

**REGULAR MEETING HELD ON WEDNESDAY, MAY 11, 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.

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**PUBLIC HEARING – 5:00 PM**

**FINAL ADOPTION – CAPITAL ORDINANCE**

**Freeholder Director Zeoli:** "At our regular meeting held on April 27, 2011, we introduced for first reading the following Capital Ordinance which was advertised in the New Jersey Herald issue of May 2, 2011 together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

**CAPITAL ORDINANCE APPROPRIATING \$1,872,700.00 TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION LOCAL AID TO COUNTIES FOR INTERSECTION IMPROVEMENTS AND ANNUAL ROAD RESURFACING PROGRAM**

Is anyone present to be heard regarding this Capital Ordinance?

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

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

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

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B.  
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**PUBLIC HEARING – 5:00 PM**

**FINAL ADOPTION – BOND ORDINANCE**

**Freeholder Director Zeoli:** "At our regular meeting held on April 27, 2011, we introduced for first reading the following Capital Ordinance which was advertised in the New Jersey Herald issue of May 2, 2011 together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

**BOND ORDINANCE PROVIDING FOR VARIOUS 2011 CAPITAL IMPROVEMENTS BY AND IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, APPROPRIATING \$6,281,520.00 THEREFOR AND AUTHORIZING \$5,982,400.00 BONDS OR NOTES OF THE COUNTY TO FINANCE PART OF THE COSTS THEREOF**

Is anyone present to be heard regarding this Bond Ordinance?

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

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

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

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**6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**

A. Proclamations/Certificates

1. Proclamation designating the week of May 16, 2011 as "Relay for Life Days".
2. Proclamation designating the week of May 8<sup>th</sup> through May 14, 2011 as "National Nursing Home Week".
3. Certificate in recognition of Joseph a. Kistle's retirement from his position of Chief of Police of Franklin Borough.  
(voice vote)

**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 TO FILE AN APPLICATION WITH NJ TRANSIT AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR AN ELDERLY AND PERSONS WITH DISABILITIES CAPITAL ASSISTANCE PROGRAM GRANT UNDER SECTION 5310 OF THE FEDERAL TRANSIT ADMINISTRATION FOR 2011 FUNDING

C. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY OF SUSSEX TO EXECUTE AN APPLICATION TO RENEW THE SPECIAL CHILD HEALTH SERVICES CASE MANAGEMENT GRANT FOR \$85,692.00 FOR THE CONTRACT PERIOD OF JULY 1, 2011 THROUGH JUNE 30, 2012 AND FUNDING PERIOD OF JULY 1, 2011 THROUGH JUNE 30, 2012 BETWEEN THE COUNTY OF SUSSEX AND THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES (Resolution authorizes this application with a County share in the amount of \$56,204.00 cash funds and \$13,261.00 in-kind funds)

- D. RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO ALLOW THE SUSSEX COUNTY DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES TO RESCIND AND SUBMIT A REVISED APPLICATION FOR IMPLEMENTATION OF THE NJ COMPREHENSIVE CANCER CONTROL PLAN IN SUSSEX COUNTY ISSUED BY THE NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES, OFFICE OF CANCER CONTROL AND PREVENTION (Resolution rescinds previous Resolution adopted on March 30, 2011 and submits new Application in the amount of \$50,000.00)
- E. RESOLUTION RE: AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO N.J.D.E.P. FOR THE IMPLEMENTATION OF A PROGRAM UNDER THE COUNTY ENVIRONMENTAL HEALTH ACT N.J.S.A. 26:3A2-21 ET SEQ. FOR CALENDAR YEAR JANUARY 1, 2011 THROUGH DECEMBER 31, 2011 FOR THE DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES AND FURTHER AUTHORIZING THE ENTRY INTO INTERAGENCY AGREEMENTS BETWEEN THE COUNTY OF SUSSEX AND N.J.D.E.P. COVERING THE PROVISIONS OF ENVIRONMENTAL HEALTH SERVICES (Resolution authorizes this Application for a minimum dollar amount of \$50,000.00 and a maximum dollar amount of \$350,000.00)
- F. RESOLUTION RE: ADOPTION OF THE 2011 SERVICE ALLOCATION AND SPENDING PLAN FOR PEER GROUPING FUNDING (Resolution adopts this Plan for \$131,536.20 to be allocated for calendar year 2011)
- G. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF THE COMPUTER HARDWARE REQUIRED FOR THE DIVISION OF INFORMATION SERVICES FOR THE DESKTOP VIRTUALIZATION PROJECT (Resolution authorizes this purchase from Dell Marketing in the amount of \$40,357.50)

- H. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO PROVIDE THE NEW JERSEY DEPARTMENT OF TRANSPORTATION A COMMITMENT TO ADVERTISE AND A COMMITMENT TO FUND FEDERAL PROJECT HISP-C00S(206), LOCAL HIGH RISK RURAL ROAD PROGRAM (206), LOCAL HIGH RISK RURAL ROADS PROGRAM FOR FY 2011, UPON RECEIPT OF FEDERAL AUTHORIZATION FOR THE PROJECT
- I. RESOLUTION RE: AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE WITH TERRY LYNN, INC. REGARDING THE MUDSLIDE OF MARCH 13, 2010 ONTO COUNTY ROUTE 620
- J. RESOLUTION RE: AUTHORIZING THE EXECUTION OF A FARMLAND PRESERVATION AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE RIDGE AND VALLEY CONSERVANCY FOR THE ACQUISITION OF THE MANAK FARM, KNOWN AS BLOCK 801, LOT 8 FREDON TOWNSHIP
- K. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF ANDOVER 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.
- L. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE BOROUGH OF HAMBURG 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.
- M. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE TOWN OF NEWTON 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.

- N. RESOLUTION RE: AUTHORIZING THE RENEWAL OF A LEASE AGREEMENT FOR THE LEASE OF PROPERTY FOR THE EXISTING COUNTY EXPOSITION BUILDING AND FOR THE LEASE OF THREE (3) POLE BARNs FROM SUSSEX COUNTY FARM AND HORSE SHOW INC., THE NEW JERSEY STATE FAIR, FOR A TERM OF ONE YEAR FOR THE PURPOSE OF DISPLAYING COUNTY GOVERNMENT SERVICES AND STORAGE OF COUNTY EQUIPMENT

**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

11. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. RESOLUTION RE: APPOINTMENT OF DANIEL C. CONKLING AS THE SECOND ALTERNATE MEMBER OF THE SUSSEX COUNTY PLANNING BOARD TO FILL THE UNEXPIRED TERM OF JOSEPH MAIKISCH. SAID TERM TO EXPIRE DECEMBER 31, 2012
2. RESOLUTION RE: APPOINTMENT OF JOSEPH MAIKISCH AS THE FIRST ALTERNATE MEMBER OF THE SUSSEX COUNTY PLANNING BOARD TO FILL THE UNEXPIRED TERM OF JOHN T. FORD, D.C.. SAID TERM TO EXPIRE DECEMBER 31, 2012
3. RESOLUTION RE: APPOINTMENT OF JOHN T. FORD, D.C. AS A MEMBER OF THE SUSSEX COUNTY PLANNING BOARD TO FILL THE UNEXPIRED TERM OF RICHARD A. VOHDEN. SAID TERM TO EXPIRE DECEMBER 31, 2012

(voice vote)

B. Resignations

1. Letter received from Doris Lantz resigning her position on the Human Services Advisory Council.
2. Letter from Elsie Nucum Allen resigning her position on the Advisory Council of the Division of Senior Services.

**12. RESOLUTIONS**

A.

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**INTRODUCTION FOR FIRST READING - RESOLUTION**

**RESOLUTION RE: PRELIMINARY ADOPTION OF THE ANDOVER TOWNSHIP  
WASTEWATER PLAN AMENDMENT FOR ST. PAUL'S ABBEY  
PROPERTY AND AMENDMENT TO THE SUSSEX COUNTY  
WASTEWATER MANAGEMENT PLAN**

**MOTION** to adopt this Resolution on first reading. (voice vote)

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

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B. RESOLUTION RE: SUPPORTING THE REPEAL OF THE GLOBAL  
WARMING RESPONSE ACT (2007) AND THE REGIONAL  
GREENHOUSE GAS INITIATIVE OR RGGI  
IMPLEMENTING LAW (2007)

C. RESOLUTION RE: AUTHORIZING THE EXECUTION OF THE NECESSARY  
DOCUMENTS TO PROVIDE FOR THE USE OF THE  
LONG POND SCHOOL ON CR 669 FOR A PUBLIC  
INFORMATION CENTER FOR OPERATIONAL SAFETY  
IMPROVEMENTS TO SUSSEX COUNTY ROUTES 616  
AND 517 (NEWTON SPARTA ROAD) TO BE HELD ON  
MAY 23, 2011

(voice vote)

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

A. Awards of Contracts

1. RESOLUTION RE: AUTHORIZING A PROFESSIONAL SERVICES  
AGREEMENT BETWEEN THE COUNTY OF  
SUSSEX AND SUSAN BECKER, RN/MSN, APN-C  
FOR NURSE PRACTITIONER SERVICES FOR  
THE SUSSEX COUNTY HOMESTEAD – BALANCE  
CENTER (Resolution authorizes this Agreement in  
the amount not to exceed \$21,600.00 for the period  
of May 11, 2011 to May 10, 2012)

(roll call vote)

B. Change Orders

1. RESOLUTION RE: AUTHORIZING AMENDMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND PENNONI ASSOCIATES, INC. FOR THE PROVIDING OF ASBESTOS ABATEMENT DESIGN SERVICES FOR THE LOBBY RESTROOMS AT THE HOMESTEAD NURSING HOME AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this increase in the amount of \$3,036.05 for three (3) extra days of on-site daily monitoring services due to unanticipated circumstances that increased the Contractor's time to complete the work)

(roll call vote)

14. **FINANCIAL**

15. **PERSONNEL**

A. Personnel Agenda (voice vote)

B. Resolutions

1. RESOLUTION RE: AMENDING RESOLUTION ENTITLED "A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE STATE HEALTH BENEFITS PROGRAM AND/OR SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM OF THE STATE OF NEW JERSEY (SOCIAL SERVICES ID#1581-00)" ADOPTED DECEMBER 30, 2010 (Resolution ID number needed to be corrected to read ID#0847-04)
2. RESOLUTION RE: AMENDING RESOLUTION ENTITLED "A RESOLUTION TO ADOPT THE PROVISIONS OF CHAPTER 48 (N.J.S.A. 52:14.17.38) UNDER WHICH A PUBLIC EMPLOYER MAY AGREE TO PAY FOR THE STATE HEALTH BENEFITS PROGRAM (SHBP) AND/OR SCHOOL EMPLOYEES' HEALTH BENEFITS PROGRAM (SEHBP) COVERAGE OF CERTAIN RETIREES (SOCIAL SERVICES ID#1581-00) (Resolution ID

number needed to be corrected to read ID#0847-04  
and Resolution Addendum attached needed to be  
corrected)

(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**

**(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	May 11, 2011	League of Mun. Dinner – Lafayette House	6:00 pm
Thursday	May 26, 2011	Regular Meeting	5:00 pm

23. **ADJOURNMENT** (voice vote)