

MINUTES

APRIL 7, 1999

The Board of Chosen Freeholders met in the Town of Phillipsburg Municipal Building, Phillipsburg New Jersey on Wednesday, April 7, 1999 at 7:10 p.m.

The meeting was called to order by Director Dickey and upon roll call the following members were in attendance: Freeholder Susan Dickey, Freeholder Stephen Lance and Freeholder Ann Stone.

The Pledge of Allegiance to the Flag was not done as there was no flag in the meeting room.

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"**.

Jay Yarnell, Harry Wyant and Roger DiVittorio from Town Council were in attendance and Mr. Yarnell took the lead in beginning discussions with the Board of Chosen Freeholders and began by thanking them for funding Phillipsburg projects in the 1999 budget.

Mr. Yarnell asked what the status of the Building Expansion Advisory Committee was. The Board of Chosen Freeholders is currently working on naming the members of this committee as well as the three appointments to the Phillipsburg Free Public Library Commission. The Federation Agreement and its' recent amendment were briefly reviewed to confirm that the Expansion Committee is to consist of the Freeholder Director, two Board of Chosen Freeholder appointments and two Town of Phillipsburg appointments. When reformulated, we will contact the Town Clerk about meeting dates and place. Phillipsburg expects to appoint at their April 9th meeting and the Town Clerk will provide that information to us afterwards.

The Building Expansion Advisory Committees' first goal is to review past documentation and to nominate an architect to be contracted for the design work. It was generally agreed that the previous architect - Kieran, Timberlake and Harris - would be the best selection as they had participated in earlier phases.

Discussion ensued regarding the method for transfer of project funds from county to town. Town of Phillipsburg is to discuss/decide if funds should be through the town budget via trust account/dedicated by rider or through the library budget. When they decide, the town CFO will discuss with Mr. Houck. Most likely a system of progress based payments will be established.

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The Town of Phillipsburg has budgeted \$100,000 in their 1999 budget for library renovations and these funds should be included in the project budget. The town Public Works Manager will most likely take the lead in project administration. Mrs. Stone requested that an application form be forwarded to Kathy Degan, member of the Lopatcong Council, for consideration for appointment by the Board of Chosen Freeholders to the Phillipsburg Free Public Library Board.

A brief discussion regarding the status of the Rail Museum was held. All seem hopeful that Phillipsburg will be designated by the Legislature and the Governor as the museum site and that the project will move ahead in the near future.

Mr. Yarnell asked that the county consider lowering speed limits on county roads around Phillipsburg High School, especially near intersections and crosswalks as there is considerable pedestrian traffic and speed limits of 35 mph. A copy of the recently adopted County regulations regarding requests for speed limit changes will be sent to Frank Tolotta by Dave Hicks.

Discussion regarding the county role in energy deregulation was held. Until BPU sets guidelines, the county is taking no formal action. The board briefed Phillipsburg regarding the fact that a letter will be coming from Chris Pessolano with reference to cooperative purchasing needs.

Mike King, representing the Phillipsburg Riverview Organization, briefed the Board of Chosen Freeholders regarding the trail on the CNJ rail corridor and requested board support for establishment between Green Bridge in Phillipsburg and Bethlehem Township. Considerable discussion ensued regarding two impact areas under county - the removal of Shackletown Bridge and removal of viaduct on Still Valley Road, primarily requesting that the county intercede to halt existing plans. Mr. King, Mr. and Mrs. Forbes and Ms. Moore discussed sending letters to NJDOT requesting local governing bodies support, need for large access point parking lot at area of Shackletown Bridge and NJ Transit failure to maintain viaduct as their reason for wanting to remove. Judith Forbes discussed historic significance of rail construction. Three documents were distributed to the board - the April 7th letter to NJDOT, the March 18th press release and a map of the proposed trail.

RESOLUTION 244-99

On motion by Mr. Lance, seconded by Mrs. Stone, the following resolution was unanimously adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held April 7, 1999.

RESOLUTION AUTHORIZING THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS TO HOLD AN EXECUTIVE SESSION ON APRIL 7, 1999. 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 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,

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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: Mrs. Stone: yes Mr. Lance: yes Mrs. Dickey: yes

The board went into executive session at 8:30 p.m.

The board returned to open session at 9:05 p.m.

Nothing discussed in executive session has lost its confidentiality.

On motion by Mr. Lance, seconded by Mrs. Dickey, the county administrator was directed to take action as discussed in executive session.

ROLL CALL: Mrs. Stone: no Mr. Lance: yes Mrs. Dickey: yes

On motion by Mr. Lance, seconded by Mrs. Stone, and there being no further official business to come before the board at this time, the meeting was adjourned at 9:10 p.m.

ROLL CALL: Mrs. Stone: yes Mr. Lance: yes Mrs. Dickey: yes

ATTESTED TO:

Naomi J. Stout, Deputy Clerk