

MINUTES**OCTOBER 23, 2013**

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 October 23, 2013 at 7:00 p.m.

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

The Pledge of Allegiance was led by Director Sarnoski.

Director Sarnoski read the following statement: **“ADEQUATE NOTICE OF THIS MEETING OF OCTOBER 23, 2013 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. Smith, seconded by Mr. Gardner, the Minutes of the Regular Session held on October 9, 2013 were approved.

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

On motion by Mr. Gardner, seconded by Mr. Smith, the Minutes of the Executive Session held on October 9, 2013 were approved.

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

PROCLAMATION 512-13

On motion by Mr. Gardner, seconded by Mr. Smith, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

DISABILITY AWARENESS MONTH, OCTOBER 2013

WHEREAS, the month of October each year is designated nationally as “Disability Awareness Month” to celebrate and recognize the capabilities and contributions of persons with a disability; and

WHEREAS, the Warren County Board of Chosen Freeholders recognize that disability does not diminish the entitlement of any individual to live independently, enjoy self-determination, make personal choices, contribute to society and to experience the economic, political, social, cultural and educational mainstream of American society; and

MINUTES**OCTOBER 23, 2013**

WHEREAS, family members, friends and community members not only play a vital role in enhancing the lives of individuals with a disability, but have their own lives enhanced by disabled individuals; and

WHEREAS, the County of Warren through the Department of Human Services, Division of Aging & Disability Services and its Advisory Council on Disabilities strives to create awareness and opportunities which provide disabled residents and their caregivers the options and support needed to exercise their full rights as citizens in every aspect of our society and our County.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does hereby proclaim October 2013 as DISABILITY AWARENESS MONTH in Warren County.

I hereby certify the above to be a true copy of a proclamation adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

Steve Marvin, Clerk of the Board

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

Mr. Gardner said each year he is proud to support this proclamation. Many people deal with a wide array of various types of disabilities. He credited the County's Aging & Disabilities Division led by Susan Lennon with working hand in hand with the disabled to help improve their lives.

Mr. Smith said awareness is a key part here. There are so many aspects to life that many of us don't often think about. Those with disabilities can lead fuller lives than ever and make various contributions to society. Mr. Smith was pleased to support this proclamation.

Mr. Sarnoski agreed with the sentiments of his colleagues. He noted the County had hosted an expo over the weekend tailored to the needs of seniors, the disabled and businesses. Sometimes businesses and individuals need reminding that many potential customers may have special needs. He inquired about the Excellence in Accessibility Award and Ms. Lennon informed him that it is slated to be given out at the Board's next meeting.

Carl Brand accepted the proclamation on behalf of DAWN Center for Independent Living, a partner agency of Aging & Disabilities Services. Ms. Lennon said she hopes one day there will be no need for a proclamation to remind people that some of us have special needs. She thanked the Freeholders for their continued support.

PROCLAMATION 513-13

On motion by Mr. Smith, seconded by Mr. Gardner, the following proclamation was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

ARTS AND HUMANITIES MONTH, OCTOBER 2013

WHEREAS, the arts and humanities affect every aspect of life in America today including the economy, social problem solving, job creation, education, creativity and community enhancement; and

MINUTES**OCTOBER 23, 2013**

WHEREAS, a coalition of 42 national arts and humanities organizations representing over 23,000 cultural organizations have formed the National Cultural Alliance to develop a multi-year public awareness campaign on the availability and importance of the humanities and arts to all Americans; and

WHEREAS, these 23,000 cultural organizations and many thousands of other cultural organizations as well as the National Endowment for the Arts, the National Endowment for the Humanities, the nation's 5,800 local arts agencies, the state humanities councils and the state arts agencies of the 50 states and U.S. jurisdictions and the President of the United States will be encouraged to participate in this celebration and in the public awareness campaign; and

WHEREAS, the month of October has been designated by President Barack Obama as National Arts and Humanities Month; all residents of Warren County are urged to participate in the fun and enrichment of the programs offered by their local museums, galleries, schools and theaters.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders do hereby proclaim that National Arts and Humanities Month shall be officially celebrated and commemorated in Warren County during the month of October 2013.

I hereby certify the above to be a true copy of a proclamation adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

Steve Marvin, Clerk of the Board

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

Mr. Smith said the arts and humanities will be looked upon by generations after us as a way of learning about our society and way of life. "It's the making of history in advance," he said.

Mr. Gardner agreed. In today's time of budget cuts, he said it's very challenging to keep up the pace in funding arts and humanities programs, but it is incumbent on us to do so to the level that we can. It's a vital part of our society and educates young people on cultural significance.

Mr. Sarnoski said being an engineer, he is not personally an artistic person, but he certainly enjoys the arts. He said we have a very creative and artistic community in Warren County and he was happy to support this proclamation.

Warren County Arts Administrator Dennis Austin accepted the proclamation and said the arts are vital to our humanities, our existence and our happiness. In addition to the support of the Freeholders, funding for the arts is supported by the State of New Jersey through a special motel/hotel occupancy fee. It does not come from property taxes or income taxes. "We're fortunate to have that source of income," Mr. Austin said. The arts facilitate education and healing. In addition to other programs, the Cultural and Heritage Commission coordinates a Senior Art Show periodically in partnership with Susan Lennon.

Public Comments (Agenda Items Only)

George Kelsner from the Delaware Riverside Conservancy thanked the Freeholders for taking action on Agenda Item E2, a call for a plan to prevent Delaware River flooding by keeping upstream reservoirs 10 percent below capacity.

MINUTES**OCTOBER 23, 2013****RESOLUTION 514-13**

On motion by Mr. Gardner, seconded by Mr. Smith, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

RESOLUTION TO PAY BILLS

Be and it is hereby resolved that Master Voucher Certificate **For Certification / Ratification for Payments No. 2013-41 and 2013-42, dated October 23, 2013,** in the amount of **\$4,407,971.87** including payrolls, allowances, bills and investments, is approved subject to the review of the vouchers by the Board of Chosen Freeholders.

2013-41	10/16/13	\$	674,639.09	
2013-42	10/23/13		1,025,947.07	
TOTAL				\$1,700,586.16
PNC Bank Commercial Card Svc	10/10/13	\$	5,393.34	
Medical-October	10/11/13		1,293,527.86	
TOTAL WIRE TRANSFERS				1,298,921.20
Payroll	10/17/13	\$	1,408,464.51	
Subsistence	10/17/13		0.00	
TOTAL				<u>1,408,464.51</u>
GRAND TOTAL				<u>\$4,407,971.87</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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 515-13

On motion by Mr. Smith, 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 October 23, 2013.

RESOLUTION CALLING FOR A CONSTITUTIONAL AMENDMENT TO MANDATE THAT AN INDEPENDENT PARTY SHALL ARBITRATE ALL DISPUTES OVER COURT ROOM FACILITIES THAT MAY ARISE BETWEEN A COUNTY AND THE JUDICIAL BRANCH OF STATE GOVERNMENT

WHEREAS, the County of Warren is required to provide the Judiciary of the State of New

MINUTES**OCTOBER 23, 2013**

Jersey Court Room facilities pursuant to the Judicial Unification Act; and

WHEREAS, the County of Warren has found itself at an impasse in a dispute over Court Room #2 at the Warren County Court House that had been renovated in good faith at great expense under the oversight of the Administrative Office of the Courts and Judicial officials in Vicinage 13; and

WHEREAS, the County of Warren believes that the Judicial Branch of Government is disqualified from issuing a ruling on said dispute due to statutory and Rules of Professional Conduct; namely, RPC 1.7 that addresses conflicts of interests; and

WHEREAS, the County of Warren's Deputy Freeholder Director was advised in person by Judge Grant, Administrative Director of the Courts, on October 3, 2013, that the "Doctrine of Necessity" trumped any provisions under any conflict of interest rule or statute even though the Court was an adverse party to the County of Warren in said dispute; and

WHEREAS, the County of Warren remains unconvinced that the Judicial Branch of Government and any of its officials are able to provide an unbiased determination of the facts in the case that if decided adversely to the County of Warren would result in significant and unjust financial hardship to be endured by the taxpayers of the County of Warren.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders hereby petitions its legislative representatives in the 23rd and 24th Districts to introduce and actively pursue necessary actions to amend the Constitution of the State of New Jersey to provide that no county shall be forced to appear before members of the Judicial Branch of Government for resolution of matters of dispute between a county and the Court over the appropriateness or adequacy of court facilities provided by a county and that any said dispute which shall arise shall be subject to arbitration

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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 516-13

On motion by Mr. Smith, 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 October 23, 2013.

RESOLUTION CALLING FOR THE IMPOSITION OF A FLOOD PREVENTION POLICY THAT WILL MANDATE A 10% VOID IN RESERVOIRS THAT CAN IMPACT THE DELAWARE RIVER THAT ARE OWNED BY THE CITY OF NEW YORK AND REGULATED BY THE UNITED STATES SUPREME COURT DECREE OF 1954

WHEREAS, Warren County's western border is the Delaware River; and

WHEREAS, said river has historically flooded, causing significant loss of property, interference with the business and infrastructure in the county and posing risks to the lives of the citizens of the county; and

WHEREAS, the Warren County Board of Chosen Freeholders believes that the management of levels of the reservoirs upstream in the Delaware River Basin are a significant

MINUTES**OCTOBER 23, 2013**

factor in flooding that impacts the County of Warren and the flow and level management of these reservoirs owned by the City of New York, are subject to the United States Supreme Court Decree of 1954 to which the State of New Jersey, the Commonwealth of Pennsylvania, the State of New York, the State of Delaware and the City of New York are parties; and

WHEREAS, said decree provides that the City of New York may fill its reservoirs to the level of 105% from the period of May 1, to June 15 of each year, a period when historically flooding has occurred and during said 105% level, there is no capability to provide any flood control downstream of said reservoirs during significant rain events, thereby creating an unnecessary and dangerous threat to those individuals downstream and unduly risking the life and property of the citizens of Warren County; and

WHEREAS, each of the four states has standing to call upon the United States Supreme Court to amend the Decree of 1954 and demand that the City of New York shall maintain the levels in its Delaware River Basin reservoirs at or below 90% during all periods of the year, thereby providing reasonable flood mitigation capability to protect those who are downstream of the City of New York's reservoirs.

NOW, THEREFORE, BE IT RESOLVED that the Warren County Board of Chosen Freeholders does call upon the four states that are parties to the Consent Decree of 1954 that addresses matters regarding the management of the reservoirs belonging to the City of New York, to petition the Supreme Court of the United States to revisit said decree and amend same so the City of New York shall be compelled to limit the level of water in the reservoirs under its jurisdiction that impact the Delaware River at or below a level of 90% at all times of the year to provide an adequate void to mitigate flooding situations that can cause loss of life and property in the County of Warren.

A copy of this resolution shall be sent to the Governor of the State of New Jersey, the Governor of Pennsylvania, the Governor of Delaware, the Governor of New York and the Mayor of the City of New York, Legislators in the 23rd and 24th Districts in the State of New Jersey as well as to the Counties of Sussex, Hunterdon, Mercer, Burlington and Camden in New Jersey and the Counties of Wayne, Pike, Monroe, Northampton, Bucks, Philadelphia, Delaware and Chester in Pennsylvania and the Counties of Delaware, Sullivan and Orange in New York.

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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 517-13

On motion by Mr. Smith, 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 October 23, 2013.

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

WHEREAS, the Warren County Board of Chosen Freeholders approved an application with NJ Transit for one paratransit vehicle through the GY '10 Section 5310 program; and

WHEREAS, NJ Transit has subsequently made available to Warren County the following

MINUTES**OCTOBER 23, 2013**

vehicle through the Section 5310 program:
One (1) 2013 Ford Champion Challenger; 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 '10 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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 518-13

On motion by Mr. Smith, 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 October 23, 2013.

RESOLUTION RE: AUTHORIZING THE DIRECTOR OF THE BOARD TO EXECUTE A LETTER OF AGREEMENT WITH THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FOR AN ADDITIONAL AMOUNT OF \$80,153 TO SUPPORT A SIX MONTH EXTENSION OF THE MUNICIPAL ALLIANCE PROGRAM TO INCLUDE THE PERIOD JANUARY 1, 2014 THROUGH JUNE 30, 2014 FOR A TOTAL ALLOCATION OF \$240,458; SUBJECT TO THE AVAILABILITY OF FUNDS

WHEREAS, on October 24, 2012, the Warren County Board of Chosen Freeholders approved the 2013 Municipal Alliance Spending Plan for anticipated funding through the NJ Governor's Council in the amount of \$160,305 for the period of January 1, 2013 to December 31, 2013; and

WHEREAS, the NJ Governor's has extended the former timeline to include a six month extension from January 1, 2014 to June 30, 2014, with an extension amount of \$80,153 for a total allocation of \$240,458; and

WHEREAS, the funds are to be used as follows:

Alliance Coordination	\$ 75,000
Municipal Alliance Programs	\$159,971
Countywide Training	\$ 5,487
TOTAL	\$240,458

NOW, THEREFORE, BE IT RESOLVED that the Director of the Board of Chosen Freeholders be authorized to execute a Letter of Agreement with the Governor's Council on Alcoholism and Drug Abuse to support Municipal Alliance Coordination; Agreement ceiling not to exceed \$240,458 for the period January 1, 2013 through June 30, 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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

MINUTES**OCTOBER 23, 2013****RESOLUTION 519-13**

On motion by Mr. Smith, 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 October 23, 2013.

RESOLUTION AUTHORIZING THE WARREN COUNTY OFFICE OF EMERGENCY MANAGEMENT TO ACCEPT A FEDERAL FISCAL YEAR 2013 SUBGRANT AWARD IN THE AMOUNT OF \$150,000.00 FROM THE NJSP OEM HAZARD MITIGATION GRANT PROGRAM

WHEREAS, the Warren County Office of Emergency Management has applied for and been awarded State Hazard Mitigation Grant Program Superstorm Sandy Fund (HMGP) DR-4086, CFDA #97.039 from the New Jersey State Police Office of Emergency Management, incorporating all conditions and representations contained or made in application and notice of this award; and

WHEREAS, the Subgrant, consisting of a total amount of \$200,000.00, including \$150,000.00 Federal Award and \$50,000.00 Local Matching Funds, which the Warren County Office of Emergency Management adequately satisfies through the 2013 Warren County budget for Division salaries and wages and fringe benefits; and

WHEREAS, it would be in the best interest of the County of Warren and the State of New Jersey to participate in this initiative and assist Warren County in updating its Hazard Mitigation Plan by identifying policies and actions that can be implemented to reduce risk and future loss from hazards, and to ensure that Warren County recovers from Superstorm Sandy in both a smart and expeditious manner: and

NOW, THEREFORE BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby accept this Award and that the Director of the Board, the Clerk, the Chief Fiscal Officer, and the County Emergency Management Coordinator and/or Deputy County Emergency Management Coordinator are hereby authorized to sign certain documents relative to their positions in order to effectuate with the NJ State Police Office of Emergency Management, funding from the Hazard Mitigation Grant Program Superstorm Sandy Fund.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 520-13

On motion by Mr. Smith, 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 October 23, 2013.

RESOLUTION APPROVING THE ACQUISITION OF ADDITIONAL ROAD RIGHT-OF-WAY AND BRIDGE/CULVERT EASEMENTS ALONG COUNTY ROUTE #610, BLOCK 700, LOT 1300 AND BLOCK 700, LOT 100, HOPE TOWNSHIP

MINUTES**OCTOBER 23, 2013**

WHEREAS, Block 700, Lot 1300, and Block 700, Lot 100 have been surveyed, appraised, and are about to be accepted into the County's farmland preservation program; and

WHEREAS, additional right-of-way and easements along County Route #610 are needed to properly maintain existing roadways, bridge/culvert and drainage facilities; and

WHEREAS, the owner of Block 700, Lot 1300, and Block 700, Lot 100, has tentatively agreed to the \$736.00 offer for 0.184 acres of additional easement area;

WHEREAS, adequate funds are available in account 0411A208 5063 and certified by the County's Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren does hereby approve the acquisition of 0.184 acres of easement area at the value of \$736.00.

BE IT FURTHER RESOLVED, that the County Engineer be authorized to have the easement documents executed for the acquisition of the above roadway and bridge/culvert easements.

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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 521-13

On motion by Mr. Smith, 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 October 23, 2013.

RESOLUTION IN SUPPORT OF THE LETTER OF GRANT APPLICATION TO THE DEPARTMENT OF LAW AND PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL FOR A PROSECUTOR LED MENTAL HEALTH PROGRAM; A MAXIMUM OF \$150,000 TO BE USED OVER TWO YEARS IS AVAILABLE; A 25% CASH OR IN KIND MATCH IS REQUIRED

WHEREAS, the Department of Law and Public Safety, Office of the Attorney General has issues a notice of available funds for: Prosecutor-Led Mental Health Pilot Program and,

WHEREAS, the Warren County Prosecutor's Office developed a mental health program in 2009 with existing services, and is interested in formalizing and expanding this effort, and

WHEREAS, no additional cash match will be required from the County, as county staff time will meet the specified requirement of one third or a maximum amount of \$25,000 match

NOW, THEREFORE BE IT RESOLVED the Director of the Warren County Board of Chosen Freeholders is authorizing the Warren County Prosecutor's Office to submit the grant application to the Department of Law and Public Safety, Office of the Attorney General in the amount of \$150,000 for two year to support and develop the Prosecutor-led Mental Health 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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

MINUTES**OCTOBER 23, 2013**

In reference to the call for an independent party to arbitrate the ongoing Court Room dispute (Agenda Item E1), Mr. Smith said the concept that the Court is to resolve matters where the Court is an interested party is a problem. He thought it was important to address this.

Regarding the call for a flood prevention policy, Mr. Smith said he was pleased to be moving forward with this. The thought of having reservoirs upstream of Warren County being at five percent above capacity is "very discomfoting" and he thought it would be irresponsible to not make a statement to address it.

Mr. Gardner said while this resolution will be sent to other counties, the emphasis will be those located along the Delaware River. We need to make a strong statement that will hopefully yield results.

Mr. Sarnoski said this is really about lives and property here. Our residents live along the Delaware and other major water thoroughfares. For their lives and safety to be put in jeopardy because New York can go to 110% of their reservoirs' capacity is a major concern. He said it's unconscionable.

With regard to the Constitutional Amendment, Mr. Sarnoski said we've reached a stalemate on the Court Room #2 matter. It has become increasingly clear that we may have to go to arbitration. "I don't know anyone who would go to arbitration against themselves and declare against themselves," Mr. Sarnoski said.

Mr. Gardner said this Board really has to put its foot down on this issue. "It's all about the County taxpayer," he said. We're not going to leverage any extra dollars against the taxpayers. He thought it was interesting that certain people in the Judiciary could not admit their own mistakes.

RESOLUTION 522-13

On motion by Mr. Gardner, seconded by Mr. Smith, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

RESOLUTION RE: AWARD OF CONTRACT WC1358C COMPETITIVE CONTRACT FOR COMPUTERIZED RECORDS MANAGEMENT SYSTEM FOR THE WARREN COUNTY CLERK FOR THE PERIOD OF JANUARY 1, 2014 THROUGH DECEMBER 31, 2014 WITH THE RIGHT TO EXTEND FOR FOUR ADDITIONAL ONE YEAR PERIODS TO INFO QUICK SOLUTIONS, INC. IN THE APPROXIMATE AMOUNT OF \$110,000.00 FOR THE FIRST YEAR

WHEREAS, one proposals was received, opened and read in public on October 16, 2013, at 1:30 PM prevailing time for Computerized Records Management System for the Warren County

Clerk; and

WHEREAS, the proposal was reviewed by a committee and the Evaluation Report on file with the Clerk of the Board, and the committee has determined that the proposal submitted by Info Quick Solutions, Inc., best meets all requirements of the specification.

WHEREAS, adequate funds are available in budget account 011200/5029 – County Clerk Contracted Services, and 011200/5059 County Clerk DP Equipment, and certified by the Warren

MINUTES**OCTOBER 23, 2013**

County Chief Financial Officer.

NOW, THEREFORE, BE IT RESOLVED that a contract is hereby awarded to Info Quick Solutions, Inc., of Liverpool, New York for Computerized Records Management System for the Warren County Clerk in the estimated contract amount of \$110,000.00 for the 1st year under the attached fee schedule.

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

1. The Director is hereby authorized and directed to enter into a contract with Info Quick Solutions, Inc., of Liverpool, New York.
2. A notice of this action shall be published in The Star Ledger, as required by NJSA:40A:11-4.5g.

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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 523-13

On motion by Mr. Gardner, seconded by Mr. Smith, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

RESOLUTION RE: AWARD OF CONTRACT TO DYKSTRA ASSOCIATES, INC. OF NEWTON, NEW JERSEY FOR SURVEYING SERVICES ON THE CZAR FARM PROPERTY, POHATCONG TOWNSHIP, BLOCK 111, LOT 6, APPROXIMATELY 94 ACRES PROPOSED FOR ACQUISITION AS LISTED IN THE PROPOSAL IN THE TOTAL AMOUNT OF \$7,431.00

WHEREAS, The Warren County Agricultural Board has developed a list of Property for Preservation for the year 2013; and

WHEREAS, Warren County is interested in obtaining surveys on various farm properties as listed in the proposal; and

WHEREAS, land surveys are required by the State Agricultural Development Board prior to negotiations for acquisitions; and

WHEREAS, said surveys will be in accordance with the Agriculture Retention and Development Act, N.J.S. A. 4:1C-11, et. Seq.,

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

WHEREAS, Dykstra Associates, Inc., was pre-qualified as a surveyor by WC1285FO on November 20, 2012; and

WHEREAS, adequate funds are available in account 03895 5067 – Open Space Trust – Preliminary Expenses

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

1. The agreement between the County of Warren and Dykstra Associates, Inc., in the amount of \$7,431.00 to prepare a survey on the land listed be accepted.
2. The Freeholder Director is hereby authorized to execute said agreement.
3. Notice of this action shall be published in THE STAR-LEDGER, as required by law, within ten

MINUTES**OCTOBER 23, 2013**

(10) days of 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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 524-13

On motion by Mr. Gardner, seconded by Mr. Smith, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

RESOLUTION RE: AUTHORIZATION TO ISSUE A PURCHASE ORDER TO BEYER FORD FOR ONE 2013 FORD F-250 EXTENDED CAB PICK UP TRUCK WITH SNOWPLOW PACKAGE UNDER THE MORRIS COUNTY COOP CONTRACT #15-C, ITEM #7 FOR THE WARREN COUNTY BUILDINGS & GROUNDS DEPARTMENT IN THE TOTAL CONTRACT AMOUNT OF \$39,325.00

BE IT RESOLVED that the purchasing department is authorized to issue a purchase order for one 2013 Ford F-250 Pick Up Truck with Snow Plow package for the Warren County Buildings & Grounds Department and is hereby awarded to . . . Beyer Warnock Ford, Morristown, New Jersey in the amount of . . . \$39,325.00 at the prices established under the Morris County Cooperative Contract #15-C, Item #7.

Funding for this contract has been provided in capital account 0413A605/5050 – Cutaway Utility Van.

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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 525-13

On motion by Mr. Gardner, seconded by Mr. Smith, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

RESOLUTION RE: AUTHORIZATION TO ISSUE PURCHASE ORDERS TO ALLIED OIL, LLC T/A ALLIED OIL CO. UNDER THE SOMERSET COUNTY COOPERATIVE CONTRACT #CC-36-13, FUEL OIL, DIESEL & KEROSENE AT A FIXED MARK UP OF \$.1450 PER GALLON FOR #2 FUEL OIL AND A FIXED MARK UP OF \$.1590 PER GALLON FOR DIESEL FUEL, AN APPROXIMATE ANNUAL CONTRACT AMOUNT OF \$400,000.00

BE IT RESOLVED that the purchasing department is authorized to issue purchase orders for #2 fuel oil and diesel fuel for the Warren County Road Department, Warren Haven, and the Warren County Buildings & Grounds Department and is hereby awarded to . . . Allied Oil, LLC t/a Allied Oil Co., Hillsborough, NJ in the approximate amount of . . . \$400,000.00 at the prices established under Somerset County Cooperative Contract #CC-36-13.

Funding for this contract has been provided in budget accounts 014600/5074 – Gasoline –

MINUTES**OCTOBER 23, 2013**

Gasoline and Diesel Fuel and 013511/5074 – Warren Haven Transportation Gasoline and Diesel Fuel, 013100/5070 – Bldgs & Grds Heating Fuel, 013510/5070 – Warren Haven Utilities, Heating Fuel.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

Steve Marvin, Clerk of the Board

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

RESOLUTION 526-13

On motion by Mr. Smith, 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 October 23, 2013.

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

BE IT RESOLVED that the Board of Chosen Freeholders of the County of Warren hereby reappoints the following individuals to the Warren County Community College Trustee Search Committee for a one-year term:

Marsha Marasco
PO Box 182
Highbridge, NJ 08829

Term to expire: October 24, 2014

Robert Rokosz
PO Box 817
Blairstown, NJ 07825

Term to expire: October 24, 2014

Melvin M. Warren
9 Ridge Top Terr.
Washington, NJ 07882

Term to expire: October 24, 2014

Diane Kebles
112 Fox Run Road
Stewartsville, NJ 08886

Term to expire: October 24, 2014

Ellen M. Johnson Demeter
87 Buckhorn Drive
Washington, NJ 07882

Term to expire: October 24, 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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

MINUTES**OCTOBER 23, 2013**

The Freeholders expressed thanks to those who volunteer on behalf of the County.

Reports and Comments

County Counsel Joe Bell said he had a matter for Executive Session regarding pending litigation.

There were no reports from the County Engineer, County Planner or County CFO.

County Administrator Steve Marvin had only the latest Vacancy Report which contained nothing unusual.

Freeholder Comments

Mr. Gardner reported that he had visited the area known as the Handlos property. The Freeholders held off on voting on a resolution to purchase the property at its last meeting. He noted there were some very important artifacts on site. He thought it was in the County's best interest to deliberate further with the Morris Canal Committee and Dave Dech to determine the best course of action.

Mr. Smith said he had attended a pipeline safety class and was pleased to learn that the pipeline companies make a genuine effort to advise and educate our first responders. He said it was a very good course.

Mr. Sarnoski said Warren County has lost someone near and dear to us this past week: our Road Supervisor Tom Kitchen. He said it will be impossible to replace him in our hearts. Mr. Sarnoski had the honor of attending his services earlier this evening. Even though he had arrived early, there was a line of people around the block to honor Mr. Kitchen and all he's done for the community. "I didn't know him very well unfortunately, but I can tell you every time I reached out to Tom for a County issue or anything, Tom was right there. Even through the not-so-good times," Mr. Sarnoski said. Mr. Kitchen hailed from Hackettstown, where he had been Road Supervisor and was very involved in the softball program there. He had many people who cared for him and he will be sorely missed in this county. Our thoughts and prayers go out to Tom's family.

Mr. Gardner said he had known Tom since childhood. He was a Vietnam Vet that served his country admirably. Mr. Kitchen was an extremely likable gentleman and Mr. Gardner said he would always have fond memories of him.

Mr. Smith said he was taken by how Tom Kitchen was dedicated to the very end. He still came to work even while undergoing chemo. It was quite a surprise that his condition was in the state that it was. "That type of dedication is hard to find," Mr. Smith said.

Closing Public Comments

MINUTES**OCTOBER 23, 2013**

On behalf of Family and Friends for Warren Haven, C.J. Van Gieson of Independence Township presented 349 new signatures to the petition to keep Warren Haven County-owned, bringing the total up to 2,166. She said the advisory committee had toured Warren Haven and met with family members of residents who expressed positive feelings about Warren Haven. They hoped to work with a future advisory committee open to public scrutiny with a Freeholder presence and expanded membership.

Elizabeth Gittens of Lopatcong suggested that the public hearing taking place on November 6 from 5-8 p.m. be either moved to an earlier time or another session added. She thought it might be difficult for older citizens to drive at night. Human Services Director Karen Kubert said she would speak to Susan Lennon about it.

Ann Stone of Stewartsville spoke of the history of Warren Haven. She said she served for nine years on the former Warren County Welfare Board. It consisted of seven members of the public appointed by the Freeholders, the Welfare Director, the County Administrator, two Freeholders, a board attorney and the County Adjuster. The group met once a month to address the needs of Warren Haven. Due to Ms. Stone's extensive civic engagement with seniors, she felt she had a good understanding of what is important to them as they face their future. "It is my wish to go to a fine facility like Warren Haven should I not be able to care for myself," she said. She felt the Board was now jeopardizing her decision and the quality of care Warren Haven is known for.

Ms. Stone offered her assistance to help keep Warren Haven public "so the residents of this county will have the peace of mind in knowing that the fine care will continue and will have some control of the future of the facility," she said.

Kevin Hicock of Columbia said he didn't understand what the big issue was. Tonight's proclamations have been passed celebrating the arts and everything "which is a beautiful thing; everybody's got to take care of everybody, that's the way it should be," he said. There are senior citizens in Warren Haven that have contributed to this county all their lives. Being the first time he had attended one of these meetings, Mr. Hicock said he heard it's all about finances. He thought finances could be worked out with the proper people in place to figure out a way to make it work.

Mr. Gardner said it is about more than a matter of simple finances. It has to do with federal and state governments "virtually boxing us into a corner" with legislation and the CAP Law.

Mr. Sarnoski wanted to be clear that regardless of exactly how the facility ends up being owned and operated, no one is being kicked out. The residents would stay there. Mr. Marvin added that other counties that have sold their nursing homes have not closed.

RESOLUTION 527-13

On motion by Mr. Gardner, seconded by Mr. Smith, at 7:40 p.m., the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on

MINUTES**OCTOBER 23, 2013**

October 23, 2013.

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 Litigation, Negotiations & Attorney-Client Privilege*: Items to be discussed include: "W.M." litigation and responses to RFP for 2014 insurance services.
- (2) *Matters Relating to Collective Bargaining Agreements*: Items to be discussed include: Impending negotiations with CWA-TASS, Corrections Superior Officers and Correction Officers and negotiations with Prosecutor's Detectives.
- (3) *Matters Relating to Purchase, Lease, Acquisition of Real Property, etc*: Items to be discussed include: Cliffdale Center-Heritage Conservancy.

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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

On motion by Mr. Gardner, seconded by Mr. Smith, the Board adjourned executive session at 9:12 p.m. and returned to open session.

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

RESOLUTION 528-13

On motion by Mr. Gardner, seconded by Mr. Smith, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on October 23, 2013.

RESOLUTION WAIVING RIGHT OF FIRST REFUSAL TO PURCHASE BLOCK 1401, LOT 1.01 IN MANSFIELD TOWNSHIP AND KNOWN AS THE CLIFFDALE PROPERTY

WHEREAS, the Board of Chosen Freeholders of the County of Warren (County) has determined that the property known as the Cliffdale Property, consisting of approximately 5.56 improved acres is available for purchase; and

WHEREAS, this property was purchased by the Heritage Conservancy (Heritage) for open space preservation purposes along the Musconetcong River in 2008 for approximately \$350,000.00 with funding provided by the Municipal and Charitable Conservancy Trust Fund Committee (MCCTFC); and

MINUTES**OCTOBER 23, 2013**

WHEREAS, Heritage has decided to divest itself of this property and the County has a right of first refusal to purchase the property for a price equal to the costs of capital improvements made by Heritage; and

WHEREAS, Heritage has provided a schedule of capital improvement expenditures totaling approximately \$117,067.00; and

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

1. The Board hereby waives its right to purchase of the Cliffdale property for the price of One Hundred Seventeen Thousand Sixty Seven Dollars (\$117,067.00);
2. The Freeholder Director or Administrator of Warren County is authorized to sign any and all documents necessary to waive the county's right to purchase this property.

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 October 23, 2013.

Steve Marvin, Clerk of the Board

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

On motion by Mr. Smith, seconded by Mr. Sarnoski, and there being no further business to come before the Board at this time, the meeting was adjourned at 9:13 p.m.

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

ATTESTED TO:

Steve Marvin, Clerk of the Board