

The Board met in Executive Session on Wednesday, February 8, 2012 at 7:35 p.m. with the following members present: Freeholder Everett Chamberlain, Freeholder Richard Gardner, Freeholder Jason Sarnoski, County Counsel Joseph J. Bell and County Administrator Steve Marvin.

Brief discussion was held on each of the following matters:

Mr. Marvin distributed copies of the transcript on the hearing concerning the Public Defender's Office's motion to preclude the use of Court Room #2 for trial where Judge Bartlett has ordered that the Court Room may not be used for trials. Mr. Bell noted for the Board that there have been a number of issues concerning Judge Bartlett's improper rulings on bail vacations which he has had to turn to the Appellate Division to have overturned and this appears to be another overreach of her judicial authority. Mr. Marvin told the Board that the Prosecutor's Office will be filing an appeal for Judge Bartlett's ruling in the matter. Mr. Bell will be performing research to see if the Board should file suit against the Administrative Office of the Courts concerning their approval of the plans for the Court Rooms.

(1) *Matters Relating to Collective Bargaining Agreements:* Items to be discussed include: PBA 280-Sheriff's Officers-status of interest arbitration; FOP 171-Corrections Officers and PBA 331-Prosecutor's Detectives-status of negotiations; and other current labor negotiations with AFSCME 3287, AFSCME 671, CWA 1071-PHNA and CWA 1032-Prosecutor's Clerical.

PERMANENTLY REDACTED AS TO SUBJECT: COLLECTIVE BARGAINING PER N.J.S.A. 10:4-12b(4):

(2) *Matters Relating to Litigation:* Items to be discussed include: Aire Enterprises v. Warren County.

Mr. Bell briefed the Board on a supplemental finding in the Aire Enterprises v. Warren County litigation. In reviewing the records, Assistant County Counsel Patricia Melia has found a 2009 finding by Judge O'Connor that the Prompt Payment Act is not applicable in this matter and therefore, her decision in favor of the plaintiff relying on the Prompt Payment Act should be overturned.

PERMANENTLY REDACTED AS TO SUBJECT: EMPLOYMENT RELATIONSHIP PER N.J.S.A. 10:4-12b(8):

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the Board returned to open session at 8:00 p.m.

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