

**REGULAR MEETING HELD ON WEDNESDAY, JULY 27, 2016**  
**6:00 PM**  
**ORDER OF BUSINESS**

**Item**

1. **CALL TO ORDER BY DIRECTOR**
2. **ROLL CALL**
3. **MOMENT OF SILENT PRAYER 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 7, 2016 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. PUBLIC HEARINGS**

**7. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**

A. Presentations

1. Solar Presentation by David Weinstein, Esq. of Archer & Greiner P.C., Rob Maikis, Sussex County Treasurer and Michael Burdalski, Senior Vice President of Jingoli & Son, Inc.
2. Open Space Plan Proposed Amendment Presentation by Barbara Heskins Davis of The Land Conservancy of New Jersey.

**8. 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.**

**9. FREEHOLDERS' COMMENTS**

**10. APPROVAL OF CONSENT AGENDA**

- A. RESOLUTION RE: AUTHORIZATION FROM THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO APPROVE THE SUSSEX COUNTY DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES, OFFICE OF MOSQUITO CONTROL TO SUBMIT A GRANT APPLICATION TO THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE 2016 COUNTY MOSQUITO IDENTIFICATION AND CONTROL EFFORTS GRANT
- B. RESOLUTION RE: AUTHORIZING THE APPROVAL TO ENTER INTO AN AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND UPP TECHNOLOGY, INC. TO PROVIDE THIRD PARTY BILLING SERVICES TO THE OFFICE OF PUBLIC HEALTH NURSING

- C. RESOLUTION RE: AUTHORIZATION FOR SUSSEX COUNTY DIVISION OF FACILITIES MANAGEMENT TO ENTER INTO NEGOTIATIONS FOR QUOTES ON THE KEOGH DWYER CORRECTIONAL FACILITY LAUNDRY EQUIPMENT REPLACEMENT
- D. RESOLUTION RE: AUTHORIZATION TO EXECUTE A REVISED LEASE AGREEMENT PURSUANT TO N.J.S.A. 40A:12-14(C) BETWEEN THE COUNTY OF SUSSEX AND SCARC, INC. AND TO EXECUTE OTHER RELATED DOCUMENTS, FOR PREMISES LOCATED IN THE TOWNSHIP OF FRANKFORD, COUNTY OF SUSSEX, KNOWN AS LOT 2, BLOCK 23 ON THE FRANKFORD TOWNSHIP TAX MAPS
- E. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH DAVID A. WEINSTEIN AND ARCHER & GREINER, P.C. FOR THE PROVISION OF SPECIAL COUNSEL SERVICES RELATED TO THE SOLAR PROJECT WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(A)(I)
- F. RESOLUTION RE: AUTHORIZING ADMINISTRATIVE ACTION RECOMMENDED BY THE SUSSEX COUNTY SOLID WASTE ADVISORY COUNSEL (SWAC) FOR TRANSFER OF SOLID WASTE FACILITY PERMIT NO. TRP14001 FROM GRINNELL RECYCLING, INC. TO CAVALIER ENVIRONMENTAL COMPLIANCE SERVICES, INC. FOR THE SOLID WASTE TRANSFER STATION/MATERIAL RECOVERY FACILITY LOCATED AT 482 HOUSES CORNER ROAD, SPARTA, NEW JERSEY, FACILITY ID NO. 21319 AND MODIFYING THE SUSSEX COUNTY SOLID WASTE MANAGEMENT PLAN ACCORDINGLY
- G. RESOLUTION RE: AUTHORIZATION TO FILE AN APPLICATION TO NEW JERSEY TRANSIT CORPORATION AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR SENIOR CITIZENS AND PERSONS WITH DISABILITIES CAPITAL, MOBILITY MANAGEMENT AND OPERATING ASSISTANCE PROGRAM GRANT UNDER SECTION 5310 OF THE FEDERAL TRANSIT ADMINISTRATION FOR ONE YEAR REPRESENTING FEDERAL FISCAL YEAR 2015 FUNDING

**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.)**

11. **APPROVAL OF MINUTES**

Regular Meeting – July 13, 2016

(Voice vote.)

12. **APPOINTMENTS AND/OR RESIGNATIONS**

13. **RESOLUTION**

A. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 630 IN  
BRANCHVILLE BOROUGH

B. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 645 IN  
SANDYSTON TOWNSHIP

C. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 613 IN  
SPARTA TOWNSHIP

(Voice vote by consent, unless there is a request by a Board Member for individual consideration.)

D. INTRODUCTION FOR FIRST READING – ORDINANCE

**ORDINANCE TO AMEND THE SUSSEX COUNTY ADMINISTRATIVE CODE PUBLISHED  
1989, LAST REVISED JUNE 10, 2009**

**MOTION** to adopt this Ordinance on first reading. (roll call vote)

**MOTION** to authorize the Clerk to advertise this Ordinance as introduced for first reading, and also post same on the bulletin board in the lobby of the County Administrative Center, together with a Notice of Public Hearing stating that a hearing will be held on August 10, 2016 at 5:00 pm prior to final adoption of this Ordinance. (voice vote)

**14. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS**

A. Awards of Contracts

1. RESOLUTION RE: AWARD OF CONTRACT FOR FIRE ALARM INSTALLATION, REPAIR, SERVICE AND MONITORING SERVICES FOR THE COUNTY OF SUSSEX

(Roll call vote)

**15. FINANCIAL**

A. RESOLUTION RE: PAYMENT OF BILLS

(Roll call vote)

**16. PERSONNEL**

A. Personnel Agenda

(Voice vote.)

**17. ADMINISTRATIVE REPORT**

A. Other

**18. COUNTY COUNSEL**

A. Capital Projects

B. Litigation

C. Contract

D. Other Matters

**19. UNFINISHED BUSINESS**

**20. NEW BUSINESS**

21. **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**

22. **EXECUTIVE SESSION – (Closed Session – If Applicable)**

**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:**
- \_\_\_\_\_ (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.

**23. REMINDERS**

<u>Date/Time</u>	<u>Meeting</u>	<u>Location</u>
July 28 – 7:30 pm	Open Space	Freeholder Meeting Room
August 8 – 9:00 am	Planning Board Development	Admin Bldg. Conf
Rm 3B	Review	
August 9 – 7:00 pm	Solid Waste Advisory Council	Freeholder Meeting Room
August 10 – 5:00 pm	Board of Chosen Freeholders	Freeholder Meeting Room

**24. ADJOURNMENT**

(Voice vote.)

**RESOLUTION RE: AUTHORIZATION FROM THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO APPROVE THE SUSSEX COUNTY DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES, OFFICE OF MOSQUITO CONTROL TO SUBMIT A GRANT APPLICATION TO THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE 2016 COUNTY MOSQUITO IDENTIFICATION AND CONTROL EFFORTS GRANT**

**WHEREAS**, the NJ Department of Environmental Protection, Division of Natural & Historic Resources, Office of Mosquito Control Coordination in accordance with N.J.S.A. 52:14-34.4 made notice of the availability of State Aid funds for mosquito identification and control; and

**WHEREAS**, the purpose of the funds will be used to support activities under taken by county units involved with mosquito identification and control on behalf of the NJ Department of Environmental Protection; and

**WHEREAS**, the funds will be used to reimburse county expenditures related to ongoing and heightened mosquito identification and control activities, supplies, and additional seasonal staffing to accomplish these efforts, with a particular emphasis on activities designed to monitor for and control any identified populations of the *Aedes aegypti* species of mosquito, which is a known vector for the Zika virus, which would not otherwise be covered by existing state or local mosquito identification and control programs, and

**WHEREAS**, the Sussex County Department of Environmental and Public Health Services, Office of Mosquito Control is an eligible applicant and qualifies to receive \$23,000.00 of funding for the 2016 County Mosquito Identification and Control Efforts Grant for the funding period of July 1, 2016 through October 31, 2016; and

**WHEREAS**, County Policy provides that all grant submissions contain a complete application so the Board of Chosen Freeholders can be fully informed of the proposed work program, the nature and extent of services to be provided, budget impacts and staffing levels; and

**WHEREAS**, there is no matching fund requirement for the funds being applied for in this grant application.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Sussex authorizes the Sussex County Department of Environmental and Public Health Services, Office of Mosquito Control to submit an application to the NJ Department of Environmental Protection for the 2016 County Mosquito Identification and Control Efforts Grant for the funding amount of \$23,000.00 and grant period of July 1, 2016 through October 31, 2016; and

**BE IT FURTHER RESOLVED** that acceptance of the grant shall not be made until final approval by the Board of Chosen Freeholders; and

**BE IT FURTHER RESOLVED** that the Freeholder Director or his authorized representative is hereby authorized and directed to accept and sign all documents regarding the NJ Department of Health, Office of Cancer Control and Prevention Request-for-Application; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution is to be forwarded to the Department of Environmental and Public Health Services, Emrick Seabold, Acting Administrator/Health Officer; and a copy placed in OnBase.

Certified as a true copy of the  
Resolution adopted by the  
Board of Chosen Freeholders  
on the 27th of July, 2016.

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

**RESOLUTION RE: AUTHORIZING THE APPROVAL TO ENTER INTO AN AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND UPP TECHNOLOGY, INC. TO PROVIDE THIRD PARTY BILLING SERVICES TO THE OFFICE OF PUBLIC HEALTH NURSING**

**WHEREAS**, there exists a need for third party billing services to process Medicare reimbursements for the Office of Public Health Nursing; and

**WHEREAS**, the County of Sussex, administrative offices at One Spring Street, Newton, NJ 07860 and Upp Claims, LLC, a subsidiary of Upp Technology, Inc. with its principal place of business at One Tower Lane, Suite 1910, Oak Brook, IL, 60181; desire to enter into an Agreement setting forth the respective responsibility of the parties in relation to the aforementioned proposal; and

**WHEREAS**, Upp Technology, Inc. agrees to provide Smart Health Suite-a comprehensive, web-based patient management and revenue cycle system and Outsourced Services-claims processing, eligibility checks, reporting, rejection and denial management service for the Office of Public Health Nursing; and

**WHEREAS**, Upp Technology, Inc. agrees to be reimbursed for the services, initial fees for the Smart Health Suite \$2,995.00 and the ongoing fees for the Outsourced Services monthly fees of 8% or minimum of \$125.00 for a period of one year, August 1, 2016 through August 1, 2017.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Sussex hereby agree to enter into an Agreement with Upp Technology, Inc. for the purpose of providing third party billing services to the Office of Public Health Nursing; and

**BE IT FURTHER RESOLVED** that the Freeholder Director and the Clerk of the Board be and are hereby authorized to execute, on behalf of the County, the Agreement between the County of Sussex and Upp Technology, Inc. as delineated in the attached Agreement; and

**BE IT FURTHER RESOLVED** that two (2) signed copies of this Resolution, along with two (2) signed Agreements be forwarded to Aysmsley Upp, Upp Technology Inc., One Tower Lane, Suite 1910, Oak Brook, IL 60181; and a copy placed in ONBASE.

Certified as a true copy of the Resolution adopted by the Board of Chosen Freeholders on the 27<sup>th</sup> day of July, 2016

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

**RESOLUTION RE: AUTHORIZATION FOR SUSSEX COUNTY DIVISION OF FACILITIES MANAGEMENT TO ENTER INTO NEGOTIATIONS FOR QUOTES ON THE KEOGH DWYER CORRECTIONAL FACILITY LAUNDRY EQUIPMENT REPLACEMENT**

**WHEREAS**, public bids were advertised on September 17, 2015, February 26, 2016, April 7, 2016 and May 27, 2016 for the Keogh Dwyer Correctional Facility Laundry Equipment Replacement; and

**WHEREAS**, after receiving various questions regarding the bid proposal from the bidders, the Director of the Division of Facilities Management reviewed the bid proposal and revised the bid specifications; the County despite the changes to the specification did not receive any bids on two (2) occasions; and

**WHEREAS**, the Office of Purchasing contacted the plan holders regarding the reason for no bids, this information was turned over to the Division of Facilities Management and it was recommended by the Division to re-advertise for the solicitation of bids again; and

**WHEREAS**, on June 28, 2016, the Sussex County Bid Proposal Committee received one (1) bid for the Keogh Dwyer Correctional Facility Laundry Equipment Replacement; that was reviewed by the Division of Facilities Management and the Purchasing Agent; and

**WHEREAS**, the Division of Facilities Management has determine that the bid received substantially exceeds the cost estimate for this project; and

**WHEREAS**, a governmental entity pursuant to N.J.S.A. 40A:11-5(3) upon completing two bid processes, without receiving any bids and/or receiving bids not reasonable in price, may elect to negotiate a contract for the intended work described in the bid specifications; and

**WHEREAS**, quotes must be in accordance to the bid specifications and should be within the +/-10% cost range of the professional project estimate cost of \$170,000.00; and

**WHEREAS**, the Division of Facilities Management will pursue quotes from the plan holders (attached list) and acquire quotes from other sources.

**NOW, THEREFORE, BE IT RESOLVED** that upon recommendation of the Sussex County Bid Proposal Committee, the Sussex County Board of Chosen Freeholders does hereby authorized the Division of Facilities Management to enter into negotiations for quotes for the Keogh Dwyer Correctional Facility Laundry Equipment Replacement project; and

**BE IT FURTHER RESOLVED** that any recommendation of award from the Division will comply with the legal requirements contained in the published specifications and outline any minor modifications to the technical specifications that are necessary to accommodate a contract award within the contract ceiling herein set forth; and

**BE IT FURTHER RESOLVED** that if a contract cannot be recommended at a cost not to exceed \$187,000.00 (estimate cost plus 10%) than a report outlining the various vendor's project issues will be prepared for consideration to determine how the County should proceed with the project; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to Woop Brothers Contracting, LLC, 53 Main Street, Franklin, NJ 07419 and a copy is available in On-Base.

Certified as a true copy of a  
Resolution adopted by the Board  
on the 27<sup>th</sup> day of July, 2016.

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

**RESOLUTION RE: AUTHORIZATION TO EXECUTE A REVISED LEASE AGREEMENT PURSUANT TO N.J.S.A. 40A:12-14(c) BETWEEN THE COUNTY OF SUSSEX AND SCARC, INC. AND TO EXECUTE OTHER RELATED DOCUMENTS, FOR PREMISES LOCATED IN THE TOWNSHIP OF FRANKFORD, COUNTY OF SUSSEX, KNOWN AS LOT 2, BLOCK 23 ON THE FRANKFORD TOWNSHIP TAX MAPS**

**WHEREAS**, by Resolution adopted June 22, 2016, the County of Sussex authorized the Freeholder Director and the Clerk of the Board to execute a Lease Agreement between SCARC and the County of Sussex, on or after July 27, 2016, regarding real property and premises located in the Township of Frankford at the intersection of County Route 655 (Morris Turnpike) and Morris Avenue (Lot 2, Block 23), County of Sussex, State of New Jersey; and

**WHEREAS**, modifications to the Lease Agreement were subsequently made by Sussex County Counsel and counsel for SCARC, Inc.; and

**WHEREAS**, the SCARC Lease Agreement replaces the previous lease regarding the real property between the County and Knoll Shared Housing, Inc. and, as a result, the Knoll Shared Housing lease must now be terminated; and

**WHEREAS**, in connection with SCARC's use of the premises, the State of New Jersey requires a Landlord's Agreement and Consent to Leasehold Mortgage, allowing SCARC, Inc. to grant a Leasehold Mortgage to the State of New Jersey Department of Community Affairs, Division of Housing and Community Resources as security for an extension of credit by the State to SCARC regarding the two shared-housing units on the premises; and

**WHEREAS**, all aspects of the County's June 22, 2016, Resolution remain in full force and effect, and the within Resolution does not replace but supplements the prior one.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Sussex, State of New Jersey as follows:

1. The Freeholder Director and the Clerk of the Board are hereby authorized to execute the revised form of Lease Agreement between SCARC and the County of Sussex, on or after July 27, 2016, a copy of which is attached hereto and made a part hereof.

**RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH DAVID A. WEINSTEIN OF ARCHER & GREINER, P.C. FOR THE PROVISION OF SPECIAL COUNSEL SERVICES RELATED TO THE SOLAR PROJECT WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)**

**WHEREAS**, there continues to exist a need for Special Counsel to protect and represent the County of Sussex in the resolution of the Solar settlement and related project issues as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq.; and

**WHEREAS**, the County Counsel has determined that the value of this acquisition or the accumulated expenditures with this vendor may exceed \$17,500 during the contract period; and

**WHEREAS**, David A. Weinstein has represented the County since the issues and problems relating to the solar project became known to the County and to modify legal representation at the time would be imprudent and costly; and

**WHEREAS**, David A. Weinstein has provided an hourly rate of \$250.00 to provide continued representation of the County in these legal matters, and anticipated to be in an amount of approximately \$15,000.00 for the contract period; and

**WHEREAS**, Archer & Greiner, P.C. has executed a certification that certifies that the business entity has not made a contribution that would bar them from receiving this contract in excess of \$17,500.00, and the business entity will report to the Election Law Enforcement Commission any contribution that would violate the Pay-To-Play Law (N.J.S.A. 19:44A-20.4 et seq.) through this contract period; and

**WHEREAS**, the County of Sussex and David A. Weinstein of Archer & Greiner, P.C. desire to enter into an Agreement setting forth the respective responsibility of the parties in relation to the aforementioned proposal; and

**WHEREAS**, the funds necessary to pay for said services are available in the Sussex Solar Project funding accounts that have been established as part of the project, are funded by project revenues and are utilized to pay project expenses.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Chosen Freeholders of the County of Sussex hereby agrees to enter into an Agreement with Archer & Greiner, P.C., pursuant to N.J.S.A. 40A:11-5(1)(a)(i), for the purpose of providing Special Counsel Services related to the solar project; and

**BE IT FURTHER RESOLVED** that the Freeholder Director and the Clerk of the Board be and 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 RESOLVED** that the Business Disclosure Entity Certification and the Certificate of Value (attached) be placed on file with this Resolution; and

**BE IT FURTHER RESOLVED** that this Agreement is awarded without competitive bidding 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** that inasmuch as this Agreement is awarded without public advertising for competitive bidding under the provisions of the Local Public Contracts Law, 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 Contract 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 Archer & Greiner, P.C. Attn: David A. Weinstein, Esq., One Centennial Square, 33 East Euclid Avenue, Haddonfield, NJ 08033 and a copy is available in OnBase.

Certified as a true copy of the  
Resolution adopted by the  
Board of Chosen Freeholders  
on the 27<sup>th</sup> day July, 2016

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

THIS AGREEMENT, made this 27<sup>h</sup> day of July, 2016, by and between the COUNTY OF SUSSEX, with administrative offices at One Spring Street, Newton, New Jersey 07860, hereinafter referred to as the "County" and David Weinstein of Archer & Greiner, P.C., with offices at One Centennial Square, 33 East Euclid Avenue, Haddonfield, NJ 08033, hereinafter referred to as the "Contractor"

*WITNESSETH:*

WHEREAS, the County remains in need of legal representation in matters relating to the Sussex County Solar Project and related settlement; and

WHEREAS, the County desires to effectuate a contract for Special Counsel for said representation in accordance with the needs of the County; and

WHEREAS, David A. Weinstein is an individual intimate with the litigation and settlement of the solar project and settlement and is qualified to provide such services.

NOW, THEREFORE, the Contractor does hereby agree with the County to perform the following services for the term as herein set forth for the consideration as stipulated:

1. Contractor shall perform services for the County of Sussex. Said services shall include, but not be limited to, legal consultation, review and drafting of documents, and assistance with other legal issues related to the post-settlement completion of the Sussex County Solar Project.

2. The consideration for the work performed by the Contractor is at the hourly rate of \$250.00 in the total amount of approximately \$15,000.00.

3. The Contractor shall indemnify and hold harmless the County for any and all claims and damages against and incurred by the County resulting from their performance of the services to be provided under this agreement.

4. This agreement shall be in effect from January 1, 2016 through December 31, 2016.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

ATTEST:

BOARD OF CHOSEN FREEHOLDERS

\_\_\_\_\_  
Catherine M. Williams, Clerk

By: \_\_\_\_\_  
George F. Graham, Director

WITNESS:

ARCHER & GREINER, P.C.

\_\_\_\_\_

By: \_\_\_\_\_  
David A. Weinstein, Esquire

## NOTICE OF CONTRACT AWARD

The Board of Chosen Freeholders of the County of Sussex has awarded a Contract through competitive contracting pursuant to N.J.S.A. 40A:11-5(1)(a). The Contract and Resolution authorizing same are available for public inspection in the Office of the Clerk of the Board of Chosen Freeholders at any time during regular business hours of said official.

Awarded to: Name of Individual, Esquire of the Law Firm of  
Archer & Greiner P.C.  
One Centennial Square, 33 East Euclid Avenue  
Haddonfield, NJ 08033

Services: To provide legal services in connection with the solar project  
of The County of Sussex.

Cost: Legal Services at an hourly rate of \$250.00/hour with the  
total amount at approximately \$15,000.00.

Term: January 1, 2016 - December 31, 2016

**BY ORDER OF THE BOARD OF CHOSEN  
FREEHOLDERS OF THE COUNTY OF SUSSEX**

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

Dated: July 27, 2016

**RESOLUTION RE: AUTHORIZING ADMINISTRATIVE ACTION  
RECOMMENDED BY THE SUSSEX COUNTY SOLID  
WASTE ADVISORY COUNSEL (SWAC) FOR TRANSFER  
OF SOLID WASTE FACILITY PERMIT NO. TRP14001  
FROM GRINNELL RECYCLING, INC. TO CAVALIER  
ENVIRONMENTAL COMPLIANCE SERVICES, INC. FOR  
THE SOLID WASTE TRANSFER STATION/MATERIAL  
RECOVERY FACILITY LOCATED AT 482 HOUSES  
CORNER ROAD, SPARTA, NEW JERSEY, FACILITY ID  
NO. 21319 AND MODIFYING THE SUSSEX COUNTY  
SOLID WASTE MANAGEMENT PLAN ACCORDINGLY**

**WHEREAS**, by Resolution adopted June 14, 2016, the Sussex County Solid Waste Advisory Council (SWAC) determined that the proposed transfer from Grinnell Recycling Inc. (Grinnell) to Cavalier Environmental Compliance Services, Inc. (CECS) of the DEP Solid Waste Facility Permit No. TRP14001 for the solid waste transfer station/material recovery facility located at 482 Houses Corner Road, Sparta, New Jersey (Facility ID No. 213190) is consistent with the goals and objectives of the Sussex County Solid Waste Management Plan; and

**WHEREAS**, the SWAC further resolved that, with the understanding and assurances that the DEP has or will address certain permit-renewal deficiencies, as well as any other unresolved permit-renewal issues the DEP may identify, the SWAC recommended that an Administrative Action be approved by this Board approving the proposed permit transfer and modifying the Sussex County Solid Waste Management Plan accordingly; and

**WHEREAS**, this Board has reviewed in its entirety the SWAC Resolution, has considered its conclusions and recommendations, and by attachment to this Resolution incorporates it herein as if set forth at length; and

**WHEREAS**, this Board concurs with the recommendations of the SWAC.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Sussex, State of New Jersey that an Administrative Action approving the proposed permit transfer and modifying the Sussex County Solid Waste Management Plan accordingly is hereby authorized.

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be provided to the State of New Jersey, Department of Environmental Protection, Division of Solid and Hazardous Waste, Bureau of Solid Waste Planning and Licensing, Mail Code 401-02C, PO Box 420, Trenton, NJ 08625-0420; William Close, M.P.A., Q.P.A., Sparta Township Manager, 65 Main Street, Sparta, NJ 07871; Sussex County Municipal Utilities Authority, 34 South Route 94, Lafayette, NJ 07848; and Cavalier Environmental Compliance Services, Inc., 482 Houses Corner Road, Sparta, NJ 07871.

Certified as a true copy of the  
Resolution adopted by the  
Board of Chosen Freeholders  
on the 27<sup>th</sup> day of July 2016.

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

2. The Freeholder Director and the Clerk of the Board are hereby authorized to execute the Termination of Lease, Knoll Shared Housing, Inc. (Lessee) / The County of Sussex (Lessor), a copy of which is attached hereto and made a part hereof.
3. The Freeholder Director and the Clerk of the Board are hereby authorized to execute the Landlord's Agreement and Consent to Leasehold Mortgage, from County of Sussex to State of New Jersey, Department of Community Affairs, Division of Housing, a copy of which is attached hereto and made a part hereof.
4. A certified copy of this Resolution and, upon execution, the Lease Agreement, the Termination of Lease and the Landlord's Agreement and Consent to Leasehold Mortgage shall be delivered to Angelo Bolcato, Esq., Laddey Clark & Ryan, LLP, 60 Blue Heron Road, Suite 300, Sparta, NJ 07871, attorney for SCARC, Inc.; James Lordi, HOME Production Administrator, New Jersey Department of Community Affairs, Division of Housing and Community Resources, 101 S. Broad Street, 5th Floor, P.O. Box 806, Trenton, New Jersey 08625-0806; and M. Richard Valenti, Esq., Morris Downing & Shered, LLP, 1 Main Street, 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 27<sup>th</sup> day of July 2016.

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

**RESOLUTION RE: AUTHORIZATION TO FILE AN APPLICATION TO NEW JERSEY TRANSIT CORPORATION AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR A SENIOR CITIZENS AND PERSONS WITH DISABILITIES CAPITAL, MOBILITY MANAGEMENT AND OPERATING ASSISTANCE PROGRAM GRANT UNDER SECTION 5310 OF THE FEDERAL TRANSIT ADMINISTRATION FOR ONE YEAR REPRESENTING FEDERAL FISCAL YEAR 2015 FUNDING**

**WHEREAS**, the Secretary of Transportation is authorized to make Grants for capital and operating assistance for transportation programs for senior citizens and persons with disabilities under Section 5310 of the Federal Transit Act as amended; and

**WHEREAS**, the New Jersey Transit Corporation administers the Section 5310 Program in the State of New Jersey; and

**WHEREAS**, the Section 5310 Program allows for leasing of capital equipment to public bodies which have been designated by the State as a transportation coordinating agency; and

**WHEREAS**, the Section 5310 Program allows for operating assistance to public bodies which have been designated by the State as a transportation coordinating agency; and

**WHEREAS**, the County of Sussex has received said designation for the Countywide service area; and

**WHEREAS**, the subrecipient will provide Annual Certifications and Assurances for the project to New Jersey Transit, as required by the Federal Transit Administration's policies governing pass through agreements; and

**WHEREAS**, the New Jersey Transit Corporation will, upon approval of the Grant Application, provide a total of four replacement vehicles as follows: two medium duty buses, one standard cutaway and one extended cutaway; and

**WHEREAS**, the New Jersey Transit Corporation will, upon approval of the Grant Application, provide \$50,000.00 in funding to purchase security cameras for placement on buses, a computer and printer to operate the camera program, and a service contract; and

**WHEREAS**, the New Jersey Transit Corporation will, upon approval of the Grant Application, provide Operating funds in the amount of \$168,000.00; and

**WHEREAS**, the County of Sussex will provide a match of \$168,000.00 in Operating funds and \$12,500.00 in Mobility Management funds which will be matched using SCDRTAP funding; and

**WHEREAS**, the County agrees to adhere to all requirements under the Section 5310 Program.

**NOW, THEREFORE, BE IT RESOLVED** by the Sussex County Board of Chosen Freeholders that the Freeholder Director and Clerk of the Board are hereby authorized to execute and submit Part II of an Application to the New Jersey Transit Corporation for Operating, Mobility Management and Capital Assistance under Section 5310 of the Federal Transit Act; and

**BE IT FURTHER RESOLVED** that the Freeholder Director, County Counsel and the Director of the Sussex County Division of Social Services are hereby authorized and directed to execute any and all necessary Contractual Agreements with New Jersey Transit Corporation for said assistance; and

**BE IT FURTHER RESOLVED** that the original certified Resolution, together with the Application, be forwarded to New Jersey Transit Corporation, Anna Magri, Local Programs and Minibus Support, Office of Service Planning and Development, One Penn Plaza East, Newark, New Jersey 07105-2246, Attention: Sec. 5310 Program.

Certified as a true copy of the Resolution adopted by the Board of Chosen Freeholders on the 27<sup>th</sup> day of July, 2016.

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

**RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 630 IN  
BRANCHVILLE BOROUGH**

**WHEREAS**, the Borough of Branchville has requested a temporary closure of a portion of CR 630 on August 20, 2016 for the purpose of conducting fundraising events; and

**WHEREAS**, N.J.S.A. 39:4-197 provides that no municipality, in exercise of its power to regulate parades, processions, or assemblages, shall prohibit normal traffic on any County road without the consent of the Board of Chosen Freeholders; and

**WHEREAS**, the Sussex County Department of Engineering and Planning has received requests from the Borough of Branchville for the temporary closures of County Route 630; and

**WHEREAS**, the Sussex County Department of Engineering and Planning shall be provided with appropriate Certificates of Insurance.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Sussex as follows:

1. The Sussex County Board of Chosen Freeholders hereby consents to the temporary closures of CR 630 in the Borough of Branchville on August 20, 2016 for the purpose of allowing the Blue Ridge Rescue Squad/A & G fundraising events to hold on said route, subject to the issuance of appropriate Certificates of Insurance acceptable to County Counsel; and

**BE IT FURTHER RESOLVED** that a copy of said Resolution shall be forwarded to Kathryn Leissler, Municipal Clerk, Branchville Borough, 34 Wantage Avenue, Branchville, NJ 07426; and a copy is available in On-Base.

Certified as a true copy of the  
Resolution adopted by the Board  
on the 27<sup>th</sup> day of July, 2016.

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

**RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 645 IN  
SANDYSTON TOWNSHIP**

**WHEREAS**, the Township of Sandyston has requested a temporary closure of a portion of CR 645 on November 24, 2016 for the purpose of conducting the Gobble Hobble 5K ; and

**WHEREAS**, N.J.S.A. 39:4-197 provides that no municipality, in exercise of its power to regulate parades, processions, or assemblages, shall prohibit normal traffic on any County road without the consent of the Board of Chosen Freeholders; and

**WHEREAS**, the Sussex County Department of Engineering and Planning has received requests from the Township of Sandyston for the temporary closures of County Route 645; and

**WHEREAS**, the Sussex County Department of Engineering and Planning shall be provided with appropriate Certificates of Insurance.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Sussex as follows:

1. The Sussex County Board of Chosen Freeholders hereby consents to the temporary closures of CR 645 in the Township of Sandyston on November 24, 2016 for purposes of allowing the Sandyston Recreation Gobble Hobble 5K on said route, subject to the issuance of appropriate Certificates of Insurance acceptable to County Counsel; and

**BE IT FURTHER RESOLVED** that a copy of said Resolution shall be forwarded to George B. Harper Jr., Mayor, Sandyston Township, 133 Route 645, Sandyston, NJ 07826; and a copy is available in On-Base.

Certified as a true copy of the  
Resolution adopted by the Board  
on the 27<sup>th</sup> day of July, 2016.

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

**RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 613 IN SPARTA TOWNSHIP**

**WHEREAS**, the Township of Sparta has requested a temporary closure of a portion of CR 613 on Sept. 9, 2016 for the purpose of conducting a 5K race; and

**WHEREAS**, N.J.S.A. 39:4-197 provides that no municipality, in exercise of its power to regulate parades, processions, or assemblages, shall prohibit normal traffic on any County road without the consent of the Board of Chosen Freeholders; and

**WHEREAS**, the Sussex County Department of Engineering and Planning has received requests from the Township of Sparta for the temporary closures of County Route 613; and

**WHEREAS**, the Sussex County Department of Engineering and Planning shall be provided with appropriate Certificates of Insurance.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Chosen Freeholders of the County of Sussex as follows:

1. The Sussex County Board of Chosen Freeholders hereby consents to the temporary closures of CR 613 in the Township of Sparta on Sept.5, 2016 for purposes of allowing the Lake Mohawk Preservation Foundation's 5K race on said route, subject to the issuance of appropriate Certificates of Insurance acceptable to County Counsel; and

**BE IT FURTHER RESOLVED** that a copy of said Resolution shall be forwarded to William Close, Township Manager, Township of Sparta, 65 Main Street, Sparta NJ 07871 and a copy is available in On-Base.

Certified as a true copy of the  
Resolution adopted by the Board  
on the 27<sup>th</sup> day of July, 2016.

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

**RESOLUTION RE: AWARD OF CONTRACT FOR FIRE ALARM  
INSTALLATION, REPAIR, SERVICE AND MONITORING  
SERVICES FOR THE COUNTY OF SUSSEX**

**WHEREAS**, public bids were first advertised for Fire Alarm, Installation, Repair, Service and Monitoring Services for the County of Sussex on May 20, 2016 and publicly received by the Sussex County Bid Proposal Committee on June 21, 2016; and

**WHEREAS**, the bids received were reviewed by the Division of Facilities Management and the Purchasing Agent; and

**WHEREAS**, on June 22, 2016, the Bid Proposal Committee received a letter of protest from Alarm and Communications Technologies stating that the hourly rate in the two (2) apparent low bids does not meet the specification requirements for paying prevailing wage; and

**WHEREAS**, the Office of Purchasing notified the two (2) apparent low bidders about the letter of protest and scheduled a bid hearing for June 26, 2016 for all bidders; the only bidders that attended the bid hearing were the two (2) low bidders Fire & Security Technologies and T & R Alarm Systems; and

**WHEREAS**, after examination of the documentation and testimony at the bid hearing, review of all applicable statutory and decisional law, the Bid Proposal Committee denied the letter of protest and determined that the award be made to the lowest responsible bidder; and

**WHEREAS**, it was the recommendation of the Division of Facilities Management that an award be made to the lowest responsible bidder for said services, Fire & Security Technologies (FAST) with all work performed under the Contract being at the hourly rates as specified in the bid proposal for the contract period; and

**WHEREAS**, the bid specifications allow for a Contract ending June 30, 2017 with the County reserving the right to renew and extend the Contract for a second consecutive one year period at the rates proposed in the bid proposal; and

**WHEREAS**, this Contract will be an open-ended Contract with a minimum expenditure of \$500.00 and a maximum Contract amount of \$100,000.00; and

**WHEREAS**, all work performed under this Contract shall have funds above the minimum certified by the County Treasurer through an appropriately prepared and approved purchase requisition prior to the authorization of work to proceed; and

**WHEREAS**, all requests for projects in excess of the currently established bid threshold shall 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 Facilities Management, the Sussex County Board of Chosen Freeholders does hereby award a Contract for Fire Alarm Installation, Repair, Service and Monitoring Services for the County of Sussex to the lowest responsible bidder, Fire and Security Technologies at the hourly rates specified in the bid tendered on June 21, 2016; and

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

**BE IT FURTHER RESOLVED** that this Contract will be in effect from date of Contract award until June 30, 2017 with the County reserving the right to renew and extend said Contract for one additional and consecutive one year period; and

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution be forwarded to Fire and Security Technologies, 281 Potterstown Road, Lebanon, NJ 08833, Attn; Jason Kraska and a copy is available in On-Base.

Certified as a true copy of a  
Resolution adopted by the Board  
on the 27<sup>th</sup> day of July, 2016.

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