

The Board met in Executive Session on Wednesday, November 14, 2012 at 8:06 p.m. with the following members present: Freeholder Richard Gardner, Freeholder Jason Sarnoski, County Counsel Joseph J. Bell and County Administrator Steve Marvin. Freeholder Everett Chamberlain was absent. The Board was joined by Freeholder-Elect Ed Smith and Buildings & Grounds Superintendent Alex Lazorisak.

Brief discussion was held on each of the following matters:

Mr. Sarnoski distributed a draft reorganization of the Freeholders' assignments for municipalities and departmental representations for 2013. Other matters involving the County's Annual Reorganization Meeting were briefly discussed. Mr. Marvin noted that PCFA failed to take action on the renewal of Shared Service Agreements for Risk Manager and Counsel. He will, therefore, not issue an RFP for legal counsel to be assigned to PCFA for 2013. The Board concurred.

(1) *Matters Relating to Purchase of Real Property:* Items to be discussed include Village Square II acquisition project update and notice to Rossi re: termination of Riverside lease.

Mr. Lazorisak updated the Board in the Village Square II project. Significant progress is being made. Also, there is a substantial punch list of items to be completed by Mr. Van Volkenburg prior to closing. A letter of this date from Attorney Benbrook to Mr. Houston was distributed for discussion. The letter lays out Mr. Van Volkenburg's case for additional change orders. After discussion, it was the consensus of the Board that we would make a final offer to Mr. Van Volkenburg on his adjusted \$130,000 claim of \$65,000 based on the County's additional costs for architectural services necessary to support his contractors and environmental costs as a result of the mold contamination of the property. Mr. Marvin will forward this information to Special Counsel Houston in order that he may advise Mr. Benbrook and Mr. Van Volkenburg. We will also require as a condition of closing, that Mr. Van Volkenburg execute a release of all claims against the County.

Mr. Lazorisak briefed the Board on the status of the termination of the Riverside lease and he reviewed the schedule for moving the Prosecutor into Warren Acres and the Belvidere Hotel.

(2) *Matters Relating to Litigation:* Items to be discussed include: Court Room #2 dispute and Tort Claim Notice for "W.M." v. Sheriff/Warren County.

PERMANENTLY REDACTED AS TO SUBJECT: LITIGATION,
NEGOTIATIONS AND ATTORNEY-CLIENT PRIVILEGE PER N.J.S.A. 10:4-12b(7):





(3) *Matters Relating to Collective Bargaining:* Items to be discussed include: Preparation for binding interest arbitration with FOP 171-Corrections Officers, declaration to be filed and discuss Storm Days & Emergencies Provisions of Collective Bargaining Agreements.

Mr. Marvin noted for the Board that during the recent Superstorm Sandy event, one of the issues which arose was a distinct lack of ability to communicate. He advised the Board that he will be directing Information Systems Director Barry Smith to move our cell phone service from Sprint Nextel to Verizon and he will provide Mr. Smith a list of approximately 25 department and division heads who will be issued smart phones with full text, web and e-mail capabilities in the hope that chances of communication can be maintained during significant events.

Mr. Marvin noted for the Board that one contentious issue that arose from the recent storm event was payment of premium double time for hours worked during the storm. In accordance with eight of our nine Collective Bargaining Agreements (Sheriff's PBA 280 is silent on the matter), double time is to be paid for hours worked when the County is officially closed and during the period when non-essential employees were released from work. Past practices and precedent leads to some significant inequities in pay during events like Superstorm Sandy. Mr. Marvin is suggesting that an offer be made to all nine Collective Bargaining Units to establish one consistent policy for closing the County and premium payment during these periods of closure. A draft Memorandum of Understanding was distributed and reviewed with the Board and Mr. Bell. After considerable discussion concerning potential costs, the one amendment that the Board required to this draft is to make it prospective rather than retroactive. Mr. Marvin will make this change and distribute to all union representatives as soon as possible.

On motion by Mr. Sarnoski, seconded by Mr. Gardner, the Board returned to open session at 9:46 p.m.

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