

REGULAR MEETING HELD ON WEDNESDAY, JULY 23, 2008

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 7, 2008 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. Proclamation in recognition of Matthew David Barnish attaining the rank of Eagle Scout.
 2. Proclamation in recognition of Adam Mengon attaining the rank of Eagle Scout.

3. Certificate for Paula Roll in recognition for her selfless acts of courage and concern for others when on May 21, 2008 she initiated her own search in Norvin Green State Forest for a missing six year old boy, locating him, and carrying him to safety.
4. Certificate for Project Self-Sufficiency in celebration of the grand opening of the new Project Self-Sufficiency campus and in recognition of its commitment to create strong, healthy families through education, community support and the inspiration to believe in one's self.
(voice vote)

7. PUBLIC SESSION FROM THE FLOOR

8. 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 THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH CATHOLIC FAMILY & COMMUNITY SERVICES FOR THE PROVISION OF CONGREGATE NUTRITION SERVICES FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$83,218.00 (Resolution authorizes this Modification to provide \$61,336.00 Title IIIC-1 funds, \$21,882.00 in County funds, \$5,235.00 USDA, \$33,800.00 Client Income and \$5,528.00 in Other Income for calendar year 2008)
- C. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH CATHOLIC FAMILY & COMMUNITY SERVICES FOR THE PROVISION OF HOME DELIVERED MEALS SERVICES FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$88,037.00 (Resolution authorizes this Modification to provide up to \$40,944.00 Title IIIC-2 funds, \$11,604.00 in State Match B-D, \$3,910.00 in County funds, \$19,144.00 in State Aid funds and \$12,435.00 in State Home Delivered Meal funding, to be supplemented by income in the amount of \$119,698.00 for calendar year 2008)
- D. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE

MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH LEGAL SERVICES OF NORTHWEST JERSEY, INC., SUSSEX COUNTY DIVISION FOR THE PROVISION OF LEGAL ASSISTANCE FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$35,396.00 (Resolution authorizes this Modification to provide up to \$29,396.00 Title IIIB funds, \$6,000.00 COLA funds, \$2,720.00 Grant-in-Aid funds, to be supplemented by \$2,090.00 other income for calendar year 2008)

- E. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH IN HOME HEALTH SERVICES FOR THE PROVISION OF CERTIFIED HOME HEALTH AIDE SERVICES FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$15,696.00 (Resolution authorizes this Modification to provide up to \$12,494.00 Title IIIB funds, \$3,202.00 in COLA funds, to be supplemented by \$100.00 Client Contributions funds for calendar year 2008)

- F. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH IN HOME HEALTH SERVICES FOR THE PROVISION OF HOUSEKEEPING SERVICES FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$6,736.00 (Resolution authorizes this Modification to provide up to \$2,834.00 Title IIIB funds, \$2,800.00 in COLA funds, \$980.00 in State Match III B-D, and \$122.00 in County funds, to be supplemented by \$100.00 Client Contributions for calendar year 2008)

- G. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A" FOR A NUTRITION SERVICES INCENTIVE PROGRAM (NSIP) WITH THE NEW JERSEY DIVISION OF SENIOR AFFAIRS FOR THE DISTRIBUTION OF USDA FUNDS FOR THE CONGREGATE NUTRITION PROGRAM AND HOME DELIVERED MEAL PROGRAM FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$12,190.00 (Resolution authorizes this Modification to provide up to \$5,235.00 for the Congregate Nutrition Program and \$6,955.00 in USDA Reimbursement for the Home Delivered Meal Program for calendar year 2008)
- H. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH THE SUSSEX COUNTY OFFICE OF TRANSIT FOR THE PROVISION OF SENIOR TRANSPORTATION (STOP) FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$87,656.00 (Resolution authorizes this Modification to provide up to \$59,498.00 Title IIIB funds, \$24,882.00 in COLA funds, \$1,476.00 in Medicaid Match funds and \$1,800.00 County funds, to be supplemented by \$6,000.00 Client Contributions funds for calendar year 2008)
- I. RESOLUTION RE: AUTHORIZATION TO CLOSE SUSSEX COUNTY BRIDGE M-16, CARRYING SUSSEX COUNTY ROUTE 653 (CLOVE ROAD) OVER A BRANCH OF MILL BROOK IN MONTAGUE TOWNSHIP, AND TO IMPLEMENT, MAINTAIN, AND MODIFY AS NECESSARY, AN OFFICIAL DETOUR OF SUSSEX COUNTY ROUTE 653, AND PROVIDE FOR ENFORCEMENT OF THE BRIDGE CLOSURE AND ROAD DETOUR
- J. RESOLUTION RE: AUTHORIZATION TO CLOSE SUSSEX COUNTY BRIDGE K-03, CARRYING SUSSEX COUNTY ROUTE 607 (RIVER STYX ROAD) OVER THE RIVER STYX OF LAKE HOPATCONG IN HOPATCONG BOROUGH, AND TO IMPLEMENT, MAINTAIN, AND MODIFY AS NECESSARY, AN OFFICIAL DETOUR OF SUSSEX COUNTY ROUTE 607, AND PROVIDE FOR ENFORCEMENT OF THE BRIDGE CLOSURE AND ROAD DETOUR

- K. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE AN APPLICATION FOR STATE AID UNDER THE NJDOT LOCAL AID INFRASTRUCTURE FUND FOR ADDITIONAL FUNDS IN THE AMOUNT OF \$480,000.00 FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE H-03, CARRYING SUSSEX COUNTY ROUTE 622 OVER PAULINS KILL IN HAMPTON TOWNSHIP FOR FY 2009
- L. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE AN APPLICATION FOR STATE AID UNDER THE NJDOT LOCAL AID INFRASTRUCTURE FUND FOR THE REHABILITATION OF THE PASSAIC AVENUE BRIDGE O-07 OVER THE WALLKILL RIVER IN OGDENSBURG BOROUGH IN THE AMOUNT OF \$520,000.00 FOR FY 2009
- M. RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO APPROVE THE RECOMMENDATION OF THE SUSSEX COUNTY OPEN SPACE COMMITTEE FOR FUNDING THROUGH THE COMPETITIVE OPEN SPACE FUND FOR THE NEWSTAR RIDGE PROPERTY IN SPARTA TOWNSHIP (Resolution authorizes this recommendation to use \$150,000.00 from the Farmland Preservation, Open Space and Recreation dedicated tax and \$150,000.00 from the Sussex County Planning Incentive Grant for a total of \$300,000.00)
- N. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SUSSEX TO ACCEPT THE TOBACCO AGE OF SALE ENFORCEMENT (TASE) PROGRAM, GRANT #97-1705-TOB, GRANT AGREEMENT PERIOD APRIL 1, 2008 TO MARCH 31, 2009 (Resolution authorizes the acceptance of this Grant in the amount of \$7,560.00)
- O. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A GRANT APPLICATION FOR A PROJECT UNDER THE 2006 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, (JAG), FOR A TOTAL AMOUNT OF \$4,471.00 FOR THE PERIOD OF FEBRUARY 29, 2008 THROUGH FEBRUARY 28, 2009

- P. RESOLUTION RE: AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS LOT 22.02 IN BLOCK 74 IN THE TOWNSHIP OF ANDOVER, COUNTY OF SUSSEX, STATE OF NEW JERSEY PURSUANT TO N.J.S.A. 40A:12-5, AS PART OF THE COUNTY'S OPEN SPACE PROGRAM
- Q. RESOLUTION RE: AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS LOT 1 IN BLOCK 40306; LOT 77 IN BLOCK 40601; LOT 1 IN BLOCK 40605; LOT 15 IN BLOCK 40904; AND LOT 1 IN BLOCK 41003 IN THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY PURSUANT TO N.J.S.A. 40A:12-5, AS PART OF THE COUNTY'S OPEN SPACE PROGRAM
- R. RESOLUTION RE: AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS LOT 6 IN BLOCK 21 IN THE TOWNSHIP OF GREEN, COUNTY OF SUSSEX, STATE OF NEW JERSEY PURSUANT TO N.J.S.A. 40A:12-5, AS PART OF THE COUNTY'S OPEN SPACE PROGRAM
- S. 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 Traffic Safety Service and Cintas Fire Protection)

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 July 9, 2008
(voice vote)

10. **APPOINTMENTS AND/OR RESIGNATIONS**

- A. Appointments

- 1. RESOLUTION RE: APPOINTMENT OF JAMES P. GUIMES AND ELIZABETH OSTUNI AS MEMBERS OF THE ADVISORY COUNCIL OF THE SUSSEX COUNTY DIVISION OF SENIOR SERVICES FOR TERMS OF THREE (3) YEARS EACH; SAID TERMS TO BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2010

2. RESOLUTION RE: APPOINTMENT OF DANIEL J. STOLL AS ASSISTANT FIRE MARSHAL FOR SUSSEX COUNTY TO FILL AN UNEXPIRED TERM, SAID TERM TO BEGIN AUGUST 1, 2008 AND EXPIRE JANUARY 14, 2010

3. RESOLUTION RE: APPOINTMENT OF MICHAEL P. ALVAREZ AS ASSISTANT FIRE MARSHAL FOR SUSSEX COUNTY TO FILL AN UNEXPIRED TERM, SAID TERM TO BEGIN AUGUST 1, 2008 AND EXPIRE JANUARY 14, 2010

(voice vote)

11. RESOLUTIONS

A. RESOLUTION RE: PROPOSED AMENDMENT TO THE SUSSEX COUNTY WATER QUALITY MANAGEMENT PLAN FOR KIMBER PETROLEUM PROPERTY, ROUTE 15, LAFAYETTE

B. RESOLUTION RE: AUTHORIZING THE RENEWAL OF THE COMMODITY RESALE SYSTEM IN ACCORDANCE WITH N.J.A.C. 5:34-7.16 (Resolution authorizes the renewal of this System so the County can utilize this system to share the materials stored in the salt storage sheds and fuel tanks with various other governmental entities)

(voice vote)

12. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contracts

1. RESOLUTION RE: AWARD OF CONTRACT FOR MICRO SURFACING OF VARIOUS SUSSEX COUNTY ROADS – 2008 – PHASE II (Resolution awards this Contract to the lowest responsible bidder, Asphalt Paving Systems, Inc., with the total amount being approximately \$230,852.00)

(roll call vote)

B. Change Orders

1. RESOLUTION RE: AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND ARCARI IOVINO ARCHITECTS, PC FOR THE PROVIDING OF COMMUNITY DEVELOPMENT BLOCK GRANT ASSISTANCE FOR THE DENNIS LIBRARY ADA AND CODE IMPROVEMENTS AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes the increase of \$5,400.00 (16.3%) so the County can identify, apply for and obtain grant funds to help pay for the improvements needed)

(roll call vote)

C. Bids

1. RESOLUTION RE: REJECTION OF BIDS FOR ONE (1) STERLING L-8500 DUMP TRUCK AND SEVEN (7) STERLING BULLET #5500 DUMP TRUCKS FOR THE COUNTY OF SUSSEX OFFICE OF ROADS (Resolution rejects these bids based on the errors within the specifications and various bidder's response to the errors on their proposals)

(roll call vote)

13. FINANCIAL

- A. RESOLUTION RE: CERTIFICATION OF REVIEW OF AUDIT BY GROUP AFFIDAVIT

(roll call vote)

B.

INTRODUCTION FOR FIRST READING – BOND ORDINANCE

BOND ORDINANCE OF THE COUNTY OF SUSSEX, NEW JERSEY AMENDING THE DESCRIPTION OF IMPROVEMENT REFERRED TO IN BOND ORDINANCE NUMBERED 2004-02 FINALLY ADOPTED MARCH 10, 2004 (ORDINANCE #201-2004); BOND ORDINANCE NUMBERED 2005-02 (ORDINANCE #169-2005) FINALLY ADOPTED MARCH 9, 2005; AND BOND ORDINANCE NUMBERED 2006-01 FINALLY ADOPTED APRIL 12, 2006 (ORDINANCE #246-2006)

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 August 20, 2008 at 5:00 pm prior to final adoption of this Bond Ordinance. (voice vote)

14. PERSONNEL

A. Personnel Agenda (voice vote)

B. Resolutions

1. RESOLUTION RE: AUTHORIZATION FOR COUNTY STAFF TO
PROCESS AN INVOLUNTARY DISABILITY
RETIREMENT APPLICATION

(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

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 August 20, 2008 Regular Meeting 5:00 pm

23. ADJOURNMENT (voice vote)