

REGULAR MEETING HELD ON WEDNESDAY, AUGUST 17, 2011
5:00 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 February 15, 2011 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. **PUBLIC HEARINGS**

A.

PUBLIC HEARING – 5:00 PM

FINAL ADOPTION – ORDINANCE

Freeholder Director Zeoli: "At our regular meeting held on July 27, 2011, we introduced for first reading the following Ordinance which was advertised in the New Jersey Herald issue of August 5, 2011 together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

ORDINANCE RE: GUARANTY ORDINANCE OF THE COUNTY OF SUSSEX, NEW JERSEY, SECURING THE MORRIS COUNTY IMPROVEMENT AUTHORITY'S COUNTY OF SUSSEX GUARANTEED RENEWABLE ENERGY PROGRAM LEASE REVENUE BONDS (COUNTY OF SUSSEX PROGRAM), SERIES 2011 (FEDERALLY TAXABLE) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$50,000,000.00

Is anyone present to be heard regarding this Ordinance?

MOTION that the Public Hearing be closed. (voice vote)

MOTION that this Ordinance be finally adopted. (roll call vote)

MOTION to authorize the Clerk to advertise this Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center. (voice vote)

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations/Certificates

1. Proclamation recognizing Patrick James McGuinness for attaining the rank of Eagle Scout.
2. Certificate presented to Eric Legrand in recognition of his positive outlook and determination to overcome any obstacle.

(voice vote)

7. PUBLIC SESSION FROM THE FLOOR

Public Session will be held tonight at the Sussex County Technical School Auditorium, 105 North Church Road, Sparta, NJ on August 17, 2011 at 6:00 pm. There will be no Public Session held tonight at the County Administrative Center, Freeholder Meeting Room.

(Please note: Everyone is asked to keep their comments to 5 minutes or less)

8. FREEHOLDERS' COMMENTS

9. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS
- B. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE AN APPLICATION FOR DISCRETIONARY AID FROM NJDOT LOCAL AID INFRASTRUCTURE FUND IN THE AMOUNT OF \$1,000,000.00 FOR THE REPLACEMENT OF THE FRANKLIN VIADUCT BRIDGE E-07
- C. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE AN APPLICATION FOR DISCRETIONARY AID FROM NJDOT LOCAL AID INFRASTRUCTURE FUND IN THE AMOUNT OF \$580,000.00 FOR THE REPLACEMENT OF THE FRANKLIN VIADUCT BRIDGE E-07
- D. RESOLUTION RE: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR A TRANSPORTATION GRANT UNDER SECTION 5310 OF THE FEDERAL TRANSIT ADMINISTRATION FOR THE LEASE OF ONE 16 PASSENGER LIFT EQUIPPED VEHICLE #16-1443
- E. RESOLUTION RE: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR A TRANSPORTATION GRANT UNDER SECTION 5310 OF THE FEDERAL TRANSIT ADMINISTRATION FOR THE LEASE OF ONE 12 PASSENGER LIFT EQUIPPED VEHICLE #16-1386
- F. RESOLUTION RE: AUTHORIZATION TO EXECUTE AN AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR A TRANSPORTATION GRANT UNDER SECTION 5311 OF THE FEDERAL TRANSIT ADMINISTRATION FOR THE LEASE OF ONE 12 PASSENGER LIFT EQUIPPED VEHICLE #18-132
- G. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT ACCOUNT BALANCES FOR THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS, SHARING AVAILABLE RESOURCES

EFFICIENTLY 2009, AMENDMENT, 2009-04665-0588-02,
FOR A REMAINING TOTAL AMOUNT OF \$1,675.00

- H. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT ACCOUNT BALANCES FOR THE STATE OF NEW JERSEY, DEPARTMENT OF COMMUNITY AFFAIRS, RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES, JANUARY 1, 2011 TO DECEMBER 31, 2011 BASED ON FINAL AWARD, #2011-05157-0439-00 FOR A TOTAL AMOUNT OF \$20,000.00
- I. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2011 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE SENIOR FARMERS MARKET NUTRITION PROGRAM IN THE AMOUNT OF \$1,000.00
- J. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF A VEHICLE FOR THE SUSSEX COUNTY PROSECUTOR'S OFFICE (Resolution authorizes this purchase from Warnock Fleet of one (1) Ford Explore SUV in the amount of \$29,552.00, with \$6,307.00 of that amount for non-contract after-market options)
- K. RESOLUTION RE: ALLOCATION OF \$29,621.00 TO THE SUSSEX COUNTY DIVISION OF SOCIAL SERVICES FOR VOUCHERS FOR TRANSPORTATION AND AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK TO EXECUTE A CONTRACT
- L. RESOLUTION RE: AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS UNDER THE PROVISIONS OF N.J.S.A. 19:44A-20.4 ET SEQ. FOR VARIOUS SERVICES, WITH ACCUMULATED VALUE LESS THAN THE BID THRESHOLD, AS STATED BELOW (Resolution authorizes purchase orders for KW Applications, Inc., C&V Paving Contractors, Inc., and Pen TeleData)
- M. RESOLUTION RE: AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS UNDER THE PROVISIONS OF N.J.S.A. 19:44A-20.4 ET SEQ. FOR VARIOUS BID EXEMPT SERVICES AS STATED BELOW (Resolution authorizes purchase orders for H&G Contractors, Inc.)

- N. RESOLUTION RE: AUTHORIZING THE RETENTION AND COMPENSATION OF RON REBISH OF APPRAISAL SERVICES OF NORTH JERSEY IN CONNECTION WITH THE ACQUISITION OF DEVELOPMENT RIGHTS FOR THE LANE AND KEYES FARMS IN WANTAGE TOWNSHIP; THE TAGGART FARM IN ANDOVER TOWNSHIP; THE MILLER #1 AND #2 FARMS IN GREEN TOWNSHIP; THE JORRITSMA FARM IN LAFAYETTE AND THE MAZZA FARM IN FRANKFORD TOWNSHIP FOR THE 2011 COUNTY FUNDING ROUND (Resolution authorizes this Agreement in the amount not to exceed \$10,850.00)
- O. RESOLUTION RE: AUTHORIZING THE RETENTION AND COMPENSATION OF MICHAEL HOLENSTEIN OF HOLZHAUER AND HOLENSTEIN LLC IN CONNECTION WITH THE ACQUISITION OF DEVELOPMENT RIGHTS FOR THE LANE AND KEYES FARMS IN WANTAGE TOWNSHIP; THE TAGGART FARM IN ANDOVER TOWNSHIP; THE MILLER #1 AND #2 FARMS IN GREEN TOWNSHIP; THE JORRITSMA FARM IN LAFAYETTE AND THE MAZZA FARM IN FRANKFORD TOWNSHIP FOR THE 2011 COUNTY FUNDING ROUND (Resolution authorizes this Agreement in the amount not to exceed \$10,430.00)
- P. RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY LIBRARY DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE NEW JERSEY STATE LIBRARY IN ORDER TO RECEIVE \$5,092.83 FROM THE SALTON, INC./GEORGE FOREMAN GRILLS ANTI-TRUST SETTLEMENT GRANT PROGRAM
- Q. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A REVISED AGREEMENT WITH THE TOWN OF NEWTON FOR PUBLIC SAFETY SERVICES BY THE TOWN OF NEWTON IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.

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)

10. **APPROVAL OF MINUTES:** Regular Meeting July 27, 2011

Executive Session Minutes
Regular Meeting July 27, 2011
(voice vote)

11. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. RESOLUTION RE: REAPPOINTMENT OF MELANIE M. ARPAIO AS A MEMBER OF THE SUSSEX COUNTY MENTAL HEALTH BOARD FOR A TERM OF THREE (3) YEARS BEGINNING IMMEDIATELY AND EXPIRING JUNE 30, 2014

(voice vote)

12. RESOLUTIONS

- A. RESOLUTION RE: AFFIRMING AND SUPPORTING THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY RESOLUTION OF AUGUST 3, 2011 AUTHORIZING THE AUTHORITY'S APPLICATION TO THE NEW JERSEY LOCAL FINANCE BOARD FOR THE NECESSARY CONSENTS AND APPROVALS FOR PARTICIPATION IN THE JOINT SUSSEX COUNTY/MORRIS COUNTY IMPROVEMENT AUTHORITY SOLAR INITIATIVE

- B. RESOLUTION RE: RESOLUTION RECOGNIZING SEPTEMBER 11, 2011 AS A DAY OF SOLEMN COMMEMORATION OF THE EVENTS OF SEPTEMBER 11, 2001

(voice vote)

13. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contracts

1. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SUSSEX TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH MARLA D. SCHOOR, R.D., TO PROVIDE CONSULTANT DIETITIAN SERVICES WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Agreement in the amount of \$42.00 per hour two days a week at 8 hours per day for a total not to exceed \$35,000.00)

2. RESOLUTION RE: AWARD OF CONTRACT FOR “REPLACEMENT OF SUSSEX COUNTY BRIDGE C-16”, COUNTY ROUTE 607, BYRAM TOWNSHIP, SUSSEX COUNTY, NEW JERSEY (Resolution awards this Contract to the lowest responsible bidder, Jogi Construction, Inc., in the amount of \$667,066.00)

(roll call vote)

B. Change Orders

1. RESOLUTION RE: AWARD OF CHANGE ORDER NO. 1 TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND MERCO, INC. FOR THE SUBSTRUCTURE REHABILITATION OF SUSSEX COUNTY BRIDGE K-03 (CR607) OVER RIVER STYX, BOROUGH OF HOPATCONG, SUSSEX COUNTY, NEW JERSEY (Resolution authorizes this change order in the amount of \$33,249.01 (3%) to an adjusted amount of \$1,139,889.01)

2. RESOLUTION RE: AWARD OF CHANGE ORDER NO. 3 TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND CONCRETE CONSTRUCTION CORPORATION FOR REPLACEMENT OF SUSSEX COUNTY BRIDGE Q-09 CARRYING COUNTY ROUTE 620 OVER SPARTA GLEN BROOK, TOWNSHIP OF SPARTA, SUSSEX COUNTY, NEW JERSEY (2009 ARRA GRANT IN THE AMOUNT OF \$449,509.40) (Resolution awards this Change Order to reflect the actual completion date of October 20, 2010 in order for NJDOT to process the final Contract payment)

(roll call vote)

14. FINANCIAL

- A. RESOLUTION RE: CERTIFICATION OF REVIEW OF AUDIT BY GROUP AFFIDAVIT

(roll call vote)

15. PERSONNEL

- A. Personnel Agenda

B. Resolutions

1. RESOLUTION RE: ESTABLISHMENT OF "SECURITY GUARD" AND SALARY RANGE
(voice vote)

16. **ADMINISTRATIVE REPORT**

- A. Other

17. **COUNTY COUNSEL**

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

18. **UNFINISHED BUSINESS**

19. **NEW BUSINESS**

20. **PUBLIC SESSION FROM THE FLOOR**

Public Session will be held tonight at the Sussex County Technical School Auditorium, 105 North Church Road, Sparta, NJ on August 17, 2011 at 6:00 pm. There will be no Public Session held tonight at the County Administrative Center, Freeholder Meeting Room.

(Please note: Everyone is asked to keep their comments to 5 minutes or less)

21. **EXECUTIVE SESSION**

RESOLUTION RE: REQUESTING EXECUTIVE SESSION (voice vote)

- A. Personnel
- B. Contract
- C. Litigation
- D. Other Matters

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Sussex County Board of Chosen Freeholders that the public interest will no longer be served by such confidentiality.

22. REMINDERS

Monday	September 5, 2011	Labor Day	Holiday
Wednesday	September 14, 2011	Regular Meeting	5:00 pm

23. RECESS TO THE SUSSEX COUNTY TECHNICAL SCHOOL, 105 NORTH CHURCH ROAD, SPARTA, NJ, ON AUGUST 17, 2011 AT 6:00 PM FOR PUBLIC SESSION AND A BALANCE OF ANY UNFINISHED BUSINESS OR AGENDA ITEMS.

(voice vote)

24. ADJOURNMENT