

REGULAR MEETING HELD ON WEDNESDAY, DECEMBER 16, 2009

5:00 PM

ORDER OF BUSINESS

Item

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

2. ROLL CALL: Freeholder Crabb; Freeholder Parrott; Freeholder Wirths;  
Freeholder Director Vetrano; Dennis McConnell, County  
Counsel; John Eskilson, County Administrator; Elaine Morgan,  
Clerk

Freeholder Zellman arrived at 5:10 p.m.

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 5, 2009 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
The Daily Record	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 for Steve Andrews, WSUS Radio Personality, in recognition of his promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Wantage, New Jersey where 7,330 pounds of food were collected.

**678-2009**

2. Certificate for Maria Lake, WSUS Program Director, in recognition of her support and promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Wantage, New Jersey where 7,330 pounds of food were collected.

**679-2009**

3. Certificate for Rob Moorhead, WNNJ Radio Personality, in recognition of his promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Lafayette, New Jersey where 13,125 pounds of food were collected.

**680-2009**

4. Certificate for Ken O'Brien, WNNJ Program Director, in recognition of his support and promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Lafayette, New Jersey where 13,125 pounds of food were collected.

**681-2009**

5. Certificate for John J. Schaninger, Vice President of Sales and Merchandising, Quick Chek Corporation, in recognition of his continued support and promotion of the Sussex County Division of Social Services "Stuff the Bus" Food Pantry Drive, November 23 & 24, 2009 at the Quick Chek, Lafayette, New Jersey where 13,125 pounds of food were collected and at the Quick Chek, Wantage, New Jersey where 7,330 pounds of food were collected.

**682-2009**

6. Certificate for the Resident Council of the Sussex County Homestead in recognition of the monetary donation from the Resident Council to the "Stuff the Bus" Food Pantry Drive, and its sincere desire to help those in need, providing hope and support to our less fortunate Sussex County neighbors through the generosity of the Council and the Residents of the Homestead.

**683-2009**

7. Certificate for Victor Paternostro in recognition of his achieving the most wins of any High School Football Coach in the State of New Jersey with 363 wins.

**684-2009**

Freeholder Vetrano stated that there was an additional Certificate for the Board's approval.

8. Certificate for Josephine Hartmann in celebration of her 96<sup>th</sup> Birthday.

**MOTION** made by Freeholder Crabb to approve these Certificates, seconded by Freeholder Parrott and passed unanimously.

**Certificate for Freeholder Susan M. Zellman**

**686-2009**

Freeholder Vetrano presented Freeholder Zellman with a Certificate of Recognition.

Certificate for Susan M. Zellman in recognition of her tenure as the 2009 Chairman of the *North Jersey Transportation and Planning Authority* and commitment since 2001 to meet the increasing transportation needs of Northern New Jersey through her dedication to fulfill the *NJTPA's* vision of developing a transportation system for the safety and security of the travelling public, promoting economic growth, and environmental protection, while preserving the quality of life for all who call New Jersey home.

B. Presentation

1. Acknowledging the retirement of James W. Aumick, Sr., County Correction Officer at the Jail, who retired after 25 years with the County; Ruth E. Counterman, Word Processing Operating, Clerk of the Board's Office, who retired after 26 ½ years with the County; Peter M. Squire, Sheriff's Officer, Sheriff's Department, who will be retiring after 25 ½ years with the County; and Garfield S. Van Tassel, Jr., County Correction Sergeant at the Jail, who retired after 29½ years with the County.

**MOTION** made by Freeholder Parrott to accept these retirements, seconded by Freeholder Crabb 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 5:15 p.m. by Freeholder Wirths to open the meeting to the Public, seconded by Freeholder Parrott and passed unanimously.

### **Comments regarding SCCC/Contract**

Jan Jones, Counselor, Sussex County Community College (SCCC) and President of the Professional Staff Federation at the College, came forward; she provided her positive comments regarding the relationship between the professional and support staff; she referred to the length of time it was taking to settle the first contract; Ms. Jones requested the Freeholder Board's assistance.

### **Comments from Constance Mierendorf, President, SCCC**

Constance Mierendorf, President, SCCC, came forward; she wished Freeholder Vetrano much luck in his future endeavors and thanked him for all of his support for the College; she provided the Board with a document of updated facts on the College outlining enrollment, staff, programs, etc. (copy on file in the Clerk of the Board's Office); President Mierendorf provided a brief synopsis of the fact sheet.

### **Support for Resolution for Recovery Zone allocation for Thor Labs**

Chuck Roberts, President/CEO, Ames Rubber Corporation, came forward; Mr. Roberts said that he was present to represent the Sussex County Economic Development Partnership; he expressed support for the Resolution for the Recovery Zone allocation for Thor Labs.

Neil Flaherty, Newton resident, came forward; he expressed his support for Thor Labs.

### **Comments regarding SCCC/Contract/Salaries**

Naomi Miller, Professor of Psychology and Human Services, SCCC, came forward; she expressed her support for the College, its students, its mission, and the success of the College; she asked the Board to help steer the College in a sound direction.

Maureen Murphy Smolka, faculty member at SCCC, came forward; she expressed her support for the College and discussed salaries at the College.

Robin Costanio, came forward; she said she was a resident of the County; she expressed her support for the staff at SCCC.

Several other members of the staff at SCCC came forward to express their support for the staff at SCCC.

### **Support for Thor Labs**

Bill Miller came forward to express his support for Thor Labs; Louis DeChristi, Greg Wolff, Karen Siegel, Ted Brennan, and Paula Lavorny also came forward to express their support for Thor Labs.

### **Presentation to Freeholder Vetrano**

John Swanson, Chief, Hopatcong Police Department and President, Sussex County Police Chief's Association, came forward; he thanked Freeholder Vetrano for all of his efforts as Freeholder; Chief Swanson presented Freeholder Vetrano with a plaque from the Sussex County Police Chief's Association acknowledging all of his work for Sussex County.

### **Letter of Support for a study for wind power on College Hill**

Freeholder Vetrano said that this letter was to apply for funds to allow the College to do a study for wind power; this action would not involve any capital investment from the College.

**MOTION** made by Freeholder Wirths to approve this Letter of Support to allow the Sussex County Community College to apply for funds to allow for a study for the use of wind power on College Hill, seconded by Freeholder Parrot and passed unanimously.

**Comments from Freeholder Vetrano**

Freeholder Vetrano said that he felt that SCCC was important to all of the County; he said that as a Freeholder he would not want the County employees to wait this long for a contract and urged the College staff to come together and find the common ground to resolve the issue; he urged everyone to consider the issues and make concessions where possible.

**MOTION** made at 6:10 p.m. by Freeholder Wirths to close the meeting to the Public, seconded by Freeholder Parrott and passed unanimously.

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Freeholder Vetrano amended the Agenda to allow for Item 17. A.

**MOTION** made by Freeholder Wirths to amend the Agenda to allow for Item 17. A., seconded by Freeholder Crabb and passed unanimously.

**Support for Thor Labs project**

The Freeholder Board provided its positive comments regarding the benefits of the Thor Labs project; Freeholder Wirths added that it was important to note that no taxpayer dollars were involved in this action.

- A. RESOLUTION RE: DESIGNATING A PROJECT AREA WITHIN THE TOWN OF  
**(handled earlier)** NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY A RECOVERY ZONE AND MAKING AN ALLOCATION OF RECOVERY ZONE FACILITY BOND VOLUME CAP THERETO PURSUANT TO THE RECOVERY AND REINVESTMENT ACT OF 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009)

**Revised title**

RESOLUTION RE: DESIGNATING A PROJECT AREA WITHIN THE TOWN  
**687-2009** OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY A RECOVERY ZONE AND MAKING AN ALLOCATION OF RECOVERY ZONE FACILITY BOND VOLUME CAP IN THE AMOUNT OF \$6,175,000.00 TO THE TOWN OF NEWTON PURSUANT TO THE RECOVERY AND REINVESTMENT ACT OF 2009, Pub. L. No. 111-5, 123 Stat. 115 (2009)

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Wirths	Yes
Freeholder Zellman	Yes
Freeholder Director Vetrano	Yes

**Thank you from Thor Labs**

Amy Eskilson, Thor Labs, came forward; she thanked the Board for its due diligence in supporting this project.

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The discussion was moved to Item 12. A. 2. on the Agenda.

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

A. Awards of Contract

- 2. RESOLUTION RE: AWARD OF CONTRACT FOR THE SUPPLY OF  
**688-2009** NATURAL GAS FOR VARIOUS SUSSEX COUNTY  
OFFICES AND INSTITUTIONS

Mr. Eskilson explained that earlier in the day bids were taken for the supply of natural gas; he added that alternatives were being explored for energy procurement, particularly in the areas of electricity and natural gas; Mr. Eskilson said that the only bid for electricity was flawed as to form; there was a bid awarded for natural gas.

**Comments from Energy Quotient**

Stefan Nostram from Energy Quotient, the County’s consultant on this project, came forward to explain the market implications for what the County was about to enter into.

Mr. Nostram explained that the County would be locking in 100% of the actual usage used for the last 12 months; any overage would go to the current market band; the natural gas is purchased contingent on what the County used last year.

Mr. McConnell added that the adjustment was made monthly; the County locked in for the year and the market adjustment was made monthly.

There was a brief discussion.

The Board thanked Mr. Nostram for his comments.

**MOTION** made by Freeholder Wirths to adopt this Resolution, seconded by Freeholder Parrott.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Wirths	Yes
Freeholder Zellman	Yes
Freeholder Director Vetrano	Yes

The Meeting was returned to the Agenda as listed

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**8. APPROVAL OF CONSENT AGENDA**

A. RESOLUTION RE: PAYMENT OF BILLS  
**689-2009**

B. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF  
**690-2009** ANY SPECIAL ITEM OF REVENUE IN THE 2009  
BUDGET OF THE COUNTY OF SUSSEX RELATING TO  
THE STATE AID TO THE SCMUA SOLID WASTE BONDS  
DEBT SERVICE FOR A TOTAL AMOUNT OF \$298,438.83

C. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF

- 691-2009** ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE COUNTY OF SUSSEX, MODIFICATION REQUEST FOR ARRA FUNDING OF THE SH09019, SOCIAL SERVICES FOR THE HOMELESS FOR THE PERIOD OF JANUARY 1, 2009 TO DECEMBER 31, 2009 FOR THE TOTAL ADDITIONAL AMOUNT OF \$40,000.00
- D. **692-2009** RESOLUTION RE: AMENDING THE AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE COUNTY OF MORRIS FOR THE HOUSING OF SUSSEX COUNTY YOUTH SHELTER PLACEMENTS 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. ADOPTED DECEMBER 17, 2008 (Resolution amends this Agreement to reduce the number of guaranteed beds from four (4) to two (2))
- E. **693-2009** RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT #10ALUN WITH THE NJ DEPARTMENT OF CHILDREN AND FAMILIES, DIVISION OF YOUTH AND FAMILY SERVICES TO PROVIDE \$63,836.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010 (Resolution authorizes this Contract with a County match in the amount of \$16,026.00)
- F. **694-2009** RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT #10BDUN WITH THE NJ DEPARTMENT OF CHILDREN AND FAMILIES, DIVISION OF YOUTH AND FAMILY SERVICES TO PROVIDE \$61,874.00 IN FUNDING FOR THE YOUTH INCENTIVE PROGRAM TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010 (Resolution authorizes this Contract to receive \$61,874.00 in funding, with \$25,000.00 identified for the EBP Training)
- G. **695-2009** RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO APPLY FOR AND ACCEPT CONTRACT #10-541-ADA-0 WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF ADDICTION SERVICES PROVIDING \$277,490.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010 (Resolution authorizes this application with a County match in the amount of \$39,838.00)
- H. **696-2009** RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT #10AVWN WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF DISABILITY SERVICES TO PROVIDE \$104,009.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010
- I. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR

- 697-2009** TO EXECUTE A CONTRACT WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT TO PROVIDE \$387,578.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2010 TO DECEMBER 31, 2010
- J. **698-2009** RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE CONTRACT MODIFICATION #2 WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT TO PROVIDE \$249,764.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2009 TO DECEMBER 31, 2009
- K. **699-2009** RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE CONTRACT MODIFICATION #2 WITH THE SUSSEX COUNTY DIVISION OF SOCIAL SERVICES ALLOCATING AN ADDITIONAL \$40,000.00 IN SOCIAL SERVICES FOR THE HOMELESS FUNDING FOR THE PROVISION OF HOMELESS SERVICES FOR THE CITIZENS OF SUSSEX COUNTY
- L. **700-2009** RESOLUTION RE: AUTHORIZING THE SUSSEX COUNTY SHERIFF TO ENTER INTO A SIX MONTH EXTENSION OF THE MEMORANDUM OF UNDERSTANDING WITH THE STATE OF NEW JERSEY, DIVISION OF PURCHASING, FOR THE PROVISION OF SECURITY TO THE MOTOR VEHICLE AGENCY PURSUANT TO THE NEW JERSEY MOTOR VEHICLE SECURITY AND CUSTOMER SERVICE ACT (Resolution authorizes this extension until June 30, 2010 to permit the expiration of the Memorandum of Understanding to coincide with the State fiscal year)
- M. **701-2009** RESOLUTION RE: FINAL APPROVAL OF OPEN SPACE APPLICATIONS FOR THE 2009 COUNTY FUNDING ROUND
- N. **702-2009** RESOLUTION RE: AUTHORIZING AN EXTENSION FOR THE BYRAM TOWNSHIP OPEN SPACE APPLICATIONS FROM THE 2006 AND 2007 COUNTY FUNDING ROUNDS
- O. **703-2009** RESOLUTION RE: ASSIGNMENT OF A CONTRACT – MISCELLANEOUS BUILDING TRADE SERVICES (HVAC) FOR THE DIVISION OF FACILITIES MANAGEMENT (Resolution authorizes the Assignment of this Contract from Cortese Corporation to Air Maintenance Solutions)
- P. **704-2009** RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF COMPUTER SOFTWARE FOR THE SUSSEX COUNTY OFFICE OF THE PROSECUTOR (Resolution authorizes this purchase from Dell Marketing, LP in the amount of \$49,999.38)
- Q. **705-2009** RESOLUTION RE: AUTHORIZING THE EXECUTION OF A FARMLAND PRESERVATION AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE LAND CONSERVANCY OF NEW JERSEY FOR THE ACQUISITION OF THE BAIN

FARM, KNOWN AS BLOCK 26, LOTS 14, 16 AND 20.10  
IN THE TOWNSHIP OF FRANKFORD

- R. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR  
**706-2009** AND THE CLERK OF THE BOARD TO EXECUTE  
FEDERAL AID AGREEMENT NO. 2009-DT-BLA1-26
- S. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR  
**707-2009** AND THE CLERK OF THE BOARD TO EXECUTE  
FEDERAL AID AGREEMENT NO. 2009-DT-BLA1-27
- T. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR  
**708-2009** AND THE CLERK OF THE BOARD TO EXECUTE  
FEDERAL AID AGREEMENT NO. 2009-DT-BLA1-29

**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 Parrott to approve the Financial Consent Agenda, seconded by Freeholder Zellman.

**Resolution 8. Q.**

Freeholder Wirths said that it appeared that a purchase price of \$1 million was agreed upon prior to the appraisal of the Bain property; he asked how this would work if the property did not appraise for this amount.

Mr. McConnell replied that this was the owner's part of the contract; he added that the owner was looking to the County for the funding portion; if the property does not appraise for that amount, the price is adjusted; he added that if the Land Conservancy receives all of the money from Green Acres and the State and buys the property and has it preserved, the Conservancy will sell the property on the open market and the County will get its share back; he added that the property will still have the Farmland Preservation easement on it; it will be restricted and the Conservancy will find a farmer to buy it; when the property is purchased, whatever money is paid will be distributed proportionately to those people who contributed to the acquisition.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Wirths	Yes
Freeholder Zellman	Yes
Freeholder Director Vetrano	Yes

**9. APPROVAL OF MINUTES**

There were no minutes for approval.

**10. APPOINTMENTS AND/OR RESIGNATIONS**

There were no items for Appointments and/or Resignations.

**11. RESOLUTIONS**

- A. RESOLUTION RE: AMENDING THE COUNTY OF SUSSEX  
**709-2009** ADMINISTRATIVE POLICY ("SUSSEX COUNTY VEHICLE  
POLICY") GOVERNING THE USE OF COUNTY  
VEHICLES BY COUNTY EMPLOYEES
- B. RESOLUTION RE: SUSSEX COUNTY'S CONFORMANCE TO THE

710-2009

HIGHLANDS REGIONAL MASTER PLAN IN THE  
PRESERVATION AREA ONLY

- C. RESOLUTION RE: REQUESTING THE NEW JERSEY STATE  
**Tabled** LEGISLATURE TO RESTORE FUNDING TO THE  
WORKFORCE INVESTMENT BOARD TO ALLOW IT TO  
FUND THE WORKFORCE LEARNING LINKS TO  
SERVICE THE RESIDENTS OF NEW JERSEY

**MOTION** made by Freeholder Wirths to adopt these Resolutions, seconded by Freeholder Parrott.

**Resolution 11. B.**

Freeholder Wirths questioned if this was something the County should do.

Mr. Eskilson replied that his professional recommendation was that this was the law and he was bound to recommend to the Board that it comply with the law; the law states that County and Municipal Government must conform to the Highlands Regional Master Plan in the preservation area only; he said that the County did not have much say with regard to land use issues.

There was a brief discussion.

**Resolution 11. C.**

Freeholder Wirths asked for a Motion to table this Resolution to allow time to gather additional information; he said this was a program that was funded by the unemployment fund, which is obviously broke; Freeholder Wirths said that he felt it would be hypocritical to ask for money when the State is having budgetary issues.

Freeholder Vetrano said that he was not opposed to tabling this Resolution, but suggested that the real value of the agency be reviewed; he added that from what he knows of it, the program helps people find employment.

Freeholder Zellman said that she would be interested in finding out the impact as well.

**MOTION** made by Freeholder Wirths to amend the original Motion to adopt Resolutions 11. A. and 11. B., and to table Resolution 11. C., seconded by Freeholder Parrott and passed unanimously.

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

A. Awards of Contract

1. RESOLUTION RE: AWARD OF CONTRACT FOR THE SUPPLY OF  
**Pulled from** ELECTRICITY FOR VARIOUS SUSSEX COUNTY  
**Agenda** OFFICES AND INSTITUTIONS
2. RESOLUTION RE: AWARD OF CONTRACT FOR THE SUPPLY OF  
**Voted on earlier in** NATURAL GAS FOR VARIOUS SUSSEX COUNTY  
**the meeting** OFFICES AND INSTITUTIONS
3. RESOLUTION RE: AUTHORIZING THE ENTRY INTO A  
**711-2009** PROFESSIONAL SERVICES AGREEMENT WITH  
PENNONI ASSOCIATES, INC. FOR THE  
PROVIDING OF ASBESTOS ABATEMENT  
DESIGN SERVICES AND MONITORING  
SERVICES FOR THE SECOND FLOOR AT THE  
HOMESTEAD NURSING HOME AS A  
PROFESSIONAL SERVICE PURSUANT TO

N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Agreement in the amount not to exceed \$32,200.00)

4. **RESOLUTION RE: AUTHORIZING THE ENTRY INTO AN AGREEMENT WITH JUSTICE BENEFITS, INC., FOR SPECIALIZED ASSISTANCE FOR THE REVIEW AND INVESTIGATION OF ADDITIONAL FUNDING SOURCES FOR DEFERRING EXISTING COUNTY EXPENDITURES WITHOUT COMPETITIVE BIDDING ON THE BASIS OF ITS DESIGNATION AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE** (Resolution authorizes this Agreement for a consideration not to exceed 22% of all additional revenue paid to the County of Sussex during the benefit period)

**MOTION** made by Freeholder Parrott to adopt Resolutions 12. A. 3. and 12. A. 4., seconded by Freeholder Crabb.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Wirths	Yes
Freeholder Zellman	Yes
Freeholder Director Vetrano	Yes

B. Change Orders

1. **RESOLUTION RE: AUTHORIZING THE SECOND AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH SUBURBAN CONSULTING ENGINEERS, INC. TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE X-34 CARRYING POSSUM GLEN ROAD OVER A BRANCH OF THE WALLKILL RIVER IN THE TOWNSHIP OF WANTAGE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)** (Resolution authorizes this Amendment for a decrease of \$17,950.89 because the alternate items of Construction Layout and Pile Foundation were not necessary in the amount of \$9,150.00 and Construction Support was not necessary in the amount of \$8,800.89 for a final revised Agreement amount of \$83,584.36)
2. **RESOLUTION RE: AUTHORIZING THE FIFTH AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH CHERRY, WEBER & ASSOCIATES, PC TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE S-01 CARRYING COUNTY ROUTE 610 OVER PAULINS KILL IN THE TOWNSHIP OF STILLWATER PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)** (Resolution authorizes this Amendment for a decrease of \$29,273.75 (9.6%) for work that was neither required nor performed)

3. **RESOLUTION RE: AUTHORIZING THE SECOND AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH CHERRY, WEBER & ASSOCIATES, PC TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE E-07 CARRYING COUNTY ROUTE 631 OVER WALLKILL RIVER AND NYS&W RAILWAY IN THE BOROUGH OF FRANKLIN AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this increase of \$877,522.40 (69.8%) for additional work for poor soils, unanticipated complex bridge design tasks, value engineering and compliance with the current NJDEP regulations)**

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

**Resolution 12. B. 3.**

Freeholder Zellman thanked Walter Cramp and his staff for the explanation of the future plans for the Franklin Viaduct.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Wirths	Yes
Freeholder Zellman	Yes
Freeholder Director Vetrano	Yes

**13. FINANCIAL**

- A. **RESOLUTION RE: TRANSFER OF 2009 CURRENT APPROPRIATIONS 716-2009**
- B. **RESOLUTION RE: CHANGE IN TITLE, TEXT, OR AMOUNT OF 717-2009 APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-85**

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Wirths	Yes
Freeholder Zellman	Yes
Freeholder Director Vetrano	Yes

**14. PERSONNEL**

- A. Personnel Agenda

**MOTION** made by Freeholder Wirths to approve the Personnel Agenda in accordance with the County Administrator's recommendations, seconded by Freeholder Parrott and passed unanimously.

**15. ADMINISTRATIVE REPORT**

- A. Other

**Bill S-2985**

Mr. Eskilson said that back in August the Board supported Bill S-2985; he reported that yesterday the Senate Economic Growth Committee, on a 5-0 vote across party lines, voted to extend the current sewer service areas for two years; in essence, delaying the implementation of the new wastewater regulations; it still has to go to the full Senate; there is an Assembly companion that has not moved yet.

**Item for Closed Session**

Mr. Eskilson stated that he had one item for Closed Session regarding Collective Bargaining.

**Thank you to Freeholder Vetrano**

Mr. Eskilson expressed to Freeholder Vetrano that it had been a privilege to work with him and for him; he added that Freeholder Vetrano's caring attitude for everything he did was inspirational and he thanked him.

**16. COUNTY COUNSEL**

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

**Thank you to Freeholder Vetrano**

Mr. McConnell echoed Mr. Eskilson's sentiments and said that Freeholder Vetrano's impression not only on the staff that worked for the Board, but also on all of the employees who worked for the entire County, has really made a mark; Mr. McConnell said that Freeholder Vetrano will be remembered for a very long time for all he has done for the County.

**Item for Closed Session**

Mr. McConnell stated that he had one item for Closed Session regarding pending litigation of O'Shea v. County of Sussex.

**17. UNFINISHED BUSINESS**

- A. RESOLUTION RE: DESIGNATING A PROJECT AREA WITHIN THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY A RECOVERY ZONE AND MAKING AN ALLOCATION OF RECOVERY ZONE FACILITY BOND VOLUME CAP THERETO PURSUANT TO THE  
**(title revised)**

**Revised title**

RESOLUTION RE: DESIGNATING A PROJECT AREA WITHIN THE TOWN  
**(handled earlier)** OF NEWTON, IN THE COUNTY OF SUSSEX, NEW  
JERSEY A RECOVERY ZONE AND MAKING AN  
ALLOCATION OF RECOVERY ZONE FACILITY BOND  
VOLUME CAP IN THE AMOUNT OF \$6,175,000.00 TO  
THE TOWN OF NEWTON PURSUANT TO THE  
RECOVERY AND REINVESTMENT ACT OF 2009, Pub. L.  
No. 111-5, 123 Stat. 115 (2009)

**Item 17. A. voted on earlier in the meeting.**

**18. NEW BUSINESS**

- A. Approval of letter for the Lake Hopatcong Commission in support of its I Boat grant.

**MOTION** made by Freeholder Wirths to approve the letter for the Lake Hopatcong Commission in support of its I Boat grant, seconded by Freeholder Zellman and passed unanimously.

**19. PUBLIC SESSION FROM THE FLOOR**  
**(Please note: Everyone is asked to keep their comments to 10 minutes or less)**

**MOTION** made at 7:08 p.m. by Freeholder Wirths to open the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

There was no one.

**MOTION** made at 7:09 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Parrott and passed unanimously.

**20. FREEHOLDERS' COMMENTS**

**Thank you for Certificate of Recognition**

Freeholder Zellman thanked the Board for its recognition of her service on the NJTPA and her dedication to transportation.

**Division of Social Services**

Freeholder Zellman noted the extraordinary efforts put forth by the Division of Social Services; she said that Carol Novrit would be acknowledging these efforts at an employee appreciation event planned for staff of Social Services on Monday morning.

Freeholder Zellman said that she has been speaking to Carol Novrit, Stephen Gruchacz, and persons from the Sussex County Financial Education Coalition regarding ways to work together to help the people who are sitting in the waiting rooms at Social Services; providing workshops on budgeting and credit for them while they are waiting was discussed as an option to assist these people.

### **Thank you to Freeholder Vetrano**

Freeholder Zellman expressed her thank you to Freeholder Vetrano for all of the time they spent together, not only on the campaign trail, but in their team efforts throughout the years in Sussex County; she added that Sussex County was a much better place for him having been a part of it.

### **“Champions for Charity” food drive**

Freeholder Parrott stated that the second of the high school “Champions for Charity” food drives was held today at High Point Regional High School; the high school collected 5,650 pounds, plus a \$100.00 cash donation; Wallkill Regional High School is scheduled for January and Sparta High School is scheduled for February.

### **County budget process**

Freeholder Parrott noted that the County budget process was moving ahead.

### **Thank you to Freeholder Vetrano**

Freeholder Parrott said that the best compliment he could give to anyone was that the man’s word was his bond; he said that when you knew where someone stood was the most important attribute of anyone; Freeholder Parrott wished Freeholder Vetrano the best.

### **Thank you to Freeholder Parrott**

Freeholder Wirths thanked Freeholder Parrott for his successful “Champions for Charity” food drives; he said that he felt it was important for the students to realize that there were those in the County who needed this type of assistance.

### **Thank you to Freeholder Vetrano**

Freeholder Wirths said that it had been an honor to work with Freeholder Vetrano; he noted the great working relationship and said that he has always called Freeholder Vetrano the “full-time Freeholder”, putting his heart and soul in the County; Freeholder Wirths said on behalf of his family and the County residents, thank you for the great job; he said that he knew Freeholder Vetrano would continue to work with the Board and help the Board with any project.

### **SCCC negotiations**

Freeholder Crabb said that with regard to the earlier discussion by representatives of the College, it was undeniable the measurable benefit that they provide to the residents of this County; however, there is also a Board of Trustees who are negotiating in good faith on behalf of the same residents in a broad based effort to keep taxes down; he said he hoped things worked out in a timely manner and to the benefit of everyone.

### **Thank you to Freeholder Vetrano**

Freeholder Crabb said that the one thing that has been clear to him is that whatever Freeholder Vetrano has taken from within the County family, he has had a stake in it and has had a sense of ownership that has driven his passion for excellence; he added that he felt that excellence had always been achieved; Freeholder Crabb said that he appreciated the time he has been a colleague of Freeholder Vetrano’s and he will always feel like a colleague from this point forward.

### **Farmers Market**

Freeholder Vetrano reported that the Farmers Market was closed for the season; after having been open from August 15 through November, for only one day a week, for eight farmers, a total of \$34,000.00 passed through the Farmers Market during this time; he said he felt it was a great start and that there was an opportunity for the Farmers Market to continue to grow; Freeholder Vetrano thanked Congressman Frelinghuysen for his efforts.

### **Historical Markers**

Freeholder Vetrano referred to the historical markers and asked that the Board consider the proposal of the Historical Society to pay for half of every marker to be placed; he said that programs like these draw a tremendous interest County-wide.

### **Green Program Internship**

Freeholder Vetrano discussed the "Green Program" sponsored by NJAC and Wal-Mart, whereby a student is selected from each of the Vocational-Technical Schools to receive a \$1,000.00 stipend for work he or she is doing relative to green technology; he said he would like to have the recipient from the Sussex County Technical School attend the next meeting and be presented with his check and certificate from NJAC and Wal-Mart.

### **Comments from Freeholder Vetrano**

Freeholder Vetrano stated that he was honored to have been a Freeholder; he said he owed a special thank you to the Republican Party for giving him the opportunity to serve; but added that more importantly, he owed the residents of Sussex County that gave him the opportunity to serve over the course of the past number of years.

Freeholder Vetrano said that together along with Freeholder Wirths and Freeholder Zellman, they changed the dynamics of what the Freeholder Board was all about; he said from the first day he walked into the building, that the day he left he wanted to leave Sussex County a better place than what he found and he truly believes he has done that; Freeholder Vetrano said the Freeholder Board has put a much better face on County Government and he looks back with great pride; he reflected on past accomplishments with the Fire Academy, Farmers Market, and Knoll Shared Housing; he said that all things accomplished required a top notch administrative team to make these things happen; Freeholder Vetrano thanked all County staff; he also discussed the much needed investment in the Technical School and a 9-1-1 Dispatch Center.

### **Presentation to Freeholder Vetrano**

On behalf of the Freeholder Board, Freeholder Parrott presented Freeholder Vetrano with a shadowbox encased with a County seal and plaque.

## **21. EXECUTIVE SESSION**

**MOTION** made at 7:30 p.m. by Freeholder Parrott to go into Executive Session for litigation regarding Martin O'Shea v. the County of Sussex, seconded by Freeholder Wirths and passed unanimously.

### **RESOLUTION RE: REQUESTING EXECUTIVE SESSION 718-2009**

- 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 8:20 p.m. by Freeholder Wirths to come out of Executive Session and return to Open Session, seconded by Freeholder Parrott and passed unanimously.

**Request for direction by County Council**

Mr. McConnell stated that he needed direction with regard to the matter of Martin O'Shea v. the County of Sussex to take the action as set forth in Closed Session.

**Direction to County Council**

**MOTION** made by Freeholder Crabb to direct County Council to take the action as set forth in Closed Session with regard to the matter of Martin O'Shea v. the County of Sussex, seconded by Freeholder Wirths and passed unanimously.

**Direction to the County Administrator**

Freeholder Vetrano stated that direction was also given to the County Administrator in Closed Session to pursue further negotiations with PBA 138.

**22. REMINDERS**

Thursday	December 24, 2009	Christmas Eve	Holiday
Friday	December 25, 2009	Christmas Day	Holiday
Wednesday	December 30, 2009	Regular Meeting	9:00 am
Friday	January 1, 2010	New Year's Day	Holiday
Friday	January 1, 2010	Reorganization	2:00 pm
		Sussex County	
		Historic Courthouse	
Wednesday	January 13, 2010	Regular Meeting	5:00 pm

**23. ADJOURNMENT**

**MOTION** made at 8:21 p.m. by Freeholder Crabb to adjourn, seconded by Freeholder Parrott and passed unanimously.

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Elaine A. Morgan, Clerk

**DATED: December 16, 2009**