

REGULAR MEETING HELD ON WEDNESDAY, AUGUST 11, 2010

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:03 p.m.

2. ROLL CALL: Freeholder Crabb; Freeholder Space; 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

There were no Public Hearings.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations and Certificates

1. Certificate in recognition of Sussex County Senior of the Year for 2010.
454-2010

2. Certificate for the Lake Hopatcong Yacht Club in recognition of its 100th
Anniversary.
455-2010

MOTION made by Freeholder Zellman to approve these Certificates, seconded by Freeholder Zeoli and passed unanimously.

7. PUBLIC SESSION FROM THE FLOOR

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

Comment from Freeholder Parrott

Freeholder Parrott asked that anyone who was going to speak during the Public Session, and had their comments in writing, to paraphrase and not to read their written copy; the speaker could provide a copy of their written comments to the Board; Freeholder Parrott also stated that the next Agenda would reflect a change in the Public Session from allowing for ten minutes for comments to five minutes per speaker.

MOTION made at 5:05 p.m. by Freeholder Zeoli to open the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

Comments on power lines

William Steckowich, Stillwater, came forward; he highlighted some of the information received from the Delaware Water Gap; he said the battle being fought was whether the power lines were really needed as PSE&G has stated; information continues to be gathered as to whether the power lines should be there and also as to what is the best alternative; Mr. Steckowich said that he was disturbed that the Freeholder Board has not taken a stand one way or the other; he added that the citizens have fought and gotten a three year delay, but the Freeholder Board has not supported them, but taken a wait and see attitude; Mr. Steckowich said that he felt the Board should get involved and support the public.

Freeholder Parrott said that he did not feel that he had the expertise nor has he seen any information that would make him want to move the pre-existing right-of-ways to someone else's backyard without knowing all of the complications that may exist to the power company; he said that sometimes it was better to listen and understand that other people realize the issue and then effectively become a tool of the government as citizens more so than the government itself.

Mr. Steckowich further discussed other alternatives and the municipalities who have already agreed to these power lines.

The Board thanked Mr. Steckowich for his comments.

Lisa Chammings, Stillwater, came forward; she distributed information on the public meetings being held regarding the power lines; she noted that one meeting was scheduled for August 19, 2010, in Lafayette; she said that PSE&G approached the municipalities and did not approach the Freeholder Board, noting that this was why she came to the Board with the road and bridge concerns; Ms. Chammings invited the Board to attend the August 19, 2010, meeting.

Ms. Chammings discussed that New Jersey had a law that prohibited power lines from running parallel to an interstate highway; there was a brief discussion; Freeholder Zellman suggested that the Legislators be contacted regarding this law.

The Board thanked Ms. Chammings for her comments.

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

Freeholder Parrott stated that the agenda would be amended to allow for Item #20 Freeholders' Comments.

Comments from Freeholder Space

- **Meeting at Ginnie's House**

Freeholder Space said that he was meeting with Congressman Garrett at Ginnie's House; they will be doing a walk through and going over a few things.

- **Meeting with Mark Toback, Sussex County Technical School**

Freeholder Space said that he was meeting with Mark Toback to discuss where the school is going and what is currently taking place at the school.

- **Cow milking contest**

Freeholder Space said that he was taking part in the Celebrity Cow Milking Contest at the Fair.

Comments from Freeholder Zellman

- **North Jersey Transportation Planning Authority (NJTPA) visit**

Freeholder Zellman said that Mary Kay Murphy, Executive Director, NJTPA, will be making her annual visit to Sussex County to meet with Walter Cramp, Freeholder Parrott, and any other Freeholder who may like to attend; the meeting will be held on September 15, 2010, at 10:00 a.m., third floor, Administrative Center; the purpose of the meeting will be to go over different projects that are planned for Sussex County, as well as any other needs the County perceives for the future.

- **Homestead garage sale**

The Homestead will be holding another garage sale; if anyone has something to donate, they may contact the Homestead.

- **Six County Coalition Meeting**

The Six County Coalition Meeting has been confirmed at the Adam Todd Inn for October 6, 2010; Freeholder Zellman asked the Board to consider topics for the agenda; she said the Prosecutor's Office and the power lines would be a part of the discussion at that meeting; Freeholder Zeoli suggested that power lines along Route 80 and 78 could also be added for discussion.

Comments from Freeholder Crabb

- **Commodity Resale Agreement**

Freeholder Crabb said that the Commodity Resale Agreement with Hardyston Township for Fleet, Health, and Transit was being reviewed for when the County relocates to the Wheatsworth Road building.

Mr. Eskilson said this was for gasoline and diesel to avoid the cost of having to put the above ground storage tanks onsite; there is a premium per gallon, but the payback on the contract is certainly attractive and makes sense given the high cost of the tanks.

- **Shared Service for Chief Financial Officer**

Freeholder Crabb said that it was being looked at to find other partners within the County that could provide shared services for Chief Financial Officer between multiple municipalities.

- **Fleet Maintenance Agreement with Byram Township**

Fleet Maintenance Agreement with Byram Township was approved.

- **Renewal of Public Works shared services with Andover Borough**

Public Works Shared Services Agreement for Public Works is up for renewal for the 2010-2011 winter season.

Additional comment from Freeholder Zellman

- **Veterans' Monument Committee**

The Committee met Monday, August 9, 2010; a ceremony is being planned for September 25, 2010, 10:00 a.m., to memorialize the gardens at the base of the monuments; there will be a band and Color Guards; VFW and American Legions will be present as well.

Comments from Freeholder Zeoli

- **Budget process for 2011**

Freeholder Zeoli said that he spoke with Jeff Riker, Mosquito Control, to inquire as to why the County was joining the American Mosquito Control Association of America; he said it was only \$120.00, but this was how dire the budget was looking for 2011; Freeholder Zeoli said that 2011 was going to be a very tough budget year; he said that everyone in County Government, Constitutional Officers, and Department Heads, were being put on notice that every association, publication, conference, and everything in general, would be scrutinized.

- **Resolution in support of Governor's "Tool Kit"**

Freeholder Zeoli discussed the 33 items on the Governor's "Tool Kit" list, saying that it was important that the Legislature pass this.

- **Smoking Ban Policy**

Freeholder Zeoli asked for every employee to follow this policy; he said that this would create a good atmosphere and encourage a healthy lifestyle.

Comments from Freeholder Parrott

- **NJAC Meeting**

Freeholder Parrott said that he would be attending the NJAC Meeting on September 7, 2010; discussion will include the takeover of the County Prosecutor's Offices by the State.

- **Funding the Sussex County Municipal Utilities Authority (SCMUA)**

The SCMUA, with the help of the Legislators and support of the Freeholder Board, was able to obtain the money it needed; a budget has been put together that will be to the benefit of the taxpayers of the County.

- **Salary issue/Constitutional Officers**

Freeholder Parrott stated that the Resolution on this evening's agenda would not affect any current Constitutional Officer, only a new Constitutional Officer coming on board.

There was a brief description regarding the future of the budget, economy and pension shortfall.

Freeholder Parrott returned the meeting to the agenda as listed.

8. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS
456-2010

- B. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY OF SUSSEX BOARD OF CHOSEN FREEHOLDERS TO ACCEPT THE FM GLOBAL FIRE PREVENTION GRANT FOR THE TOTAL AMOUNT OF \$1,800.00 FOR THE PURPOSE OF PURCHASING PHOTOGRAPHIC EQUIPMENT TO ASSIST IN THE INVESTIGATION AND DOCUMENTATION OF FIRES
457-2010

- C. RESOLUTION RE: APPROVING REVISIONS TO NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS SMART FUTURE GRANT NUMBER: 2006-99900-3598-00 AND AUTHORIZING THE DIRECTOR OF THE BOARD OF CHOSEN FREEHOLDERS TO SIGN ALL NECESSARY AND APPROPRIATE DOCUMENTS
458-2010

- D. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A THERAPY SERVICES AGREEMENT WITH ORTHONET OF THE MID-ATLANTIC, INC. TO ALLOW FOR PAYMENT TO THE COUNTY OF SUSSEX FOR HEALTH CARE SERVICES PROVIDED TO PATIENTS OF THE BALANCE CENTER AND OUTPATIENT REHABILITATION PROGRAM AT THE SUSSEX COUNTY HOMESTEAD THAT ARE COVERED UNDER HEALTH BENEFITS PLANS OF ORTHONET OF THE MID-ATLANTIC, INC, FOR CIGNA OPTION PARTICIPANTS ONLY
459-2010

- E. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF UPGRADES AND RENOVATION TO THE HEATING, VENTILATING AND AIR CONDITIONING (HVAC) SYSTEMS AT THE WHEATSWORTH FACILITY FOR THE SUSSEX COUNTY DIVISION OF FACILITIES MANAGEMENT (Resolution authorizes this purchase from Air Maintenance Solutions in the amount of \$397,722.00)
460-2010

- F. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE JOB ACCESS-REVERSE COMMUTE (SECTION 5316) ROUND 9 OPERATING AND NON-OPERATING GRANT, JANUARY 1, 2009 TO DECEMBER 31, 2011 FOR A TOTAL AMOUNT OF \$105,793.00
461-2010

- G. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2010 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE CHRONIC DISEASE SELF-MANAGEMENT PROGRAM (CDSMP) IN THE AMOUNT OF \$40,000.00
462-2010

- H. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE FISCAL YEAR 2010 SUPPLEMENTAL SUBREGIONAL STAFF SUPPORT FOR AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) PROJECTS SUBCONTRACT BETWEEN THE COUNTY OF SUSSEX AND THE NORTH JERSEY TRANSPORTATION
463-2010

PLANNING AUTHORITY, INC. FOR A TOTAL AMOUNT OF \$37,200.00

- I. **RESOLUTION RE: 464-2010** RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE LOCAL CORE CAPACITY INFRASTRUCTURE FOR BIOTERRORISM PREPAREDNESS 11-1163-BT-L-3 FOR A TOTAL AMOUNT OF \$381,564.00, AUGUST 10, 2010 TO AUGUST 9, 2011

- J. **RESOLUTION RE: 465-2010** RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2010 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE 2010 AREA PLAN ALLOCATION, MID-YEAR ALLOCATION OF AREA PLAN FOR AN ADDITIONAL AMOUNT OF \$241,314.00

- K. **RESOLUTION RE: 466-2010** RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2010 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE COUNTY ENVIRONMENTAL HEALTH ACT (CEHA) GRANT FOR AN ADDITIONAL AMOUNT OF \$2,250.00

- L. **RESOLUTION RE: 467-2010** RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE LOCAL CORE CAPACITY INFRASTRUCTURE FOR BIOTERRORISM PREPAREDNESS 10-1163-BT-L-2 FOR A TOTAL AMOUNT OF \$66,285.00, AUGUST 10, 2009 TO AUGUST 9, 2010

- M. **RESOLUTION RE: 468-2010** RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2010 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE FM GLOBAL FIRE PREVENTION GRANT FOR A TOTAL AMOUNT OF \$1,800.00

- N. **RESOLUTION RE: 469-2010** RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2010 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE COUNTY COMPREHENSIVE CANCER CONTROL PLAN GRANT FOR A TOTAL AMOUNT OF \$65,000.00 FOR THE PERIOD OF JULY 1, 2010 TO JUNE 30, 2011

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 the Financial Consent Agenda, seconded by Freeholder Zellman.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Zellman	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

9. **APPROVAL OF MINUTES** Regular Meeting July 28, 2010

MOTION made by Freeholder Crabb to approve these minutes, seconded by Freeholder Zellman and passed unanimously.

10. **APPOINTMENTS AND/OR RESIGNATIONS**

There were no items for Appointments and/or Resignations.

11. **RESOLUTIONS**

- A. RESOLUTION RE: ESTABLISHING FUTURE SALARIES FOR THE SUSSEX COUNTY SHERIFF, THE SUSSEX COUNTY CLERK AND THE SUSSEX COUNTY SURROGATE IN ACCORDANCE WITH THE MINIMUM STANDARDS PROVIDED FOR BY STATE STATUTE
470-2010
- B. RESOLUTION RE: EXPRESSING SUPPORT FOR GOVERNOR CHRIS CHRISTIE AND HIS EFFORTS TO REDUCE AND REFORM EXCESSIVE GOVERNMENT SPENDING
471-2010
- C. RESOLUTION RE: AUTHORIZATION TO GRANT TO BRANCHVILLE BOROUGH CONDITIONAL WAIVERS FROM COUNTY POLICY FOR ROAD OPENINGS FOR WORK WITHIN COUNTY ROUTES 519 AND 630
472-2010

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

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

- A. Awards of Contracts
 - 1. RESOLUTION RE: AWARD OF CONTRACT FOR ELECTRIC UTILITY SERVICE UPGRADING AT WHEATSWORTH ROAD FACILITY FOR THE COUNTY OF SUSSEX DIVISION OF FACILITIES MANAGEMENT
473-2010
 - 2. RESOLUTION RE: AWARD OF CONTRACT FOR THE BID ENTITLED "PURCHASE OF FOUR (4) 2011 MODEL YEAR DODGE (OR EQUAL) MODEL 5500 CAB & CHASSIS VEHICLES FOR THE COUNTY OF SUSSEX" WITH AN OPTIONAL FIFTH (5TH) VEHICLE (Resolution awards this Contract to the lowest responsible and responsive bidder, Smith Motor Company, in the amount of \$214,875.00)
474-2010
 - 3. RESOLUTION RE: AWARD OF CONTRACT FOR ASBESTOS ABATEMENT FOR THE LOBBY RESTROOMS AT THE HOMESTEAD FOR THE COUNTY OF SUSSEX, DIVISION OF FACILITIES MANAGEMENT (Resolution awards this Contract to the third lowest responsible bidder, Niram Construction Co., in the amount of \$63,000.00 – the two lowest responsible bidders requested that their bids be withdrawn)
475-2010

4. **RESOLUTION RE: AWARD OF CONTRACT FOR ASBESTOS ABATEMENT FOR THE THIRD (3RD) FLOOR HOMESTEAD FOR THE COUNTY OF SUSSEX, DIVISION OF FACILITIES MANAGEMENT**
 (Resolution awards this Contract to the third lowest responsible bidder, Niram Construction Co., in the amount of \$67,700.00 – the two lowest responsible bidders requested that their bids be withdrawn)

5. **RESOLUTION RE: AWARD OF CONTRACT FOR MISCELLANEOUS BUILDING TRADE SERVICES FOR FIRE SUPPRESSION SYSTEM'S SERVICE IN VARIOUS SUSSEX COUNTY BUILDINGS AND FACILITIES**
 (Resolution awards this Contract to the lowest responsible bidder, Castle Fire Protection, Inc., at the hourly and unit rates as specified in the bid proposal)

6. **RESOLUTION RE: AWARDED A CONTRACT BASED ON PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR CONSULTING SERVICES TO ACHIEVE NEW JERSEY STATE ASSOCIATION OF CHIEFS OF POLICE (NJSACOP) ACCREDITATION FOR THE SUSSEX COUNTY SHERIFF'S OFFICE** (Resolution awards this Contract to the only respondent, The Rodgers Group, LLC, in the amount of \$35,000.00)

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

Resolution 12. A. 3.

Freeholder Crabb said that it appeared that the lower bids were in the twenty thousands, and asked if there was more than one bid.

Mr. McConnell stated that there were two separate projects and there were two low bidders on both projects; one bidder was second on one bid and the other bidder was first on the other bid; these bidders were not aware of all the intricacies with regard to the insurance requirements and a few other items; because of the misunderstanding of the bid, the County allowed these bidders to back away; all of the other bids were in the realm where Niram was; it was a significant miscalculation on the part of these two bidders.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Zellman	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

B. Change Orders

1. **RESOLUTION RE: AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE COUNTY OF SUSSEX AND ZINNO CONSTRUCTION, LLC FOR COLUMN REPAIR AT THE SUSSEX COUNTY**

COURTHOUSE FOR THE COUNTY OF SUSSEX
DIVISION OF FACILITIES MANAGEMENT
(Resolution authorizes the increase of \$3,800.00
(2.2%) for lentil painting)

2. **RESOLUTION RE: AUTHORIZING AMENDMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND PRINCETON ENGINEERING GROUP FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS FOR NEW ROOFING AS IT RELATES TO THE ROOF TOP HVAC EQUIPMENT AT THE SUSSEX COUNTY LIBRARY WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes the increase of \$9,250.00 (7.4%) to provide construction documents for HVAC and building envelope upgrades to the Sussex County Main Library due to the need for the design for new roofing)**

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Zellman	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

13. **FINANCIAL**
A.

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**INTRODUCTION FOR FIRST READING – CAPITAL ORDINANCE
481-2010**

**CAPITAL ORDINANCE APPROPRIATING \$240,000.00 FROM LIBRARY RESERVE FOR
DONATIONS TO PROVIDE FOR MAIN LIBRARY ROOF IMPROVEMENTS**

MOTION to adopt this Capital Ordinance on first reading made by Freeholder Zeoli, seconded by Freeholder Zellman.

Comment from John Eskilson, County Administrator

Mr. Eskilson explained that this was a donation from the Siliconus Family that went back several years; it was a donation of over \$260,000.00 in memory of their daughter; the only stipulation of the donation was that it be used for the benefit of the Library and that the County publish the book of poems written by their daughter; the County did publish this book; the County is using the family's generous gift to put a much needed new roof on the Main Library.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Zellman	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

MOTION to authorize the Clerk to advertise this Capital 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 September 8, 2010 at 5:00 pm prior to final adoption of this Capital Ordinance made by Freeholder Zeoli, seconded by Freeholder Crabb and passed unanimously.

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- B. RESOLUTION RE: CHANGE IN TITLE, TEXT, OR AMOUNT OF
482-2010 APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-85
- C. RESOLUTION RE: UTILIZATION OF RECOVERY ZONE FACILITY BONDS
483-2010
- D. RESOLUTION RE: DECLINING ALLOCATION OF RECOVERY ZONE
484-2010 ECONOMIC DEVELOPMENT BONDS

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

Comment from John Eskilson, County Administrator

Mr. Eskilson explained that the State of New Jersey was looking for an update as to where the County is with the allocations that were granted to it by the Federal Government; these Resolutions are formalizing those positions; the Recovery Zone Facility Bonds are the monies sub-allocated to the Town of Newton in accordance with the law for the Thor Labs project; the Recovery Zone Economic Development Bonds are a subsidy on interest payments for debt that could be issued for infrastructure; there were no projects with respect to the Recovery Zone Economic Development Bonds.

Freeholder Zeoli noted for the record that he would be abstaining on Resolution 13. C.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Zellman	Yes
Freeholder Zeoli	Yes, and abstaining on 13. C.
Freeholder Director Parrott	Yes

14. PERSONNEL

- A. Personnel Agenda

MOTION made by Freeholder Zeoli to approve the Personnel Agenda, seconded by Freeholder Crabb and passed unanimously.

- B. Resolutions
 - 1. RESOLUTION RE: AUTHORIZATION TO ADOPT AMENDMENTS TO
485-2010 VARIOUS POLICIES OF SUSSEX COUNTY'S EMPLOYEE HANDBOOK (Resolution amends the Smoke-Free Environment Policy and the Breaks Policy of the Sussex County Employee Handbook)

MOTION made by Freeholder Zeoli 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. Contract
- D. Other Matters

Additional Resolutions for the Board's consideration

Mr. McConnell stated that he had two issues; both involving Resolutions.

**RESOLUTION RE: AUTHORIZING AMENDMENT TO THE CONTRACT FOR
486-2010 CERTIFIED LABORATORY TESTING SERVICES SUPERVISED
BY A PROFESSIONAL ENGINEER FOR THE DEPARTMENT OF
ENGINEERING AND PLANNING**

Mr. McConnell stated that the County was in need of additional testing with regard to some micro-surfacing in the Sparta area; the on-site Supervising Engineer has recommended that the County conduct this; the testing company, ANS, has found someone in Florida who can do the testing; this Resolution will allow for the testing.

Freeholder Zellman questioned the funding for this testing.

Mr. McConnell explained that every time there was a capital project for a road, the money was put in for testing; the funds are always set aside; ANS is the company that does the testing; all of the rates and schedules are included in the original Resolution adopted by the Board.

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Zellman	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

Mr. McConnell read the second Resolution into the record.

**RESOLUTION RE: INCREASING SUSSEX COUNTY'S GREEN ACRES
487-2010 CONTRIBUTION TOWARDS THE ACQUISITION OF REAL
PROPERTY KNOWN AS LOT 10 IN BLOCK 44 IN THE**

TOWNSHIP OF FRANKFORD, COUNTY OF SUSSEX, STATE OF NEW JERSEY, PURSUANT TO N.J.S.A. 40A:12-15.1 ET SEQ., AS PART OF THE COUNTY'S OPEN SPACE PROGRAM

Mr. McConnell explained that the County had received correspondence from Frankford Township requesting the County to utilize an additional \$100,000.00 of the County's Green Acres funding towards the Goldman project; this would allow Frankford Township to utilize its Open Space funds on additional projects; there are significant funds in the County's Green Acres allocation; there was a recent increase in the available funds because Lafayette Township, which had an allocation of \$100,000.00 from the County's Open Space funds, will not be utilizing these funds as the project is not going through; as a result, the County now has additional monies to reallocate; Mr. Eskilson added that unused funding had to be returned to the State for reallocation.

There was a brief discussion regarding the Goldman property.

Comment from Rich Vohden, Chairman, Open Space Committee

Mr. Vohden came forward; he said that it was a beautiful piece of property and the County was doing the right thing.

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Zellman	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

Amendments to Freeholder Agenda

Mr. McConnell said that consideration has been given to revising the time allotted to those speaking in Public Session from ten minutes to five minutes; it is also being considered to move Freeholders' Comments from Item #20 on the Agenda to Item #19; this would allow for Freeholders' Comments to be prior to the last Public Session.

There was a brief discussion; the Board decided that it would prefer to move Freeholders' Comments from Item #20 to Item #8, which would be immediately following the first Public Session.

Mr. McConnell stated for the record, that a Motion was needed to amend the Freeholder Agenda, moving Freeholders' Comments from Item #20 to Item #8, as well as amending the comment time of both Public Sessions from ten minutes to five minutes.

MOTION made by Freeholder Zellman to amend the Freeholder Agenda, moving Freeholders' Comments from Item #20 to Item #8, as well as amending the comment time of both Public Sessions from ten minutes to five minutes, seconded by Freeholder Parrott and passed unanimously.

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 Crabb to open the meeting to the Public, seconded by Freeholder Zeoli and passed unanimously.

Comment on unused funding

William Steckowich, Stillwater, came forward; he referred to Mr. Eskilson's earlier comment that unused Open Space funds had to be returned to the State; Mr. Steckowich said that he has heard this same comment at school board meetings; he said this was a part of the old regime to spend the funds because it was allocated.

Mr. Eskilson responded that the action involving the Open Space funds would allow for local taxpayer money to be spent, or not spent at all, in Frankford Township for other projects; the money is there and is intended for the purpose for which the Freeholder Board just authorized; Mr. Eskilson told Mr. Steckowich that he understood his criticism, but he could tell him (Mr. Steckowich) that this was not how the County budget operated; this was a very narrow band circumstance and in this case, it does make sense to allow Frankford Township to utilize the \$100,000.00 locally as it sees fit, and to advance a very important project as recommended by the Open Space Committee.

Mr. McConnell further explained that if Sussex County did not use the funds, it would not reduce taxes, but rather would go to another County for its Open Space projects.

Freeholder Parrott added that the County has not accepted certain grant monies in the past because the County could not utilize the funds in a prudent fashion for the benefit of the taxpayers.

Green Acres funding for Stillwater Township

Lisa Chammings, Stillwater, came forward; she asked if Stillwater Township had contacted the County regarding Green Acres funding; she added that there was a Resolution on the Stillwater Township agenda.

Mr. Eskilson replied no, Stillwater Township had not been in contact with the County; he said that a letter needed to go to the State, adding that there was no guarantee that additional Planning Incentive Grant monies will be allocated; Mr. Eskilson said that if it was a project that the Township could close on within the next twelve months and its governing body has taken a position supporting it, then the Township should forward it; this is just putting down a marker and it would still have to go through the process of review by the Open Space Committee and Freeholder approval.

MOTION made at 6:25 p.m. by Freeholder Zeoli to close the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

20. FREEHOLDERS' COMMENTS

Freeholders' Comments held earlier in the Meeting. The Agenda was amended to allow for Freeholders' Comments after Item #7, Public Session from the Floor.

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

Monday	September 6, 2010	Labor Day	Holiday
Wednesday	September 8, 2010	Regular Meeting	5:00 pm

23. ADJOURNMENT

MOTION made at 6:26 p.m. by Freeholder Space to adjourn the meeting, seconded by Freeholder Zellman and passed unanimously.

Elaine A. Morgan, Clerk

DATED: August 11, 2010