

REGULAR MEETING HELD ON WEDNESDAY, SEPTEMBER 9, 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 –RESOLUTION

Freeholder Director Vetrano: "At our regular meeting held on August 19, 2009, we introduced for first reading the following Resolution which was advertised in the New Jersey Herald issue of August 23, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

RESOLUTION RE: SOLID WASTE DISTRICT PLAN AMENDMENT TO REINSTITUTE SOLID WASTE FLOW CONTROL

Is anyone present to be heard regarding this Resolution?

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

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

MOTION to authorize the Clerk to advertise this Resolution 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 and Certificates

1. Proclamation in recognition of Thomas Paul Sickles, Jr. attaining the rank of Eagle Scout.
2. Proclamation in recognition of Matthew Robert McGuinness, attaining the rank of Eagle Scout.
3. Proclamation declaring the month of September, 2009 as "Alcohol and Drug Addiction Recovery Month".
(voice vote)

B. Presentation

1. Acknowledging the retirement of Deborah A. Allen, Senior Data Entry Machine Operator, Division of Social Services, who retired after 15 years with the County; Victoria B. Larson, Supervising Librarian, who retired after 30 ³/₄ years with the County; Nancy C. Perry, Senior Recreation Therapy Aide, Division of the Homestead, who retired after 14 ³/₄ years with the County; Scott C. Sargent, County Correction Sergeant, Keogh-Dwyer Correctional Facility, who retired after 25 years with the County; and Terry Sliker, County Correction Sergeant, Keogh-Dwyer Correctional Facility, who retired after 25 years with the County.

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: PAYMENT OF BILLS FOR AUGUST 26, 2009
AUTHORIZED ON JANUARY 2, 2009
- C. RESOLUTION RE: ALLOCATION OF \$111,741.00 TO THE SUSSEX
COUNTY DIVISION OF SOCIAL SERVICES FOR
VOUCHERS FOR TRANSPORTATION AND NON-
TANF/POST-TANF SUPPORT AND AUTHORIZATION
FOR THE FREEHOLDER DIRECTOR AND CLERK TO
EXECUTE A CONTRACT
- D. RESOLUTION RE: AUTHORIZATION TO ACCEPT THE PARIS GRANT IN
THE AMOUNT OF \$894,143.00 FOR PROJECTS
INCLUDING: PURGE & INDEX – SHARED SERVICE,
RECORDS MANAGEMENT STAFF, AND RECORDS
CENTER – ASBESTOS ABATEMENT (Resolution
authorizes the acceptance of these funds in the following
amounts: Purge & Index - \$431,575.00; Records
Management Staff - \$167,568.00; and Records Center -
\$295,000.00)
- E. RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD
OF CHOSEN FREEHOLDERS TO ALLOW THE SUSSEX
COUNTY DEPARTMENT OF ENVIRONMENTAL AND
PUBLIC HEALTH SERVICES TO APPLY FOR CAPACITY-
BUILDING FUNDING FROM THE NATIONAL
ASSOCIATION OF COUNTY AND CITY HEALTH
OFFICIALS (NACCHO) FOR THE SUSSEX COUNTY
MEDICAL RESERVE CORPS (Resolution authorizes this
Application in the amount of \$5,000.00)
- F. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN
FREEHOLDERS TO ENDORSE A MODIFICATION
ALLOWING FOR A NO COST TIME EXTENSION UNTIL
NOVEMBER 30, 2009 FOR 2006 EDWARD BYRNE
MEMORIAL JUSTICE ASSISTANCE GRANT, JAG-1-
15TF-06
- G. RESOLUTION RE: COOPERATIVE AGREEMENT BETWEEN THE SUSSEX
COUNTY BOARD OF CHOSEN FREEHOLDERS AND
SCARC, INC. TO EFFECTUATE THE REHABILITATION
OF VARIOUS SCARC, INC. OWNED AND OPERATED
GROUP HOMES (Resolution authorizes this Agreement as
a result of the County receiving \$318,000.00 in grant funds
for this rehabilitation)

- H. RESOLUTION RE: AMENDING THE RESOLUTION "AUTHORIZING THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SUSSEX TO EXECUTE A CONTRACT FOR THE PURCHASE OF REAL PROPERTY COMMONLY KNOWN AS 201 WHEATSWORTH ROAD, HARDYSTON TOWNSHIP, SUSSEX COUNTY, NEW JERSEY FROM SUSSEX BANK" ADOPTED JUNE 10, 2009
- I. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A CONTRACT WITH ADP, INC., TO PROVIDE PAYROLL SERVICES TO THE COUNTY OF SUSSEX PURSUANT TO N.J.A.C. 1:30-17.3 ET SEQ.
- J. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2009 BUDGET OF THE COUNTY OF SUSSEX FOR THE CONTRACT FOR THE CASE MANAGEMENT SERVICES #10-131-SCH-L-2 FOR THE TOTAL AMOUNT OF \$83,692.00
- K. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE CURRENT BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE RIGHT TO KNOW PROGRAM FOR A TOTAL AMOUNT OF \$9,380.00
- L. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE CURRENT BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE COUNTY COMPREHENSIVE CANCER CONTROL PLAN GRANT FOR A TOTAL AMOUNT OF \$65,000.00 FOR THE PERIOD OF JULY 1, 2009 TO JUNE 30, 2010
- 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 Lyrasis, Inc.)

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 August 19, 2009
(voice vote)

10. **APPOINTMENTS AND/OR RESIGNATIONS**

11. **RESOLUTIONS**

- A. RESOLUTION RE: APPROVING THE USE OF THE TERM "SUSSEX COUNTY SKYLANDS RIDE" AS THE PROGRAM NAME FOR THE SUSSEX COUNTY OFFICE OF TRANSIT AND AUTHORIZING THE FILING OF AN APPLICATION TO REGISTER A TRADE MARK
- B. RESOLUTION RE: ADOPTION OF SMALL CITIES CITIZEN PARTICIPATION PLAN
- C. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE BOARD CLERK TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND ELIZABETHTOWN GAS COMPANY ALLOWING ATTACHMENT OF A NATURAL GAS MAIN TO SUSSEX COUNTY BRIDGE Q-21 LOCATED ALONG CR 517 IN SPARTA TOWNSHIP AND SUSSEX COUNTY BRIDGE O-04 LOCATED ALONG CR 517 IN OGDENSBURG BOROUGH

(voice vote)

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

A. Awards of Contract

- 1. RESOLUTION RE: AUTHORIZING THE RETENTION AND COMPENSATION OF RONALD REBISH, APPRAISAL SERVICES OF NORTH JERSEY, IN CONNECTION WITH THE ACQUISITION OF DEVELOPMENT RIGHTS FOR THE CRISMAN BROTHERS, LLC 1 AND 2, CRISMAN, ET AL, VAN WINGERDEN, GREEN AND KLEIN FARMS IN FREDON TOWNSHIP; FOR THE CHARLES AND WILLIAM GORDON FARMS IN HAMPTON TOWNSHIP; FOR THE DE VRIES FARM IN HAMPTON AND LAFAYETTE TOWNSHIPS; AND FOR THE GOLDMAN FRANKFORD FARM PARTNERS FARM IN FRANKFORD TOWNSHIP FOR THE 2009 COUNTY FUNDING ROUND

2. RESOLUTION RE: AUTHORIZING THE RETENTION AND COMPENSATION OF ROBERT COOPER, LANDMARK 1 APPRAISAL, IN CONNECTION WITH THE ACQUISITION OF DEVELOPMENT RIGHTS FOR THE CRISMAN BROTHERS, LLC 1 AND 2, CRISMAN, ET AL, VAN WINGERDEN, GREEN AND KLEIN FARMS IN FREDON TOWNSHIP; FOR THE CHARLES AND WILLIAM GORDON FARMS IN HAMPTON TOWNSHIP; FOR THE DE VRIES FARM IN HAMPTON AND LAFAYETTE TOWNSHIPS; AND FOR THE GOLDMAN FRANKFORD FARM PARTNERS FARM IN FRANKFORD TOWNSHIP FOR THE 2009 COUNTY FUNDING ROUND
3. RESOLUTION RE: EMERGENCY SITUATION PERTAINING TO AIR QUALITY AT 83 SPRING STREET, NEWTON, NEW JERSEY AND AUTHORIZING THE AWARD OF CONTRACTS FOR THE REQUIRED MATERIALS AND SERVICES WITHOUT PUBLIC BIDDING IN ACCORDANCE WITH N.J.S.A. 40A:11-6
4. RESOLUTION RE: AWARD OF CONTRACT FOR ICE CONTROL MATERIALS (SALT AND GRITS) FOR THE COUNTY OF SUSSEX DIVISION OF PUBLIC WORKS (Resolution awards this Contract to the lowest responsible bidders, Diamond Sand & Gravel in the amount of \$10.85 per ton for a total amount of approximately \$108,500.00 based on unit prices and Atlantic Salt, Inc. in the amount of \$62.00 per ton for a total amount of approximately \$1,240,000.00 based on unit prices)
5. RESOLUTION RE: AWARD OF CONTRACT FOR GARBAGE REMOVAL FROM VARIOUS SUSSEX COUNTY BUILDINGS AND FACILITIES FOR THE DIVISION OF FACILITIES MANAGEMENT (Resolution awards this Contract to the lowest responsible bidder, Waste Management of NJ, Inc. with the total amount of the Contract for the first year being approximately \$48,342.32)

6. RESOLUTION RE: AWARD OF CONTRACT FOR CONCRETE REPAIRS AT THE SUSSEX COUNTY JUDICIAL COMPLEX PARKING DECK FOR THE COUNTY OF SUSSEX

(roll call vote)

B. Change Orders

1. RESOLUTION RE: THIRD AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH FRENCH & PARRELLO ASSOCIATES, P.A., TO PROVIDE ADDITIONAL ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE Q-09 CARRYING SUSSEX COUNTY ROUTE 620 (MAIN STREET) OVER GLEN BROOK IN THE TOWNSHIP OF SPARTA PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this increase of \$15,600.13 for additional engineering work that is necessary to address NJDOT project review comments relevant to American Recovery and Reinvestment Act of 2009 (ARRA) requirements)

2. RESOLUTION RE: THIRD AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH WILBUR SMITH ASSOCIATES TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE Q-11 CARRYING COUNTY ROUTE 620 (GLEN ROAD) OVER SPARTA GLEN BROOK IN THE TOWNSHIP OF SPARTA PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this increase of \$23,022.26 for additional engineering work that is necessary to address NJDOT project review comments relevant to American Recovery and Reinvestment Act of 2009 (ARRA) requirements)

(roll call vote)

13. FINANCIAL

- A. RESOLUTION RE: CHANGE IN TITLE, TEXT, OR AMOUNT OF APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-85

- B. RESOLUTION RE: EMERGENCY APPROPRIATION FOR PAYROLL OBLIGATIONS FOR FEDERAL AND STATE TAX DEPOSITS (Resolution authorizes this appropriation in the amount of \$2,500,000.00 for certain statutory payroll obligations for Federal and State tax deposits)
- C. RESOLUTION RE: AMENDING THE 2009 CAPITAL BUDGET
- D. RESOLUTION RE: RESOLUTION OF THE COUNTY OF SUSSEX, NEW JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 ET SEQ.
(roll call vote)

E.

INTRODUCTION FOR FIRST READING – BOND ORDINANCE

BOND ORDINANCE OF THE COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE CONNECTION OF THE SUSSEX COUNTY TECHNICAL SCHOOL TO THE TOWNSHIP OF SPARTA WATER SUPPLY SYSTEM BY THE SUSSEX COUNTY VOCATIONAL SCHOOL, APPROPRIATING \$500,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000.00 BONDS OR NOTES OF THE COUNTY FOR FINANCING THE COST THEREOF

MOTION to adopt this Bond Ordinance on first reading. (roll call vote)

MOTION to authorize the Clerk to advertise this Bond 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 September 23, 2009 at 5:00 pm prior to final adoption of this Bond Ordinance. (voice vote)

F.

INTRODUCTION FOR FIRST READING – BOND ORDINANCE

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 201 WHEATSWORTH ROAD, HARDYSTON TOWNSHIP, RENOVATION THEREOF AND ACQUISITION OF OFFICE FURNITURE THEREFOR FOR USE BY THE COUNTY, APPROPRIATING \$2,550,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,619,000.00 BONDS OR NOTES OF THE COUNTY TO FINANCE PART OF THE COST THEREOF

MOTION to adopt this Bond Ordinance on first reading. (roll call vote)

MOTION to authorize the Clerk to advertise this Bond 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 September 23, 2009 at 5:00 pm prior to final adoption of this Bond Ordinance. (voice vote)

G.

INTRODUCTION FOR FIRST READING – REFUNDING BOND ORDINANCE

REFUNDING BOND ORDINANCE FUNDING AN EMERGENCY APPROPRIATION BY THE COUNTY OF SUSSEX, NEW JERSEY, TO RESTORE FUNDS FOR PAYROLL OBLIGATIONS FOR FEDERAL AND STATE TAX OBLIGATIONS THAT WERE MISAPPROPRIATED BY A PRIVATE PAYROLL SERVICE, APPROPRIATING \$2,500,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE COUNTY FOR FINANCING THE COST THEREOF

MOTION to adopt this Bond Ordinance on first reading. (roll call vote)

MOTION to authorize the Clerk to advertise this Bond 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 September 23, 2009 at 5:00 pm prior to final adoption of this Bond Ordinance. (voice 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**

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 September 23, 2009 Regular Meeting 5:00 pm

23. **ADJOURNMENT** (voice vote)