

REGULAR MEETING HELD ON WEDNESDAY, JULY 27, 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 13, 2011, we introduced for first reading the following Ordinance which was advertised in the New Jersey Herald issue of July 19, 2011 together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

ORDINANCE RE: ESTABLISHMENT OF FEES FOR OFF-DUTY SHERIFF'S OFFICERS WHO PERFORM GENERAL SAFETY AND POLICE SERVICES FOR PRIVATE OR QUASI-PUBLIC AND PUBLIC FUNCTIONS, INCLUDING CONSTRUCTION PROJECTS WITHIN THE COUNTY OF SUSSEX

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 James Braun for attaining the rank of Eagle Scout.
(voice vote)

B. Presentations

1. Acknowledging the retirement of Diane Eakman, Deputy Clerk of the Board, who retired after 25 years with the County; Joseph Kabatyr, Laborer for the Road Department, who retired after 16 years with the County; Patricia Lorentzen, Deputy Surrogate, who is retiring after 19 years with the County; Elaine M. Rottger, Principal Library Assistant, Typing, who is retiring after 29 years with the County; and Andrew Taylor, Institutional Attendant for the Homestead, who is retiring after 11 ½ years with the County.

7. PUBLIC SESSION FROM THE FLOOR

(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 CLERK OF THE BOARD TO EXECUTE FEDERAL AID AGREEMENT NO. 2011-DT-BLA1-07 (Resolution authorizes this Agreement for funds through the 2010 High Risk Rural Roads Program)
- C. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE FEDERAL AID AGREEMENT NO. 2011-DT-BLA1-08 (Resolution authorizes this Agreement for funds through the 2011 High Risk Rural Roads Program)
- D. 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 SEXUAL ASSAULT NURSE EXAMINER/SEXUAL ASSAULT RESPONSE TEAM PROJECT, VICTIM OF CRIME ACT GRANT, VS-39-09, OCTOBER 1, 2010 TO SEPTEMBER 30, 2011 FOR A TOTAL AMOUNT OF \$56,406.00
- E. 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 COUNTY COMPREHENSIVE CANCER CONTROL PLAN GRANT FOR A TOTAL AMOUNT OF \$50,000.00 FOR THE PERIOD OF JULY 1, 2011 TO JUNE 30, 2012
- F. 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 CHRONIC DISEASE SELF-MANAGEMENT PROGRAM (CDSMP), DACS11CDF005, IN THE AMOUNT OF \$40,000.00
- G. 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 COUNTY ENVIRONMENTAL HEALTH ACT (CEHA) GRANT FOR A TOTAL AMOUNT OF \$142,513.00

- H. 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 2011 AREA PLAN ALLOCATION, MID-YEAR ALLOCATION OF AREA PLAN FOR AN ADDITIONAL AMOUNT OF \$238,211.00
- 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 FY11 COOPERATIVE MARKETING GRANT FOR THE TOTAL AMOUNT OF \$9,000.00
- J. 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 2007, AMENDMENT, 2007-04665-2388-02, FOR A REMAINING TOTAL AMOUNT OF \$51,794.19 (RESERVE), AND A TOTAL AMOUNT OF \$54,854.99 (RECEIVABLE)
- K. RESOLUTION RE: AUTHORIZATION TO CANCEL CERTAIN GENERAL CAPITAL IMPROVEMENT AUTHORIZATION BALANCES (Resolution authorizes the cancellation of unexpended and dedicated balances of General Capital Appropriations in the total amount of \$249,616.02)
- L. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT ACCOUNT BALANCES FOR THE SENIOR FARMERS MARKET NUTRITION PROGRAMS, VARIOUS YEARS REMAINING FOR A TOTAL AMOUNT OF \$5.81
- M. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO SIGN THE SUBGRANT AWARD FOR THE 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM, JAG 3-11-07, SUSSEX COUNTY COMMUNITY JUSTICE PROGRAM FOR THE PERIOD FEBRUARY 2, 2010 TO FEBRUARY 1, 2011 IN THE TOTAL AMOUNT OF \$79,072.00

- N. 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 United Rentals and H&R Healthcare)
- O. 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 \$3,750,000.00 FOR THE REPLACEMENT OF THE FRANKLIN VIADUCT BRIDGE E-07
- P. RESOLUTION RE: AUTHORIZING THE RENEWAL OF THE AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE BOROUGH OF FRANKLIN FOR ENFORCEMENT AGENCY SERVICES AS SET FORTH IN THE NJ STATE UNIFORM FIRE CODE REGULATIONS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.
- Q. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ADDITIONAL ENERGY CONSERVATION RETROFITS IN VARIOUS SUSSEX COUNTY BUILDINGS FOR THE SUSSEX COUNTY DIVISION OF FACILITIES MANAGEMENT (Resolution authorizes this purchase from R. J. Donnelly in the approximate amount of \$312,058.75)
- R. RESOLUTION RE: AUTHORIZATION TO SUBMIT AN APPLICATION FOR GRANT FUNDS TO THE STATE OF NEW JERSEY, DIVISION OF CRIMINAL JUSTICE, FOR AN AMOUNT YET TO BE DETERMINED, TO BE USED FOR THE PURCHASE OF BODY ARMOR FOR MEMBERS OF THE SHERIFF'S BUREAUS OF LAW ENFORCEMENT AND CORRECTIONS

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 13, 2011
(voice vote)

11. **APPOINTMENTS AND/OR RESIGNATIONS**

12. **RESOLUTIONS**

- A. RESOLUTION RE: ESTABLISHING TERM LIMITS FOR THE SUSSEX COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES AND THE SUSSEX COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES SEARCH COMMITTEE

(voice vote)

B.

INTRODUCTION FOR FIRST READING - RESOLUTION

RESOLUTION RE: PRELIMINARY APPROVAL FOR THE BYRAM TOWNSHIP CHAPTER OF THE SUSSEX COUNTY WASTEWATER MANAGEMENT PLAN

MOTION to adopt this Resolution on first reading.

Public Hearing to be set after appropriate notice by the Township and the NJDEP.

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

A. Awards of Contracts

1. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND PARETTE SOMJEN ARCHITECTS FOR THE PROVIDING OF ARCHITECTURAL SERVICES FOR THE KEOGH-DWYER CORRECTIONAL FACILITY BARRIER FREE ACCESS AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Agreement for architectural design services, architectural construction documents and contract administration services in an amount of \$11,900.00)

2. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH HQW ARCHITECTS, LLC FOR THE PROVIDING OF ARCHITECTURAL AND ENGINEERING SERVICES FOR THE NEW 9-1-1 EMERGENCY COMMUNICATIONS CENTER AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Agreement for the full architectural and engineering services through construction administration in an amount of \$74,800.00)

3. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH ARCARI & IOVINO ARCHITECTS PC FOR THE PROVIDING OF CONSTRUCTION DOCUMENTS AND CONSTRUCTION ADMINISTRATION FOR THE SUSSEX COUNTY MAIN LIBRARY AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Agreement to complete construction documents and administration in an amount not to exceed \$213,850.00)

4. RESOLUTION RE: AWARD OF CONTRACT RENEWAL FOR MISCELLANEOUS BUILDING TRADE SERVICES FOR FIRE SUPPRESSION SYSTEM'S SERVICE IN VARIOUS SUSSEX COUNTY BUILDINGS AND FACILITIES (Resolution awards this Contract to the lowest responsible bidder, Castle Fire Protection, Inc. for an open-ended Contract with a minimum expenditure of \$500.00 and a maximum amount of \$100,000.00)

5. RESOLUTION RE: AWARD OF A CONTRACT RENEWAL FOR FIRE ALARM INSTALLATION, REPAIR, SERVICE AND MONITORING SERVICES FOR THE COUNTY OF SUSSEX (Resolution awards this Contract to the lowest responsible bidder, T&R Alarm Services, Inc. for an open-ended Contract with a minimum expenditure of \$500.00 and a maximum amount of \$100,000.00)

(roll call vote)

14. **FINANCIAL**

A.

INTRODUCTION FOR FIRST READING – ORDINANCE

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

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 17, 2011 at 5:00 pm prior to final adoption of this Ordinance. (voice vote)

B. RESOLUTION RE: REQUESTING DEDICATION BY RIDER TRUST FUND APPROVAL FROM THE DIVISION OF LOCAL GOVERNMENT SERVICES FOR OFF-DUTY AND OUTSIDE EMPLOYMENT OF COUNTY SHERIFF’S OFFICERS

C. RESOLUTION RE: RESOLUTION OF THE COUNTY OF SUSSEX AUTHORIZING THE ISSUANCE OF A REQUEST FOR PROPOSALS PURSUANT TO THE LOCAL PUBLIC CONTRACTS LAW N.J.S.A. 40A:11-4.1(k) IN CONNECTION WITH THE MORRIS COUNTY IMPROVEMENT AUTHORITY’S COUNTY OF SUSSEX RENEWABLE ENERGY PROGRAM

D. RESOLUTION RE: RESOLUTION PROVIDING SUSSEX COUNTY’S CONSENT TO THE ISSUANCE BY THE MORRIS COUNTY IMPROVEMENT AUTHORITY OF THE 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
AND RELATED DOCUMENTS

- E. RESOLUTION RE: RESOLUTION OF THE SERIES 2011 LOCAL UNIT PARTICIPATING IN THE MORRIS COUNTY IMPROVEMENT AUTHORITY'S SERIES 2011 RENEWABLE ENERGY PROGRAM (COUNTY OF SUSSEX PROGRAM), AND AUTHORIZING SUCH AUTHORITY TO APPLY TO THE LOCAL FINANCE BOARD FOR THE NECESSARY CONSENTS AND APPROVALS ON BEHALF OF SUCH PARTICIPANT, ALL IN CONNECTION WITH THE 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 AND THE PARTICIPANT PROJECT FINANCED THEREBY

(roll call vote)

15. **PERSONNEL**

- A. Personnel Agenda (no items)

16. **ADMINISTRATIVE REPORT**

- A. Other

17. **COUNTY COUNSEL**

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

18. **UNFINISHED BUSINESS**

19. **NEW BUSINESS**

- A. Approval of letter to the NJDOT Commissioner regarding the proposed Replacement of State Bridge No. 1904-153 carrying Rt. 23 over Branch of Walkkill River.

- B. Approval of letter to Frankford Township in support of the Township's smart growth initiative for its plan to develop a Town Center at Ross' Corner and the realization of the Township's vision that it represents.
(voice vote)

20. PUBLIC SESSION FROM THE FLOOR
(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

Wednesday	August 17, 2011	Regular Meeting	5:00 pm
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23. ADJOURNMENT (voice vote)