

MINUTES

SEPTEMBER 26, 2006

SPECIAL SESSION WITH HUNTERDON COUNTY BOARD OF CHOSEN FREEHOLDERS

The Boards of Chosen Freeholders of the Counties of Warren and Hunterdon met in Special Session with the Hunterdon County Board of Chosen Freeholders at the Hunterdon County Library Headquarters, Route 12, County Complex, Flemington, New Jersey 08822 on September 26, 2006.

Mr. Chamberlain called the meeting to order at 7:09 p.m. Upon roll call, the following members were present: Freeholder Everett Chamberlain, Freeholder John DiMaio and Freeholder Richard Gardner. Also attending was County Administrator Steve Marvin.

Mr. Chamberlain provided notice of compliance with the Open Public Meetings Act: **“ADEQUATE NOTICE OF THIS MEETING OF SEPTEMBER 26, 2006 WAS GIVEN IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT BY FORWARDING A SCHEDULE OF THIS SPECIAL MEETING OF THE BOARDS OF CHOSEN FREEHOLDERS TO THE WARREN COUNTY CLERK, THE STAR-LEDGER, AND DAILY RECORD AND BY POSTING A COPY THEREOF ON THE BULLETIN BOARD IN THE OFFICE OF THE BOARD OF CHOSEN FREEHOLDERS. NOTICE WAS ALSO PROVIDED BY FAX TO THE STAR-GAZETTE, WARREN REPORTER, EXPRESS TIMES, NORTH WARREN NEWS, HUNTERDON DEMOCRAT, HUNTERDON REVIEW, THE COURIER, THE TRENTON TIMES AND THE LAMBERTVILLE BEACON. 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.”**

Prior to entering Joint Executive Session with the Hunterdon County Board of Chosen Freeholders, there were approximately 20 minutes of discussions and debate concerning Hunterdon County Freeholder Peterson's having been asked to recuse himself from attendance at the Executive Session. Freeholder Peterson has recently been appointed to the Highlands Council and as a result, Hunterdon County Counsel DeSapio advised that he should recuse himself in order to mitigate any appearance of a conflict of interest. At the conclusion of these discussions, Freeholder Peterson did in fact; leave the meeting prior to the beginning of the Joint Executive Session.

RESOLUTION 546-06

On motion by Mr. DiMaio, seconded by Mr. Gardner at 7:33 pm, the following resolution was adopted by the Board of Chosen Freeholders of the County of Warren at a meeting held on September 26, 2006.

RESOLUTION AUTHORIZING EXECUTIVE SESSION OF THE WARREN COUNTY BOARD OF CHOSEN FREEHOLDERS PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12

WHEREAS, the Warren County and Hunterdon County Boards of Chosen Freeholders are subject to certain requirements of the *Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.*, and

WHEREAS, the *Open Public Meetings Act, N.J.S.A. 10:4-12*, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Warren County and Hunterdon County Boards of Chosen Freeholders to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b(7) and designated below:

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Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

NOW, THEREFORE, BE IT RESOLVED by the Warren County Board of Chosen Freeholders, assembled in public session on September 26, 2006, that an Executive Session closed to the Public shall be held on September 26, 2006, at 7:33 p.m. in the Hunterdon County Library Headquarters, Rte. 12, County Complex, Flemington, NJ 08822 for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Warren County and Hunterdon County Boards of Chosen Freeholders that the public interest will no longer be served by such confidentiality.

Recorded Vote: Mr. Gardner yes, Mr. DiMaio yes, Mr. Chamberlain yes

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders on the date above mentioned.

Steve Marvin, Clerk of the Board

Recorded Vote: Mr. Gardner yes, Mr. DiMaio yes, Mr. Chamberlain yes

On motion by Mr. DiMaio, seconded by Mr. Gardner, the Board adjourned Executive Session at 8:20 p.m. and returned to open session.

Recorded Vote: Mr. Gardner yes, Mr. DiMaio yes, Mr. Chamberlain yes

On motion by Mr. Gardner, seconded by Mr. DiMaio, and there being no further business to come before the Board at this time, the meeting was adjourned at 8:21 p.m.

Recorded Vote: Mr. Gardner yes, Mr. DiMaio yes, Mr. Chamberlain yes

ATTESTED TO:

Steve Marvin, Clerk of the Board