

REGULAR MEETING HELD ON WEDNESDAY, MAY 13, 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**

A.

PUBLIC HEARING – 5:00 PM

FINAL ADOPTION – BOND ORDINANCE

Freeholder Director Vetrano: "At our regular meeting held on April 22, 2009, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of April 27, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$5,958,750.00 THEREFOR AUTHORIZING THE ISSUANCE OF \$5,675,000.00 BONDS OR NOTES OF THE COUNTY TO FINANCE PART OF THE COST 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)

B.

PUBLIC HEARING – 5:00 P.M.

PUBLIC HEARING – 2009 SUSSEX COUNTY BUDGET AS APPROVED

MOTION to open Public Hearing for the 2009 Sussex County Budget As Approved. (voice vote)

PUBLIC HEARING IS NOW OPEN

Is anyone present to be heard regarding the 2009 County Budget As Approved?

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

(The following Resolution can be acted upon only if budget approval is received from NJ Division of Local Government Services)

RESOLUTION RE: FINAL ADOPTION OF THE 2009 SUSSEX COUNTY BUDGET AS APPROVED

Freeholder Director Vetrano: "BE IT RESOLVED by the Board of Chosen Freeholders of the County of Sussex that the Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$71,507,294.00 dollars for the County purposes to be raised by taxation and certification to the County Board of Taxation of the following summary of general revenues and appropriations."

MOTION to finally adopt the 2009 County Budget as Approved. (roll call vote)

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations/Certificates

1. Proclamation declaring the month of May as “Mental Health Awareness Month”.
2. Proclamation declaring the month of May as “National Drug Court Month”.
3. Proclamation in recognition of Christopher J. Leonardi attaining the rank of Eagle Scout.
4. Certificate for Frances Smith in recognition of 25 years as General Manager of the Lake Mohawk Country Club and commitment to continue the Club’s time honored tradition of offering exceptional and distinctive services to the Lake Mohawk community.

B. Presentations

1. Presentation by JCP&L concerning proposed rate increases – Mike O’Bremski (10 min.)

(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: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A COOPERATIVE AGREEMENT WITH SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) FOR GIS DATA DEVELOPMENT (Resolution authorizes this Agreement with the SCMUA compensating the County \$2,040.00 for the development of certain GIS data and compensating the County for additional work pursuant to the Fee Schedule attached)

- C. RESOLUTION RE: RESCINDING THE AWARD OF CONTRACT BASED ON PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR THE PROVISION OF SENIOR SOCIAL ADULT DAY CARE SERVICES WITH CATHOLIC FAMILY & COMMUNITY SERVICES FOR THE PERIOD OF JANUARY 1, 2009 – DECEMBER 31, 2009 AS ADOPTED FEBRUARY 11, 2009 (Resolution rescinds this Contract because the New Jersey Department of Health and Senior Services, Division of Aging and Community Services recommended changing the method of reimbursement from unit cost basis to a cost reimbursement basis)
- D. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO ACCEPT FUNDING FROM THE NJ DEPARTMENT OF HEALTH & SENIOR SERVICES, DIVISION OF AGING & COMMUNITY SERVICES FOR \$26,785.00 IN FUNDING MADE AVAILABLE UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009 (Resolution authorizes the acceptance of this funding to provide \$17,484.00 for additional congregate nutrition services and \$9,301.00 for additional home-delivered nutrition services)
- E. RESOLUTION RE: AUTHORIZATION FOR FREEHOLDER DIRECTOR TO EXECUTE CERTIFICATION PURSUANT TO TITLE XV, SUBTITLE A, SECTION 1511 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT (Pub. L. 11-5 (February 17, 2009)) (Resolution authorizes this Certification to allow the County to receive \$3,700,000.00 for five different projects)
- F. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF HAMPTON PROVIDING FOR FLEET MAINTENANCE SERVICES BY THE COUNTY OF SUSSEX 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.
- G. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF HAMPTON PROVIDING FOR ROAD SIGN MANUFACTURING SERVICES BY THE COUNTY OF SUSSEX 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.

- H. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF HOPATCONG FOR THE PROVISION OF AN EMPLOYEE ASSISTANCE PROGRAM THROUGH ALLIANCE WORK PARTNERS 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.
- I. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF CERTIFIED LABORATORY TESTING FOR THE SUSSEX COUNTY DEPARTMENT OF ENGINEERING AND PLANNING (Resolution authorizes this purchase from ANS Consultants in the amount of \$100,000.00)
- J. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF LOCAL AREA NETWORK SOFTWARE MAINTENANCE AND UPGRADE SUPPORT OF THE CISCO NETWORK SYSTEMS FOR THE COUNTY OF SUSSEX (Resolution authorizes this purchase from Transnet Corporation in the amount of \$39,500.00)
- K. RESOLUTION RE: REVISING THE AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF A VEHICLE FOR THE SUSSEX COUNTY DIVISION OF SOCIAL SERVICES (Resolution authorizes the change from a Chevrolet Impala authorized on April 22, 2009 because the State Contract had expired; this Resolution authorizes the purchase of one (1) Dodge Avenger from Hertrich Fleet in the amount of \$16,113.00 (decrease of \$359.00))
- L. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A CONTRACT FOR STATE FY 2010 ON BEHALF OF THE COUNTY OF SUSSEX WITH THE NEW JERSEY DEPARTMENT OF MILITARY AND VETERANS AFFAIRS FOR THE PROVISION OF TRANSPORTATION SERVICES TO SUSSEX COUNTY VETERANS
- M. RESOLUTION RE: SUPPORT OF BIRDING AND NATURE FESTIVAL IN SUSSEX COUNTY (Resolution authorizes County funds in an amount not to exceed \$5,000.00 (\$2,812.50 as a match against the Travel and Tourism Grant and the balance for items not covered under the Grant but required for the Festival))

- N. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO APPROVE MODIFICATION #2 OF THE CONTRACT #09-1163-BT-L-1 WITH THE NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR LOCAL CORE CAPACITY FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS FOR THE PERIOD OF AUGUST 10, 2008 TO AUGUST 9, 2009 (Resolution authorizes this Modification in the amount of \$15,500.00 to reflect changes in the budget categories by reallocating funding from the Personal Cost Category, Salary and Wages and the Other Cost Category, Staff Training Education Cost to the categories of Consultant and Professional Services and the Other Cost Category, Program Expense)
- O. RESOLUTION RE: APPROVAL OF THE 2009 COUNTY FARMLAND PRESERVATION, RECREATION AND OPEN SPACE TRUST FUND LEVY (Resolution authorizes approval of a 2009 levy of 1.3 cents of County equalized real property valuation)
- P. RESOLUTION RE: AMENDING A RESOLUTION AUTHORIZING THE SUSSEX COUNTY SHERIFF TO ASSESS AND COLLECT AN INMATE PROCESSING FEE FROM INDIVIDUALS SENTENCED TO A TERM OF IMPRISONMENT WITHIN THE KEOGH-DWYER CORRECTIONAL FACILITY OR INCARCERATED WITHIN THE FACILITY PENDING TRIAL AND/OR CRIMINAL INVESTIGATION (Resolution authorizes this amendment to increase the fee from \$50.00 to \$60.00)
- Q. RESOLUTION RE: AUTHORIZING THE ASSUMPTION OF HEALTH AGENCY ACTIVITIES AND RESPONSIBILITIES BETWEEN THE BOROUGH OF HOPATCONG AND THE COUNTY OF SUSSEX PURSUANT TO N.J.S.A. 26:3A-2.1 ET SEQ.
- R. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE AN APPLICATION AND ACCEPT THE FUNDING FOR THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS SHARING AVAILABLE RESOURCES EFFICIENTLY 2009 (SHARE) GRANT FUNDS FOR THE PURPOSE OF PROVIDING HEALTH

SERVICES TO HOPATCONG BOROUGH AND OPERATIONAL COSTS (Resolution authorizes this application in the amount of \$66,233.00)

- S. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY OF SUSSEX TO JOIN WITH THE BOROUGH OF HOPATCONG IN APPLYING FOR AND ACCEPTING THE FUNDING FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS SHARING AVAILABLE RESOURCES EFFICIENTLY 2009 (SHARE) GRANT FUNDS FOR THE PURPOSE OF PROVIDING CORE HEALTH SERVICES (Resolution authorizes the County joining in this application in the amount of \$67,507.00)

- T. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO FILE AMENDMENT #1 TO THE PROJECT PROPOSAL WITH NEW JERSEY TRANSIT FOR INCLUSION IN THE CONSOLIDATED JOB ACCESS AND REVERSE COMMUTE GRANT ROUND 8 SUBMITTED TO THE FEDERAL TRANSIT ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY SECTION 3037 OF THE TRANSPORTATION EQUITY ACT OF THE 21ST CENTURY (TEA-21)

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** Regular Meeting April 8, 2009
Regular Meeting April 22, 2009

Executive Session Minutes
Regular Meeting April 8, 2009

(voice vote)

10. **APPOINTMENTS AND/OR RESIGNATIONS**

11. **RESOLUTIONS**

- A. RESOLUTION RE: URGING THE NEW JERSEY ASSEMBLY TO IMMEDIATELY APPROVE ASSEMBLY BILL 3738 (Resolution urges approval of this Bill, which is intended to encourage new business to locate within New Jersey and

for existing businesses to grow with the attendant growth in jobs and the related economic expansion)

- B. RESOLUTION RE: ESTABLISHING SPEED LIMITS ON SUSSEX COUNTY ROUTE 616 WITHIN THE TOWN OF NEWTON, TOWNSHIP OF ANDOVER, AND TOWNSHIP OF SPARTA
- C. RESOLUTION RE: URGING GOVERNOR CORZINE AND THE NEW JERSEY LEGISLATURE TO TAKE ALL ACTIONS NECESSARY TO PREVENT PRICE GOUGING IN PUBLIC WORKS PROJECTS PAID FOR WITH FEDERAL STIMULUS FUNDS

(voice vote)

12. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contract

- 1. RESOLUTION RE: AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH INHEALTH ASSOCIATES FOR THE PROVISION OF PHYSICIAN SERVICES/ADVANCE PRACTICE PSYCHIATRIC NURSING SERVICES FOR THE INMATES WITHIN THE KEOGH-DWYER CORRECTIONAL FACILITY PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)
(Resolution authorizes this Agreement in the amount not to exceed \$40,560.00)
- 2. RESOLUTION RE: AWARD OF CONTRACT BASED ON PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR THE PROVISION OF SENIOR SOCIAL ADULT DAY CARE SERVICES WITH CATHOLIC FAMILY & COMMUNITY SERVICES FOR THE PERIOD JANUARY 1, 2009 – DECEMBER 31, 2009
(Resolution awards this Contract to provide \$8,000.00 of State COLA, to be supplemented by Participant Income in the amount of \$130,000.00 and other income in the amount of \$275,443.00 and to have it be on a cost reimbursement basis)
- 3. RESOLUTION RE: AWARD OF CONTRACT FOR REPLACEMENT OF COUNTY BRIDGE H-03, COUNTY ROUTE 622, HAMPTON TOWNSHIP, SUSSEX COUNTY, NEW

JERSEY (Resolution awards this Contract to the lowest responsible bidder, Lakeside Construction Co., in the amount of \$1,995,769.00)

4. RESOLUTION RE: AWARDING A CONTRACT BASED ON PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR A PUBLIC HEALTH EPIDEMIOLOGIST TO SATISFY THE NEEDS OF THE COUNTY OF SUSSEX AS REQUIRED FOR LOCAL CORE CAPACITY INFRASTRUCTURE FOR THE DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES (Resolution awards this Contract to the only respondent, Medical Consultant Services, LLC, in the approximate amount of \$11,750.00 for the period May 16, 2009 through August 9, 2009)

(roll call vote)

B. Change Orders

1. RESOLUTION RE: AUTHORIZING AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH HQW ARCHITECTS, L.L.C. FOR NECESSARY DESIGN SERVICES FOR THE REHABILITATION OF THE SUSSEX COUNTY MOTOR POOL AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this increase of \$33,000.00 (83%) to design a standby power system for, conduct a seismic evaluation on, and to design the heating ventilation and air conditioning systems for the re-fitted Motor Pool building at 2 Hampton Street in Newton)
2. RESOLUTION RE: AUTHORIZING THE SECOND AMENDMENT TO AN ALREADY EXISTING PROFESSIONAL SERVICES AGREEMENT WITH LJM ENGINEERING GROUP FOR THE PROVISION OF PHASE II ENGINEERING SERVICES AND CONSTRUCTION ADMINISTRATION FOR THE TAXATION & ELECTION OFFICES (PHASE II) AND THE SECOND PHASE OF THE WELFARE OFFICES IN THE COUNTY-OWNED AREAS OF COCHRAN HOUSE AS A PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes the increase of

\$10,760.00 (138% total) for additional engineering services for the contract administration phase associated with the HVAC systems replacement projects)

3. RESOLUTION RE: AUTHORIZING THE THIRD AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH KELLER & KIRKPATRICK, INC. TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE H-03 CARRYING COUNTY ROUTE 622 OVER THE PAULINS KILL IN THE TOWNSHIP OF HAMPTON PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)
(Resolution authorizes this Amendment in the amount of \$39,900.00 to resolve unusually complex utility accommodations for bridge construction in Paulins Kill Lake, to revise the roadway profile and negotiate restrictive permits conditions in response to NJDEP comments, to investigate and implement, where possible, means to further accelerate construction, increasing the original Agreement to \$277,536.34 (87.9%))

4. RESOLUTION RE: AUTHORIZING THE FOURTH AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH KELLER & KIRKPATRICK, INC. TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE H-03 CARRYING COUNTY ROUTE 622 OVER THE PAULINS KILL IN THE TOWNSHIP OF HAMPTON PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)
(Resolution authorizes this Amendment in the amount of \$77,950.00 to perform construction management functions, increasing the original Agreement to \$355,486.34 (141%))

(roll call vote)

13. FINANCIAL

- A. RESOLUTION RE: AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS OF 2009 OPERATING BUDGET FOR THE COUNTY OF SUSSEX

(roll call vote)

14. PERSONNEL

A. Personnel Agenda (voice vote)

15. ADMINISTRATIVE REPORT

A. Other

16. COUNTY COUNSEL

A. Capital Projects

B. Litigation

C. Contracts

D. Other Matters

17. UNFINISHED BUSINESS

18. NEW BUSINESS

A. Discussion concerning preparing a letter to the State informing the State that the County will no longer participate in the Early Intervention Program that has been carried out by Public Health Nursing, Special Child Health.

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

Wednesday May 13, 2009

League of Mun. 6:30 pm
Meeting – Lafayette House

Wednesday May 27, 2009

Regular Meeting 5:00 pm

23. ADJOURNMENT (voice vote)