



THE BOARD OF CHOSEN FREEHOLDERS
OF THE COUNTY OF SOMERSET
NEW JERSEY

COUNTY ADMINISTRATION BUILDING, SOMERVILLE
08876-1262

Office of County Counsel
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February 7, 2014

John Paff, Chairman
New Jersey Libertarian Party's
Open Government Advocacy Project
P.O. Box 5424
Somerset, NJ 08875
paff@pobox.com

Re: Correspondence dated January 31, 2014

Dear Mr. Paff:

The above captioned correspondence has been forwarded to this office by Freeholder Director Patrick Scaglione for review and comment. Initially, it should be noted that the Somerset County Board of Chosen Freeholders are committed to the spirit and intent of the Open Public Meetings Act.

In reviewing your correspondence, it is noted that you took exception to seven (7) matters that were discussed in executive session. I address below each of these matters in the order you presented them.

1. Police Academy (10/22/13)
This matter involved contract negotiations between Somerset County and other local government units and the Board was being updated on this matter. N.J.S.A. 10:4-12 (b)(7).
2. Green Brook Flood Control (11/26/13)
This matter involved potential liability concerning use of the Green Brook Flood Levee. N.J.S.A. 10:4-12(b)(7).
3. Solar Renewable Energy Credit Market (12/10/13)
This matter involved the anticipated impact the current market would have on the current contract and potential adjustment to terms as well as the impact same would have upon pending litigation. N.J.S.A. 10:4-12 (b)(7).

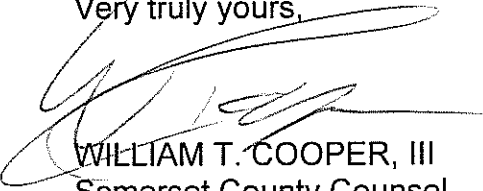
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4. 2014 Somerset Patriots Fireworks Schedule (12/10/13)
This matter involved a discussion regarding terms of a contract with the Somerset Patriots. N.J.S.A. 10:4-12 (b)(7).
5. Transportation Services (12/10/13)
This matter involved a discussion regarding terms of contract with local non-profit organizations. N.J.S.A. 10:4-12 (b)(7).
6. Hiring Process for the Sheriff's Officers (12/10/13)
This matter involved the appointment and evaluation process for prospective employees of the Sheriff's Office, as well as impact of process on safety/security at County facilities. N.J.S.A. 10:4-12 (b)(8) and N.J.S.A. 10:4-12 (b)(6).
7. E-Cigarette Smoking Policy (1/14/14)
This matter involved conditions of employment for both County and State employees. N.J.S.A. 10:4-12 (b)(8).

Based upon the foregoing, it is my legal opinion that each of those matters were properly discussed in executive sessions.

I appreciate your bringing this matter to the Board's attention and should you have any further questions regarding this matter, please feel free to contact this office.

Very truly yours,



WILLIAM T. COOPER, III
Somerset County Counsel

WTC/jh

cc: Patrick Scaglione, Freeholder Director
Michael Amorosa, County Administrator