

REGULAR MEETING HELD ON WEDNESDAY, APRIL 10, 2013

5:00 PM

ORDER OF BUSINESS

Item

1. **CALL TO ORDER BY DIRECTOR** at 5:02 p.m.
2. **ROLL CALL** Freeholder Crabb; Freeholder Mudrick; Freeholder Phoebus; Freeholder Director Vohden; 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 January 8, 2013 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.

PUBLIC HEARING – 5:03 PM

FINAL ADOPTION – RESOLUTION

Freeholder Director Vohden: "At our regular meeting held on March 27, 2013, we introduced for first reading the following Resolution which was advertised in the New Jersey Herald issue of April 1, 2013, 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
229-2013 INCREASE IN 2013 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 Phoebus, seconded by Freeholder Crabb and passed unanimously.

Is anyone present to be heard regarding this Resolution?

Linda Galonski of Newton came forward and asked if the 3.5% was an emergency bank, and since it's not raising the budget, can the County give it back at the end of the year if it doesn't use it.

Mr. Eskilson explained the process concerning this Resolution.

Freeholder Crabb reiterated that there is no physical money that has been put aside.

Freeholder Vohden thanked Ms. Galonski.

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

MOTION that this Resolution be finally adopted made by Freeholder Phoebus, seconded by Freeholder Mudrick.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

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 made by Freeholder Phoebus, seconded by Freeholder Crabb and passed unanimously.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations/Certificates

1. Proclamation in recognition of James Francis Ryan attaining the rank of Eagle Scout.

230-2013

2. Proclamation designating the week of April 7-13, 2013 as "Barbershop Harmony Week".

231-2013

3. Proclamation designating the week of April 21-27, 2013 as "Sussex County Crime Victims' Rights Week".

232-2013

Freeholder Vohden added the following Proclamation:

4. Proclamation designating the week of April 14-20, 2013 as "National Library Week".

233-2013

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

The Board was entertained by the "High Point Harmonizers" who sang a couple of songs.

7. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:30 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

Comment from Mary Emilius

Mary Emilius of Glenwood came forward and explained she was there to let the Freeholders know that the United Way and Red Cross were approached by FEMA to initiate a long term recovery group here in the County; they have started having a few meetings and have established a steering committee which determined that they are, in fact, going to be starting what is called a COAD, which is a community organization for assistance in disasters and that is to support federal, state, and local Government initiatives with disasters through a coordinated effort on behalf of the community. This is a joint effort with Warren County because of our rural nature and it will allow Sussex and Warren Counties to be eligible for a lot of the grant funding that comes as a result of a disaster that the Counties are currently not eligible for.

MOTION made at 5:34 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

8. FREEHOLDERS' COMMENTS

Comments from Freeholder Mudrick

- **Thanks to Candidates**

Freeholder Mudrick thanked and wished good luck to George Graham, Gary Larsen and Helen Wilson-Le Frois for stepping up and wanting to fill the empty Freeholder seat vacated by Parker Space.

Comments from Freeholder Phoebus

- **Presentation to Sussex County Community College (SCCC)**

Freeholder Phoebus did a presentation at SCCC today about "Vision 2020" and it was very well received.

- **Department of Human Services**

Freeholder Phoebus has been attending all of the meetings for Human Services; she reminded everyone that there are currently a lot of openings on the committees, especially in Human Services.

Comments from Freeholder Crabb

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

Freeholder Crabb reported that SWAC is moving forward with its Solid Waste Plan Amendment and he finds it very favorable.

Comments from Freeholder Vohden

- **Thanks to the New Jersey Herald**

Freeholder Vohden thanked the New Jersey Herald for its coverage of the SWAC meeting and advised everyone to read the article to get all of the details; he said that the Board should be seeing a Resolution on that at the end of next month or so.

- **Appointments to Committees**

Freeholder Vohden said that Freeholder Phoebus did a good job explaining about the need for appointments to the various committees; he added that most of these meetings are during the day and it is difficult to get people to attend.

- **Sussex County Clerk**

Freeholder Vohden received the monthly report from the County Clerk and the numbers from revenues are trending upward every month which is good news.

9. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS
234-2013

- B. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF VARIOUS TARIFF REGULATED TRUNK LINES, HIGH SPEED LINES AND OTHER SERVICES FOR THE DIVISION OF TECHNOLOGY AND INFORMATION MANAGEMENT (Resolution authorizes this purchase from CenturyLink Sales Solutions, Inc. in the approximate amount of \$21,000.00)
235-2013

- C. RESOLUTION RE: AUTHORIZATION TO FILE A REQUEST WITH NJ TRANSIT AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR REPLACEMENT VEHICLES UNDER SECTION 5310 OF THE FEDERAL TRANSIT ADMINISTRATION (Resolution authorizes this request at no cost to the County)
236-2013

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.

Mr. Eskilson said there was a point of interest on Resolution 9.B. and that is that the County is saving roughly 50% of its costs from last year which works out to be \$18,000.00 annually on this item by switching vendors and switching contracts.

MOTION made by Freeholder Phoebus to approve the Financial Consent Agenda, seconded by Freeholder Crabb.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

10. APPROVAL OF MINUTES Regular Meeting March 27, 2013

Executive Session Minutes
Regular Meeting March 27, 2013

MOTION made by Freeholder Crabb to approve these Minutes, seconded by Freeholder Phoebus and passed unanimously.

11. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. RESOLUTION RE: AMENDING RESOLUTION ENTITLED
237-2013 "APPOINTMENT OF JOHN R. DRAKE AS A MEMBER OF THE BOARD OF COMMISSIONERS OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY TO A FIVE (5) YEAR TERM; SAID TERM TO BE EFFECTIVE IMMEDIATELY AND EXPIRE JANUARY 31, 2018" ADOPTED MARCH 27, 2013 TO REFLECT JANUARY 31, 2017 AS THE EXPIRATION OF THE TERM
2. RESOLUTION RE: APPOINTMENT OF CHRISTINE FLORIO (STAFF REPRESENTATIVE) AND DIANE FRIEDBERG (STAFF REPRESENTATIVE) AS MEMBERS OF THE SUSSEX COUNTY COMMUNITY TRANSIT CITIZENS ADVISORY COMMITTEE FOR TERMS OF THREE (3) YEARS EACH. TERMS TO EXPIRE DECEMBER 31, 2015
3. RESOLUTION RE: APPOINTMENT OF CHRISTOPHER R. FITZPATRICK AS A MEMBER-AT-LARGE (ENVIRONMENTAL) OF THE SUSSEX COUNTY SOLID WASTE ADVISORY COUNCIL FOR A TERM OF THREE (3) YEARS. SAID TERM TO BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2015
4. RESOLUTION RE: DESIGNATING THAT, IN THE ABSENCE OF THE CLERK OF THE BOARD, DIANE S. EAKMAN SHALL SERVE AS CLERK PRO TEMP FOR THE FREEHOLDER MEETING OF APRIL 24, 2013
240-2013

Upon reviewing Resolution 11.A.1., Freeholder Crabb stated that the Resolution says that the only thing that is being changed is the expiration date; he said that he thought that the Board had to match the rest of that statement up to a four year term because a five year term does not expire in 2017.

Mr. McConnell explained that they are all five year terms.

Freeholder Crabb said that he understood.

MOTION made by Freeholder Phoebus to adopt these Resolutions, seconded by Freeholder Mudrick and passed unanimously.

B. Resignations

1. E-mail received from Matthew M. Doherty resigning his position on the Mental Health Board effective March 27, 2013.
2. E-mail received from Dianne Sommers resigning her position on the Mental Health Board effective March 26, 2013.

12. RESOLUTIONS

- A. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 613 IN SPARTA TOWNSHIP (Resolution authorizes this closure for the Sussex County Girls on the Run 5K event)
241-2013

- B. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 517 IN
242-2013 SPARTA TOWNSHIP (Resolution authorizes this closure
for the Main Street 5K/10K event)

MOTION made by Freeholder Phoebus to adopt these Resolutions, seconded by Freeholder Mudrick and passed unanimously.

C.

--
INTRODUCTION FOR FIRST READING - ORDINANCE

**ORDINANCE RE: ORDINANCE PROVIDING FOR AMENDMENT OF THE LAND
243-2013 DEVELOPMENT STANDARDS FOR THE COUNTY OF SUSSEX**

MOTION to adopt this Ordinance on first reading made by Freeholder Crabb, seconded by Freeholder Phoebus.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	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 24, 2013 at 5:00 p.m. prior to final adoption of this Ordinance made by Freeholder Phoebus, seconded by Freeholder Mudrick and passed unanimously.

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

A. Awards of Contracts

1. RESOLUTION RE: AWARD OF CONTRACT FOR A COMMUNITY
244-2013 NOTIFICATION SYSTEM FOR THE COUNTY OF
SUSSEX (Resolution awards this Contract to the
lowest responsible bidder, Global Connect, LLC, in
the approximate amount of \$22,792.17)
2. RESOLUTION RE: AWARD OF CONTRACT FOR ANIMAL REMAINS –
245-2013 REMOVAL FROM ROADWAYS FOR THE COUNTY
OF SUSSEX DIVISION OF PUBLIC WORKS
(Resolution awards this Contract to the lowest
responsible bidder, Space Farms, Inc., in the
approximate amount of \$15,000.00)
3. RESOLUTION RE: AWARD OF CONTRACT FOR MISCELLANEOUS
246-2013 BUILDING TRADE SERVICES (CARPENTRY) TO
BE PERFORMED IN AND AROUND VARIOUS
SUSSEX COUNTY BUILDINGS FOR THE COUNTY
OF SUSSEX (Resolution awards this Contract to the
only responsible bidder for carpentry work, GL
Group, Inc., with a minimum expenditure of \$500.00
and a maximum expenditure of \$200,000.00)
4. RESOLUTION RE: AWARD OF CONTRACT FOR AERIAL

247-2013

LARVICIDING AND ADULTICIDING OF MOSQUITOES – 2013 (Resolution awards this Contract to the only bidder, Rebecca Lynn Flying Service in the approximate amount of \$30,000.00)

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

14. FINANCIAL

- A. **RESOLUTION RE: APPROVAL OF THE 2013 COUNTY FARMLAND PRESERVATION, RECREATION AND OPEN SPACE TRUST FUND LEVY (Resolution authorizes this approval of the 2013 levy of 0.00222261 cents of County equalized real property valuation)**
248-2013

MOTION made by Freeholder Phoebus to adopt this Resolution, seconded by Freeholder Crabb.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

15. PERSONNEL

- A. Personnel Agenda (No Personnel Agenda for this meeting)
- B. Resolutions
1. **RESOLUTION RE: REVISION OF CWA-1032 CLASSIFICATIONS AND SALARY SCHEDULES**
249-2013
 2. **RESOLUTION RE: CONSENTING TO THE AWARD OF CONTRACT TO PRESCRIPTION CORPORATION OF AMERICA BY THE SUSSEX COUNTY SELF INSURANCE FUND COMMISSION**
250-2013

Freeholder Crabb asked, in reference to Resolution 15.B.2., if the Prescription Corporation of America (PCA) award has been trending favorable.

Mr. Eskilson responded that it was trending favorable, but that it's complicated. Mr. Eskilson gave the Board a detailed explanation of the Contract for PCA.

MOTION made by Freeholder Crabb to adopt these Resolutions, seconded by Freeholder Phoebus and passed unanimously.

16. ADMINISTRATIVE REPORT

- A. Other

Mr. Eskilson reported that the jail study is ongoing, the bricks and mortar piece has been going for several weeks and today was the kick off of the population study portion and there

were meetings all day with Dr. Margaret Von Nordstrom, who is very well known in the field for this type of study; she met with members of the Prosecutors' Office, Public Defender, Judiciary, Probation, Sheriff, Corrections, Administration and others who have an impact on the cost and the running of the jail.

17. COUNTY COUNSEL

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

Mr. McConnell said he had one item for closed session dealing with a contract with SCMUA regarding an easement.

18. UNFINISHED BUSINESS

There was no Unfinished Business.

19. NEW BUSINESS

Freeholder Mudrick commended and thanked Walter Cramp, Administrator of the Department of Engineering and Planning, for the reports that his department is sending the Freeholders on road and bridge repair.

20. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:52 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

Comment from Ann Smulewicz

Ann Smulewicz of Wantage came forward and congratulated Freeholder Vohden for being appointed Director of the Freeholder Board and recognized Freeholder Crabb for being appointed Deputy Director.

Mr. Smulewicz said that she was very happy to read the article on the SCMUA in the paper and added her wishes that the Freeholder Board appoint more females to the SCMUA Board.

Comment from Linda Galonski

Linda Galonski of Newton came forward and asked the Board if they were concerned with the energy credits that were not being returned by the State to the County. Freeholder Vohden and Mr. Eskilson replied that the County was not affected. Ms. Galonski then asked if there were any roads in the County that should be getting credits for the electrical use.

Mr. Eskilson again answered no.

She then asked the Board if they approved of Service Electric being the County's only cable company since she was unable to access her cable during the hurricane because she was using a generator. Freeholder Crabb replied that he and his family were in exactly the same boat.

Ms. Galonski asked if Resolution 9.B. should read "truck" lines or "trunk" lines. Mr. Eskilson apologized and said it should read "trunk" lines.

Ms. Galonski asked to speak to the expert on Sussex County Technical School; she has many questions. Freeholder Vohden asked her to call Clerk of the Board, Elaine Morgan, with a list of questions and she would set something up.

MOTION made at 6:01 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

21. EXECUTIVE SESSION

MOTION made at 6:02 p.m. by Freeholder Crabb to go into Executive Session for an item of contract regarding the easement with the SCMUA and there may or may not be action resulting from this Executive Session, seconded by Freeholder Phoebus and passed unanimously.

**RESOLUTION RE: REQUESTING EXECUTIVE SESSION
251-2013**

- 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 6:37 p.m. by Freeholder Phoebus to come out of Executive Session and return to Open Session, seconded by Freeholder Mudrick and passed unanimously.

22. REMINDERS

Wednesday	April 10, 2013	League of Mun.	6:30 pm
		Dinner – Stillwater Fire Department	
Wednesday	April 24, 2013	Regular Meeting	5:00 pm

23. ADJOURNMENT

MOTION made at 6:38 p.m. by Freeholder Phoebus to adjourn, seconded by Freeholder Mudrick and passed unanimously.

Elaine A. Morgan, Clerk

DATED: APRIL 10, 2013