

REGULAR MEETING HELD ON MONDAY, APRIL 23, 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 February 29, 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.

PUBLIC HEARING – 5:04 PM

FINAL ADOPTION – ORDINANCE

Freeholder Director Crabb: "At our regular meeting held on April 11, 2012, we introduced for first reading the following Ordinance which was advertised in the New Jersey Herald issue of April 14, 2012, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

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 "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 made by Freeholder Zeoli to open the Public Hearing, seconded by Freeholder Space and passed unanimously.

Is anyone present to be heard regarding this Ordinance?

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 Ordinance be finally adopted made by Freeholder Vohden, seconded by Freeholder Space.

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 Zeoli, seconded by Freeholder Space and passed unanimously.

B.

PUBLIC HEARING – 5:06 P.M.

PUBLIC HEARING – 2012 SUSSEX COUNTY BUDGET AS APPROVED

MOTION to open Public Hearing for the 2012 Sussex County Budget As Approved. made by Freeholder Zeoli, seconded by Freeholder Vohden and passed unanimously.

PUBLIC HEARING IS NOW OPEN

Is anyone present to be heard regarding the 2012 County Budget As Approved?

Bill Gettler, Wantage Township, came forward; Mr. Gettler expressed his concerns for the financial hardships in Wantage Township and with the County Budget and how it would affect the assessing of households in Sussex County primarily Wantage Township.

Freeholder Zeoli asked Bernie Re, County Treasurer to come forward; Mr. Re said that the Budget was based on the average home being \$300,775.00 and with all portions of taxes averaged in, taxes should go down \$17.59 per household.

A short discussion followed.

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

If the New Jersey Division of Local Government Services requires a major amendment, then this Introduction is necessary.

Not necessary.

INTRODUCTION FOR FIRST READING – RESOLUTION

RESOLUTION RE: AMENDING 2012 COUNTY BUDGET AS APPROVED

MOTION to adopt this Resolution on First Reading.

MOTION to authorize the Clerk to advertise this Resolution 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 May 9, 2012 at 5:00 p.m. prior to final adoption of this Resolution.

If the New Jersey Division of Local Government Services requires a minor amendment, then this Resolution and the Budget can be adopted.

Not necessary.

RESOLUTION RE: AMENDING 2012 COUNTY BUDGET AS APPROVED

(The following Resolution can be acted upon only if budget approval is received from NJ Division of Local Government Services)

RESOLUTION RE: FINAL ADOPTION OF THE 2012 SUSSEX COUNTY BUDGET AS 244-2012 APPROVED

Freeholder Director Crabb: "BE IT RESOLVED by the Board of Chosen Freeholders of the County of Sussex that the Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$79,135,226.00 dollars for the County purposes to be raised by taxation and certification to the County Board of Taxation of the following summary of general revenues and appropriations."

MOTION to finally adopt the 2012 County Budget as Approved made by Freeholder Space, seconded by Freeholder Vohden.

Freeholder Crabb congratulated and thanked Bernie Re and all the senior staff for their hard work for bringing the Budget in under Cap and maintaining essential services.

Bernie Re thanked Pat Bailey and Rob Maikis for their hard work. He said that this would be Pat Bailey's last Budget since he would be retiring on May 31st after over 25 years.

Freeholder Zeoli also thanked Freeholder Space and Freeholder Vohden for their time on the Budget Committee.

On roll call the vote was:

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

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations and Certificates

1. Proclamation designating May 6-12, 2012 as "National Children's Mental Health Awareness Week"
245-2012
2. Proclamation designating the week of May 14, 2012 as "Relay for Life Days".
246-2012

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

B. Presentations

1. Acknowledging the retirement of Barbara Von Thun, Senior Data Processing Programmer for the Division of Information Technology, who will retire after 15 ¾ years with the County.

7. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:20 p.m. by Freeholder Crabb to open the Meeting to the public, seconded by Freeholder Space and passed unanimously.

- **Compliance Plans in Wantage Township**

Comment from Bill Gettler, Wantage

Mr. Gettler said that there are major problems in Wantage Township concerning the State Statute which authorizes Compliance Plans; he said the Compliance Plans must follow the strict guidelines of the State Statute and the NJ Administrative Code; he explained how these guidelines were violated by Wantage Township.

- **Potential Sale of the Homestead**

Comment from Jennifer Downing, Stockholm

Ms. Downing said her mother recently went into a privately owned nursing home and she become concerned about her mother's safety; Ms. Downing had her mother transferred to the Homestead and she spoke of the great care she received there; Ms. Downing questioned why there was not going to be a referendum.

There was a lengthy discussion.

Comment from Giselle Garin, Sandyston

Ms. Garin said that she felt most taxpayers in the County would be willing to pay more taxes to keep the Homestead from being sold; she also expressed her concerns about the Board's unwillingness to go ahead with a referendum.

There was a lengthy discussion.

Comment from Kathy Brennan, Hampton

Ms. Brennan expressed her concerns regarding the potential sale of the Homestead.

MOTION made at 5:55 p.m. by Freeholder Space to close the Meeting to the public, seconded by Freeholder Vohden and passed unanimously.

8. FREEHOLDERS' COMMENTS

Comments from Freeholder Vohden

- **Sussex County Clerk**

Freeholder Vohden met with Sussex County Clerk, Jeff Parrott, who presented Freeholder Vohden with a memo stating that the revenue for the Clerk's office has gone up \$8,996.00; working with foreclosures will hopefully keep the revenue on the rise; Freeholder Vohden explained that there are currently 2,735 foreclosures in Sussex County.

- **Sussex County Board of Taxation**

Freeholder Vohden attended the Board of Taxation Meeting; he said that there are currently 1,900 tax appeals filed this year in Sussex County; that is 400-500 over last year.

- **Legislative Update**

Freeholder Vohden attended a Legislative Update at the Hardyston Municipal Building hosted by Senator Oroho, Assemblyman Chiusano and Assemblywoman McHose;

municipal, county and state issues were discussed including the Extension Act which would assist the County's real estate and construction industries.

- **Stuff the Bus**

Freeholder Vohden said that "Stuff the Bus" was held Thursday morning at Kittatinny High School; it was successful once again.

- **Volunteer Appreciation Luncheon**

Freeholder Vohden said on Friday, April 20, Human Services held their Annual Volunteer Appreciation Luncheon honoring all the volunteers on County committee programs and services; Freeholder Vohden recognized all the volunteers for their dedication.

Comments from Freeholder Zeoli

- **Veterans' Cemetery**

Freeholder Zeoli said that he, Freeholder Director Crabb, and the County Administrator, John Eskilson met with representatives of the Veterans Cemetery Committee; he said the County is moving forward with transferring land to that Committee; he stated that there is a fund raiser to assist the Committee in raising funds on May 8, 2012 at Perona Farms and a Pancake Brunch at Applebee's on Saturday morning, April 28.

- **Referendum on the Sale of the Homestead**

Freeholder Zeoli explained why he personally felt that a referendum was a bad idea.

Comments from Freeholder Space

Freeholder Space had no comments at this time.

Comments from Freeholder Crabb

Freeholder Crabb had no comments at this time.

9. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS
247-2012
- B. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF CAR VIDEO RECORDING SYSTEMS FOR THE SUSSEX COUNTY PROSECUTOR'S OFFICE (Resolution authorizes this purchase from Link Communications, LTD in the approximate total amount of \$52,260.00 and additional purchase orders up to \$100,000.00 for similar equipment under this State Contract)
248-2012
- C. RESOLUTION RE: AUTHORIZING THE SUBMISSION OF A SUBDIVISION APPLICATION TO THE LAND USE BOARD OF THE TOWNSHIP OF FRANKFORD FOR PREMISES COMMONLY KNOWN AS 129 MORRIS TURNPIKE, FRANKFORD TOWNSHIP, SUSSEX COUNTY AND DESIGNATED AS LOT 4 IN BLOCK 21 ON THE FRANKFORD TOWNSHIP TAX MAPS
249-2012
- D. RESOLUTION RE: AMENDING RESOLUTION "AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE A CONTRACT WITH NEWTON MEDICAL CENTER ALLOCATING \$8,000.00 FOR THE PROVISION OF ALCOHOL AND DRUG ABUSE SERVICES FOR THE CITIZENS OF SUSSEX COUNTY" (Resolution amends the previous Resolution by changing
250-2012

the insurance section to include the County as a certificate holder and to change Newton Memorial Hospital to Newton Medical Center in one other section)

- E. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY OF SUSSEX TO TRANSFER FUNDS IN THE SPECIAL CHILD HEALTH SERVICES GRANT DFHS12CSE005 FOR THE CONTRACT PERIOD OF JULY 1, 2011 THROUGH JUNE 30, 2012 FROM SALARIES TO OFFICE EXPENSES FOR A TOTAL OF \$2,318.00 (Resolution authorizes unspent grant money to be transferred so it will be able to be used to purchase computer programs, office equipment and professional journals in the amount of \$2,318.00)
- F. 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 AutoZone, Inc.; Black Box Corporation; Bob Barker Company, Inc.; J.A. Sexauer, Jersey Precast; Mobilex USA; Oce North America, Inc.; Pulitzer/Bogard & Associates, Inc.; Select Rehabilitation, Inc. (EnduraCare); State Shuttle and Universal Supply Group)
- G. 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 AmCad; Archer & Greiner, P.C.; Cooperative Communications; Ebsco Information Services; Election Systems & Software, Inc.; H&G Contractors, Inc.; Printing Center, Inc.; Salmon Bros., Inc.; Service Electric Cable TV, Inc.; and US Foods, Inc.)

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 these Resolutions, seconded by Freeholder Zeoli.

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 April 11, 2012

MOTION made by Freeholder Vohden to approve these Minutes, seconded by Freeholder Space and passed unanimously.

11. APPOINTMENTS AND/OR RESIGNATIONS

There were none.

12. RESOLUTIONS

- A. RESOLUTION RE: ADOPTION OF REVISED BY-LAWS OF THE SUSSEX

254-2012 COUNTY LOCAL ADVISORY COMMITTEE ON
ALCOHOLISM AND DRUG ABUSE (LACADA)

- B. RESOLUTION RE: VACATION OF EXISTING SIGHT TRIANGLE EASEMENT
255-2012 FOR QUICK CHEK STORE, ROUTE 517, SPARTA

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

13. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contracts

1. RESOLUTION RE: AWARD OF CONTRACTS FOR BITUMINOUS
256-2012 CONCRETE, AGGREGATES AND BROKEN
STONE FOR THE COUNTY OF SUSSEX DIVISION
OF PUBLIC WORKS 2012-2013 (Resolution awards
these Contracts to the low bidder for each item
based on location and per ton mile hauled)
2. RESOLUTION RE: AUTHORIZING A PROFESSIONAL SERVICES
257-2012 AGREEMENT WITH INHEALTH ASSOCIATES
FOR THE PROVISION OF PHYSICIAN SERVICES/
ADVANCE PRACTICE PSYCHIATRIC NURSING
SERVICES FOR THE INMATES WITHIN THE
KEOGH DWYER CORRECTIONAL FACILITY
PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)
(Resolution authorizes this Agreement in the amount
not to exceed \$62,400.00)
3. RESOLUTION RE: AWARD OF CONTRACT FOR THE PURCHASE
258-2012 OF ONE (1) CURRENT YEAR, MCCORMICK TMAX
100 (OR EQUAL) TWO (2) WHEEL DRIVE
TRACTOR WITH ALAMO SAMURAI FLAIL
MOWER (NO EXCEPTION) WITH TRADE-IN FOR
THE COUNTY OF SUSSEX (Resolution awards this
Contract to the only responsible bidder after
deducting the trade-in values, Storr Tractor
Company in the amount of \$89,910.00)
4. RESOLUTION RE: AWARD OF CONTRACT FOR DRAINAGE PIPE &
259-2012 TUBING; HIGH DENSITY POLYETHYLENE (HDPE)
FOR THE COUNTY OF SUSSEX (Resolution
awards this Contract to the only bidder, Chemung
Supply Corporation)
5. RESOLUTION RE: AUTHORIZING THE FIRST AMENDMENT TO A
260-2012 PROFESSIONAL SERVICES AGREEMENT WITH
KELLER & KIRKPATRICK, INC. TO PROVIDE
ENGINEERING SERVICES FOR THE
REPLACEMENT OF SUSSEX COUNTY BRIDGE
C-16 CARRYING ROUTE 607 OVER LUBBERS
RUN IN THE TOWNSHIP OF BYRAM PURSUANT
TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes
this Amendment for additional line item work in the
total cost of \$11,708.92 (7.9%))

MOTION made by Freeholder Zeoli to adopt these Resolutions, seconded by Freeholder Space.

On roll call the vote was:

Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zeoli	Yes

Bernie Re, County Treasurer, confirmed that of this Ordinance of \$1,500,000.00, \$750,000.00 was County bonding and \$750,000.00 was State bonding.

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 Bond Ordinance as introduced for first reading, and also post same on the bulletin board in the lobby of the County Administrative Center, together with a Notice of Public Hearing stating that a hearing will be held on May 9, 2012 at 5:00 pm prior to final adoption of this Bond Ordinance made by Freeholder Zeoli, seconded by Freeholder Space and passed unanimously.

Mr. Bill Gettler, Wantage, asked earlier, why Resolution 14.A. was not acted on.

Mr. Eskilson explained that the Emergency Temporary Budget was in order to address the gap if the Budget was not adopted; however, the Budget was adopted so the need to do an Emergency Temporary Budget disappeared.

15. PERSONNEL

A. Personnel Agenda

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

16. ADMINISTRATIVE REPORT

A. Other

• **Sussex County Wastewater Management Plan**

Mr. Eskilson reported that the Sussex County Wastewater Management Plan appears to be almost complete; he said that the County will be able to recommend moving the Plan to final adoption and submission to DEP very soon; he said this was possible because of a certain amount of flexibility at the new DEP and a new tool that has been developed by GIS which allows us to look at the maps side by side; an email went out to the towns with the County web access to the GIS maps so the towns can see what has been done.

• **Sussex County Health Department**

Mr. Eskilson said that our County Health Department continues to be the flagship in the State of New Jersey concerning shared services; he said that seven of the original 17 members paid less in 2012 in County Health Tax than they did in 2000, not inflation adjusted, less; he stated that one pays the same amount, eight pay less than 1% more than they did in 2000, and one pays 1.2% more in 2012 than they did in 2000; he stated that this is a real shared service; he confirmed that now all 24 towns are in shared service with our County Health Department.

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 were no items for Unfinished Business.

19. NEW BUSINESS

There were no items for 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 6:15 p.m. by Freeholder Zeoli to open the meeting to the Public, seconded by Freeholder Space and passed unanimously.

Comment from Bill Gettler, Wantage – Saint Clare’s Hospital

Mr. Gettler said that the County has a major disaster on its hands concerning Saint Clare’s Hospital; he said that the County cannot afford to lose that facility.

Comment from Giselle Garin, Sandyston

Ms. Garin apologized to Freeholder Zeoli for yelling at him. Freeholder Zeoli advised Ms. Garin that he did not feel that she was yelling at him.

MOTION made at 6:18 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	May 2, 2012	Six County Coalition	5:30 pm
		Host – Warren County –	
		Bella Giorno, Belvidere	
Wednesday	May 9, 2012	Regular Meeting	5:00 pm

23. ADJOURNMENT

MOTION made at 6:19 p.m. by Freeholder Space to adjourn, seconded by Freeholder Crabb and passed unanimously.

DATED: APRIL 23, 2012