

REGULAR MEETING HELD ON WEDNESDAY, JUNE 4, 2008

9:00 AM

ORDER OF BUSINESS

Item

1. **CALL TO ORDER BY DIRECTOR** at 9:04 a.m.
2. **ROLL CALL:** Freeholder Crabb; Freeholder Parrott; Freeholder Vetrano;
Freeholder Zellman; Freeholder Director Wirths; John
Eskilson, County Administrator; Dennis McConnell, County
Counsel; Elaine Morgan, Clerk
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 March 28, 2008 and May 15, 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**

A.

PUBLIC HEARING – 9:05 AM

**FINAL ADOPTION – ORDINANCE
357-2008**

Freeholder Director Wirths: "At our regular meeting held on May 14, 2008, we introduced for first reading the following Ordinance which was advertised in the New Jersey Herald issue of May 20, 2008, together with a Notice of Public Hearing stating it would be held at this meeting at 9:00 AM:

**ORDINANCE APPROPRIATING \$37,728.80 FROM THE GENERAL CAPITAL FUND
RESERVE FOR DEPARTMENTAL IMPROVEMENTS FOR VARIOUS IMPROVEMENTS IN
THE COUNTY SURROGATE'S OFFICE**

Is anyone present to be heard regarding this Ordinance?

There was no one present.

MOTION that the Public Hearing be closed made by Freeholder Crabb, seconded by Freeholder Zellman and passed unanimously.

MOTION that this Ordinance be finally adopted made by Freeholder Zellman, seconded by Freeholder Crabb.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Vetrano	Yes
Freeholder Zellman	Yes
Freeholder Director Wirths	Yes

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 made by Freeholder Zellman, seconded by Freeholder Parrott and passed unanimously.

6. **PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**

A. Proclamations/Certificates

1. Proclamation in recognition of Maria Belen Diez achieving the Girl Scout Bronze Award.
358-2008
2. Proclamation in recognition of Rebecca Falconer achieving the Girl Scout Bronze Award.
359-2008
3. Proclamation in recognition of Daphne Morganti achieving the Girl Scout Bronze Award.
360-2008
4. Proclamation in recognition of Victoria Mulhearn achieving the Girl Scout Bronze Award.
361-2008
5. Proclamation in recognition of Micaela Stawniczy achieving the Girl Scout Bronze Award.
362-2008
6. Proclamation in recognition of Ashley Bisconti achieving the Girl Scout Bronze Award.
363-2008
7. Proclamation in recognition of Lauren Tregoning achieving the Girl Scout Bronze Award.
364-2008
8. Proclamation in recognition of Johnathan Weiss attaining the rank of Eagle Scout.
365-2008
9. Proclamation in recognition of Robert Weiss attaining the rank of Eagle Scout.
366-2008
10. Proclamation in recognition of Brandon Mason attaining the rank of Eagle Scout.
367-2008
11. Proclamation in recognition of Christopher D'Angelo attaining the rank of Eagle Scout.
368-2008

12. Certificate designating June as "Arts & Heritage Month".

369-2008

13. Certificate for Mackenzie Arnold, Boy Scout Troop 84, for his contributions to the re-opening of the trail system at Lusscroft Farm, and for participating in the Color Guard at the Trail Re-Opening Ceremony on May 17, 2008.

370-2008

14. Certificate for Timmy Mitchell, Boy Scout Troop 84, for his contributions to the re-opening of the trail system at Lusscroft Farm, and for participating in the Color Guard at the Trail Re-Opening Ceremony on May 17, 2008.

371-2008

15. Certificate for Jake Odee, Boy Scout Troop 84, for his contributions to the re-opening of the trail system at Lusscroft Farm, and for participating in the Color Guard at the Trail Re-Opening Ceremony on May 17, 2008.

372-2008

16. Certificate for Ryan Weiss, Boy Scout Troop 84, for his contributions to the re-opening of the trail system at Lusscroft Farm, and for participating in the Color Guard at the Trail Re-Opening Ceremony on May 17, 2008.

373-2008

17. Certificate for Joey Mitchell, Cub Scout Pack 84, for his contributions to the re-opening of the trail system at Lusscroft Farm, and for participating in the Color Guard at the Trail Re-Opening Ceremony on May 17, 2008.

374-2008

18. Certificate for Harry Tachovsky, Superintendent, Frankford Township School District, in recognition of his 14 years as Superintendent and 8 years as Elementary School Principal of the Frankford Township School District and his dedication to broadening the educational horizons of all students.

375-2008

There was an additional Proclamation for the Board's consideration.

19. Proclamation in recognition of Harrison Silvero attaining the rank of Eagle Scout.

376-2008

MOTION made by Freeholder Vetrano to approve these Proclamations and Certificates, seconded by Freeholder Crabb and passed unanimously.

B. Acknowledging the retirement of Margrit Hahne, Omnibus Operator, Office of Transit, who is retiring after 15 $\frac{3}{4}$ years with the County; Elizabeth Rytter, Secretarial Assistant, typing, Division of Planning, who is retiring after 31 $\frac{1}{2}$ years with the County; Steven G. Sutton, County Correction Officer Lieutenant, Keogh-Dwyer Correctional Facility, who is retiring after 25 years with the County; and Elijah Vandermark, IV, Supervisor Roads, who is retiring after 25 $\frac{1}{2}$ years with the County.

377-2008

MOTION made by Freeholder Parrott to approve these retirements, seconded by Freeholder Zellman and passed unanimously.

7. PUBLIC SESSION FROM THE FLOOR

MOTION made at 9:10 a.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

Comments on the Sussex County Technical School

Alexander Uster came forward; he said that his child attended the Technical School; Mr. Uster thanked the Board for its concern for the students at the Technical School; he referred to the letter received by parents from the Superintendent of the Technical School which stated that the Child Study Team was to be reinstated; Mr. Uster said that he was pleased with this positive development.

Mr. Uster said that the feeling of the parents was that the School Board should resign and that the Superintendent should also do the same; he said that he felt that Dr. Toback has brought a feeling of intimidation, fear, and deceitfulness to the Technical School; Mr. Uster said that Dr. Toback and the Technical School Board of Education should have realized that removing the Child Study Team from the School would have a negative impact on the students.

Nick Luisi came forward; he said that he also had a son who attended the Technical School; he thanked the Board for its vote of no confidence and its request for the resignation of the School Board; Mr. Luisi stated that he felt the School Board did not represent the students well and that it should be replaced.

Mr. Luisi said that he was appealing to the Freeholder Board to review and possibly amend a By-Law of the School Board that he heard existed that prohibited a parent of a Technical School student from serving as a member of the School Board; he said that he felt it did not serve the School well or the district well to not have a parent on the School Board; Mr. Luisi added that a balanced representation from outside the school community would be a better way to serve the School Board.

Freeholder Wirths said that he did address this issue with one parent, but that the level of emotion at the time from a lot of the parents was very high; he said that he did not know if at that time, a parent could have governed in a fair way.

Sydney Uster came forward; she questioned why the County Superintendent of Education sat on the Technical School Board of Education.

Freeholder Wirths said that this was a State Statute and the Freeholder Board had no say whatsoever in this appointment; the Statute stated that the County Superintendent must serve on the Board of the Technical School Board and the Community College Board.

Mary Suki came forward; she said that her son attended the Technical School; she said that she was disappointed in the way the School Board has conducted itself; Mrs. Suki said that parents had a vested interest in their children and when the School Board was asked legitimate questions that should be answered, the School Board's response was that it had no interaction with the parents; she said that this was unacceptable since the decisions made by the School Board impacted their children.

Alexander Uster came forward again; he said that he reviewed the By-Laws and how a School Board member and a Superintendent could be removed and that it was the Commissioner of Education who could remove these individuals.

The Board thanked everyone for their comments.

MOTION made at 9:35 a.m. by Freeholder Vetrano to close the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

8. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS FOR MAY 28, 2008
378-2008
- B. 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 the issuance of purchase orders for E & A Supply)
379-2008

- C. **RESOLUTION RE: AUTHORIZATION TO ACCEPT FUNDING FROM NJ
380-2008** DIVISION OF TRAVEL AND TOURISM AND APPROVAL OF GRANT AGREEMENT IN THE AMOUNT OF \$8,000.00 (Resolution authorizes this Grant Agreement with a County match in the amount of \$5,000.00 for the Sussex County Birding and Nature Festival)
- D. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE
381-2008** OF LOCAL AREA NETWORK SOFTWARE MAINTENANCE AND SUPPORT FOR THE SUSSEX COUNTY DIVISION OF INFORMATION MANAGEMENT (Resolution authorizes this purchase from Transnet Corporation in the total amount of \$39,420.00)
- E. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE
382-2008** OF A BRUSH CHIPPER FOR THE SUSSEX COUNTY DIVISION OF PUBLIC WORKS (Resolution authorizes this purchase from Cherry Valley Tractor Sales in the total amount of \$31,939.00)
- F. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE
383-2008** OF ROAD RECLAMATION SERVICES FOR THE SUSSEX COUNTY DIVISION OF ENGINEERING (Resolution authorizes this purchase from Reclamation, Inc. of Kingston in the total amount of \$131,724.91)
- G. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE
384-2008** OF COMPUTER HARDWARE AND SOFTWARE MAINTENANCE IN SUPPORT OF THE SPECIALIZED SOFTWARE UTILIZED BY THE COUNTY OF SUSSEX (Resolution authorizes this purchase from HTE VAR, LLC in the amount of \$37,912.00)
- H. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE
385-2008** OF VACCINES FOR THE SUSSEX COUNTY OFFICE OF PUBLIC HEALTH NURSING (Resolution authorizes this purchase from Sanofi Pasteur in the total amount of \$33,256.12)
- I. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR
386-2008** TO ACCEPT THE MODIFICATION OF THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE NEW JERSEY MOTOR VEHICLE COMMISSION FOR THE PROVISION OF THE LEASE (LAW ENFORCEMENT AGENCY SECURITY ENHANCEMENT) PROGRAM TO DECEMBER 31, 2008 FOR THE TOTAL AMOUNT OF \$65,333.33 AND TO ALLOW FOR RIGHT TO TERMINATE THE AGREEMENT UPON 30 DAYS WRITTEN NOTICE
- J. **RESOLUTION RE: AUTHORIZATION FOR THE FILING OF AN
387-2008** APPLICATION TO NEW JERSEY TRANSIT CORPORATION ON BEHALF OF THE COUNTY OF SUSSEX FOR A GRANT UNDER THE NEW JERSEY SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE PROGRAM (SCDRTAP) FOR FY 2009 (JANUARY 1, 2009 – DECEMBER 31, 2009) IN THE AMOUNT OF \$566,919.00

- K. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR
388-2008** TO EXECUTE THE NEW JERSEY STATEWIDE HEATING ASSISTANCE AND REFERRAL FOR ENERGY SERVICES (NJ SHARES) INTAKE AGENCY AGREEMENT FOR THE PERIOD BEGINNING JUNE 1, 2008
- L. **RESOLUTION RE: AUTHORIZATION TO FILE A BUDGET AMENDMENT TO
389-2008** NEW JERSEY TRANSIT CONSOLIDATED JOB ACCESS AND REVERSE COMMUTE GRANT (SECTION 3037) OPERATING AGREEMENT ROUND 7 DATED SEPTEMBER 27, 2007
- M. **RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN
390-2008** FREEHOLDERS TO APPROVE MODIFICATION #1 TO THE CONTRACT #08-1163-BT-L-3 WITH THE NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR LOCAL CORE CAPACITY INFRASTRUCTURE FOR BIOTERRORISM PREPAREDNESS FOR THE PERIOD OF AUGUST 31, 2007 TO AUGUST 9, 2008 (Resolution authorizes this Modification in the amount of \$20,000.00 to be moved from reserve to various other line items, resulting in no increase or decrease in the funding of this Grant)
- N. **RESOLUTION RE: AUTHORIZATION TO SUBMIT AN APPLICATION FOR
391-2008** 2008 BODY ARMOR REPLACEMENT 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
- O. **RESOLUTION RE: AUTHORIZATION FOR THE DEPARTMENT OF
392-2008** ENVIRONMENTAL AND PUBLIC HEALTH SERVICES TO APPLY FOR THE 2008-2009 "SAUCONY RUN FOR GOOD FOUNDATION" GRANT, SAUCONY, INC., FUNDING FOR A COUNTY-WIDE WALKING/RUNNING PROGRAM IN THE AMOUNT OF \$10,000.00
- P. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR
393-2008** AND CLERK TO ACCEPT THE 2008 GREEN COMMUNITIES PHASE II GRANT BETWEEN THE COUNTY OF SUSSEX AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF PARKS AND FORESTRY (Resolution authorizes the acceptance of this Grant for the purpose of hiring a qualified consultant to assist with the development of said Community Forestry Management Plan)
- Q. **RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF
394-2008** ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY RELATING TO SFY 2009 WORK FIRST NEW JERSEY SPECIAL INITIATIVE & TRANSPORTATION GRANT CONTRACT AWARD FOR A TOTAL AMOUNT OF \$126,978.00, JULY 1, 2008 TO JUNE 30, 2009
- R. **RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF
395-2008** ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY RELATING TO THE LAW ENFORCEMENT AGENCY SECURITY ENHANCEMENT (LEASE) PROGRAM, FOR THE ADDITIONAL AMOUNT OF \$65,333.33

- S. RESOLUTION RE: PAYMENT OF DEDUCTIBLE LITIGATION COST IN THE MATTER OF O'CONNELL VS. COUNTY OF SUSSEX, ET AL, AND AUTHORIZATION FOR THE EXECUTION OF THE SETTLEMENT AGREEMENT
396-2008
- T. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY ADMINISTRATOR TO SUBMIT AN AMENDED APPLICATION TO THE NEW JERSEY OFFICE OF EMERGENCY TELECOMMUNICATIONS SERVICES FOR PUBLIC SAFETY ANSWERING POINT GRANT FUNDS IN THE AMOUNT OF \$220,000.00 FOR THE PURPOSE OF REGIONALIZATION OF SIX 9-1-1 PUBLIC SAFETY ANSWERING POINTS (PSAPs) TO TWO PSAPs AS AN INTERIM STEP TOWARD CONSOLIDATION OF 9-1-1 SERVICES IN AND FOR SUSSEX COUNTY TO ONE PSAP
397-2008

Freeholder Wirths said that there was an additional Resolution for the Board's consideration.

- U. RESOLUTION RE: APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE NEW JERSEY BODY ARMOR REPLACEMENT FUND PROGRAM ADMINISTERED BY THE DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE
398-2008

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.

MOTION made by Freeholder Vetrano to approve the Financial Consent Agenda, seconded by Freeholder Parrott.

Body Armor

Freeholder Parrott asked if the State contributed to this.

Mr. Eskilson replied that there was an annual fund; the County did not actually purchase every year, but established reserve funds and made purchases as needed; this was all State money.

Resolution 8. P.

Freeholder Vetrano asked if the Forestry Management Plan was for County-owned property.

Mr. Eskilson replied that it was mostly tree right-of-way; this was for the Shade Tree Commission.

Resolution 8. T.

Freeholder Vetrano asked if this dollar amount was in addition to monies already received.

Mr. Eskilson said that a couple of meetings ago, the Board authorized an application for the next round of grant funding; that application was denied; the Office of Emergency Telecommunication Systems sent back some comments; revisions were made based on those comments, which also are related, directly and indirectly, to the Sparta Township grant that was applied for to establish an interim step; instead of immediately consolidating down to one, there is an interim step down to two regional PSAPs, utilizing existing PSAPs and not constructing any new facility; it was very optimistic that with these revisions, this \$220,000.00 would be funded for the next round of analysis and study in the ongoing effort to get the PSAP consolidation.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Vetrano	Yes
Freeholder Zellman	Yes
Freeholder Director Wirths	Yes

9. APPROVAL OF MINUTES Regular Meeting May 14, 2008

MOTION made by Freeholder Vetrano to approve these minutes, seconded by Freeholder Zellman.

Additional information for minutes of May 14, 2008 regarding Human Services Liaison Meeting/Homestead

Freeholder Zellman referred to Page 14 and her comments regarding the Human Services Liaison Meeting; she said that it referred to the census being lower at the sub-acute care at the Homestead; Freeholder Zellman said that point blank this did not sound too good and that there were reasons behind that; there were patients admitted and patients discharged and also scheduling; she added that the revenue was not down, but it was more in terms of the short-term stays and then getting someone to fill the bed again.

Mr. McConnell said that Freeholder Zellman's comment would be reflected as a part of the June 4, 2008 meeting minutes.

The Motion was passed unanimously.

10. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. **RESOLUTION RE: REAPPOINTMENT OF JOHN RISKO AS THE 399-2008 SUSSEX COUNTY ALTERNATE REPRESENTATIVE TO THE LAKE HOPATCONG COMMISSION (Resolution reappoints John Risko to a two year term expiring July 11, 2010)**
2. **RESOLUTION RE: APPOINTMENT OF JARROD C. COFRANCESCO 400-2008 TO THE BOARD OF EDUCATION OF THE SUSSEX COUNTY VOCATIONAL-TECHNICAL SCHOOL TO FILL AN UNEXPIRED TERM. SAID TERM TO BEGIN IMMEDIATELY AND EXPIRE OCTOBER 31, 2009**
3. **RESOLUTION RE: APPOINTMENT OF NICOLE M. LEWIS AND 401-2008 MELANIE M. ARPAIO AS MEMBERS OF THE SUSSEX COUNTY MENTAL HEALTH BOARD FOR TERMS OF THREE (3) YEARS BEGINNING JULY 1, 2008 AND EXPIRING JUNE 30, 2011**

MOTION made by Freeholder Vetrano to adopt these Resolutions, seconded by Freeholder Parrott.

Resume' of Jarrod C. Cofrancesco

Freeholder Parrott read portions of the attached resume' of Jarrod C. Cofrancesco into the record.

See Attachment A. (Jarrod C. Cofrancesco resume').

Comments of support for Jarrod C. Cofrancesco

Freeholder Crabb also expressed his support of Mr. Cofrancesco's appointment to the Technical School Board of Education.

Freeholder Zellman said that she was unable to speak with Mr. Cofrancesco prior to the Freeholder Meeting, but that she has worked with him in the past and knows that he is a conscientious and a caring individual; she said that she also supported his appointment.

Comment of support for Mental Health Board appointments

Freeholder Zellman also expressed her support for the appointments of Nicole Lewis and Melanie Arpaio.

Comment of support for Jarrod C. Cofrancesco

Freeholder Wirths also expressed his support for Mr. Cofrancesco; he said that he asked Mr. Cofrancesco, that as a courtesy, the Freeholder Board would like to see any major expenditure made by the Technical School.

The Motion was passed unanimously.

Opportunities in October to serve on Board of Education

Freeholder Vetrano suggested that it could be mentioned in the newspaper that in October there will be opportunities for other persons interested in serving on the Technical School Board of Education to submit their resumes'.

11. RESOLUTIONS

- A. RESOLUTION RE: ADOPTION OF REVISIONS TO THE SUSSEX COUNTY SOLID WASTE MANAGEMENT PLAN AMENDMENT 2007 TO THE SUSSEX COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN REQUESTED BY THE NJDEP
402-2008
- B. RESOLUTION RE: AMENDING THE HOLIDAY SCHEDULE FOR 2008 (Resolution amends the holiday schedule by removing the Election Day holiday and adding Christmas Eve as a holiday)
403-2008
- C. RESOLUTION RE: SUPPORT FOR H.R. 5698, RESTORING THE PARTNERSHIP FOR COUNTY HEALTH CARE COSTS ACT OF 2008
404-2008

MOTION made by Freeholder Vetrano to adopt these Resolutions, seconded by Freeholder Zellman and passed unanimously.

12. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

- A. Awards of Contracts
 - 1. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES CONTRACT WITH NEWTON MEMORIAL HOSPITAL AT A RATE OF \$1,200.00 PER DAY FOR INPATIENT SERVICES AND \$600.00 PER DAY FOR INPATIENT BEHAVIORAL SERVICES (MENTAL HEALTH) FOR THE PROVIDING OF MEDICAL CARE TO INMATES OF THE KEOGH-DWYER CORRECTIONAL FACILITY PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Contract in the amount not to exceed \$150,000.00 for calendar year 2008)
405-2008
 - 2. RESOLUTION RE: AWARD OF THE CONTRACT BASED ON

406-2008

PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR BILLING AND COLLECTION SERVICES FOR THE SUSSEX COUNTY DIVISION OF THE HOMESTEAD (Resolution awards this Contract to LTC Consulting Services, LLC in the amount of 20% of all collected funds)

MOTION made by Freeholder Crabb to adopt these Resolutions, seconded by Freeholder Zellman.

Resoluton 12. A. 1.

Mr. Eskilson commended Sheriff Untig and Undersheriff DiMarco for keeping the costs of Behavioral Services for inmates under control.

Freeholder Wirths said that he attended a meeting with Judge Bozonelis, the Prosecutor, and the Sheriff, to discuss ways to control healthcare costs; he added that he felt that progress was made.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Vetrano	Yes
Freeholder Zellman	Yes
Freeholder Director Wirths	Yes

13. FINANCIAL

- A. Authorization for the Treasurer to pay bills on June 11, 2008 and report those bills on the June 25, 2008 Agenda.

MOTION made by Freeholder Zellman to authorize the Treasurer to pay bills on June 11, 2008 and report those bills on the June 25, 2008 Agenda, seconded by Freeholder Crabb.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Vetrano	Yes
Freeholder Zellman	Yes
Freeholder Director Wirths	Yes

14. PERSONNEL

- A. Personnel Agenda

There was no Personnel Agenda.

- B. Resolutions

- 1. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO SIGN AND IMPLEMENT AN AMENDMENT TO THE AGREEMENT BY AND BETWEEN THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS AND THE SHERIFF OF THE COUNTY OF SUSSEX AND THE POLICE BENEVOLENT ASSOCIATION LOCAL 138 (SHERIFF'S UNIT) FOR THE PERIOD JANUARY 1, 2007 THROUGH DECEMBER 31, 2009**

MOTION made by Freeholder Parrott to adopt this Resolution, seconded by Freeholder Crabb and passed unanimously.

15. ADMINISTRATIVE REPORT

- A. Other

Mr. Eskilson stated that he did not have a report at this time.

16. COUNTY COUNSEL

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

Mr. McConnell stated that he had two items for discussion in Closed Session; one under Litigation, and one under Contracts.

17. UNFINISHED BUSINESS

There was no Unfinished Business.

18. NEW BUSINESS

- A. Discussion concerning support for Senate Concurrent Resolution 88, which was introduced to the New Jersey Legislature proposing to amend Article VIII, Section II of the Constitution of the State of New Jersey to provide that revenue from water consumption and water user fees be dedicated only for the purpose of providing funding for the acquisition and development of lands for recreation and conservation purposes and for the preservation of farmland for agricultural and horticultural use and production (or consideration of an alternative of supporting the Legislature authorizing ballot question to have voters decide)

Discussion of Item 18. A.

Freeholder Vetrano referred to the Highland's Act which became law in 2004; he said that one of the biggest flaws as a result of that Legislation was to not appropriate the necessary funding to at least make an attempt to make landowners whole for their loss in equity and their loss in land value; it is something that passed with bi-partisan support to establish the Highland's Act for regional planning throughout the region; since then the Legislators have failed to come up with the appropriate funding source to make these people whole.

There is some proposed Legislation; he said the Board had received a copy of Senate Concurrent Resolution 88, which was to try and encourage the Legislation to at least place it on the ballot and let the voters decide; Freeholder Vetrano said that he has been told by the Executive Director of the Highlands, that this Resolution could be altered to the Board's liking; he said that this would affect municipal water purveyors in Sussex County; Freeholder Vetrano said that at the present time this was the only thing on the table to get money to resolve the loss in equity.

Freeholder Vetrano said that he was not happy with this because the entire State would have the ability to compete for these dollars; he said that he would be happy to see something change where it was only for the Highlands region, but that type of Legislation would never come to fruition if it was restrictive for only eight Counties.

Freeholder Vetrano said that as a County that was affected by this he felt that some kind of action needed to be taken; he said that he was open for suggestions.

Mr. Eskilson stated that this was a better Bill than the earlier versions; he said the early versions went back to the 1990's and always talked about a fee that would result in an annual increase of about \$4.00; the problem was that it only generated about \$16 million, and the further complication was that those Bills were not only cluttered with access to those funds, but also for major water system improvements; Mr. Eskilson said that this current Bill was better because it eliminated most of that and would not apply to private well owners; he noted, however, that the downside was that it applied to all municipal systems; the positive side is that the \$40.00 on water bills would generate real dollars that could be used towards the equity issue, noting that the downside was the additional \$40.00 per year on a water bill.

Freeholder Wirths said that from what he has heard the Bill is not going anywhere; he said he felt that the County has been penalized enough with the Highlands; he said he felt that those who had been affected by the Highlands have suffered enough and should not also have the burden of an additional \$40.00 tax; Freeholder Wirths said that he hoped that Senator Oroho has a Bill to either scrap or sunset it because if it's not going to have any funding that is probably the way to go.

Freeholder Vetrano asked Mr. Eskilson for his thoughts as to possibly modifying a portion of the Resolution to be strictly for Highlands's acquisition.

Mr. Eskilson said that the Resolution could be set for any conditions the Board would like.

Freeholder Wirths said that he did not think that persons living in a city would support this, and stated that he was opposed to any new tax.

Mr. Eskilson said that the majority of the money would come out of the urban areas because those were the users.

Freeholder Zellman said that the positive side was that it might conserve consumption in the eastern part of the State where no one seems to worry if the hydrants are open; she said that the thing that was missing from the original Bill S-165, was the equity compensation for municipalities' loss of tax revenue.

Freeholder Vetrano said that the whole premise behind this was to get the people in central and south New Jersey to pay their fair share.

Freeholder Parrott said that he could not see people in cities voting for an increase on their water tax; he said that he was against it because it was a tax increase; Freeholder Parrott said that every time money is earmarked for a specific area it never gets there; he felt that the revenue generated would go to the urban areas instead of to the people it was supposed to go to.

Freeholder Vetrano said for the record that he was disappointed in the Republicans and the Democrats; this passed with bi-partisan support to become law; the ones who voted for it to become law do not have the courage to vote now to appropriate the necessary dollars to make those landowners whole.

The Board determined that it would take no action at this time.

No action was taken on this item.

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Freeholder Wirths said that Item 20 would be discussed prior to the walk to the Old County Courthouse.

20. FREEHOLDERS' COMMENTS

Shared services with Montague Township

Freeholder Crabb said that Montague Township would now be utilizing the County's GIS services.

Mr. Eskilson added that the County's GIS staff went to Montague and reviewed the proposals that were sent to Montague from other firms; this helped Montague determine what its needs were and how to better fit into the County's system; as a result, Montague is able to save about \$57,000.00 on the contract.

Meeting with Election Board

Freeholder Crabb reported that he had a meeting with the Election Board immediately following the Freeholder Meeting.

Sussex County Technical School Board of Education

Freeholder Crabb expressed his frustration with the ongoing situation with the Technical School Board of Education; he said that he hoped the School Board has the clarity and realizes the gravity of the actions that the Freeholder Board took at the last meeting and decides to act accordingly and as quickly as possible.

New Jersey Smart Workplace Gold Award 2008

Freeholder Zellman displayed the *New Jersey Smart Workplace Gold Award 2008* that the County received as a County for outstanding achievement for creating programs that provide and promote commuting options for its employees.

North Jersey Transportation Planning Authority Retreat

Freeholder Zellman said that she was a part of the North Jersey Transportation Planning authority retreat last Saturday; discussed were various options and opportunities to bring transportation events to the respective Counties so that Mayors and elected officials could become more involved in the process.

Lackawanna Cutoff

Freeholder Zellman said that a phone conference would be held today with the North Jersey Transportation Planning Authority that will reaffirm and provide a resolution for New Jersey Transit; there is a proposal now that the Lackawanna Cutoff then be completed through Andover Borough to Andover Township; ongoing discussions are being held with the Pennsylvania Department of Transportation with anticipation of completing it to Scranton.

Liaison report for the Department of Human Services

Freeholder Zellman reported that the Homestead was working towards self-sufficiency with a variety of programs provided to a broader representation of the community; these include a Certified Nurse Assistant class, which will be given at the Homestead to train eight Certified Nurse Assistants that the Homestead hopes will remain there; a balance program for the elderly will also be offered as loss of balance is responsible for falls and broken hips; she also highlighted a Caregiver's Support Program and a Respite Program; forty patients are now at home due to the subacute care received at the Homestead; 99 of the 102 beds are filled, with the other 3 vacant due to the replacement of tile in the bathrooms.

There will be a Veterans Pin Contest to get more students involved in the process; Freeholder Zellman said that the numbers were down and the expenses were up for the Nutrition Program; a plan is due by the end of June, with a proposal out by July for a selection of a provider by August.

Freeholder Zellman reported that the food drive held in collaboration with the Division of Community and Youth Services, Pass-It-Along, and United Way yielded 15,000 items.

The Office of Transit reported 10,800 trips through May 29, 2008, with 4,500 passengers on the loop bus; Freeholder Zellman said that the Jobs Reverse Commute Round 8 for 2009 has been reduced by 75%; she said that she has asked Carol Novrit to put together a draft letter so the Board could send a letter to Congressional representatives to oppose the 75% reduction for 2009; Freeholder Zellman said that the new operational procedures are now in effect; anyone with special requests will be referred to a social worker.

Re-paving of Mill Street

Freeholder Vetrano asked Mr. Eskilson for the status of the re-paving of Mill Street.

Mr. Eskilson replied that correspondence was provided to him and he would provide a copy to Freeholder Vetrano.

County Route 519

Freeholder Vetrano referred to County Route 519 which is dedicated to Korean War Veterans; he said that a Korean gentleman who lives either in Hardyston or Vernon, contacted the Clerk's Office; he returns to Korea quite often and was pleased that the road was dedicated to Korean War Veterans; Freeholder Vetrano said that when this gentleman returns from Korea, he (Freeholder Vetrano) will be meeting with him; he said that the gentleman wanted to discuss what he could do to help support the necessary resources to maintain the beauty of County Route 519.

Completion of training by farmers

Freeholder Vetrano reported that there were now 23 farmers who have gone through the necessary steps to become trained and certified to produce their products at the kitchen at the Technical School.

Acknowledgement to David Kunz

Freeholder Vetrano suggested that acknowledgement be sent to David Kunz for his work; Freeholder Wirths said that Freeholder Crabb had sent an email to David.

Item for June 25, 2008 agenda/support of S-1836

Freeholder Wirths suggested placing a Resolution on the June 25, 2008 agenda in support of S-1836, which limits the Bigley awards to 4% over prior budget year appropriations for the Prosecutor.

The Board agreed to place this item on the June 25, 2008 agenda.

Item for June 25, 2008 agenda/opposition to S-818

Freeholder Wirths suggested opposing S-818 which supports prevailing wages to everyone in the recycling and garbage business; he suggested placing a Resolution on the June 25, 2008 agenda in opposition to S-818.

The Board agreed to place this item on the June 25, 2008 agenda.

Issue of court fees

Freeholder Wirths said that the issue of the court fees to be used for the enhancement of the courts will be discussed at a later time.

Surrogate's Office

Freeholder Parrott said that he has spoken to the Surrogate and she was happy with the move to the new location.

Meeting with County Clerk

Freeholder Parrott said that he would be meeting with the County Clerk for an update; he said that he had the opportunity to review the revenue numbers, adding that there would be a better hold on it at the end of the month.

C-1 update

Freeholder Parrott asked the County Administrator for an update on C-1.

Mr. Eskilson said that there was a PDF file of the actual DEP maps which were very close to what David Kunz had extrapolated from some email that was on the internet about a week ago; the good news, at least for some Townships like Wantage, was that a large amount of the proposal was rescinded; the Walkkill River north of Hamburg Borough had its C-1 designation taken out; Papakating in Wantage is included; the C-1 designation around Lake Mohawk was rescinded; Lake Mohawk is the headwaters of the Walkkill, so flowing north towards Franklin, the entire stream north of Franklin Pond and beyond is a C-1 designation; this is problematic to some things going on in Franklin and elsewhere.

Also problematic is the feeder stream of the Walkkill in Hardyston Township, which bisects the Crystal Springs Two Project and is one of the reasons that the DEP recently suggested rescinding the sewer service designation; this is problematic and the County is working closely with the community, the Crystal Springs Two people, and the DEP; the Pequest will remain and this is problematic, particularly around the lake communities; several lake communities in the southern end of Hardyston were removed.

Mr. Eskilson said that this is going to be something that will have to be constantly monitored.

Freeholder Parrott asked for a larger version of the PDF file; Mr. Eskilson will have a larger copy made.

Internal road network/WalMart/Franklin

Freeholder Vetrano referred to the internal road network regarding the Franklin WalMart.

Mr. Eskilson said that Senator Oroho, Assemblywoman McHose, and Assemblyman Chiusano had sent a letter supporting the internal road network as proposed; he said that Mr. Nardello had asked if the County could do something on the record supporting the road network; he said this was something that would take traffic off Route 23 and onto a by-pass road.

Freeholder Vetrano said that he would get more information on the specifics.

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Freeholder Wirths said that the Public Session would be held prior to the walk to the Old County Courthouse.

19. PUBLIC SESSION FROM THE FLOOR

MOTION made at 10:40 a.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

There was no one.

MOTION made at 10:41 a.m. by Freeholder Vetrano to close the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

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The Board of Chosen Freeholders will take a walk over to the Old County Courthouse to view the new offices of the Sussex County Surrogate.

--

Held later in the meeting

19. PUBLIC SESSION FROM THE FLOOR

Held earlier in the meeting.

--

Freeholder Wirths said that at this time, the Board would walk to the Old County Courthouse, and everyone was invited to join them.

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The Board of Chosen Freeholders will take a walk over to the Old County Courthouse to view the new offices of the Sussex County Surrogate.

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At 10:45 a.m., the Board of Freeholders, along with the County Administrator, County Counsel, and the Clerk of the Board, walked to the Old County Courthouse to tour the new offices of the Sussex County Surrogate.

At 11:30 a.m. those who participated in the tour of the Surrogate's new offices returned to the Administrative Center, Freeholder Meeting Room, to continue the Freeholder Meeting.

20. FREEHOLDERS' COMMENTS

Held earlier in the meeting.

21. EXECUTIVE SESSION

MOTION made at 11:32 a.m. by Freeholder Zellman to go into Executive Session for two items, one under Contracts for professional land surveying services for the County round of 29 farms, and also pending litigation of Schaeffer versus the County Clerk dealing with copying costs; this Closed Session will deal with litigation strategy and possible settlement issues, seconded by Freeholder Vetrano and passed unanimously.

**RESOLUTION RE: REQUESTING EXECUTIVE SESSION
408-2008**

- 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.

MOTION made at 11:55 a.m. by Freeholder Zellman to come out of Executive Session and return to Open Session, seconded by Freeholder Vetrano and passed unanimously.

MOTION made by Freeholder Crabb to return to Open Session, seconded by Freeholder Zellman and passed unanimously.

Direction to County Counsel

Mr. McConnell stated that he needed a Motion to direct him to carry out the settlement negotiations in the matter that was discussed in Closed Session in the litigation known as O'Shea versus the County of Sussex; and with regard to the Farmland Preservation surveyors, that the staff be advised that Package G and H should be combined with Package E to Mr. Dykstra, and everything else is satisfactory, unless there is some issue that is raised with Freeholder Vetrano and staff and he comes back with a different remedy.

Freeholder Wirths said he would need a good argument as they are all new firms; two new firms were being tested to hopefully expand to six surveyors.

MOTION made by Freeholder Zellman to direct County Counsel to carry out the settlement negotiations in the matter that was discussed in Closed Session in the litigation known as O'Shea versus the County of Sussex; and with regard to the Farmland Preservation surveyors, that the staff be advised that Package G and H should be combined with Package E to Mr. Dykstra, and everything else is satisfactory, unless there is some issue that is raised with Freeholder Vetrano and staff and he comes back with a different remedy, seconded by Freeholder Vetrano.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Vetrano	Yes
Freeholder Zellman	Yes
Freeholder Director Wirths	Yes

22. REMINDERS

Wednesday	June 4, 2008	Six County Coalition Meeting, Somerset County	5:30 pm
Wednesday	June 25, 2008	Regular Meeting	5:00 pm

23. ADJOURNMENT

MOTION made at 12:00 p.m. by Freeholder Crabb to adjourn, seconded by Freeholder Zellman and passed unanimously.

Elaine A. Morgan, Clerk

DATED: June 4, 2008

EDUCATION

- *The Dickinson School of Law of The Pennsylvania State University, Carlisle, PA – May 2002*
Juris Doctor
- *University of Notre Dame, Notre Dame, IN – May 1999*
Bachelor of Business Administration, Marketing

EXPERIENCE

- *Grinnell, Sparta, NJ Sep. 2006 - Present*
 - Principal/General Counsel
Grinnell Concrete Pavingstones, Inc.
Grinnell Recycling, Inc.
Grinnell Holding, Inc.
Grinnell Enterprises, Inc.
- *Laddey, Clark, & Ryan, LLP, Sparta, NJ – Oct. 2003 - Sep. 2006*
 - Associate Attorney- Corporate and Business Law, Employment and Labor Law, Commercial Transactions, Collections, and Municipal Defense
 - Assistant Municipal Prosecutor in Sparta, Ogdensburg, and Hampton/Stillwater
 - 2006- Named “Rising Star” and recognized as one of “The Top Young Lawyers in New Jersey” by *Super Lawyers Magazine*
- *The Superior Court of New Jersey, The Honorable Joseph A. Falcone, A.J.S.C., Essex County, New Jersey – Aug. 2002 - Aug. 2003*
 - Law Clerk- Performed legal research and wrote legal memoranda for the Judge; Mediated cases; Assisted the Judge with all administrative duties
- *The Sussex County Prosecutor’s Office, Newton, NJ – Summer of 2001*
 - Law Clerk- Appeared in court on behalf of the State of New Jersey; Conducted negotiations and settlement proceedings; Performed legal research and wrote legal briefs for municipal appeals and motions.
- *Rich & Freedman, P.A., Parsippany, NJ – Summer of 2000*
 - Law Clerk- Analyzed and organized discovery materials, performed legal research, assisted with general office duties
- *McGovern & Roseman, P.A., Newton, NJ – Summer of 1999*
 - Law Clerk- Performed legal research; observed and aided attorneys with motions, briefs, and trial preparation

COMMUNITY RELATIONS/INTERESTS

Sussex County YMCA, Hardyston, NJ- Board of Directors – 2005 - Present
Sussex County Bar Association Member – 2003- Present
The American Quarter Horse Association - Member/Exhibitor – 1985 - Present
Sports: fishing, boating, poker, football, golf

ATTACHMENT "A"