

AUGUST 13, 2001

MINUTES

The Board of Chosen Freeholders of the County of Warren met in special session in its offices in the Administration Building, Belvidere, New Jersey on Monday, August 13, 2001 at 7:00 a.m.

The meeting was called to order by Director DiMaio and upon roll call the following members were present: Freeholder John DiMaio, Freeholder Michael Doherty and Freeholder James DeBosh.

Also attending were County Administrator Steve Marvin and County Counsel John Coyle.

The Pledge of Allegiance to the Flag was led by Director DiMaio.

Director DiMaio read the following statement: "**ADEQUATE NOTICE OF THIS MEETING WAS GIVEN IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT BY FORWARDING A SCHEDULE OF SPECIAL 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**".

A. DISCUSSION REGARDING SETTING OF A MEETING DATE FOR A PUBLIC HEARING ON A RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF WARREN TO ESTABLISH A COUNTY COLLEGE.

Mr. DeBosh commented that this board is acting like the gang that couldn't shoot straight and is taking away the public's right to comment, they are being childish and vindictive in passing this resolution. Susan Dickey is steering these actions and he also pointed out that the ballot timing is improper. This has everything to do with the election and politics. If we merge with the County College of Morris, they will control things. This action flies in the face of arguments regarding upholding the will of the voters. Mr. DeBosh said he will vote no on this resolution.

Mr. Doherty said he is risking his career to take a stand on this issue, he is also risking his law license and potential for an assembly seat. The administrative body of the executive branch is usurping the Board of Chosen Freeholders. This issue was wrongly done in Hudson and Sussex Counties as well. He and Mr. DiMaio will correct this situation.

Mr. DiMaio said that this is the same as speeding, it is not right because everyone else does it. Politically, he has been advised that this is problematic for his election, but we can't live by one statute and not another. In 1993, a motion was made to do a resolution establishing the college but it was not seconded. Legislative history indicates that a referendum was intended.

Mr. DeBosh said that the local officials did have a voice in this. The debt service will be down next year so there will be no tax increase for the expansion project. If the referendum fails, there will still be a College Commission with the same powers as the Community College.

Mr. Doherty said if we do not follow the law, we have an arbitrary government.

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On motion by Mr. Doherty, seconded by Mr. DiMaio, on advice of County Administrator Steve Marvin, the BCF will advertise for a BCF meeting and public hearing at 8:00 a.m. on Monday, August 27, 2001.

ROLL CALL: Mr. DeBosh: no Mr. Doherty: yes Mr. DiMaio: yes

Fred Cook said he objects to the timing of the public hearing. If they want the public heard, they should hold a regular evening meeting. He disagrees with this process and asked if anyone has talked to the legislators.

Mr. Doherty said that he has, in regard to the statutory scheme.

There was conversation between Mr. Doherty, Mr. DiMaio and Mr. Cook regarding Statute 18A: 64A et seq. and the Attorney General's opinion regarding establishment of the Community College.

Mr. Doherty said he tried to schedule a regular meeting for this issue. This has been very stressful and the Judge's are ready to take his license, this has been a heavy burden for him.

Jane Santini asked about the timing of the notice for this meeting and asked about the resolution introduced at the last meeting for a five-member freeholder board.

Mr. DeBosh said that this is a pro-education state and it is wrong for the BCF to attack the college.

On motion by Mr. Doherty, seconded by Mr. DeBosh, and there being no further official business to come before the board at this time, the meeting was adjourned at 7:43 a.m.

ROLL CALL: Mr. DeBosh: yes Mr. Doherty: yes Mr. DiMaio: yes

ATTESTED TO:

Naomi J. Stout, Deputy Clerk