

REGULAR MEETING HELD ON WEDNESDAY, APRIL 14, 2010

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:00 p.m.

2. ROLL CALL: Freeholder Crabb; Freeholder Wirths; Freeholder Zellman; Freeholder Zeoli; Freeholder Director Parrott; 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 6, 2010 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 – 5:03 PM**

**FINAL ADOPTION – CAPITAL ORDINANCE  
262-2010**

**Freeholder Director Parrott:** "At our regular meeting held on March 24, 2010, we introduced for first reading the following Capital Ordinance which was advertised in the New Jersey Herald issue of March 30, 2010, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

**CAPITAL ORDINANCE APPROPRIATING \$1,000,000.00 TO BE RECEIVED FROM THE  
NEW JERSEY DEPARTMENT OF TRANSPORTATION TRUST FUND FOR THE  
REHABILITATION OF SUSSEX COUNTY BRIDGE K-03**

Is anyone present to be heard regarding this Capital Ordinance?

There was no one.

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

**MOTION** that this Capital Ordinance be finally adopted made by Freeholder Zellman, seconded by Freeholder Wirths.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Wirths	Yes
Freeholder Zellman	Yes

Freeholder Zeoli Yes  
Freeholder Director Parrott Yes

**MOTION** to authorize the Clerk to advertise this Capital Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center made by Freeholder Wirths, seconded by Freeholder Crabb and passed unanimously.

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B.

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**PUBLIC HEARING – 5:05 PM**

**FINAL ADOPTION – CAPITAL ORDINANCE  
263-2010**

**Freeholder Director Parrott:** "At our regular meeting held on March 24, 2010, we introduced for first reading the following Capital Ordinance which was advertised in the New Jersey Herald issue of March 30, 2010, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

**CAPITAL ORDINANCE APPROPRIATING \$2,656,000.00 TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE REHABILITATION OF VARIOUS SUSSEX COUNTY BRIDGES AND RESURFACING OF VARIOUS ROADS**

Is anyone present to be heard regarding this Capital Ordinance?

There was no one.

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

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

On Roll Call the vote was:

Freeholder Crabb Yes  
Freeholder Wirths Yes  
Freeholder Zellman Yes  
Freeholder Zeoli Yes  
Freeholder Director Parrott Yes

**MOTION** to authorize the Clerk to advertise this Capital 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 Zeoli and passed unanimously.

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C.

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**PUBLIC HEARING – 5:06 PM**

**FINAL ADOPTION – BOND ORDINANCE  
264-2010**

**Freeholder Director Parrott:** "At our regular meeting held on March 30, 2010, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of April 2, 2010, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF**

**\$4,377,420.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,168,971.00 BONDS OR NOTES OF THE COUNTY TO FINANCE PART OF THE COST THEREOF**

Is anyone present to be heard regarding this Bond Ordinance?

There was no one.

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

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Wirths	Yes
Freeholder Zellman	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

**MOTION** to authorize the Clerk to advertise this Bond Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center made by Freeholder Wirths, seconded by Freeholder Zellman and passed unanimously.

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**6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**

A. Proclamations and Certificates

1. Proclamation recognizing Brian Pfunke for attaining the rank of Eagle Scout.

**265-2010**

2. Proclamation recognizing Logan Patton for attaining the rank of Eagle Scout.

**266-2010**

3. Proclamation recognizing Mateusz M. Plewa for attaining the rank of Eagle Scout.

**267-2010**

4. Proclamation recognizing Matthew Ryan Foy for attaining the rank of Eagle Scout.

**268-2010**

5. Proclamation designating the month of April as "National County Government Month".

**269-2010**

6. Proclamation designating the week of April 16-22, 2010 as Money\$mart Week".

**270-2010**

7. Proclamation designating the week of April 18-24, 2010 as "Sussex County Crime Victim's Rights Week".

**271-2010**

8. Proclamation designating the week of April 18-24, 2010 as "New Jersey Community Transportation Services Week".

**272-2010**

9. Proclamation designating the week of April 18-24, 2010 as “National Volunteer Week”.

**273-2010**

10. Proclamation designating April 16, 2010 as “Healthcare Decisions Day”.

**274-2010**

Freeholder Parrott said that there was an additional Proclamation.

11. Proclamation recognizing the “Public Employees Charitable Campaign”.

**275-2010**

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

**7. PUBLIC SESSION FROM THE FLOOR**

**(Please note: Everyone is asked to keep their comments to 10 minutes or less)**

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

**Comment on Home Detention Center**

Harry Dunleavy, Augusta, came forward; Mr. Dunleavy said that he worked at the Juvenile Detention Center for four years as a math teacher, first as a volunteer then part-time; he said that he felt that it would be very difficult to collect money from some of the parents as some of the parents are not responsible; Mr. Dunleavy suggested that perhaps some of the juveniles could do community work if the parents could not pay; Mr. McConnell said that this was included in the Resolution.

**Comments on Sussex County Community College**

James Rollins, a resident of Newton, came forward; he said that he was here on behalf of the faculty of the Sussex County Community College (SCCC); Mr. Rollins said that he was asking the Board to acknowledge and respond to several grave issues that imperil SCCC and indicate alarmingly low faculty morale.

Mr. Rollins outlined the issues:

1. The perception on campus is that in its dealing with College Administration, the Board of Trustees and its Chairman, Kirk Perry, are frustrating the “shared collegial governance” model mandated by the Middle States Accrediting Body.
2. A perception of funds authorized by the Board to audit College expenditures and engage a law firm that is extravagant in light of the College’s health.
3. A perception that the Board Chair is embroiled in a personal conflict with the College President.
4. A perception that the Board Chair has micro-managed the College’s negotiating stance on faculty pay increases, in effect pressuring the Administration to oppose the 2009 Board of School of Estimate’s proposed 4%, 4%, and 3% salary enhancements for faculty.
5. A perception that the general posture of the Board Chairman is antithetical to College faculty and its Federation.

Mr. Rollins said that based on his dialogue with faculty members and with the members of his department, he could firmly state that they were united in voting no confidence for a second time in the Chairman of the Board of Trustees; he asked the Freeholder Board to indicate as to how it was proceeding with its promised investigation into the governance of the College.

Hank Pomerantz, a resident of Newton and a member of the Adjunct Faculty, SCCC, came forward; Mr. Pomerantz said that he has been in the education field for 45 years in various capacities; he said that one thing he learned was that the Board (Trustees) advises, the Board (Trustees) makes policy, the Board (Trustees) does not run the operation; Mr. Pomerantz said that he felt the College had the finest staff, both professional and non-professional, that could be found; he said that no one will stand up and say that what is happening at the College is wrong; Mr. Pomerantz said that the Administrator needs to be able to run the College, as do all of the other components of the College; he asked the Freeholder Board to do what it could do both personally and as its role as a Freeholder Board to change what is happening at the College; Mr. Pomerantz said that the Board of Trustees was not doing its job and he asked the Freeholder Board to see that the Board of Trustees did its job.

### **Comment on bid for lifts**

Rich Schreib, came forward; he said he was the northeast heavy duty sales manager for Rotary Lifts; he said that he was present to point out some safety and budget issues regarding a bid that the County currently had out for two, 30,000 pound lifts.

Freeholder Wirths stated that he did not feel this discussion was appropriate for this venue.

Mr. Eskilson said that he would meet with Mr. Schreib and that he would have the County's Fleet Manager provide a written report addressing any concerns.

### **Additional comments on Sussex County Community College**

Priscilla Orr, a resident of Hamburg, came forward; she said that she was an employee of the College; Ms. Orr said that under the leadership of Robert Vanden Berg there was an attitude of solving problems together and working cooperatively, even under stressful times; the management philosophy was to work together; she added that with all due respect to Chairman Perry, she was not seeing evidence of that approach in the harm and distress the Freeholder Board has already heard about.

Naomi Miller, a resident of Middletown, New York, and a Professor at the College, came forward; she provided the Board with a copy of the standard on leadership and government for the Middle States Commission on Higher Education (copy on file in the Clerk of the Board's Office); Ms. Miller said that this was the standard which contained the criteria that was not being met at the moment.

### **Flatbrook Road**

Tom Hoffman, Sandyston, came forward; he said he was present to discuss Flatbrook Road in Sandyston; he said that for several years there has been a steady and discouraging deterioration of this road; he asked the Freeholder Board to address the condition of this road.

Freeholder Wirths clarified for the public that this was not a County road, but was under the jurisdiction of the NJ State Parks and Forestry.

This issue was also discussed at Senator Oroho's recent Red Tape Meeting; Freeholder Parrott said that he would call Senator Oroho to inquire as to the status of this issue.

### **Nesting eagles near Culver Lake**

Mr. Hoffman also noted that the State Fish and Wildlife Service have identified nesting eagles near Culver Lake.

### **Comments from Freeholder Parrott**

Freeholder Parrott said that at the last meeting he indicated that he would look into some of the issues concerning the Board of Trustees and the College; he highlighted what had been completed over the past two weeks; he said that the County had requested through OPRA and received, the minutes of the meetings at the College for October 27, 2009, November 24, 2009, January 26, 2010, and February 23, 2010; Freeholder Parrott said that he has read the

minutes several times; the investigation is ongoing; he said there were some loose ends whose questions could not be answered as a lot of the information was in Executive Session and those minutes have not been released yet; he added that at the request of the faculty and the taxpayers, the Freeholder Board was observing what was going on at the College and it recognized that there was an issue that had to be addressed.

Mr. Eskilson said that since the last meeting, the County has requested literally hundreds of pages of documents; he said that all of the material has not yet been reviewed; these documents include things such as contracts, bills from professionals, work packets from meetings, financial statements, etc.; he added that it was decided to go through OPRA so that the process was transparent and there was a record of official correspondence that anyone could track; Mr. Eskilson said that best efforts were being put forth during a time when the County was trying to address some very pressing County budget matters.

Freeholder Parrott said that he looked forward to this matter coming to a zenith so the College could get back to where it should be.

Mr. McConnell stated that he has been in contact with the SCCC Counsel and has been advised that anything that is not under the attorney/client privilege will be released to the County.

Maureen Murphy-Smolka, came forward; she thanked the Freeholder Board for its due diligence.

**MOTION** made at 6:02 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Wirths and passed unanimously.

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Freeholder Zellman left the meeting at 6:02 p.m. to participate in another commitment.  
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**8. APPROVAL OF CONSENT AGENDA**

- A. RESOLUTION RE: PAYMENT OF BILLS  
**276-2010**
- B. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF MAINTENANCE, SUPPORT AND ENHANCEMENTS TO PROPRIETARY GIS APPLICATIONS FOR THE COUNTY OF SUSSEX OFFICE OF GIS (Resolution authorizes this purchase from Civil Solutions in the amount of \$80,000.00)  
**277-2010**
- C. 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 Culligan, Castle Fire Protection, F.W. Bennett & Sons, Black Box Corp. and Direct Supply Healthcare)  
**278-2010**
- D. 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 Sparta Medical Associates, Newton Memorial Hospital, Transnet Corp. and U.S. Foodservice)  
**279-2010**
- E. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF VEHICLES FOR THE SUSSEX COUNTY SHERIFF'S  
**Pulled from**

**Agenda**

OFFICE (Resolution authorizes the purchase of two (2) Chevrolet Tahoe SSV's from Day Chevrolet in the total amount of \$52,156.00)

- F. **RESOLUTION RE: RESCINDING THE CONTRACT WITH DOMESTIC ABUSE & SEXUAL ASSAULT SERVICES, INC. ALLOCATING \$60,000.00 IN GRANT-IN-AID FUNDING FOR THE PROVISION OF THE DASI SHELTER RESIDENTIAL SERVICES PROGRAM FOR THE CITIZENS OF SUSSEX COUNTY FOR THE PERIOD OF JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 (Resolution authorizes this rescission due to the incorrect unit cost of \$115.69)**  
**280-2010**
- G. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE A CONTRACT WITH DOMESTIC ABUSE & SEXUAL ASSAULT SERVICES, INC. ALLOCATING \$60,000.00 IN GRANT-IN-AID FUNDING FOR THE PROVISION OF THE DASI SHELTER RESIDENTIAL SERVICES PROGRAM FOR THE CITIZENS OF SUSSEX COUNTY (Resolution authorizes this Contract to provide 515 shelter bed days at a cost of \$116.50 per day)**  
**281-2010**
- H. **RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AMENDED AGREEMENT WITH THE COUNTY OF PASSAIC FOR THE PREPARATION OF MEALS FOR THE SUSSEX COUNTY MEALS ON WHEELS PROGRAM IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40:8A-1 ET SEQ. (Resolution amends the original Agreement in the amount of \$172,240.00 to allow for meals to be furnished for the Peer Grouping-funded Meals on Wheels program, for the total revised award of \$182,154.00)**  
**282-2010**
- I. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE A CONTRACT WITH CATHOLIC FAMILY & COMMUNITY SERVICES, INC. ALLOCATING \$14,242.00 IN PEER GROUPING FUNDING FOR THE PROVISION OF THE MEALS ON WHEELS PROGRAM FOR THE CITIZENS OF SUSSEX COUNTY (Resolution authorizes this allocation for calendar year 2010)**  
**283-2010**
- J. **RESOLUTION RE: ADOPTION OF THE 2010 SERVICE ALLOCATION AND SPENDING PLAN FOR PEER GROUPING FUNDING (Resolution authorizes this Plan in the amount of \$164,422.00)**  
**284-2010**
- K. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE THE 2010 LETTER OF AGREEMENT FROM THE NJ GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE TO PROVIDE \$202,452.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY & YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010**  
**285-2010**

- L. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR  
**286-2010** TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE TOWNSHIP OF VERNON FOR THE PROVISION OF REGIONAL PARATRANSIT SERVICES FOR 2010 THROUGH 2012 (Resolution authorizes this Agreement in the amount of \$50,000.00 for the provision of transportation services to residents of Vernon Township)
- M. RESOLUTION RE: AUTHORIZING SUBMISSION OF A GRANT  
**287-2010** 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, 2010 THROUGH DECEMBER 31, 2010 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 this Application in the amount of \$50,000.00 minimum up to \$350,000.00 maximum)
- N. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF  
**288-2010** THE GRANT FUND BALANCES FOR THE DIVISION OF FAMILY DEVELOPMENT, CONTRACT #TS10019, SPECIAL INITIATIVE AND TRANSPORTATION, WORK FIRST NEW JERSEY, FOR THE PERIOD OF JULY 1, 2009 TO JUNE 30, 2010, FOR A TOTAL AMOUNT OF \$23,329.00

**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 Crabb to approve Resolutions 8. A. – 8. D., and 8. F. – 8. N., on the Financial Consent Agenda, seconded by Freeholder Wirths.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Wirths	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

9. **APPROVAL OF MINUTES** Regular Meeting March 24, 2010  
Special Meeting March 30, 2010

**MOTION** made by Freeholder Zeoli to approve these minutes, seconded by Freeholder Crabb and passed with Freeholder Wirths abstaining on the Special Meeting March 30, 2010.

10. **APPOINTMENTS AND/OR RESIGNATIONS**

A. Appointments

1. RESOLUTION RE: APPOINTMENT OF JOSEPH MAIKISCH AS THE  
**289-2010** SECOND ALTERNATE MEMBER OF THE SUSSEX COUNTY PLANNING BOARD TO FILL THE UNEXPIRED TERM OF ALLEN P. LANGJAHR. SAID TERM TO EXPIRE DECEMBER 31, 2012

**MOTION** made by Freeholder Wirths to adopt this Resolution, seconded by Freeholder Crabb and passed with Freeholder Zeoli abstaining.

B. Resignations

1. E-mail received from Linda Pinto resigning her position on the Human Services Advisory Council effective immediately.

**MOTION** made by Freeholder Wirths to accept this resignation, seconded by Freeholder Crabb and passed unanimously.

**11. RESOLUTIONS**

- A. RESOLUTION RE: AUTHORIZATION TO IMPLEMENT A FEE SCHEDULE FOR JUVENILES PLACED IN THE SUSSEX COUNTY JUVENILE HOME DETENTION AND SECURE DETENTION PROGRAMS (Resolution authorizes the implementation of a fee schedule from \$5.00 to \$20.00 per day of detention)
- 290-2010**

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

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

A. Awards of Contract

1. RESOLUTION RE: AWARD OF CONTRACT FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE Q-11 OVER SPARTA GLEN BROOK (CR 620) TOWNSHIP OF SPARTA, SUSSEX COUNTY, NEW JERSEY (2009 ARRA GRANT IN THE AMOUNT OF \$901,237.50) (Resolution awards this Contract to the lowest responsible and responsive bidder, Empco Contracting, Inc., in the amount of \$901,237.50)
2. RESOLUTION RE: AWARD OF CONTRACT FOR WHEATSWORTH BUILDING SEWAGE DISPOSAL SYSTEM ALTERATION PLAN FOR THE COUNTY OF SUSSEX, DIVISION OF FACILITIES MANAGEMENT (Resolution awards this Contract to the lowest responsible bidder, Earth-Tec Associates, Inc., in the amount of \$25,790.00)
3. RESOLUTION RE: AWARD OF CONTRACTS FOR MEDICAL SUPPLIES FOR THE SUSSEX COUNTY HOMESTEAD NURSING HOME (Resolution awards this Contracts to the low bidder, best meeting the specifications, for the various items in the amount of approximately \$167,173.37)
4. RESOLUTION RE: RESCINDING THE AWARD OF CONTRACT RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR THE PROVISION OF LEGAL ASSISTANCE WITH LEGAL SERVICES OF NORTHWEST JERSEY, INC., SUSSEX COUNTY DIVISION FOR THE PERIOD OF JANUARY 1, 2010 – DECEMBER 31, 2010 AS ADOPTED JANUARY 27, 2010 (Resolution rescinds the previous Resolution due to incorrect units of service and incorrect reporting period)



**15. ADMINISTRATIVE REPORT**

- A. Other

**Resolution 12. A. 6.**

Mr. Eskilson referred to Resolution 12. A. 6., noting that this emergency Resolution would allow the County to replace two, 30 ton units that have been in the building for 20 years and are at the end of their useful life; he pointed out that these were also a part of the energy audit for the Administrative Center; the installation of these units, coupled with the design of the economizer control as part of the same project, should show a payback in about five to six years.

**16. COUNTY COUNSEL**

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

Mr. McConnell stated that he had one item for Executive Session under Litigation in the matter known as the County of Sussex v. Cellular Telephone Service, dba AT&T Wireless.

**17. UNFINISHED BUSINESS**

There was no Unfinished Business.

**18. NEW BUSINESS**

There was no New Business.

**19. PUBLIC SESSION FROM THE FLOOR**

**(Please note: Everyone is asked to keep their comments to 10 minutes or less)**

**MOTION** made at 6:15 p.m. by Freeholder Zeoli to open the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

**Comments from Linda Ward**

Linda Ward came forward; she said that she attends the Freeholder Meetings every two weeks; Ms. Ward said that she often informs other people as to how the County Government works and what happens at the meetings.

**MOTION** made at 6:17 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Zeoli and passed unanimously.

**20. FREEHOLDERS' COMMENTS**

**Human Spirit Awards Ceremony**

Freeholder Crabb said that he attended the Human Spirit Awards Ceremony and presented Certificates to some of the recipients.

## **CR 620/Main Street, Sparta Township**

Freeholder Crabb asked Mr. Eskilson if there was any synopsis or timeline of activities to a resolution regarding the mud slide.

Mr. Eskilson replied that as everyone was aware, the road remains closed; he added that the reason the road remains closed is because the conditions that caused the mud slide on private property, outside of the County's right-of-way, are such that the County cannot confirm and certify that it may not happen again; the County has no jurisdiction in that area which is part of the dilemma; the County is working with agencies that do have jurisdiction in that area; there has been activity on the part of one of those agencies to try and move this along and have the slope stabilized and some of the water issues addressed; at that time, through the County Department of Engineering and Planning and the geo-technical expert who has been involved, it could then be certified that it is safe to re-open the road.

There was a brief discussion.

### **County budget**

Freeholder Wirths thanked everyone for their efforts on the County budget.

### **County budget**

Freeholder Zeoli thanked Freeholder Parrott for his work on the County budget.

### **Mosquito Control**

Freeholder Zeoli said that as Liaison to the Department of Environmental and Public Health Services, he wanted to provide education to the community on mosquito control; he said he was placing this as one of his priorities as it was expected that this year was going to be an unusually bad mosquito season because of the heavy rain.

### **“Champions for Charity”**

Freeholder Parrott said that yesterday (April 13, 2010), Newton High School hosted the “Champions for Charity” food drive; the students collected 7,170 pounds of food; Freeholder Parrott said that his goal was to collect 100,000 pounds of food through the “Champions for Charity” food drives.

### **NJAC Meeting**

Freeholder Parrott said that he would be attending the next NJAC Meeting on April 23, 2010; one of the items on the agenda is the sewer service areas; he said there have been many changes made in NJAC, with issues such as pension and finances.

### **Issues with Sussex County Community College**

Freeholder Parrott said that the issues at the College were being reviewed; he said that it was hoped that the Board of Trustees would finish with what it had to do so things could move ahead.

### **County budget**

Freeholder Parrott thanked Freeholder Zeoli for his work on the County budget; he said the Budget Committee looked at the budget as taxpayers and recognized that it had to look at every line item for the benefit of the taxpayer.

## **21. EXECUTIVE SESSION**

**MOTION** made at 6:34 p.m. by Freeholder Zeoli to go into Executive Session for an item of litigation in the matter known as the County of Sussex v. Cellular Telephone Service, dba

AT&T Wireless, as previously set forth on the record, seconded by Freeholder Wirths and passed unanimously.

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.**

**MOTION** made at 6:40 p.m. by Freeholder Zeoli to come out of Executive Session, seconded by Freeholder Crabb and passed unanimously.

**MOTION** made by Freeholder Zeoli to authorize County Counsel to execute the agreement in the matter known as the County of Sussex v. Cellular Telephone Service, dba AT&T Wireless, seconded by Freeholder Crabb and passed unanimously.

**22. REMINDERS**

Wednesday	April 28, 2010	Regular Meeting	5:00 pm
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**23. ADJOURNMENT**

**MOTION** made at 6:43 p.m. by Freeholder Crabb to adjourn the meeting, seconded by Freeholder Wirths and passed unanimously.

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Elaine A. Morgan, Clerk

**DATED: April 14, 2010**