadn't yet had the opportunity to look into the matter very closely, but at first glance, it appears that most of the roads did not qualify. He will provide the Board with a report of his response when complete.

County Planner Dave Dech was not in attendance.

County CFO Charles Houck had submitted an updated version of last year's Budget Call Letter to the Board for its review. The due date for submittal is a bit earlier than in previous years. The Freeholders approved the letter and directed Mr. Houck to send it out to department heads without delay.

County Administrator Steve Marvin had the typical Vacancy Report for the Board's review plus he reported that he had received a letter from the new Executive County Superintendent of Schools regarding changing hours for an administrative position in that office to reduce the amount of their operating expenses. The topic of archaic Civil Service titles was briefly touched upon.

Rosalie LaMonte is supposedly the new Executive County Superintendent of Schools though there has still been no official notification. With Mr. Glowacky still in attendance, he was asked about the topic. He said she is based in Sussex County and will spend two days in the Warren County Office. He thought she would have a real conflict when it comes to attending meetings. Mr. Marvin thought Ms. LaMonte was responsible for Hunterdon County too, but Mr. Glowacky thought that was incorrect and someone else will be in charge of Hunterdon. The feeling is that she will continue to be in charge of the two counties and no further appointments will be made.

Another matter brought up by Mr. Marvin related to the Pursel Dam. A resolution must be passed to formalize a lien against the property allowing the County to take a predominant position in Bankruptcy Court. "This has been a debacle from the beginning," Mr. Chamberlain said, starting with the removal of a dam to allow fish to swim upstream. He wasn't sure how the County became involved, perhaps through the Morris Canal Committee, but it was not a wise move.

A loan of close to a quarter million dollars was granted and backed by the County and almost none of it was paid back. We're in the middle of this and these are taxpayer dollars, Mr. Chamberlain said. We have to be careful about getting involved in projects that come before us.

RESOLUTION 439-11

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 July 27, 2011.

RESOLUTION OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS TO LEVY AN ASSESSMENT ON A PROPERTY KNOWN AS LOT 13, BLOCK 2805 IN THE TOWN OF PHILLIPSBURG IN THE AMOUNT OF \$234,225.72 REPRESENTING THE BALANCE DUE TO THE STATE OF NEW JERSEY FOR THE REMOVAL OF A DAM ON THE PROPERTY

WHEREAS, Harry Pursel had applied for a loan for the removal of a dam through the State of New Jersey which is administered by the New Jersey Department of Environmental Protection; and

WHEREAS, a condition of the loan was that a government entity must guarantee the

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loan; and

WHEREAS, both the loan agreement and the Dam, Lake, Stream Flood Control Water Resources and Wastewater Treatment Project Bond Act of 2003, P.L. 2003 c. 162 provide that in the event of default, the County is permitted to place a lien on the property which shall have the same force and effect as a lien for unpaid taxes; and

WHEREAS, Harry Pursel is in default of the loan with the State of New Jersey; and

WHEREAS, the State of New Jersey has requested that the County of Warren pay the balance of the loan;

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders that the Town of Phillipsburg is requested to place a lien in the amount of \$234,225.72 on Lot 13, Block 2805 in accordance with the contractual agreement executed by Harry Pursel.

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

Freeholder Comments

Mr. Sarnoski urged everyone to come out to the Warren County Farmers' Fair. He goes each year and his kids really enjoy it.

Mr. Sarnoski raised the subject of the Economic Development Advisory Council he had proposed months earlier. Unfortunately, there was a problem with outgoing e-mail on the County system this past week. Though he had attempted to send more detailed follow-up information on the council including a specific list of appointees with contact information, his colleagues did not receive the correspondence in time to review it prior to this evening's meeting. Mr. Sarnoski wanted to give his fellow Freeholders a chance to familiarize themselves with the appointees and interview them if they wish. Mr. Sarnoski said it was his sincere hope to get this venture started as soon as possible and move forward. The first meeting is scheduled for September 8. This is an ad hoc committee comprised solely of volunteers: community leaders, social leaders and business leaders, with certain goals to improve the economic situation in Warren County. "I think this is going to be a very advantageous group and I think we're going to see a lot of benefit to this," Mr. Sarnoski said.

Mr. Chamberlain clarified that this would be an ad hoc committee responsible to the Board. We're not going to form a commission or authority or anything else. He wanted to impress that he's never seen government bureaucracy create jobs. The County did have an EDAC years ago and it was disbanded. If Mr. Sarnoski wants to take this challenge on, Mr. Chamberlain said he did not have a problem with it. He thought the tax, regulation and fee structures in the State of New Jersey had to be changed in order to attract businesses. He told a story of an Ohio battery company's business plan being rejected and referred to China, resulting in the loss of 200-plus American jobs. Mr. Chamberlain said these are kinds of things that have to be changed in this country to become business-friendly and the Lehigh Valley is doing it with tax incentives. New Jersey has recently lost Ocean Spray to Pennsylvania.

Mr. Chamberlain wanted to impress that he would consent to forming this council, but he did not want it to cost money. He doesn't want the council to come asking for a director, secretary, etc. "If we start asking for money, I have a real problem with that," Mr. Chamberlain said. If Mr. Sarnoski wants to take on the challenge and we can get positive results, "I'm all for it," he said.

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A few more examples were given regarding onerous regulation in the state, specifically, the DEP and its sewer service areas. Mr. Chamberlain said there is so much regulation and so much in fees, yet so little in terms of common sense.

Mr. Gardner said he wanted a chance to peruse the proposal in its entirety. He agreed with Mr. Chamberlain's comments regarding keeping costs down. He said he applauded the efforts of Mr. Sarnoski and the appointees that are willing to volunteer their time. Mr. Gardner said there has to be a change in philosophy in the NJ Legislature and that's where this council should turn its attention. He said lawmakers like to characterize themselves as "environmentalists" when many of them really don't know much about it. He also lamented the Lehigh Valley's ability to lure businesses across the river and the Ocean Spray move. Until the Legislature wakes up and starts changing things and cutting some of the red tape, Mr. Gardner said, "It's a tough nut to crack."

Mr. Gardner then encouraged everyone to come out to the Warren County Farmers' Fair. The Demolition Derby and other competitions are a lot of fun, he said.

Mr. Chamberlain had forgotten to introduce Warren County Technical School Board of Education Member Gus Rutledge earlier. Mr. Chamberlain thanked him for coming out to support the kids.

Closing Public Comments

Sarah Brelvi, Chief Professional Officer of the United Way of Northern New Jersey in Warren County, said she applauded the Board for taking the step that needs to be taken with forming the EDAC. There have been organizations that support this area in terms of community, social and economic issues that have moved to the Lehigh Valley.

Allamuchy Councilwoman Betty Schultheis, who was also listed as an appointee on EDAC, said as a businesswoman, she thought she and the other appointees are very dedicated to doing exactly the things Mr. Chamberlain was talking about. Something has to be done about the process that is killing small business in Warren County.

Purchasing Director Chris Pessolano reported that the County conducted its second on-line auction recently, selling a generator that came from Warren Haven. The estimated value was about \$2,500, but we ended up getting close to \$7,000. He thought it was going to Africa. Also, the Annual County Auction is to be held September 10, 2011 at 10 a.m. It's always a big event people look forward to.

RESOLUTION 440-11

On motion by Mr. Sarnoski, seconded by Mr. Gardner, at 8:32 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on July 27, 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

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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 Purchase, Lease or Acquisition of Real Property*: Items to be discussed include: Status of negotiation for Village Square II.

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 July 27, 2011.

Steve Marvin, Clerk of the Board

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

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the Board adjourned executive session at 8:55 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 8:55p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board