

REGULAR MEETING HELD ON WEDNESDAY, DECEMBER 16, 2009

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 January 5, 2009 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
The Daily Record	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**
6. **PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**

A. Proclamations and Certificates

1. Certificate for Steve Andrews, WSUS Radio Personality, in recognition of his promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Wantage, New Jersey where 7,330 pounds of food were collected.

2. Certificate for Maria Lake, WSUS Program Director, in recognition of her support and promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Wantage, New Jersey where 7,330 pounds of food were collected.
3. Certificate for Rob Moorhead, WNNJ Radio Personality, in recognition of his promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Lafayette, New Jersey where 13,125 pounds of food were collected.
4. Certificate for Ken O'Brien, WNNJ Program Director, in recognition of his support and promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Lafayette, New Jersey where 13,125 pounds of food were collected.
5. Certificate for John J. Schaninger, Vice President of Sales and Merchandising, Quick Chek Corporation, in recognition of his continued support and promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Lafayette, New Jersey where 13,125 pounds of food were collected and at the Quick Chek, Wantage, New Jersey where 7,330 pounds of food were collected.
6. Certificate for the Resident Council of the Sussex County Homestead in recognition of the monetary donation from the Resident Council to the "Stuff the Bus" Food Pantry Drive, and its sincere desire to help those in need, providing hope and support to our less fortunate Sussex County neighbors through the generosity of the Council and the Residents of the Homestead.
7. Certificate for Victor Paternostro in recognition of his achieving the most wins of any High School Football Coach in the State of New Jersey with 363 wins.

B. Presentation

1. Acknowledging the retirement of James W. Aumick, Sr., County Correction Officer at the Jail, who retired after 25 years with the County; Ruth E. Counterman, Word Processing Operating, Clerk of the Board's Office, who retired after 26 ½ years with the County; Peter M. Squire, Sheriff's Officer, Sheriff's Department, who will be retiring after 25 ½ years with the County; and Garfield S. Van Tassel, Jr., County Correction Sergeant at the Jail, who retired after 29½ years with the County.

(voice vote)

7. **PUBLIC SESSION FROM THE FLOOR**

(Please note: Everyone is asked to keep their comments to 10 minutes or less)

8. **APPROVAL OF CONSENT AGENDA**

- A. RESOLUTION RE: PAYMENT OF BILLS
- B. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2009 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE STATE AID TO THE SCMUA SOLID WASTE BONDS DEBT SERVICE FOR A TOTAL AMOUNT OF \$298,438.83
- C. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE COUNTY OF SUSSEX, MODIFICATION REQUEST FOR ARRA FUNDING OF THE SH09019, SOCIAL SERVICES FOR THE HOMELESS FOR THE PERIOD OF JANUARY 1, 2009 TO DECEMBER 31, 2009 FOR THE TOTAL ADDITIONAL AMOUNT OF \$40,000.00
- D. RESOLUTION RE: AMENDING THE AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE COUNTY OF MORRIS FOR THE HOUSING OF SUSSEX COUNTY YOUTH SHELTER PLACEMENTS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ. AND N.J.S.A. 40A:11-10 ET SEQ. ADOPTED DECEMBER 17, 2008 (Resolution amends this Agreement to reduce the number of guaranteed beds from four (4) to two (2))
- E. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT #10ALUN WITH THE NJ DEPARTMENT OF CHILDREN AND FAMILIES, DIVISION OF YOUTH AND FAMILY SERVICES 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, 2010 TO DECEMBER 31, 2010 (Resolution authorizes this Contract with a County match in the amount of \$16,026.00)

- F. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT #10BDUN WITH THE NJ DEPARTMENT OF CHILDREN AND FAMILIES, DIVISION OF YOUTH AND FAMILY SERVICES TO PROVIDE \$61,874.00 IN FUNDING FOR THE YOUTH INCENTIVE PROGRAM TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010 (Resolution authorizes this Contract to receive \$61,874.00 in funding, with \$25,000.00 identified for the EBP Training)
- G. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO APPLY FOR AND ACCEPT CONTRACT #10-541-ADA-0 WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF ADDICTION SERVICES PROVIDING \$277,490.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010 (Resolution authorizes this application with a County match in the amount of \$39,838.00)
- H. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT #10AVWN WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF DISABILITY SERVICES TO PROVIDE \$104,009.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010
- I. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A CONTRACT WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT TO PROVIDE \$387,578.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010

- J. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT MODIFICATION #2 WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT TO PROVIDE \$249,764.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2009 TO DECEMBER 31, 2009

- K. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE CONTRACT MODIFICATION #2 WITH THE SUSSEX COUNTY DIVISION OF SOCIAL SERVICES ALLOCATING AN ADDITIONAL \$40,000.00 IN SOCIAL SERVICES FOR THE HOMELESS FUNDING FOR THE PROVISION OF HOMELESS SERVICES FOR THE CITIZENS OF SUSSEX COUNTY

- L. RESOLUTION RE: AUTHORIZING THE SUSSEX COUNTY SHERIFF TO ENTER INTO A SIX MONTH EXTENSION OF THE MEMORANDUM OF UNDERSTANDING WITH THE STATE OF NEW JERSEY, DIVISION OF PURCHASING, FOR THE PROVISION OF SECURITY TO THE MOTOR VEHICLE AGENCY PURSUANT TO THE NEW JERSEY MOTOR VEHICLE SECURITY AND CUSTOMER SERVICE ACT (Resolution authorizes this extension until June 30, 2010 to permit the expiration of the Memorandum of Understanding to coincide with the State fiscal year)

- M. RESOLUTION RE: FINAL APPROVAL OF OPEN SPACE APPLICATIONS FOR THE 2009 COUNTY FUNDING ROUND

- N. RESOLUTION RE: AUTHORIZING AN EXTENSION FOR THE BYRAM TOWNSHIP OPEN SPACE APPLICATIONS FROM THE 2006 AND 2007 COUNTY FUNDING ROUNDS

- O. RESOLUTION RE: ASSIGNMENT OF A CONTRACT – MISCELLANEOUS BUILDING TRADE SERVICES (HVAC) FOR THE DIVISION OF FACILITIES MANAGEMENT (Resolution authorizes the Assignment of this Contract from Cortese Corporation to Air Maintenance Solutions)

- P. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF COMPUTER SOFTWARE FOR THE SUSSEX COUNTY OFFICE OF THE PROSECUTOR (Resolution

authorizes this purchase from Dell Marketing, LP in the amount of \$49,999.38)

- Q. RESOLUTION RE: AUTHORIZING THE EXECUTION OF A FARMLAND PRESERVATION AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE LAND CONSERVANCY OF NEW JERSEY FOR THE ACQUISITION OF THE BAIN FARM, KNOWN AS BLOCK 26, LOTS 14, 16 AND 20.10 IN THE TOWNSHIP OF FRANKFORD
- R. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE FEDERAL AID AGREEMENT NO. 2009-DT-BLA1-26
- S. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE FEDERAL AID AGREEMENT NO. 2009-DT-BLA1-27
- T. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE FEDERAL AID AGREEMENT NO. 2009-DT-BLA1-29

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)

9. APPROVAL OF MINUTES

10. APPOINTMENTS AND/OR RESIGNATIONS

11. RESOLUTIONS

- A. RESOLUTION RE: REVOKING THE COUNTY OF SUSSEX ADMINISTRATIVE POLICY ("SUSSEX COUNTY VEHICLE POLICY") GOVERNING THE USE OF COUNTY VEHICLES BY COUNTY EMPLOYEES
- B. RESOLUTION RE: SUSSEX COUNTY'S CONFORMANCE TO THE HIGHLANDS REGIONAL MASTER PLAN IN THE PRESERVATION AREA ONLY
- C. RESOLUTION RE: REQUESTING THE NEW JERSEY STATE LEGISLATURE TO RESTORE FUNDING TO THE WORKFORCE INVESTMENT BOARD TO ALLOW IT TO FUND THE WORKFORCE LEARNING LINKS TO SERVICE THE RESIDENTS OF NEW JERSEY

(voice vote)

12. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contract

1. RESOLUTION RE: AWARD OF CONTRACT FOR THE SUPPLY OF ELECTRICITY FOR VARIOUS SUSSEX COUNTY OFFICES AND INSTITUTIONS
2. RESOLUTION RE: AWARD OF CONTRACT FOR THE SUPPLY OF NATURAL GAS FOR VARIOUS SUSSEX COUNTY OFFICES AND INSTITUTIONS
3. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH PENNONI ASSOCIATES, INC. FOR THE PROVIDING OF ASBESTOS ABATEMENT DESIGN SERVICES AND MONITORING SERVICES FOR THE SECOND FLOOR AT THE HOMESTEAD NURSING HOME AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Agreement in the amount not to exceed \$32,200.00)
4. RESOLUTION RE: AUTHORIZING THE ENTRY INTO AN AGREEMENT WITH JUSTICE BENEFITS, INC., FOR SPECIALIZED ASSISTANCE FOR THE REVIEW AND INVESTIGATION OF ADDITIONAL FUNDING SOURCES FOR DEFERRING EXISTING COUNTY EXPENDITURES WITHOUT COMPETITIVE BIDDING ON THE BASIS OF ITS DESIGNATION AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE (Resolution authorizes this Agreement for a consideration not to exceed 22% of all additional revenue paid to the County of Sussex during the benefit period)

(roll call vote)

B. Change Orders

1. RESOLUTION RE: AUTHORIZING THE SECOND AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH SUBURBAN CONSULTING ENGINEERS, INC. TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE X-34 CARRYING POSSUM GLEN ROAD OVER A BRANCH OF THE WALLKILL RIVER IN THE TOWNSHIP OF WANTAGE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Amendment for a decrease of \$17,950.89 because the alternate items of Construction Layout and Pile Foundation were not necessary in the amount of \$9,150.00 and Construction Support was not necessary in the amount of \$8,800.89 for a final revised Agreement amount of \$83,584.36)

2. RESOLUTION RE: AUTHORIZING THE FIFTH AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH CHERRY, WEBER & ASSOCIATES, PC TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE S-01 CARRYING COUNTY ROUTE 610 OVER PAULINS KILL IN THE TOWNSHIP OF STILLWATER PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Amendment for a decrease of \$29,273.75 (9.6%) for work that was neither required nor performed)

3. RESOLUTION RE: AUTHORIZING THE SECOND AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH CHERRY, WEBER & ASSOCIATES, PC TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE E-07 CARRYING COUNTY ROUTE 631 OVER WALLKILL RIVER AND NYS&W RAILWAY IN THE BOROUGH OF FRANKLIN AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this increase of \$877,522.40 (69.8%) for additional work for poor soils, unanticipated complex bridge design tasks, value engineering and compliance with the current NJDEP regulations)

(roll call vote)

13. FINANCIAL

- A. RESOLUTION RE: TRANSFER OF 2009 CURRENT APPROPRIATIONS
- B. RESOLUTION RE: CHANGE IN TITLE, TEXT, OR AMOUNT OF APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-85
(roll call vote)

14. PERSONNEL

- A. Personnel Agenda (voice vote)

15. ADMINISTRATIVE REPORT

- A. Other

16. COUNTY COUNSEL

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

17. UNFINISHED BUSINESS

- A. RESOLUTION RE: DESIGNATING A PROJECT AREA WITHIN THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY A RECOVERY ZONE AND MAKING AN ALLOCATION OF RECOVERY ZONE FACILITY BOND VOLUME CAP THERETO PURSUANT TO THE RECOVERY AND REINVESTMENT ACT OF 2009, Pub. L. No. 11-5 Stat. 115 (2009)

(roll call vote)

18. NEW BUSINESS

- A. Approval of letter for the Lake Hopatcong Commission in support of its I Boat grant.

19. PUBLIC SESSION FROM THE FLOOR

(Please note: Everyone is asked to keep their comments to 10 minutes or less)

20. FREEHOLDERS' COMMENTS

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

Thursday	December 24, 2009	Christmas Eve	Holiday
Friday	December 25, 2009	Christmas Day	Holiday
Wednesday	December 30, 2009	Regular Meeting	9:00 am
Friday	January 1, 2010	New Year's Day	Holiday
Friday	January 1, 2010	Reorganization Sussex County Historic Courthouse	2:00 pm
Wednesday	January 13, 2010	Regular Meeting	5:00 pm

23. ADJOURNMENT (voice vote)