

REGULAR MEETING HELD ON WEDNESDAY, JANUARY 11, 2017

7:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR 7:03 PM

2. ROLL CALL Freeholder Crabb, Freeholder Graham, Freeholder Rose
Freeholder Director Lazzaro

Absent: Freeholder Petillo

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 5, 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

MOTION made by Freeholder Rose to approve the Agenda, seconded by Freeholder Graham and approved unanimously.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations

1. Proclamation in recognition of Rex Anderson earning the rank of Eagle Scout
049-2017

2. Proclamation in recognition of Max Carlson earning the rank of Eagle Scout
050-2017

3. Proclamation in recognition of Kyle Frey earning the rank of Eagle Scout
051-2017

4. Proclamation in recognition of Zach Kessler earning the rank of Eagle Scout
052-2017

5. Proclamation in recognition of Brandon Puszcz earning the rank of Eagle Scout
053-2017

6. Proclamation in recognition of Joe Schwab earning the rank of Eagle Scout
054-2017

7. Proclamation in recognition of Ben Toscano earning the rank of Eagle Scout
055-2017

8. Proclamation in recognition of Deb Berry-Toon of Project Self-Sufficiency as the recipient of the Distinguished Service Award by the Sussex County Council of Service Agencies.

056-2017

MOTION made by Freeholder Graham to adopt the Proclamations, seconded by Freeholder Crabb and passed unanimously.

Freeholder Graham presented the former Freeholder Vohden with an award from NJTPA.

B. Presentations

1. Presentation by Sussex County Municipal Utilities Authority regarding the Landfill Expansion.

Thomas Varro, Chief Engineer from SCMUA was at the meeting tonight to seek the Boards approval and consent of stage one of the six stage expansion of the Landfill. He gave a presentation on the landfill life extension project also known as Air-Space Optimization. He highlighted the Administrative Expenses, Engineering Fees, Building Costs and other costs. The total project cost is approximately \$10,890,000 not to exceed \$11.5Million. The first phase is a mechanically stabilized earth berm, or MSE berm around the perimeter at the north and west of the site. The second phase of the plan and any additional phases may not be necessary depending on potential technological improvements but if they were required that would most likely begin in 2025. There was a question and answer period with the Board.

7. **PUBLIC HEARINGS**

None for this evening.

8. **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.

MOTION made at 7:23 PM by Freeholder Graham to open the public session, seconded by Freeholder Rose and passed unanimously.

Comment by John Snyder

Mr. Snyder had some questions on stage one of the landfill expansion project. He wanted to know about the acreage involved and the length of time to complete.

MOTION made at 7:26 PM to close the meeting to the public by Freeholder Rose, seconded by Freeholder Graham and passed unanimously.

9. **FREEHOLDERS' COMMENTS**

Comments from Freeholder Crabb

- **SCMUA Presentation**

Freeholder Crabb thanked SCMUA for their presentation. He also noted this was all accomplished without bringing in a \$93million furnace or anything like that. He said now the landfill speaks for itself. There is no political burden about the debt and the debt that we are taking on already has a plan to be repaid.

- **Grand Marshall for St. Patrick's Day Parade**

Freeholder Crabb said Dr. Paul Crowley of Franklin was selected this year as the Grand Marshal for the St. Patrick's Day Parade this year.

- **Dept. of Finance and Library Services**

As my new Liaison duties , Freeholder Crabb said he made arrangements this week with Rob Maikis and Stan Pollakoff from the library to get reacquainted with them both as well as Jeff Parrott the County Clerk.

Comments from Freeholder Rose

- **Solid Waste Advisory Committee (SWAC)**

Freeholder Rose attended this meeting on Jan. 10th. Jim Landrith was voted Chairman and Don Ploetner voted Vice Chairman. They heard an application by Pace Glass for a glass recycling facility on Limecrest Road. He said this will create about 100 jobs and it is a \$50 million investment. They are claiming 9 to 10 months to be operational. On March 18, 2017 there will be an e-waste recycling day at the SCMUA facility.

Comments from Freeholder Graham

- **Municipality Reorganizations**

Freeholder Graham said they have tried to cover as many reorganization meetings as possible. All the municipalities had reorganization meetings this past week except for Newton which is in July.

- **Health Department**

Freeholder Graham said the walk-in flu clinics are still being conducted every Monday and Thursday during January and February from 2 PM to 4 PM. The cost is \$20 for free to those with Medicare or no health insurance.

Comments from Freeholder Director Lazzaro

- **NJTPA**

Freeholder Lazzaro attended the meeting this past Monday with Tom Drabic. There were a lot of projects being taken care of especially with the funding and road projects with the transportation trust fund. They gave out service awards and Rich Vohden received a service award for five years. He said they have a lot of things lined up for the upcoming year.
Roads

- **Roads**

Freeholder Lazzaro said the road department continues to maintain the roads.

10. APPROVAL OF CONSENT AGENDA

- A. **RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT EXTENSION WITH THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) FOR SERVICES PROVIDED BY THE SUSSEX COUNTY SHERIFF'S SLAP/SWAP PROGRAMS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.**
057-2017
- B. **RESOLUTION RE: AUTHORIZATION FOR AN AMENDMENT FOR A GRANT APPLICATION FOR THE VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE PROJECT ADMINISTERED BY THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE, OFFICE OF VICTIM WITNESS ADVOCACY V-19-15 FOR THE PERIOD JUNE 16, 2016 THROUGH JUNE 15, 2017**
058-2017
- C. **RESOLUTION RE: AUTHORIZATION FOR AN AMENDMENT FOR A GRANT APPLICATION FOR THE VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE PROJECT ADMINISTERED BY THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE, OFFICE OF VICTIM WITNESS ADVOCACY SUPPLEMENTAL PROGRAM VCS-62-15 FOR THE PERIOD OCTOBER 1, 2016 THROUGH MARCH 31, 2018**
059-2017
- D. **RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO APPROVE BUDGET**
060-2017

MODIFICATION #1 TO THE NJ DEPARTMENT OF
HEALTH FOR THE PROVISION OF THE LOCAL CORE
CAPACITY FOR PUBLIC HEALTH EMERGENCY
PREPAREDNESS GRANT PHLP17LNC015

- E. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE
061-2017 OF FURNITURE FOR THE SUSSEX COUNTY JUDICIAL
CENTER SIXTH COURTROOM
- F. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE
062-2017 OF NEW MOBILE VAULT SHELVING FOR THE SUSSEX
COUNTY RECORDS RETENTION CENTER
- G. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE
063-2017 OF HVAC EQUIPMENT AND RELATED DUCT WORK AT
THE SUSSEX COUNTY RECORDS RETENTION
CENTER
- H. RESOLUTION RE: AUTHORIZATION TO PROVIDE ON-CALL
064-2017 ENGINEERING SERVICES FOR REHABILITATION
DESIGN SERVICES FOR BRIDGE X-11 COUNTY
ROUTE 639 (LOOMIS AVENUE) IN
WANTAGE TOWNSHIP, SUSSEX COUNTY
- I. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL
065-2017 SERVICES AGREEMENT WITH THOMAS H. PROL OF
LADDEY, CLARK & RYAN, LLP FOR THE PROVIDING
OF SPECIAL COUNSEL SERVICES FOR SOLID WASTE
ENFORCEMENT WITHOUT COMPETITIVE BIDDING AS
A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A.
40A:11-5(1)(a)(i)
- J. RESOLUTION RE: APPROVAL AND CONSENT OF THE SUSSEX COUNTY
066-2017 BOARD OF CHOSEN FREEHOLDERS PURSUANT TO THE
1987 COUNTY AGREEMENT OF THE SUSSEX COUNTY
MUNICIPAL UTILITIES AUTHORITY'S LANDFILL
EXPANSION PROJECT AND THE ISSUANCE BY THE
SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY OF
SOLID WASTE REVENUE BONDS OR PROJECT NOTES
(LANDFILL EXPANSION PROJECT) AND AUTHORIZING
CERTAIN COUNTY OFFICERS AND OFFICIALS TO
EXECUTE VARIOUS DOCUMENTS IN CONNECTION
THEREWITH
- K. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN
067-2017 FREEHOLDERS TO ACCEPT A SUBGRANT AWARD OF
THE FEDERAL FISCAL YEAR 2016 OF DEPARTMENT OF
HOMELAND SECURITY EMERGENCY MANAGEMENT
PERFORMANCE GRANT PROGRAM FUNDING IN THE
AMOUNT OF \$110,000.00

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.)

MOTION made by Freeholder Rose to adopt the Resolutions, seconded by Freeholder Crabb

Discussion:

Freeholder Rose said Resolution E is for an additional courtroom not additional offices in the Judicial Center and Resolution I is for the flow control for the landfill.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

11. APPROVAL OF MINUTES

Regular Meeting – December 28, 2016

MOTION made by Freeholder Crabb to approve the minutes, seconded by Freeholder Graham and passed unanimously.

12. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. RESOLUTION RE: APPOINTING STATEWIDE INSURANCE FUND
068-2017 COMMISSIONERS
2. RESOLUTION RE: REAPPOINTMENT OF VIRGIL ROME JR. AS FIRE
069-2017 MARSHAL FOR SUSSEX COUNTY FOR A THREE
(3) YEAR TERM. SAID TERM TO BEGIN
JANUARY 15, 2017 AND EXPIRE JANUARY 14,
2020
3. RESOLUTION RE: REAPPOINTMENTS OF JAMES RAPERTO SR.
070-2017 AND JOHN LUBA AS ASSISTANT FIRE MARSHAL
FOR SUSSEX COUNTY FOR A THREE (3) YEAR
TERM EACH. SAID TERMS TO BEGIN JANUARY
15, 2017 AND EXPIRE JANUARY 14, 2020
4. RESOLUTION RE: REAPPOINTMENT OF VALERIE STECCATO AS
071-2017 PUBLIC AGENCY COMPLIANCE OFFICER IN
AND FOR THE COUNTY OF SUSSEX FOR
CALENDAR YEAR 2017, PURSUANT TO PUBLIC
LAW 1975 c. 127 (N.J.A.C. 17:27)

MOTION made by Freeholder Crabb to adopt the appointments, seconded by Freeholder Graham

On Roll call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Rose	Yes
Freeholder Lazzaro	Yes

B. Resignations

1. Resignation of Brian Doherty from the Human Services Advisory Council.

13. RESOLUTIONS

None for this evening.

14. AWARDS OF CONTRACTS/CHANGE ORDERS/BID

A. Awards

1. RESOLUTION RE: AWARDING A CONTRACT EXTENSION
072-2017 THROUGH THE COMPETITIVE CONTRACTING
PROCESS FOR PROFESSIONAL LEGAL
SERVICES IN THE ISSUANCE OF BONDS,
NOTES AND RELATED MATTERS

2. RESOLUTION RE: AWARDING A CONTRACT THROUGH THE
073-2017 COMPETITIVE CONTRACTING PROCESS FOR
ENGINEERING DESIGN SERVICES RELATED TO
BRIDGE ENGINEERING FOR THE
REPLACEMENT OF COUNTY BRIDGE Q-06

MOTION made to adopt the Awards by Freeholder Crabb, seconded by Freeholder Graham

Discussion

Freeholder Rose referred to Bridge Q-06 which is on Sparta Main Street, between Glen Road and the Municipal building. It was built in 1935 and it serves 10 to 11,000 cars per day. It will be a complete replacement and the pricing will range from \$149,000 to \$227,000 for the cost of engineering and this proposal is for \$184,000 and unfortunately it does look like it will require a full closure of the road for a full three months probably occurring in 2019.

On Roll call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

B. Change Orders

1. RESOLUTION RE: AWARD OF CHANGE ORDER NO. 1 TO A
074-2017 CONTRACT BETWEEN THE COUNTY OF
SUSSEX AND SCHIFANO CONSTRUCTION
CORP. FOR THE 2015 SUSSEX COUNTY ROAD
RESURFACING PROGRAM

MOTION made by Freeholder Crabb to adopt the Resolution, seconded by Freeholder Rose

Discussion

Freeholder Rose said this is a no cost time extension and is related to the TTF. It adds 205 additional days and that sounds great but the caveat is the contractor has reserved the right to seek recovery for cost so it is a no cost at this point and we will see what happens as it progresses.

On Roll call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

15. **FINANCIAL**

A. RESOLUTION RE: PAYMENT OF BILLS
075-2017

MOTION made by Freeholder Crabb to adopt the Resolution, seconded by Freeholder Graham

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Rose	Abstained
Freeholder Director Lazzaro	Yes

B. RESOLUTION RE: PAYMENT OF BILLS
076-2017

MOTION made by Freeholder Crabb to adopt the Resolution, seconded by Freeholder Graham

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

16. PERSONNEL

17. ADMINISTRATIVE REPORT

A. Other

Ron said there is a proposed quote for a Freeholder memorial bench and it is ready to go to the engraver. After you look at the quote, give me your revisions and whatever you would like to be placed on the memorial and I will get it to Virgil and it will be done immediately. Ron said last week the County went through a Federal Transit Authority Audit which is done annually. The County did very well and we are good for another year.

Discussion

The Freeholders decided to go forward with the bench.

18. COUNTY COUNSEL

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

No report

19. UNFINISHED BUSINESS

Freeholder Lazzaro appointed Freeholder Graham to handle the closing of the solar project. We are hoping to get it wrapped up this year.

20. NEW BUSINESS

None for this evening.

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

MOTION made at 7:45 PM to open the floor to the public by Freeholder Rose, seconded by Freeholder Graham and passed unanimously.

Comments by Glenn Hull

Mr. Hull said coming back from the Reorganization meeting along Rt. 206 south there are bushes along the sidewalk. A car that is coming along Rt. 206 can't see anyone crossing and the pedestrians can't see the car coming. It is a blind spot.

Freeholder Rose said he was walking with him and they had a meeting. Ron Tappan said a work order has been put in to take them out.

Mr. Hull brought up transparency that he brought up at the Reorganization meeting. He said the situation that is happening to his family has become a very closed mouth thing. Nobody wants to talk about it or resolve anything. He read a letter and spoke about mentioned the crime victim's resolutions being passed, he said his family is a victim of a crime and there is no resolution. He said this is a very serious matter. He said nobody wants to do anything about this. He said he is asking for transparency. He said the Herald won't write a letter, I have asked the Freeholders to write letters. He said nobody will ask any questions. He said he is asking for a full-blown investigation on this. He said somebody is being protected and it is a huge cover up.

Freeholder Graham said you did hand me a letter and I handed that letter onto the prosecutor and the prosecutor said he opened the file four times for one reason or another and he did not feel that he had any justification or jurisdiction to go any further on it. Freeholder Graham said you have been here many, many times and you expressed your case many, many times I don't believe that we have any jurisdiction to do anything more than what we have done. Your issues are with the Federal Government.

You might want to seek assistance from a congressman, I don't believe based on what the prosecutor said to me and putting it in front of our own counsel there is anything else we can do.

Mr. Hull said in 2011 the prosecutor started an investigation and they took all the evidence and said we are in the driver seat.

Freeholder Graham said that Mr. Hull needs to take other avenues to pursue this but the Freeholder Board can't do anything further.

Comments by John Snyder

Mr. Snyder questioned about the article in the Herald with Sparta not joining the County with Health Services and he wanted to know how much money were they contributing to the program?

Freeholder Lazzaro said at the moment it is not a completed issue and it is still in conversation.

Mr. Snyder said according to the article is sound like a done deal.

Freeholder Rose said the budget is still ongoing so it will be part of the budget process to see what can be done if they decide to leave.

Ron said under Title 26 if a municipality intends to pull out of a health department, they have a timing scheme that they have to do. The two major points with that is they have to be in the County health system for two years and they have to give us six months' notice if they tend to pull out and they have met those two requirements. They have instituted their rights under Title 26.

MOTION made at 7:55 PM to close public session by Freeholder Graham, seconded by Freeholder Rose and passed unanimously.

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

None for this evening.

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>
Jan. 12 - 1:00 pm	Construction Board of Appeals	FMR-Cancelled
Jan. 12 - 7:30 pm	Water Quality Mgmt PAC	FMR
Jan. 16	Martin Luther King Jr. Holiday	Closed
Jan. 17 - 7:30 pm	Agriculture Development Board	FMR
Jan. 25 - 7:00 pm	Freeholder Meeting	FMR

24. ADJOURNMENT

MOTION made at 7:56 PM to adjourn the meeting made by Freeholder Rose, seconded by Freeholder Graham and passed unanimously.

DATED: January 11, 2017

Catherine M. Williams
Clerk of the Board