

REGULAR MEETING HELD ON WEDNESDAY, APRIL 11, 2012

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:02 p.m.

2. ROLL CALL

Freeholder Space; Freeholder Vohden; Freeholder Zeoli; Freeholder Director Crabb; John Eskilson, County Administrator; Dennis McConnell, County Counsel; Elaine Morgan, Clerk

Freeholder Zellman was excused.

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 4, 2012 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 – 5:04 PM**

**FINAL ADOPTION – RESOLUTION**

**Freeholder Director Crabb:** "At our regular meeting held on March 28, 2012, we introduced for first reading the following Resolution which was advertised in the New Jersey Herald issue of April 2, 2012, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

**RESOLUTION RE: AUTHORIZING CAP TO LIMIT COUNTY BUDGET APPROPRIATION 220-2012 INCREASE IN 2012 COUNTY BUDGET TO 3.5% OVER THE PREVIOUS YEAR'S FINAL APPROPRIATIONS SUBJECT TO CERTAIN EXCEPTIONS AND TO ESTABLISH AN APPROPRIATION CAP BANK**

**MOTION** that the Public Hearing be opened made by Freeholder Zeoli, seconded by Freeholder Space and passed unanimously.

Is anyone present to be heard regarding this Resolution?

There was no one.

**MOTION** that the Public Hearing be closed made by Freeholder Zeoli, seconded by Freeholder Space and passed unanimously.

**MOTION** that this Resolution be finally adopted made by Freeholder Zeoli, seconded by Freeholder Vohden.

On roll call the vote was:

Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zeoli	Yes
Freeholder Director Crabb	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 Space, seconded by Freeholder Zeoli and passed unanimously.

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**6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**

A. Proclamations and Certificates

1. Proclamation designating April, 2012 as “National County Government Month.”

**221-2012**

2. Proclamation designating April, 2012 as “Sussex County Crime Victims’ Rights Week.”

**222-2012**

3. Proclamation in recognition of Timothy Mitchell attaining the rank of Eagle Scout.

**223-2012**

4. Proclamation in recognition of John S. Puszcz attaining the rank of Eagle Scout.

**224-2012**

**MOTION** made by Freeholder Zeoli to approve these Proclamations, seconded by Freeholder Space and passed unanimously.

**7. PUBLIC SESSION FROM THE FLOOR**

**(Please note: Everyone is asked to keep their comments to 5 minutes or less)**

**MOTION** made at 5:07 p.m. to open the meeting to the Public made by Freeholder Vohden, seconded by Freeholder Zeoli and passed unanimously

There was no one.

**MOTION** made at 5:08 p.m. to close the meeting to the Public made by Freeholder Space, seconded by Freeholder Zeoli and passed unanimously.

**8. FREEHOLDERS’ COMMENTS**

**Comments from Freeholder Vohden**

- **Solid Waste Advisory Council (SWAC) Meeting**

Freeholder Vohden said he attended the meeting last night which was well attended by almost every municipality; a letter was read from the Division of Planning which recommended SWAC to proceed with the general permitting process for the transfer station which would eventually be forwarded to the Freeholder Board for consideration.

Freeholder Crabb commended SWAC for their quick action to proceed with this process.

## Comments from Freeholder Space

- **Ginnie's House**

Freeholder Space said that Ginnie's House will have an Open House on April 18, 2012 from 10:00 a.m. to 2:00 p.m.

- **High Point Regional High School "Every 15 Minutes"**

Freeholder Space said he attended the "Every 15 Minutes" program on April 4, 2012 in which students can see the affects of driving while under the influence; a simulated car wreck is dramatized with actual students.

## Comments from Freeholder Zeoli

- **Thanks to Susan Shake**

Freeholder Zeoli thanked Susan Shake for all of her hard work with all the Boards and Councils that she serves on in the County.

## Comments from Freeholder Crabb

- **Meeting with Dr. Paul Mazur**

Freeholder Crabb said that he had an opportunity to meet with the President of SCCC, Dr. Paul Mazur; Freeholder Crabb said that arrangements will be made for Dr. Mazur to sit down with each Freeholder, individually, to discuss the steady, successful progress that has been made with the very difficult financial situation existing at the College.

## 9. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS  
**225-2012**
- B. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES, MEDICAID PEER GROUPING (2010) AND MEDICAID PEER GROUPING (2011) (Resolution authorizes the canceling of the 2010 reserve balance of \$190.75 and the 2011 reserve balance of \$167.85)  
**226-2012**
- C. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE STATE OF NEW JERSEY, HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL, SUSTAINABLE AGRICULTURE: COMMERCIAL KITCHEN GRANT, 09-032-074-1900 (Resolution authorizes the canceling of the receivable balance of \$507.85 and the reserve balance of \$2,384.36)  
**227-2012**
- D. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE NEW JERSEY DEPARTMENT OF DEPARTMENT OF COMMUNITY AFFAIRS, SMART GROWTH PARKING STUDY GRANT FOR THE RESERVE AMOUNT OF \$1,840.00  
**228-2012**
- E. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES, SPECIAL CHILD HEALTH SERVICES GRANT #10-131-SCH-L-2 FOR THE FUNDING PERIOD OF JULY 1, 2010 TO JUNE 30, 2011 (Resolution authorizes the canceling of  
**229-2012**

the receivable balance of \$421.00 and the reserve balance of \$4,251.28)

- F. **RESOLUTION RE: 230-2012** RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE STATE OF NEW JERSEY, OFFICE OF HOMELAND SECURITY AND PREPAREDNESS, FFY08 SHSP GAN #2, #2008-GE-T8-0015 FOR THE TOTAL AMOUNT OF \$10,209.13
- G. **RESOLUTION RE: 231-2012** RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE STATE OF NEW JERSEY, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, JUVENILE JUSTICE COMMISSION, 2010 COMPREHENSIVE COUNTY FUNDING ALLOCATION FOR STATE/COMMUNITY PARTNERSHIP, FAMILY COURT SERVICES AND JUVENILE ACCOUNTABILITY BLOCK GRANT FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010 (Resolution authorizes the canceling of both the receivable and reserve balances of \$61,037.45)
- H. **RESOLUTION RE: 232-2012** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE AN AGREEMENT MODIFICATION #2 TO FEDERAL AID AGREEMENT NO. 2010-DT-BLA1-14 (Resolution authorizes Agreement Modification #2 increasing the authorized project amount of \$901,238.00 by \$33,033.00 to a new agreement total amount of \$934,271.00)
- I. **RESOLUTION RE: 233-2012** 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, 2012 THROUGH DECEMBER 31, 2012 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 an award, and Contract with a minimum dollar amount of \$50,000.00 up to \$350,000.00)
- J. **RESOLUTION RE: 234-2012** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A GRANT APPLICATION FOR THE VICTIMS OF CRIME ACT (VOCA) VICTIM ASSISTANCE PROJECT ADMINISTERED BY THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE, OFFICE OF VICTIM WITNESS ADVOCACY FOR THE PERIOD APRIL 1, 2012 THROUGH MARCH 31, 2013 (Resolution authorizes execution of the application in the amount of \$99,255.00 State share and \$24,814.00 in kind match)
- K. **RESOLUTION RE: 235-2012** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO SIGN THE SUBGRANT AWARD FOR THE 2011 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, JAG 1-18-08S, FOR THE PERIOD OCTOBER 1, 2011 THROUGH SEPTEMBER 30, 2012 IN THE AMOUNT OF \$5,212.00 (Resolution authorizes the subgrant amount of \$3,909.00 State share and an in-kind match of \$1,303.00)

- L. RESOLUTION RE: APPROVAL OF THE 2012 COUNTY FARMLAND  
**236-2012** PRESERVATION, RECREATION AND OPEN SPACE TRUST FUND LEVY (Resolution authorizes the 2012 Trust Fund Levy in the amount of 0.00209076 cents per \$100.00 of the County equalized real property valuation)
- M. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ENERGY CONSERVATION RETROFITS IN VARIOUS SUSSEX COUNTY BUILDINGS FOR THE SUSSEX COUNTY DIVISION OF FACILITIES MANAGEMENT (Resolution authorizes the total construction of \$123,798.72 in energy improvements and purchase orders in the approximate total amount of \$43,808.35 (County share))  
**237-2012**

**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 Space to adopt the Financial Consent Agenda, seconded by Freeholder Vohden.

On roll call the vote was:

Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zeoli	Yes
Freeholder Director Crabb	Yes

**10. APPROVAL OF MINUTES**

Regular Meeting March 28, 2012

**Release of Executive Session Minutes**  
 Regular Meeting September 14, 2011

**MOTION** made by Freeholder Zeoli to approved these minutes, seconded by Freeholder Vohden and passed unanimously.

**11. APPOINTMENTS AND/OR RESIGNATIONS**

A. Appointments

1. RESOLUTION RE: APPOINTMENT OF DENISE A. MINIMI, SUSAN C. SHAKE AND TAMRA L. YOUNG AS MEMBERS OF THE ADVISORY COUNCIL OF THE SUSSEX COUNTY DIVISION OF SENIOR SERVICES FOR TERMS OF THREE (3) YEARS EACH. SAID TERMS TO EXPIRE DECEMBER 31, 2014  
**238-2012**

**MOTION** made by Freeholder Zeoli to approve this Appointment, seconded by Freeholder Space and passed unanimously.

**12. RESOLUTIONS**

A.

**INTRODUCTION FOR FIRST READING – ORDINANCE**

**ORDINANCE RE: MAKING THE PROVISIONS OF SUBTITLE 1 OF THE TITLE 39 OF THE REVISED STATUES OF THE STATE OF NEW JERSEY APPLICABLE TO THE SUSSEX COUNTY PROPERTIES LOCATED IN DOWNTOWN NEWTON AS DETAILED WITHIN THE PLAN ENTITLED**  
**239-2012**

**“OFFICIAL SITE PARKING AND SIGNAGE PLAN, SUSSEX COUNTY ADMINISTRATIVE CENTER ONE SPRING STREET” AND DATED MARCH 29, 2012 REGULATING THE USE OF SAID ROADWAYS, DRIVEWAYS AND PARKING FACILITIES BY MOTOR VEHICLES AND REPEALING ORDINANCE 705-2005**

**MOTION** to adopt this Ordinance on first reading made by Freeholder Space, seconded by Freeholder Vohden.

On roll call the vote was:

Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zeoli	Yes
Freeholder Director Crabb	Yes

**MOTION** to authorize the Clerk to advertise this 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 April 23, 2012 at 5:00 pm prior to final adoption of this Ordinance made by Freeholder Zeoli, seconded by Freeholder Vohden and passed unanimously

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- B. RESOLUTION RE: AUTHORIZATION TO ADOPT AMENDMENT OF SUSSEX COUNTY'S SUBSTANCE ABUSE POLICY FOR SAFETY SENSITIVE EMPLOYEES  
**240-2012**
- C. RESOLUTION RE: OPPOSITION TO SENATE BILLS 1451 AND 1452  
**241-2012**
- D. RESOLUTION RE: CALLING FOR THE RESTORATION OF ENERGY TAXES TO MUNICIPALITIES  
**242-2012**

Freeholder Zeoli said he just wanted to point out that the Resolution in Opposition of Senate Bills 1451 and 1452 just wanted everyone to understand that the Board is not against Open Public Records, this is specifically regarding the these laws that we believe are going to drive up costs and do nothing to help the process.

**MOTION** made by Freeholder Space to adopt these Resolutions, seconded by Freeholder Vohden and passed unanimously.

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

There were no items for Awards of Contract/Change Orders/Bids.

**14. FINANCIAL**

There were no items for Financial.

**15. PERSONNEL**

- A. Personnel Agenda

**MOTION** made by Freeholder Vohden is approve the Personnel Agenda, seconded by Freeholder Space and passed unanimously.

**16. ADMINISTRATIVE REPORT**

- A. Other

Mr. Eskilson did not have a report at this time.

**17. COUNTY COUNSEL**

- A. Capital Projects

- B. Litigation
- C. Contract
- D. Other Matters

Mr. McConnell stated that he had nothing at this time.

**18. UNFINISHED BUSINESS**

There was no Unfinished Business.

**19. NEW BUSINESS**

There was no New Business.

**20. PUBLIC SESSION FROM THE FLOOR**

**(Please note: Everyone is asked to keep their comments to 5 minutes or less)**

**MOTION** made at 5:25 p.m. by Freeholder Zeoli to open the meeting to the Public, seconded by Space and passed unanimously.

**Comments on the Homestead**

Krista Gerry, Vernon, came forward; she stated that she was representing the Homestead and expressed her concerns with the selling of the Homestead.

Ray Witte, Hampton, came forward; he spoke of his concerns about the venue for the Public Hearing.

Bob Gerry, Vernon, came forward; he spoke of his support of the Homestead.

**MOTION** made at 5:30 p.m. by Freeholder Space to close the meeting to the Public, seconded by Freeholder Vohden and passed unanimously.

**21. EXECUTIVE SESSION**

There were no items for Executive Session.

**RESOLUTION RE: REQUESTING EXECUTIVE SESSION**

- 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	April 11, 2012	League of Municipalities (Keogh-Dwyer Correctional Facility)	6:30 pm
Monday	April 16, 2012	Homestead Public Hearing (Frankford Municipal Building)	5:00 pm
Monday	April 23, 2012	Regular Meeting	5:00 pm

**23. ADJOURNMENT**

**MOTION** made at 5:31 p.m. by Freeholder Zeoli to adjourn, seconded by Freeholder Space and passed unanimously.

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Elaine A. Morgan, Clerk  
Board of Chosen Freeholders

**DATED: April 11, 2012**