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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 27, 2001 at 8:03 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.

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"**.

Reggie Regrut asked to speak and Freeholder Director DiMaio advised Reggie he could speak during the public comments session of the meeting. Mr. Regrut came forward and disrupted the meeting by addressing the audience. After several requests from Director DiMaio for Mr. Regrut to save his comments until the appropriate time, Mr. Regrut continued with his disruption. At 8:10 a.m., Director DiMaio recessed the meeting. County Administrator Steve Marvin contacted 911 and the State Police were notified of the disturbance. The police arrived and removed Mr. Regrut from the meeting. The meeting was called back to order at 8:38 a.m. by Director DiMaio.

Mr. Marvin asked if the meeting could be taped and Mr. DiMaio agreed and said that a discussion would be held at a future meeting regarding the policy of taping meetings.

On motion by Mr. DiMaio, seconded by Mr. Doherty, today's freeholder meeting is to be audiotaped.

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

Special Counsel, Steve Shaw of Joseph Bell & Associates, representing the Board of Chosen Freeholders in litigation proceedings with WCCC presented information outlining the reasons for Mr. DiMaio and Mr. Doherty's actions regarding the resolution asking the BCF to establish a county college. Statute 18A: 64A states clearly that a county college be established by resolution. September 14, 2001 is the deadline for the County Clerk to receive petitions from individuals and/or municipalities to place this resolution on a ballot as a referendum. This is also the deadline for the County Clerk to have the ballots to the printer. In 1993, the BCF received a letter from then County Counsel Brian Smith advising that they should pass a resolution establishing a county college. The BCF did not take his advice at that time. The Attorney General, in a 1993 opinion letter, said they did not have to do this. If enough petitions are received from municipalities and/or individuals, a referendum will be on the ballot. Mr. Doherty asked Mr. Shaw if that was the only place in the statute that talks about establishing a county college and Mr. Shaw said yes. Mr. Doherty asked if there is any alternative language and Mr. Shaw said no. Mr. Doherty

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asked if voters ever had their right of referendum and Mr. Shaw said no resolution was ever passed in Warren County. Voters never had the right of referendum.

On motion by Mr. DiMaio, seconded by Mr. Doherty, the public hearing was opened at approximately 8:45 a.m.

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

Mr. DiMaio stated that discussion would be limited to five minutes per person.

Marsha Burdis, a 1998 graduate of WCCC and a 2000 graduate of Rutgers, stated that she was addressing here comments to Mr. DiMaio and Mr. Doherty. She stated that it is o.k. to disagree about the funding issue, but not o.k. to risk education. She feels that they are victimizing past, present and future graduates of the college. She stated that the college does in fact exist as a college and not as a commission whether they believe it or not. She said everyone is upset and the public does not really know what is going on. He stated that she takes their actions personally.

Sondra Caffner of Stewartsville asked the board to help the public understand how they will meet the needs of employees and students. She said the public is fearful. It is not clear to the public what is going on. There needs to be more facts in understandable print.

Ed Smith of Franklin Township stated that he is not opposed to WCCC. He feels that the issues should be resolved. He is concerned that if action is not taken now the issue will not make it to referendum and will drag on until next year. He states they should get together to resolve the problem. We should have a referendum, there should be a compromise.

Laurie Dickerson of White Township stated that she did not attend WCCC but her children attend summer camp there and her family utilizes the library. She states that the voters will be "trapped" into voting for or against forming the college when it already exists. She wants to know why the two freeholders are so hostile toward WCCC. She said that lawyers can always find loopholes or technicalities (regarding Mr. Shaw's presentation). She states that the taxpayers should not have to pay for the legal expenses of Mr. DiMaio and Mr. Doherty. She asked them, why not have a referendum asking the public if they want to pay for their legal expenses. She states that the college is being singled out because open space and VoTech funding are not in question. She states that this is an obscene waste of time and money on this issue and could be spent in better ways such as towards open space. She also told the BCF that comparing themselves to their founding fathers is "grandiose" and they should stop making that reference. She said being here is an "Alice in Wonderland" experience.

Joyce McGlaughlin of Carpentersville stated that they are using this issue as a political football and the football is going to have backlash.

Jane Santini of Blairstown asked what will happen if the answer to the referendum is no.

Phil Stern, Attorney for WCCC requested a transcript of this meeting. He asked the board if it is so that if the referendum fails, it could end the college. He suggested that the freeholders exercise their right to petition the Department of Higher Education regarding WCCC since that was not done in the past.

Julia Falciani of Asbury submitted a package of 20,000 names and addresses of students who have attended and/or graduated from WCCC. She wants to know if the freeholders are trying to say that all of the issued degrees are not good. She stated that she will write to all of the 20,000 students and tell them that "you did it" (the freeholders). She will tell them that all of their blood, sweat and tears did not count. She asked Mr. DiMaio if he is trying to say that the degrees would

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not exist. Mr. DiMaio responded that that is not what they are trying to accomplish. He said that Washington High School is not Warren Hills and the degrees that were issued under Washington High School did not become null and void. Mr. DeBosh commented that this is not a merger. Julia said that the students would then have to be told that the degrees were issued from a commission and not a college. Julia asked Mr. Doherty how he would like this if it happened to him. Mr. Doherty stated that they are trying to scare the public and the student body. The degrees will not go away. Mr. Doherty said that the college will still exist. He said that he wants it to exist. The real issue is controlled spending as we are now being told how to spend the money. Elected officials should have the right to control how the money is spent. He wants to see the college stay but doesn't want people to tell him that he must fund it. Mr. Doherty stated that he is not hostile toward the college and that politics is the business of doing business. He also stated that Mr. Mancuso gave valid reasons on the funding for the VoTech and that has not been done regarding the college expansion funding. Julia gave reasons of not enough parking, not enough classrooms, the library too small, etc. She said that students as well as the Warren County public would benefit from an auditorium. She invites the freeholders to come to the college and observe the classes.

Fred Cook of Blairstown asked if the two freeholders are going to support the college if the issues go on the ballot. Mr. Doherty said yes, he supports education, his children attend programs at the college. Mr. DiMaio also said yes.

Walt Menegus, Mayor of White Township stated that being in politics is not easy. He believes we need a college. He said a lot of WC residents cannot afford to go to big out-of-county colleges. He said closure on the issue is needed.

Jerry Giamis of Washington Borough Town Council and 1999 graduate of WCCC wants to know if the referendum is defeated, would the college revert back to a commission. Mr. Doherty stated that it would be a college commission. Mr. Giamis is concerned because he attends Rutgers and that his credits from WCCC would no longer count toward graduation from Rutgers if the college goes back to a commission. His credentials would be in question.

Shawn O'Connor of Phillipsburg stated that it seems that every time you two go to court there is a new meeting a new issue.

Laurie Dickerson came forward again and asked who is the majority of elected officials. She stated that Mr. DiMaio is appointed. Mr. DiMaio said that he is sitting on the BCF legally. Mr. Doherty stated that that comment was a low blow.

Phil Stern came forward again and asked the freeholders to table this motion and petition the Department of Higher Education. He also wanted to make it known to the BCF that the reason they have not heard from the WCCC trustees is because they are involved in litigation, not because of lack of commitment or interest. Mr. Stern stated that the matter would best be resolved by the WCCC trustees and the BCF. He said the college is here to talk. Mr. DiMaio stated that he was looking to talk in January. Mr. Stern stated that the situation is what it is right now and it should be dealt with now. Mr. DiMaio said he is open to talk.

John McCann, Chairman, Board of Trustees at WCCC stated that he is a taxpayer and that he is not happy with his taxes. He said that investment in higher education is important. He said he would rather use funds for education instead of legal costs. He suggests that the WCCC trustees and BCF sit down and work together.

On motion by Mr. DiMaio, seconded by Mr. Doherty, the public comments section of the meeting was closed at 10:15 a.m.

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

Under freeholder comments, Mr. DeBosh said that he wants to clear some things up. He said that if the board does not want to fund WCCC they should not have supported VoTech. Mr. DeBosh said that Steve Shaw only showed part of Brian Smith's letter. He said Mr. Shaw did not show the part where Brian Smith begged for the Attorney General to write an opinion. Mr. DeBosh stated that there are a lot of state mandated items that must be in the budget that the elected officials do not have control over but we do it anyway. We do it because it is mandated. Mr. DeBosh states that the attorney that was handpicked by the other two freeholders says that the college is legal. Mr. DeBosh asks why we are spending so much time on this issue when we should be addressing other issues such as the 911 situation. He said the resolution is an attack on the school and the Board of Trustees.

Mr. Doherty said he would like to see the college continue. He said that it is not political grandstanding. His family is very upset by the situation and he would like to see it be over. He said let's put it back to the voters. Let's take the lawyers out. He said to President DeSanctis, if the question needs to be written, let's rewrite it jointly and put it on the ballot. He said he will not campaign against it. If it passes, I'll give you your money, if it is defeated, accept that and go on. I am trying to protect the voters.

Mr. DiMaio said that he disagrees that it is a political thing. He said he has made a decision to do what is right and if it means he won't get elected, so be it. He said it is a said issue and not the fault of the current BCF. He would also like to see it back on the ballot. He would gladly go to executive session to talk about it with WCCC representatives.

On motion by Mr. DiMaio, seconded by Mr. Doherty, the board went into executive session with parties representing the college at 10:30 a.m.

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

The board returned to open session at 2:10 p.m. with Director DiMaio stating that there was no action taken and that they are in the process of ongoing negotiations.

On motion by Mr. Doherty, seconded by Mr. DeBosh, Resolution A1 was tabled.

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

Mr. Marvin discussed a motion to approve the County Administrator administrative actions discussed in executive session.

On motion by Mr. Doherty, seconded by Mr. DeBosh, approval was given to approve the County Administrator Administrative actions as discussed in executive session.

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

On motion by Mr. DeBosh, seconded by Mr. Doherty, the meeting was recessed until Wednesday, August 29, 2001 at 7:30 p.m.

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

ATTESTED TO:

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Naomi J. Stout, Deputy Clerk