

REGULAR MEETING HELD ON WEDNESDAY, JANUARY 25, 2017

6:00 PM

ORDER OF BUSINESS

Item

1. **CALL TO ORDER BY DIRECTOR**
2. **ROLL CALL**
3. **MOMENT OF SILENCE AND SALUTE TO THE FLAG**
4. **PUBLIC STATEMENT**

"Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975 Adequate Notice as defined by Section 3D of Chapter 231, P.L. 1975, has been made by regular mail, such notice being submitted on January 20, 2017 from the Administrative Center of the County of Sussex, located at One Spring Street, Newton, New Jersey to the following:

New Jersey Herald	WSUS Radio
New Jersey Sunday Herald	WNNJ Radio
Star Ledger	

and is also posted on the bulletin board maintained in the Administrative Center for public announcements and has been submitted to the Sussex County Clerk in compliance with said Act."

5. **APPROVAL OF AGENDA**

(Voice vote.)

6. **EXECUTIVE SESSION – (Closed Session)**

RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 10:4-12 ET SEQ.

WHEREAS, the subject matter(s) about to be discussed may be excluded from the public portion of the meeting by Resolution of the Board of Chosen Freeholders as an exception to the “Open Public Meetings Act” pursuant to N.J.S.A. 10:4-12 (b); and

WHEREAS, it appears necessary for the Board of Chosen Freeholders to discuss such matter(s) in Executive Session.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex, in accordance with the provisions of N.J.S.A. 10:4-12(b) and N.J.S.A. 10:4-13 that the Board at this time enter into an Executive Session from which the public shall be excluded; and

BE IT FURTHER RESOLVED, that the general nature of the subject(s) to be discussed relate to the following item(s) authorized by N.J.S.A. 10:4-12(b) as designated below:

- (1) **Matters Required by Law to be Confidential:**
- (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:**
- (3) **Matters Involving Individual Privacy:**
- (4) **Matters Relating to Collective Bargaining Agreements:**
 - CWA 1032 – Non Supervisory Unit**
 - CWA 1083 – Social Services**
 - PBA 378 – Corrections Unit**
- (5) **Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds:**
- (6) **Matters Relating to Public Safety and Property:**
- (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege:**
- (8) **Matters Relating to the Employment Relationship:**
- (9) **Matters Relating to the Potential Imposition of a Penalty:**

BE IT FURTHER RESOLVED that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Sussex County Board of Chosen Freeholders or provided by law that the public interest will no longer be served by such confidentiality; and

BE IT FURTHER RESOLVED that upon completion of the business for which the Board has entered into the Executive Session, the Board shall reconvene and resume its meeting open to the public.

7. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations

1. Proclamation designating February 3, 2017 as “National Wear Red Day”.
2. Proclamation recognizing Nicholas Peter Karpiak attaining the rank of Eagle Scout.

(Voice vote.)

B. Presentations

1. Presentation by Commissioner Fichtner along with Jack Patten, Director of the Local Workforce Development Board and Donna Buchanan, Director of the Morris/Sussex/Warren Employment and Training Services

8. PUBLIC HEARINGS

9. PUBLIC SESSION FROM THE FLOOR

Please Note: Everyone is asked to keep their comments to 5 minutes or less and only address issues regarding agenda items. Please state your name, spell your last name, and state your municipal residency.

10. FREEHOLDERS’ COMMENTS

11. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT #17ALUN WITH THE NJ DEPARTMENT OF CHILDREN AND FAMILIES TO PROVIDE \$63,836.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2017 TO DECEMBER 31, 2017

- B. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH SKYLANDS RISK MANAGEMENT INC. TO PROVIDE RISK MANAGER CONSULTING SERVICES AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)

The Board of Chosen Freeholders of the County of Sussex has reviewed the Consent Agenda consisting of various proposed Resolutions and determined that adoption of the said Resolutions is in and will further the public interest. (Roll call vote.)

12. APPROVAL OF MINUTES

Reorganization Meeting – January 3, 2017

Regular Meeting - January 11, 2017

(Voice vote.)

13. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

- 1. RESOLUTION RE: REAPPOINTMENT OF JOHN R. DRAKE AND TOM MADSEN AS MEMBERS OF THE BOARD OF COMMISSIONERS OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY TO A FIVE (5) YEAR TERM EACH; SAID TERM TO BEGIN FEBRUARY 1, 2017 AND EXPIRE JANUARY 31, 2022

(Roll call vote)

B. Resignations

- 1. Resignation of Louis Carso from the Sussex County Open Space Committee effective January 31, 2017.

14. RESOLUTIONS

A. RESOLUTION RE: VIDEO RECORDING OF PUBLIC MEETINGS OF THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS BY MEMBERS OF THE PUBLIC

(Voice vote.)

15. AWARDS OF CONTRACTS/CHANGE ORDERS/BID

A. Awards

1. RESOLUTION RE: AWARD OF CONTRACT FOR THE SUPPLY AND INSTALLATION OF ONE (1) DUMP BODY WITH HYDRAULIC PUMP AND CONTROLS, SPREADER, PLOW AND WING

2. RESOLUTION RE: AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR THE PURCHASE OF A SOFTWARE SOLUTION TO CONTROL PERSONAL COMPUTER ACCESS TIMES AND PRINTER FUNCTIONS WITH A PAYMENT KIOSK FOR USE IN THE SUSSEX COUNTY LIBRARY SYSTEM

(Roll call vote)

16. FINANCIAL

A. RESOLUTION RE: PAYMENT OF BILLS

(Roll call vote)

B. RESOLUTION RE: PAYMENT OF BILLS

C. RESOLUTION RE: TRANSFER OF 2016 APPROPRIATION RESERVES

(Roll call vote)

17. PERSONNEL

18. ADMINISTRATIVE REPORT

A. Other

19. COUNTY COUNSEL

- A. Capital Projects
- B. Litigation
- C. Contract
- D. Other Matters

20. UNFINISHED BUSINESS

21. NEW BUSINESS

22. PUBLIC SESSION FROM THE FLOOR

Please Note: Everyone is asked to keep their comments to 5 minutes or less. Please state your name, spell your last name, and state your municipal residency

23. REMINDERS

<u>Date/Time</u>	<u>Meeting</u>	<u>Location</u>
Feb. 2 – 9:00 am	Senior Serv. Advisory Committee	Knoll Heights
Feb. 6 – 3:00 pm	Development Review Committee	3 rd floor Admin. Bldg.
Feb. 6 – 4:00 pm	Planning Board	FMR
Feb. 8 – 7:00 pm	Freeholder Meeting	FMR
Feb. 9 – 1:00 pm	Uniform Const. Code Bd. of Appeals	FMR
Feb. 9 – 7:30 pm	Water Quality Mgmt. Program	FMR

24. ADJOURNMENT

(Voice vote.)

RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT #17ALUN WITH THE NJ DEPARTMENT OF CHILDREN AND FAMILIES TO PROVIDE \$63,836.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2017 TO DECEMBER 31, 2017

WHEREAS, the NJ Department of Children and Families has requested a Contract for the Human Services Advisory Council Contract for Calendar Year 2017; and

WHEREAS, the amount of funding from the NJ Department of Children and Families will be \$63,836.00, with a County cash match in the amount of \$16,026.00 for the Contract period; and

WHEREAS, the Sussex County Department of Human Services, Division of Community and Youth Services has completed the Contract package as required to execute the Contract.

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Freeholder Director is hereby authorized and directed to execute the aforementioned Contract and all other required documents effective January 1, 2017 to December 31, 2017 to receive \$63,836.00 funds from the NJ Department of Children and Families with a County match of \$16,026.00; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution, together with a copy of the Contract and all attachments, be forwarded to Donald Slane, Contract Administrator, Department of Children and Families, Northern Business Office, Mack-Cali Corporate Center, 201 Littleton Road, Morris Plains, NJ 07950.

Certified as a true copy of the Resolution adopted by the Board of Chosen Freeholders on the 25th day of January, 2017.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex, New Jersey

RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH SKYLANDS RISK MANAGEMENT INC. TO PROVIDE RISK MANAGER CONSULTING SERVICES AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)

WHEREAS, the County of Sussex has executed a Resolution for membership with the Statewide Insurance Fund; and

WHEREAS, the Bylaws of The Statewide Insurance require that each entity designate a Risk Manager Consulting Service to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

WHEREAS, the Consultant shall be paid by the Fund, on behalf of the Member, the minimum fee for the 2017 services of \$135,000.00; and

WHEREAS, the Bylaws of the fund require that members engage a consultant and that the Consultant comply with certain requirements set forth therein; and

WHEREAS, the County of Sussex and Skylands Risk Management, Inc. desire to enter into an Agreement setting forth the respective responsibility of the parties in relation to the aforementioned proposal;

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex hereby agrees to enter into an Agreement with Skylands Risk Management, Inc. pursuant to N.J.S.A. 40A:11-5(1)(a)(i), for the purpose of providing Risk Manager Consulting Services; and

BE IT FURTHER RESOLVED that the Freeholder Director and the Clerk of the Board are hereby authorized to execute, on behalf of the County, the Professional Services Agreement, which is annexed hereto and made a part hereof; and

BE IT FURTHER RESLVED the terms of this Agreement shall commence on February 1, 2017 until January 31, 2018 unless earlier termination is requested by either party within thirty (30) days written notice; and

BE IT FURTHER RESOLVED that this Agreement is awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the Agreement is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law; and

BE IT FURTHER RESOLVED as a Professional Services Contract, a notice of award of this Agreement shall forthwith be published once in the New Jersey Herald following passage of this Resolution, as required by law; and

BE IT FURTHER RESOLVED that a copy of this Resolution and the Agreement itself is to be made available for public inspection at the Office of the Clerk of the Board of Chosen Freeholders, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq.; and

BE IT FURTHER RESOLVED that a copy of this Resolution, along with the Agreement, be forwarded to Skylands Risk Management, Inc., P.O. Box 365, Newton, NJ 07860 and a copy is available in On-Base.

Certified as a true copy of the
Resolution adopted by the
Board of Chosen Freeholders
on the 25th day of January, 2017.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: REAPPOINTMENT OF JOHN R. DRAKE AND TOM MADSEN AS MEMBERS OF THE BOARD OF COMMISSIONERS OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY TO A FIVE (5) YEAR TERM EACH; SAID TERM TO BEGIN FEBRUARY 1, 2017 AND EXPIRE JANUARY 31, 2022

WHEREAS, the Board of Chosen Freeholders has deemed that John R. Drake and Tom Madsen have the appropriate qualifications and expertise to fill said position.

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Board of Chosen Freeholders does hereby reappoint John R. Drake and Tom Madsen as members of the Board of Commissioners of the Sussex County Municipal Utilities Authority to a five (5) year term each. Said term shall commence February 1, 2017 and end January 31, 2022 at a salary of \$3,700.00 per annum and they shall not be entitled to the medical benefits package provided by the Sussex County Municipal Utilities Authority; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to John R. Drake, 4 Lower Hill Road, Newton, NJ 07860; Tom Madsen, 192 Mudtown Road Sussex, NJ 07461; the Sussex County Municipal Utilities Authority, 34 South Route 94, Lafayette, NJ 07848; and a copy is available in On-Base.

Certified as a true copy of the
Resolution adopted by the
Board on the 25th day of January, 2017.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex, New Jersey

**RESOLUTION RE: VIDEO RECORDING OF PUBLIC MEETINGS OF
THE SUSSEX COUNTY BOARD OF CHOSEN
FREEHOLDERS BY MEMBERS OF THE PUBLIC**

WHEREAS, the County of Sussex is required to hold public meetings in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-1 et seq.; and

WHEREAS, as the Governing Body, the Board of Chosen Freeholders of Sussex County is responsible for conducting its public meetings in an orderly fashion to ensure both the proper administration of public business and the participation of the public in its meetings; and

WHEREAS, the New Jersey Supreme Court has determined that the public has a common law right to video record public meetings; and

WHEREAS, the New Jersey Supreme Court has further ruled that the common law right to video record a public meeting is neither absolute nor unqualified; and

WHEREAS, the New Jersey Supreme Court has further ruled that public bodies may impose reasonable guidelines to ensure that the recording of meetings does not disrupt the business of the Governing Body or other citizens' right of access; and

WHEREAS, the Board of Chosen Freeholders desires to create a policy to balance the public right of access to its meetings with the public right to video record its meetings, as established by the New Jersey Supreme Court; and

WHEREAS, the Board of Chosen Freeholders desires to adopt reasonable guidelines to comply with the mandates of the New Jersey Supreme Court; and

WHEREAS, the ensuing "Guidelines for Video Recording of Public Meetings of the Sussex County Board of Chosen Freeholders by Members of the Public" are attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Sussex, State of New Jersey that the attached guidelines shall control the video recording of any public meeting of the Board of Chosen Freeholders by any person.

Certified as a true copy of the
Resolution adopted by the
Board of Chosen Freeholders
On the 25th day of January 2017.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex, State of New Jersey

**RESOLUTION RE: AWARD OF CONTRACT FOR THE SUPPLY AND
INSTALLATION OF ONE (1) DUMP BODY WITH HYDRAULIC
PUMP AND CONTROLS, SPREADER, PLOW AND WING**

WHEREAS, public bids were advertised for the Supply and Installation of One (1) Dump Body with Hydraulic Pump and Controls, Spreader, Plow and Wing on November 4, 2016 and publicly received by the Sussex County Bid Proposal Committee on December 6, 2016; and

WHEREAS, the bid were reviewed by the Office of Fleet Management and the Purchasing Agent; and

WHEREAS, it was recommended by the County Fleet Manager that an award be made to the only responsible bidder, Cliffside Body Corporation in the amount of \$92,890.00; and

WHEREAS, the County Treasurer has certified that there is sufficient money in the capital account for the award of said Contract.

NOW, THEREFORE, BE IT RESOLVED that upon recommendation of the County Fleet Manager, the Sussex County Board of Chosen Freeholders does hereby award a Contract for the Supply and Installation of One (1) Dump Body with Hydraulic Pump and Controls, Spreader, Plow and Wing to Cliffside Body Corporation in the amount of \$92,890.00; and

BE IT FURTHER RESOLVED that the Director and Clerk of the Board are hereby authorized and directed to execute said Contract and related Contract documents; and

BE IT FURTHER RESOLVED that this Contract will be in effect from date of Contract award until delivery and acceptance according to the terms and requirements contained in the bid specification document; and

BE IT FURTHER RESOLVED the bidder has agreed to extend all pricing to the date declared in their bid proposal to other municipalities and governmental entities of Sussex County; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Cliffside Body Corporation, 130 Broad Avenue, Fairview, NJ 07822, Attn: Robert Greenwald and a copy is available in On-Base.

Certified as a true copy of the
Resolution adopted by the Board
on the 25th day of January, 2017.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR THE PURCHASE OF A SOFTWARE SOLUTION TO CONTROL PERSONAL COMPUTER ACCESS TIMES AND PRINTER FUNCTIONS WITH A PAYMENT KIOSK FOR USE IN THE SUSSEX COUNTY LIBRARY SYSTEM

WHEREAS, Requests for Proposals were issued December 8, 2013 for the purchase of a Software Solution to control personal computer access times and printer functions with a payment Kiosk for use in the Sussex County Library System and in response to the Request for Proposals process the County received proposals on January 7, 2014; and

WHEREAS, the Division of Library Services and the Office of Purchasing reviewed the only proposal and found that it met the evaluation criteria and library requirements as an acceptable proposal, the Division of Library Services recommended that an award be made to Advanced Business Equipment in the amount of \$17,136.00; and

WHEREAS, the proposal specification allowed for a Contract ending January 31, 2015 with the County reserving the right to extend said Contract for four (4) additional and consecutive one year periods at the rates proposed in the bid proposal; and

WHEREAS, the Division of Library Services wishes to exercise this option and renew this Contract for an additional and consecutive one year period at the rate included in the January 7, 2014 proposal; and

WHEREAS, all purchases under this Contract shall have funds certified by the County Treasurer through an appropriately prepared and approved purchase requisition prior to the authorization of purchase; and

WHEREAS, all purchases in excess of the currently established bid threshold will conform to the policy set up by this Board and have a separate authorizing Resolution prior to the issuance of a purchase order.

NOW, THEREFORE, BE IT RESOLVED that upon recommendation of the Division of Library Services, the Sussex Board of Chosen Freeholders does as hereby award a Contract Extension for the purchase of a Software Solution to control personal computer access times and printer functions with a payment Kiosk for use in the Sussex County Library System with Advanced Business Equipment for the work described in its proposal dated January 7, 2014; and

BE IT FURTHER RESOLVED that the passage of this Resolution shall act as a Contract renewal document for all parties involved; and

BE IT FURTHER RESOLVED that this Contract Extension (year four of the five year contract) will be in effect from the first of the month following the date of Contract signing for a twelve (12) month period ending January 31, 2018 with the County reserving the right to extend said Contract for one (1) additional and consecutive one year period; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to Advanced Business Equipment, 1129 Union Blvd., Allentown, PA 18103 and a copy is available in On-Base.

Certified as a true copy of the
Resolution adopted by the
Board of Chosen Freeholders
on the 25th day of January, 2017.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex

RESOLUTION RE: TRANSFER OF 2016 APPROPRIATION RESERVES

WHEREAS, certain 2016 expenses have been presented for payment this year, which bills were not covered by order number and or recorded at the time of transfers between 2016 Budget Appropriations in the last two months of 2016; and

WHEREAS, N.J.S.A. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allow transfers to be made from unexpended balances to those accounts which are expected to be insufficient during the first three months of the succeeding year.

NOW, THEREFORE, BE IT RESOLVED that in accordance with the provisions of N.J.S.A. 40A:4-59, part of the surplus in the accounts heretofore mentioned be, and the same are, hereby transferred to the accounts mentioned as being insufficient to meet the current demands; and

BE IT FURTHER RESOLVED that the County Treasurer is hereby authorized and directed to make the transfers on the attached pages; and

BE IT FURTHER RESOLVED that a certified copy of the Resolution be forwarded to the County Auditor, Nisivoccia LLP, 200 Valley Road, Suite 300, Mt. Arlington, NJ 07856.

Certified as a true copy of the
Resolution adopted by the
Board Chosen Freeholders
on the 25th day of January, 2017.

Catherine M. Williams, Clerk
Board of Chosen Freeholders
County of Sussex