

MINUTES**November 20, 1996**

The Board of Chosen Freeholders of the County of Warren met in regular session in its office in the Administration Building, Belvidere, New Jersey on Wednesday, November 20, 1996 at 7:15 p.m.

The meeting was called to order by Director 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 to the Flag 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"

There were no public comments relating to agenda items.

RESOLUTION 661-96

On motion by Mrs. Stone, seconded by Mrs. Dickey, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held November 20, 1996.

RESOLUTION TO PAY BILLS

BE AND IT IS HEREBY RESOLVED that the Master Voucher Certificate for Certification for Payment No. 96-30 dated November 20, 1996 in the amount of \$305,132.88 including bills and investments, is approved subject to the review of the vouchers by the Board of Chosen Freeholders.

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 on the date above mentioned.

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: absent Mrs. Stone: yes Mrs. Dickey: yes

RESOLUTION 662-96

On motion by Mrs. Stone, seconded by Mrs. Dickey, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held November 20, 1996.

**RESOLUTION APPROVING THE SERVICE OF THE DIRECTOR
OF WELFARE, WARREN COUNTY WELFARE BOARD, AS
COUNTY ADMINISTRATOR ON A TIME SHARE BASIS**

WHEREAS, the Warren County Board of Chosen Freeholders is desirous of securing an individual to provide the services of county administrator; and

WHEREAS, Henry D. Dinger, Director of Welfare, Warren County Welfare Board, is qualified to perform said services in view of his previous service as full-time county administrator; and

WHEREAS, the parties have developed an agreement outlining terms and conditions governing the provision of services; and

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WHEREAS, it is anticipated that the Warren County Welfare Board will be adopting a resolution at their meeting on December 9, 1996 approving Mr. Dinger's service as county administrator on a time share basis,

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren, that contingent upon adoption of a resolution by the Warren County Welfare Board on December 9, 1996 approving the loan of services of the Director of the Warren County Welfare Board to the County of Warren as county administrator on a time share basis, which resolution is annexed to and made a part of this resolution by reference and is incorporated herein as if set forth verbatim, is hereby approved and adopted by the board in its entirety as its own enactment, and the Director of the Board is hereby directed and authorized to execute the agreement between the parties subject to the review and approval of such agreement by county counsel.

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 on the date above mentioned.

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: absent Mrs. Stone: yes Mrs. Dickey: yes

County Counsel David Wallace asked if the board had reviewed the materials regarding smoking and was told there was no decision made yet.

County Administrator Henry Dinger had no report.

Freeholder Ann Stone had no comments.

Freeholder Susan Dickey had no comments but mentioned an item for executive session.

Under public comments, a resident from Columbia expressed her concerns regarding the safety of the incinerator. She thanked Mrs. Dickey for realizing that the study to be done by consultants for PCFA may be biased. She asked who holds anyone accountable for the dangerous pollutants coming out of the incinerator. A law will be passed Monday to tax everyone for incineration.

Mrs. Stone suggested that if these people are going to listen to Dave McNulty, that they should also go to the Health Department for information also in order to see both sides of the picture. The resident from Columbia said that she doesn't trust DEP.

Mrs. Dickey said that PCFA was created by the freeholders but we do not interact with the PCFA. The standards have been lowered since the inception of the incinerator, but this comes out of Trenton. The freeholders have no authority over PCFA. State law governs the incinerator but we are responsible for the health of the citizens. In March of 1996, people from DEP came and made a presentation but it was very poorly attended.

Margo Rinehart mentioned that the board does have the authority to shut the incinerator down. It has over 500 violations. Gibson sponsored a new bill prior to one sponsored by Rooney in Bergen County. The Gibson bill proposes a tax to be levied on the people to help those citizens who have bonding debts from several facilities. There is a total of \$1.8 billion in bonding debt. The Rooney bill is that each municipality proposes a charge of \$10 to \$50 per ton which is a charge over and above what they are paying to help pay off the bond debt. The Freshkills landfill will soon be closed and they will be sending all their garbage to Warren County. The Health Department should care about the health of the people

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in this county, they know exactly what is coming out of the facility, they can monitor all they want. 650 strikes and you are out!!

Mrs. Dickey said that in reality, the PCFA guaranteed this and they are the agency that drafted and signed the agreement. PCFA can not be abolished as long as they have debt. Debt insurance only pays off the current years' debt. The debt would reoccur every month.

Margo Rinehart said that as far as DEP coming up, they did not come up on the onset of the declaratory permit, the decision was already made.

Mrs. Stone said that is not true.

Anna Marie Caldara said that she had called the Health Department in April and they told her they keep only the up-to-date reports. The old ones are dumped. She said she had expressed an interest in the reports on why some streets have all their residents suffering from cancer. She said she spoke to everyone in the office and each one told her that there was no further information to give her. She also talked to the Cancer Society and got nothing. Ms. Caldara said that she and her group bring information to the freeholders and they do nothing. An incinerator was just shut down in Long Island.

There is a high rate of breast cancer coming from the dioxins from the incinerator. People ignore the facts because it is not politically correct to dispute them. The freeholders are accountable for this situation.

Mrs. Stone said that Elin Gursky will be back with more facts.

Ms. Caldara said that this will not happen. Mr. Dinger said that they won't believe anything they are told anyway.

Mrs. Stone said there are many reasons for people to get cancer, it doesn't just come from the incinerator. The statistics are higher because they now go to the doctors earlier and people are being more cautious. Ms. Caldara said she has been hearing this for ten years and it is time for someone to take action.

Dave McNulty of Liberty Township said that the point is that they have provided hundreds of pieces of information, but every time they do, the freeholders ignore it. Ann Stone says that every time cancer is reported it is a good thing. Frank Leary lied to him (Mr. McNulty) in a public meeting. They are told they are extremists, etc. The incinerator has 655 violations but DEP makes no response. The ridiculous presentation that they made was just a lot of bologna. They told this group that they are spreading false information. He suggested that Ann Stone get the facts.

Mrs. Stone said that she has the facts but she doesn't have the authority to release the facts. She said she has faith in DEP and the other government agencies.

Mr. McNulty said that this is a matter of credibility. The freeholders should be thanking them for coming here and trying to save lives. There is an alternative to the incinerator. Every time they mention getting an expert in, the freeholders won't allow it. He asked if Ann Stone had watched the tape he left the last time and she said no. He said that he recycles everything and composts all his garbage. He said they should shut down the incinerator and start being responsible.

Delia Quigley of Liberty Township, said she went to Trenton recently and those people listened to her and were very gracious. She pointed out that building an incinerator in Mercer County was voted down and one was just closed on Long Island. She has been coming here for a year and has been providing facts. This is all on the heads of the freeholders. They are responsible for the deaths in this county.

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Mrs. Dickey said there is a difference in what happened in Mercer County and what is happening here.

Ms. Quigley said they are putting a dollar value on the lives of the children in this county. Mrs. Stone said that this is not true. They have always tried to work with the people to improve the air quality in this county. Ms. Quigley said that she has not done enough and said that she demands that she do more.

Mrs. Dickey said they have talked to the state and the incinerator was a state mandate for waste management and she would have no problem with going straight to the president with this matter. She pointed out that we have little control over what is happening here.

A resident of the Mountain Lake area said we need to close the incinerator. What would it cost the taxpayer to shut it down. Mr. Dinger said that there is a \$50 million debt and 96,000 residents, figure it out! The Ogden-Martin project is about \$120 million.

Susan said that the only way to put this on the ballot is with a non-binding referendum as there are only certain items that can be put on the ballot.

Someone in the audience said that the problem is that the freeholders do not want to face the undisputed facts. They are showing disrespect for the people. This needs to be brought to the street and to the people. No one is doing anything.

Mrs. Stone said that she considers the DEP facts valid.

Mrs. Dickey said she will not support a tax to be imposed on the residents of Warren County.

Margo Rinehart said that the board knows the hazards, they are asked to do something but they do nothing.

Ms. Caldara said that a few weeks ago the board did a proclamation on radon, would they consider doing a proclamation on incinerator-action week. Mrs. Dickey said she would consider doing this.

Ms. Caldara also asked that they stop children from touring this plant. To sell this incinerator to another generation is a crime.

A resident mentioned that she is disillusioned with the system and feels that government can not be trusted.

William King, the new County Superintendent of Schools introduced himself to the board and said that he looks forward to working with them.

There were no press comments or questions.

RESOLUTION 663-96

On motion by Mrs. Stone, seconded by Mrs. Dickey, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held November 20, 1996.

RESOLUTION AUTHORIZING THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS TO HOLD AN EXECUTIVE SESSION ON NOVEMBER 20, 1996. THE GENERAL NATURE OF THE SUBJECT TO BE DISCUSSED INCLUDES VARIOUS PERSONNEL MATTERS; CONTRACTS; LITIGATION, LAND ACQUISITION; ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS AND IT IS ANTICIPATED THAT THE ABOVE STATED SUBJECT MATTER WILL BE MADE PUBLIC AT SUCH

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**TIME AS THE PUBLIC INTEREST PERMITS DISCLOSURE AND/OR WHEN A
REQUEST IS MADE CONSISTENT WITH THE OPEN PUBLIC MEETINGS ACT
AND WITH STATUTORY AND COMMON LAW "RIGHT TO KNOW" PROVISIONS**

WHEREAS, Section 7 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist,
NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Warren in the State of New Jersey, pursuant to Section 8 of said act, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matter.

2. The general nature of the subject matter to be discussed is:

1. Various personnel matters.
2. Contracts.
3. Litigation.
4. Land acquisition.
5. Attorney/client privileged communications.

3. It is anticipated that the above stated subject matter will be made public at such time as the public interest permits disclosure and/or when a request for disclosure is made consistent with the Open Public Meetings Act and with statutory and common law "right to know" provisions.

4. 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 on the date above mentioned.

s/Naomi J. Stout, Deputy Clerk

ROLL CALL: Mr. Miller: absent Mrs. Stone: yes Mrs. Dickey: yes

Director Dickey called for a five minute recess at 8:35 p.m.

The board went into executive session at 8:55 p.m.

The board returned to open session at 9:13 p.m.

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 9:21 p.m.

ROLL CALL: Mr. Miller: absent Mrs. Stone: yes Mrs. Dickey: yes

ATTESTED TO:

Naomi J. Stout, Deputy Clerk