

REGULAR MEETING HELD ON WEDNESDAY, AUGUST 13, 2014

5:00 PM

ORDER OF BUSINESS

Item

1. **CALL TO ORDER BY DIRECTOR** at 5:00 p.m.
2. **ROLL CALL** Freeholder Crabb; Freeholder Graham; Freeholder Mudrick;
Freeholder Phoebus; Freeholder Director Vohden;
John Eskilson, County Administrator/Clerk; Dennis McConnell,
County Counsel; Cathy Williams, Secretary to County
Administrator
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, 2014 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 – 5:01 PM

**FINAL ADOPTION – CAPITAL ORDINANCE
408-2014**

Freeholder Director Vohden: "At our regular meeting held on July 23, 2014, we introduced for first reading of the following Capital Ordinance which was advertised in the New Jersey Herald issue of July 24, 2014, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

CAPITAL ORDINANCE APPROPRIATING \$400,000.00 TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION TRUST FUND'S LOCAL BRIDGES, FUTURE NEEDS PROGRAM (LBFN) FOR THE REHABILITATION OF SUSSEX COUNTY BRIDGE V-39 VERNON

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

Is anyone present to be heard regarding this Capital Ordinance?

There was no one present.

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

MOTION that this Capital Ordinance be finally adopted made by Freeholder Phoebus, seconded by Freeholder Graham.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	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 Phoebus, seconded by Freeholder Graham and passed unanimously.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations/Certificates

1. Proclamation in recognition of Jennifer Baarda, Tobi Edwards, Nicole Sarao and Callie Rose Teufert of earning the Girl Scout Gold Award.

409-2014

2. Certificate for Herman Terpstra in recognition as being chosen as the 2014 Sussex County Senior of the Year.

410-2014

3. Certificate for Douglas Maull , a Skylands Ride employee, in recognition of representing the State of New Jersey and County of Sussex during the 2014 National Rodeo competition in St. Paul, Minnesota on June 8, 2014.

411-2014

4. Certificate for Kenneth Treible in recognition of his 17 years of service to the Uniform Construction Code (UCC) Board of Appeals as an Electrical Subcode Official.

412-2014

Freeholder Crabb asked that one Certificate be added honoring Ogdensburg Borough's 100th Anniversary.

Add:

5. Certificate for the Borough of Ogdensburg in recognition of its 100th Anniversary, 1914 – 2014.

413-2014

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

7. PUBLIC SESSION FROM THE FLOOR

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

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

There was no one present.

MOTION made at 5:06 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

8. FREEHOLDERS' COMMENTS

Comments by Freeholder Crabb

- **Sussex County Health Department**

Freeholder Crabb said it was good to see momentum in the Health Department applying fines to violators of the garbage disposal regulations and that the revenue from these fines is getting back to the Sussex County Municipal Utilities Authority.

- **Sussex County Library**

Freeholder Crabb said that he had some real concern after he reviewed the report from the Library which showed a notable decrease in not only circulation, but in patronage also.

Mr. Eskilson agreed and said that they were looking into this matter to determine what some of the reasons could be for this decline.

Freeholder Crabb suggested sending out a questionnaire to the regular patrons to see if a possible reason for this decline could be determined.

- **Sussex County Farm and Horse Show/New Jersey State Fair**

Freeholder Crabb congratulated the organizers of the Sussex County Farm and Horse Show saying it was beautiful and he couldn't remember better weather for Fair week.

Comments by Freeholder Phoebus

- **Senior Day at the Farm and Horse Show/New Jersey State Fair**

Freeholder Phoebus mentioned how wonderful Senior Day was and said it was really nice to have all five Freeholders in attendance; she commended Herman Terpstra as Senior of the Year and Douglas Maul for representing the County at the 2014 National Rodeo competition.

- **Diaper Drive**

Freeholder Phoebus said it would be very nice if there could be Freeholder representation to do a five minute presentation to kick off the Diaper Drive in Sussex County; she added that other Counties have done this and their Freeholder Boards have been the ones to kick it off.

- **SCDRTAP (Senior Citizen and Disabled Resident Transportation Assistance Program) Funds**

Freeholder Phoebus reported that she, Steve Gruchacz and Carol Novrit will be setting up a meeting with Senator Oroho to discuss SCDRTAP cuts and to make sure that the County does not get any more cuts in this area.

Comments by Freeholder Graham

- **SCDRTAP Funds**

Freeholder Graham agreed with Freeholder Phoebus' report and said that the County cannot afford to lose that lifeline of transportation for seniors and disabled citizens.

- **Sussex County Farm and Horse Show/New Jersey State Fair**

Freeholder Graham said he spent a lot of time at the Fair and he learned a lot from listening to many of the fairgoers; he said it was very well run and he congratulated Tammie Horsfield and Barbara Wortmann for doing a great job.

- **Sussex County Library**

Freeholder Graham reported that he has been watching the Main Library renovations during June and July and was wondering if that played a part in the reduction in numbers that Freeholder Crabb spoke about; he added that the renovations are coming along and are in much better shape than they were in June and July.

- **SCCC Horton Mansion**

Freeholder Graham mentioned that he read about this in the New Jersey Herald over the weekend and he agrees and supports the two-year moratorium; he gave his personal thoughts on what this would mean to the College.

Comments by Freeholder Mudrick

- **9-1-1 Center**

Freeholder Mudrick said he took Mr. Eskilson's advice and visited the 9-1-1 Center and was very impressed with the work that has been accomplished; he commended all of the officers and said he was very happy that Sandyston Township is coming onboard.

- **Sussex County Farm and Horse Show/New Jersey State Fair**

Freeholder Mudrick mentioned that he also felt the Fair was wonderful and the weather was great for Fair week; he added that Senior Day was very well done.

Comments by Freeholder Vohden

- **Sussex County Economic Indicators**

Freeholder Vohden said that on a regular basis he checks the economic indicators in the County and gave a brief update on the increase of foreclosures, the drop in school enrollment, and the number of young adults that move out of the County and don't return.

9. APPROVAL OF CONSENT AGENDA

A. RESOLUTION RE: PAYMENT OF BILLS
414-2014

B. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICES AGREEMENT WITH SANDYSTON TOWNSHIP FOR THE PROVISION OF 9-1-1 SYSTEM MANAGEMENT THROUGH THE COUNTY OF SUSSEX IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ. AND N.J.S.A. 40A:11-10 ET SEQ. (Shared Services Agreement term of two years)

C. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT #PHLP151LNC007
416-2014

FOR THE TOTAL AMOUNT OF \$264,048.00, JULY 1, 2014 TO JUNE 30, 2015

- D. **RESOLUTION RE: 417-2014** RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2014 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE STATE OF NEW JERSEY, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF STATE POLICE, SUSSEX COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, JANUARY 21, 2014 TO JANUARY 20, 2017 FOR A TOTAL AMOUNT OF \$150,00.00
- E. **RESOLUTION RE: 418-2014** RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2014 SUSSEX COUNTY BUDGET RELATING TO THE VETERANS' TRANSPORTATION PROGRAM, VL15T82, JULY 1, 2014 TO JUNE 30, 2015 FOR A TOTAL AMOUNT OF \$9,000.00
- F. **RESOLUTION RE: 419-2014** RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE NEW JERSEY, DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT, SANDY HOMEOWNER/RENTER ASSISTANCE PROGRAM (SHRAP), CONTRACT MODIFICATION #3, SH13019 FUNDING IN THE TOTAL AMOUNT OF \$80,000.00
- G. **RESOLUTION RE: 420-2014** AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF INFLUENZA VACCINE FOR THE SUSSEX COUNTY DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH(This resolution is for authorization to purchase the annual flu vaccine as provided by New Jersey State Contract #A73936 - \$38,457.80 - Sanofi Pasteur for the Health Department.)
- H. **RESOLUTION RE: 421-2014** AUTHORIZATION TO SUBMIT AN APPLICATION FOR GRANT FUNDS TO THE STATE OF NEW JERSEY, DIVISION OF CRIMINAL JUSTICE, FOR AN AMOUNT YET TO BE DETERMINED, TO BE USED FOR THE PURCHASE OF BODY ARMOR FOR MEMBERS OF THE SUSSEX COUNTY PROSECUTOR'S OFFICE
- I. **RESOLUTION RE: 422-2014** AUTHORIZATION TO SUBMIT AN APPLICATION FOR GRANT FUNDS TO THE STATE OF NEW JERSEY, DIVISION OF CRIMINAL JUSTICE, FOR AN AMOUNT YET TO BE DETERMINED, TO BE USED FOR THE PURCHASE OF BODY ARMOR FOR MEMBERS OF THE SHERIFF'S BUREAUS OF LAW ENFORCEMENT AND CORRECTIONS
- J. **RESOLUTION RE: 423-2014** AWARD OF CONTRACT FOR GUIDERAIL MATERIALS FOR THE DEPARTMENT OF ENGINEERING AND PLANNING – 2014(Contract awarded to Chemung Supply Corporation in the approximate minimum amount of \$70,914.60; contract in effect till December 31, 2014)

- K. RESOLUTION RE: AUTHORIZING AMENDMENT NO. 2 TO A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND ARCARI & IOVINO ARCHITECTS PC FOR THE PROVIDING OF CONSTRUCTION ADMINISTRATION FOR THE SUSSEX COUNTY MAIN LIBRARY AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)(due to additional work required by the Architect in response to the delay of the project due to the Takeover Agreement with the original Bonding Company that removed the original Contractor, the County is in need of additional Construction Administration Services for the Exterior Rehabilitation of the Sussex County Main Library in an amount not to exceed \$7,406.00)
- L. RESOLUTION RE: SUSSEX COUNTY LIBRARY SYSTEM APPROVAL TO CHARGE MISCELLANEOUS FEES
425-2014
- M. RESOLUTION RE: CANCELLATION OF OUTSTANDING CHECKS
426-2014
- N. RESOLUTION RE: APPROVAL TO SUBMIT AN APPLICATION FOR SMALL CITIES GRANT TO EFFECTUATE THE INSTALLATION OF A ROOF MOUNTED SOLAR POWER UNIT ON THE EXISTING COMMUNITY CENTER BUILDING IN HAMPTON TOWNSHIP, OWNED AND OPERATED BY SCARC, INC.(Resolution authorizes County to apply for Small Cities Grant through HUD Small Cities Program in the amount of \$400,000.00)

ADDED:

- O. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF RADIO COMMUNICATION EQUIPMENT FOR THE NEW 911 CALL CENTER
428-2014
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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. McConnell said that with regard to Resolution 9.B., the entry into the Agreement with Sandyston Township, Mr. McConnell said he would like to make a notation on that Resolution that Sandyston Township would actually like a five-year Agreement; he said he has spoken to their attorney, Mr. Kienz, and they would also like the opportunity to discuss certain non-substantial issues in the Contract itself and have that negotiated between representatives of Sandyston Township, Attorney Glenn Kienz, Mr. McConnell and the County Administrator just to work out some language details. Mr. McConnell added that Sandyston Township is looking forward to entry into this Agreement and they would like it for five years; so with that caveat, Mr. McConnell would like the Motion to include that with regard to the balance of the Consent Agenda.

MOTION made by Freeholder Crabb to amend Resolution 9.B., seconded by Freeholder Mudrick and passed unanimously.

Freeholder Mudrick advised that Resolution 9.D. was missing a "0" on the amount of \$150,000.00; it should read \$150,000.00 not \$150,00.00.

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

Freeholder Graham said that Resolution 9.K. is to pay the architect for additional work because of the delay caused by the default of the original contractor, not caused by the County. He strongly suggested that the County take action to attempt to recover some or all of this money.

Mr. McConnell said that the County can attempt to recover the additional funds paid to the architect but must first advise the Bonding Company of this cost; Mr. McConnell further advised that there is a pool of money that the County awarded for this project and if the County spends above that, the Bonding Company has to kick in, but right now the County has that pool of money and has to pay the Bonding Company as they proceed toward completing the work on the project up until that cap. Mr. McConnell said that the County can try and recover this as part of that.

There was a short discussion.

On Roll Call the vote was:

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

10. APPROVAL OF MINUTES Regular Meeting July 23, 2014

MOTION made by Freeholder Mudrick to approve the Minutes of the Regular Meeting of July 23, 2014, seconded by Freeholder Graham and passed with Freeholder Phoebus abstaining.

11. APPOINTMENTS AND/OR RESIGNATIONS

A. APPOINTMENTS

1. **RESOLUTION RE: APPOINTMENT OF ERNEST HEMSCHOT, III AS A MEMBER OF THE SUSSEX COUNTY MENTAL HEALTH BOARD FOR A TERM OF THREE (3) YEARS BEGINNING IMMEDIATELY AND EXPIRING JUNE 30, 2017**
429-2014
2. **RESOLUTION RE: APPOINTMENT OF ANTHONY P. BARILE (PERSON WITH DISABILITIES REPRESENTATIVE) AS A MEMBER OF THE SUSSEX COUNTY TRANSIT CITIZENS ADVISORY COMMITTEE TO FILL THE UNEXPIRED TERM OF HARRIS RIMSHNICK; SAID TERM TO EXPIRE DECEMBER 31, 2014**
430-2014

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

B. RESIGNATIONS

1. Received letter from Kenneth Treible resigning his position on the UCC Board of Appeals effective immediately.
2. Received letter from Lauren Hirtes resigning her position on the Mental Health Board effective immediately.

12. RESOLUTIONS

- A. RESOLUTION RE: AUTHORIZATION TO ADOPT AMENDMENT OF SUSSEX COUNTY'S SUBSTANCE ABUSE POLICY FOR SAFETY SENSITIVE EMPLOYEES
431-2014
- B. RESOLUTION RE: APPROVAL FOR THE JEFFERSON TOWNSHIP CHAPTER OF THE MORRIS COUNTY WASTEWATER MANAGEMENT PLAN, PART OF SUSSEX COUNTY WATER QUALITY MANAGEMENT PLANNING AREA
432-2014
- C. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 645 IN SANDYSTON TOWNSHIP
433-2014
- D. RESOLUTION RE: APPROVAL OF GRANT MANAGEMENT PLAN FOR SMALL CITIES GRANT FOR AN INNOVATIVE DEVELOPMENT FUND PROJECT TO INSTALL SOLAR PANELS ON THE ROOF OF THE SCARC COMMUNITY CENTER BUILDING LOCATED AT 4 CAMRE DRIVE, NEWTON, NEW JERSEY, 07860
434-2014
- E. RESOLUTION RE: SMALL CITIES CITIZEN PARTICIPATION PLAN
435-2014
- F. RESOLUTION RE: FAIR HOUSING - STATEMENT OF ACTIONS
436-2014

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

13. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

- A. Awards of Contract
 - 1. RESOLUTION RE: AWARD OF CONTRACT FOR THE REHABILITATION OF SUSSEX COUNTY BRIDGE V-39, CR642 (OWENS STATION ROAD) IN VERNON TOWNSHIP
437-2014
 - 2. RESOLUTION RE: AWARD OF CONTRACT EXTENSION THROUGH COMPETITIVE CONTRACTING FOR ELECTRICAL ENGINEERING (P.E.) PROJECT MANAGEMENT/IMPLEMENTATION REGISTERED COMMUNICATIONS DISTRIBUTION DESIGNER
438-2014
 - 3. RESOLUTION RE: AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR ANNUAL ON-CALL SURVEYING SERVICES FOR VARIOUS COUNTY PUBLIC INFRASTRUCTURE PROJECTS
439-2014
 - 4. RESOLUTION RE: AWARD OF CONTRACT FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE S-28 OLD TANNERY ROAD, TOWNSHIP OF STILLWATER, NJ
440-2014
 - 5. RESOLUTION RE: AWARD OF CONTRACT FOR THE 2014 SUSSEX COUNTY ROAD RESURFACING PROGRAM
441-2014

MOTION made by Freeholder Graham to adopt these Resolutions, seconded by Freeholder Mudrick.

On Roll Call the vote was:

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

14. FINANCIAL

There were no Financial items for this meeting.

15. PERSONNEL

A. Personnel Agenda

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

B. Resolutions

1. RESOLUTION RE: ESTABLISHMENT OF "RECORDS SUPPORT
442-2014 TECHNICIAN 3 AND 4" AND SALARY RANGES

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

On Roll Call the vote was:

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

16. ADMINISTRATIVE REPORT

A. Other

Mr. Eskilson said he had one item and that was to point out the posters from Engineering and thought they were so nice that he would bring them down here and display them; he thanked and commended the hard work that was put into those posters by Elizabeth Awad and Sian Pearson.

17. COUNTY COUNSEL

A. Capital Projects

B. Litigation

Mr. McConnell reported that he had one item under Litigation that was somewhat favorable; he said that on Monday morning, August 11th, the County, which included Mr. McConnell on behalf of the Sheriff, Elaine Morgan and Green Township, appeared before Judge Hansbury in the case of Sussex County vs. Mr. Caggiano regarding his onslaught of the County with emails and exhaustive, abrasive and slanderous statements. As a result, Judge Hansbury will be issuing a formal opinion within ten days of Monday's date, with a permanent restraining order against Mr. Caggiano from contacting the Green Township officials, the County of Sussex, and the Sussex County Sheriff's Office. Mr. McConnell added that the Judge was asked to consider some teeth to this, that if Mr. Caggiano violates this Order, he pay a certain amount of dollars, per violation, to the Township of Green or the County of Sussex and the amount of \$1,000.00 was suggested to the Judge.

- C. Contract
- D. Other Matters

18. UNFINISHED BUSINESS

There was no Unfinished Business.

19. NEW BUSINESS

There was no New Business.

20. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:37 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

There was no one present.

MOTION made at 5:38 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Graham 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

Monday	September 1, 2014	Labor Day	Holiday
Wednesday	September 10, 2014	Regular Meeting	5:00 PM

23. ADJOURNMENT

MOTION made at 5:39 p.m. by Freeholder Mudrick to adjourn, seconded by Freeholder Graham and passed unanimously.

John H. Eskilson, Clerk

DATED: AUGUST 13, 2014