

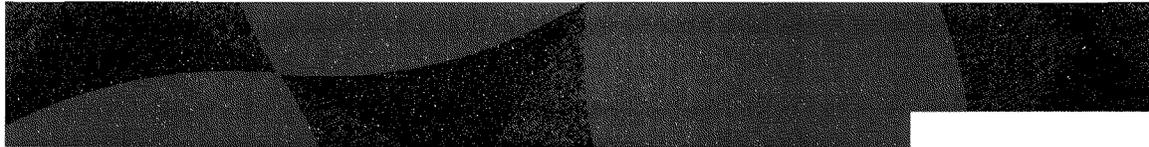
The Board met in Executive Session on Wednesday, February 22, 2012 at 7:35 p.m. with the following members present: Freeholder Everett Chamberlain, Freeholder Richard Gardner, Freeholder Jason Sarnoski, County Counsel Joseph J. Bell and County Administrator Steve Marvin.

Brief discussion was held on each of the following matters:

(1) *Matters Relating to Litigation:* Items to be discussed include: Aire Enterprises v. Warren County; ruling regarding Court Room #2 and status of Prosecutor's appeal.

Mr. Bell noted for the Board that the Motion for Reconsideration in the Aire Enterprises litigation is pending decision from Judge O'Connor. The issues involving her conflicting opinions concerning applicability of the Prompt Payment Act were reviewed by Mr. Bell. It is likely that this case will have to be filed in the Appellate Division.

Matters involving the Court Room controversy were discussed. Mr. Bell and Mr. Marvin reviewed for the Board, the status of the Prosecutor's appeal of Judge Bartlett's initial ruling. REDACTED AS TO SUBJECT: LITIGATION PER N.J.S.A. 10:4-12b(7):



On a somewhat related matter, Mr. Marvin suggested to the board that they might wish to consider scaling back the scope of the Court House Phase II renovation work. The Board agreed that the project's scope should be narrowed to include only exterior renovations and interior work to move the Election Board out and the Sheriff into the vacated space for a secured front entryway. Mr. Marvin will meet with Alex Lazorisak and Architect O'Brien to layout the new scope of work.

Recent correspondence between Attorneys Houston and Benbrook concerning the Village Square II subdivision issues were discussed. Essentially, it appears that Mr. Benbrook believed that his client was going to get a "pass" from the White Township and County Planning Boards. In reviewing the subdivision plans, County Engineer Dave Hicks and Township Engineer Paul Sterbenz have identified a number of deficiencies which have been memorialized and forwarded to Benbrook. A meeting between the parties will be considered in the near future to include the Village Square II Engineer, Mike Finelli.

Mr. Marvin noted for the Board that PRMUA will require services of Bond Counsel to review and issue an opinion in order to qualify for the State Funding Program for the Oxford Treatment Plant upgrade. The Board agreed that Bond Counsel could be made available to the PRMUA under the usual Shared Services Agreement arrangement. Mr. Marvin also noted that the Financial Services Agreement with PCFA is up for review in May and the Board wished to renew same.

On motion by Mr. Gardner, seconded by Mr. Sarnoski, the Board returned to open session at 8:02 p.m.

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