

**MINUTES****November 15, 1995**

The Board of Chosen Freeholders of the County of Warren met in regular session in its office in the Administration Building, Belvidere, NJ on Wednesday, November 15, 1995 at 7:00 p.m.

The meeting was called to order by Freeholder Susan Dickey and upon roll call the following members were present: Freeholder Susan Dickey and Freeholder Ann Stone. Freeholder Kenneth Miller was absent.

The Pledge of Allegiance was led by Director Dickey.

Director Dickey read the following statement: "ADEQUATE NOTICE OF THIS MEETING 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/GAZETTE, BLAIRSTOWN PRESS, THE NEWS, STAR-LEDGER AND THE EXPRESS-TIMES 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".

Under public comments, Paul Mercatanti, AFSCME, spoke to the board regarding the issue of retroactive pay for three employees, Alicia Learn, Marilyn Specht and Victoria Gavigan, who were previously county employees, transferred to positions in the court system and ultimately did not receive the retro pay when the AFSCME contract was signed.

Mr. Mercatanti feels that this was an oversight made by labor and management, and feels that this should be paid as it is not a large amount of money, approximately \$1,200, and would not set a precedent. Mr. Mercatanti and the three individuals are willing to sign any agreement to this effect.

Mr. Mercatanti said that these employees were caught up in a situation that they were not aware of, accepted transfers for various reasons and feel they are entitled to this retro pay.

Alicia Learn was previously employed in Human Services and transferred because of what she considered as horrendous working conditions, Marilyn Specht also left Human Services for similar reasons and Victoria Gavigan went from Criminal to the Jail to Accounts Payable and back to Criminal as that is where she felt she was more comfortable. All feel they deserve the retro pay.

Mr. Dinger said that this issue had been discussed several times in the past and though it would be nice to give these folks the retro pay, he views this as a different set of circumstances. When these folks transferred from county to state, there was no loss connected with these transfers. The contract language was very clear as to payment of retro pay. If we make these exceptions, it could lead to a potential problem.

County Counsel Wallace said that in his opinion, legally, the county has no legal obligation to honor this request. The board needs to consider this from the point of view that certain loopholes may exist. Mrs. Dickey had some questions that she would like to ask in executive session and Mr. Wallace said that it can be discussed under Attorney/Client Privileged Information. If the board intends to discuss these specific employees, they need to

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waive the need for a Rice notice. The three employees waived the need for the Rice notice.

Bob Shandor, Chairman of the Board of Recreation Commissioners, spoke to the board under public comments seeking approval to proceed with land acquisition.

Mrs. Stone said she feels there is a lack of communication between the freeholders and the Board of Recreation Commissioners.

Mr. Shandor said the commission has been in existence since 1986 and he feels very little has been accomplished. He is here before the board for guidance on what process they, the Board of Recreation, should follow for acquisition. They would like permission to proceed as outlined in the report they handed out to the board.

With freeholder approval, they would hire an attorney each year to give them advice and handle contracts for purchases and closings. They would also advertise for appraisal and survey services and environmental assessment.

Mrs. Stone said that all the problems should be worked out before we acquire the land.

Mr. Shandor said they would also like to expand the membership to seven members with two alternates. Sometimes they have difficulty reaching a quorum.

Mrs. Stone invited Mr. Shandor to attend the Public Works meeting that will be held on December 6th at 10:00 a.m. in the county engineer's conference room. Steve Marvin will also be attending.

As part of the report, included was their vision of the Warren County Park System and the land purchase for open space and Morris Canal cross county trail system and county park system.

Also under public comments, Dave McNulty, a resident of Liberty Township, spoke about the operation of the incinerator and raised questions about incineration. He said he had tried to contact PCFA but they were very uncooperative. He has concerns regarding financing and also, health concerns.

Others attending and speaking regarding pollution issues were Nancy Martin, Anna Marie Caldara, Margo Rinehart, Madeline Hoffman, and Delia Quigley. Some of these people said that they had attended some SWAC meetings and they didn't seem to be doing their job. Mrs. Stone objected and said that she disagrees with this as they are a very good committee and have worked very hard. She thinks they are doing their job.

It was also requested that PCFA hold night meetings again and Mrs. Stone said we would send a letter to them with this request.

Most of the people who spoke about the PCFA were in favor of closing the incinerator, asking Ken Miller to resign from PCFA as they feel his serving as freeholder and on the authority is a conflict of interest and they also have a problem with PCFA being an autonomous body.

The resolution entitled: RESOLUTION ESTABLISHING THE DIVISIONS OF EMERGENCY MANAGEMENT, 911, AND FIRE MARSHAL UNDER THE DEPARTMENT OF PUBLIC SAFETY and the resolution entitled: RESOLUTION ESTABLISHING A WARREN COUNTY HIRING POLICY FOR ALL WARREN COUNTY EMPLOYEES will be held until the next meeting when Mr. Coyle, Personnel Director, can be available to answer some of the questions that the board members have.

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There was some discussion regarding the Open Space issue and the board requested that Dave Wallace draft a resolution for the next meeting. He can get the figures from the treasurer.

Under the county administrator's report, there is a request to use the Cooperative Extension meeting room for an employee aerobics program. The board had no problem with this.

Under freeholder comments, Mrs. Stone had no comments. Mrs. Dickey had received a letter from SWAC and forwarded it to Dave Dech.

Mrs. Dickey also received a letter regarding action taken by the Delaware Water Gap National Recreation Area Citizens Advisory Commission. Mr. Dinger will write a special letter to this commission to have them send a representative to a freeholder meeting.

Mrs. Dickey also mentioned that she would like to have a list of all the candidates who were interested in serving as members of the Trustee Search Committee.

There were no closing comments, no press comments or questions and no bills to pay.

On motion by Mrs. Stone, seconded by Mrs. Dickey, and there being no further official business to come before the board at this time, the meeting was adjourned at 10:24 p.m.  
ROLL CALL: Mr. Miller: absent Mrs. Stone: yes Mrs. Dickey: yes

ATTESTED TO:

Naomi J. Stout, Deputy Clerk