

**REGULAR MEETING HELD ON WEDNESDAY, FEBRUARY 23, 2011**

**5:00 PM**

**ORDER OF BUSINESS**

**Item**

1. **CALL TO ORDER BY DIRECTOR** at 5:05 p.m.

2. **ROLL CALL:** Freeholder Crabb; Freeholder Space; Freeholder Vohden;  
Freeholder Zellman; Freeholder Director Zeoli; John Eskilson,  
County Administrator; Dennis McConnell, County Counsel; Diane  
Eakman, Deputy 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 February 15, 2011 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/Certificates

1. Proclamation recognizing the month of March, 2011 as "American Red Cross Month"  
**157-2011**

**MOTION** made by Freeholder Crabb to approve this Proclamation, seconded by Freeholder Vohden 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 5:11 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

**Comments from Bill Gettler on the County budget/Tech School tuition**

Bill Gettler, Wantage Township & President of the Wantage Taxpayers Association, came forward; Mr. Gettler said that no one could afford these taxes; he referred to the 2% increase and said that while the Board may think it is marginal, it should be zero; he discussed the impact of the 2% increase on some of the various townships; Mr. Gettler said that he agreed with the \$500,000.00 cut to the Technical School budget, but he disagreed with the Technical School charging tuition to make up the difference; he felt the Technical School should have to deal with the cut like the other schools have had to deal with theirs; Mr. Gettler said the Technical School tuition may be legal, but it was totally immoral.

The Board thanked Mr. Gettler for his comments.

**MOTION** made at 5:16 p.m. by Freeholder Space to close the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

## 8. **FREEHOLDERS' COMMENTS**

### **Comments from Freeholder Zellman**

- **Money \$mart Week**

Freeholder Zellman said that Money \$mart Week was moving along; one event, rather than a series of events was being planned; she said they were working with the NJ Herald and primarily with the Center for Prevention; the event will be held during the third week in April.

- **Lake Musconetcong Regional Planning Board**

The draw down of Lake Musconetcong has been extended to the 15<sup>th</sup> because the ice is still very prevalent; Freeholder Zellman noted that the budget request for this year from the Lake Muconetcong Regional Planning Board was down.

- **Complete Streets**

Freeholder Zellman said that there were over 50 registrants; she said there were two prominent attorneys who would be presenting on the legal and liability aspects; this is scheduled for March 31, 2011 at Waterloo Village; the Division of Parks and Forestry is waiving the fee for the three Counties involved so this is being presented at no cost to any of them.

### **Comments from Freeholder Space**

- **“Champions for Charity”**

Freeholder Space said he would be attending the “Champions for Charity” food drive at the Technical School this Thursday.

- **County budget**

Freeholder Space said the 2011 County budget would be unveiled in the next couple of weeks; he said a lot of work has been going into the budget; this process has been taken very seriously and many hard cuts and difficult decisions had to be made.

### **Comments from Freeholder Vohden**

- **Tours of County Offices**

Freeholder Vohden said he toured the offices of the County Clerk and the Election Board; he also had an informative conversation with the Prosecutor; Freeholder Vohden said he has been asking those he meets for budget cutting ideas and he has received some good suggestions; he will pass these along to the Budget Committee.

- **Sparta Sustainable Jersey Event**

Freeholder Vohden said he attended the recent Sparta Sustainable Jersey Event; the event was well attended by people from all over the State; he said he was impressed by the update provided on Sparta’s alternative energy program and the solar installations and subsequent energy cost savings.

- **Lackawanna Railroad cut-off project**

Freeholder Vohden noted that the Lackawanna Railroad cut-off project was back on track; pre-construction has started.

- **Tiden Brooks Security layoffs**

Freeholder Vohden referred to the State website that businesses are required to notify when they are going to have a large layoff; he stated that Tiden Brooks Security in Newton has notified the State website that they will be laying off 52 employees very soon.

### **Comments from Freeholder Crabb**

- **Technical School budget**

Freeholder Crabb referred to a previous comment from Dr. Hannum, Superintendent, High Point Regional High School, that he (Dr. Hannum) would like to take part in reviewing the Technical School budget; Freeholder Crabb said that he has reviewed some facts and noted that High Point spends 42% more than the NJ Department of Education says a district should spend on administrative salaries and benefits based on the mix of students in the district and the programs offered; he added that the Technical School was second best in the County in that respect.

Freeholder Crabb said he would like for the Freeholder Board to have the opportunity to look at other school budgets; he said these were trying times and everyone had to work together; he said school budgets were 60% to 70% of your total budget and some accountability had to be held at all levels.

### **Comments from Freeholder Zeoli**

- **Champions for Charity**

Freeholder Zeoli noted that that the next Champions for Charity would be held tomorrow morning at the Technical School; he added that anything that could be contributed would be appreciated.

- **Capital Projects**

Freeholder Zeoli said that the Capital Projects Committee would be focusing on critical roads and bridges this year; there are many roads and bridges in this County and many of them need work.

- **Technical School Bond Ordinances**

Freeholder Zeoli said the Bond Ordinances for the Technical School covered some very critical areas of much needed improvement; the State is matching with 40% and if the County did not do the 60%, the Technical School would lose the State's 40%; he said these improvements were not aesthetics, but core needs.

- **NJ Herald article regarding the Community College budget**

Freeholder Zeoli said he was disappointed when he read the Herald today and found out about the College budget; he said that as a taxpayer he was disappointed that the College presented its budget to the County without formally asking its faculty and staff to take a pay freeze; 650 County employees took a pay freeze; this is because we are all in this together and we all want to get through this crisis; Freeholder Zeoli said that one only has to look around and see that this has affected every State and government entity in the country; a blind eye cannot be turned to the fact that the Freeholder Board asked County employees to take a pay freeze; some pay freezes were mandated by the Board, while others agreed to it by Union concessions.

The Board cannot then turn around and pretend that the College did not do that when it is asking us to approve its budget; he said the Board has been very honest and frank with the College about the need for budget cuts; an ongoing conversation regarding this has been going on with the College for months; this Board will not be made to look like the bad guys; the taxpayers have had enough; Freeholder Zeoli said that he thinks the 2% increase is very marginal considering all the State puts on the County to provide; considering the increases that are just unavoidable, all the cuts being made, and all of the pay freezes, this is no surprise to anyone; he added that the only way to get through these times is to make tough choices; these are the tough choices the Board is making; Freeholder Zeoli said he would like to see a zero increase, but this is not a possibility.

Freeholder Zeoli said he would ask the College Board of Trustees to please go back and formally ask their faculty and staff to accept a pay freeze; this would be a good first step and to further examine areas where cuts could be made; the taxpayers have said they can no longer carry the burden anymore; the taxpayers cannot carry the burden, not when there are people lining up out the door at Social Services, and not when a tax increase determines whether someone can stay in their home or not.

## **9. APPROVAL OF CONSENT AGENDA**

- A. RESOLUTION RE: PAYMENT OF BILLS  
**158-2011**
- B. RESOLUTION RE: AUTHORIZING THE COUNTY TO PERMIT THE NJ JUVENILE JUSTICE COMMISSION TO REDIRECT \$60,600.00 IN AWARDED 2011 STATE/COMMUNITY PARTNERSHIP AND FAMILY COURT SERVICES FUNDING TO THE NJ DEPARTMENT OF CHILDREN AND FAMILIES FOR THE PROVISION OF FAMILY CRISIS INTERVENTION UNIT (FCIU) SERVICES ON BEHALF OF SUSSEX COUNTY
- C. RESOLUTION RE: AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS UNDER THE PROVISIONS OF N.J.S.A. 19:44A-20.4 ET SEQ. FOR VARIOUS SERVICES, WITH ACCUMULATED VALUE LESS THAN THE BID THRESHOLD, AS STATED BELOW (Resolution authorizes these purchase orders for BWP Distributors (CarQuest); Lou's Glass Repair; Dad's Taxi & Limo; Susan Becker; and Signal Control Products)
- D. RESOLUTION RE: AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS UNDER THE PROVISIONS OF N.J.S.A. 19:44A-20.4 ET SEQ. FOR VARIOUS BID EXEMPT SERVICES AS STATED BELOW (Resolution authorizes these purchase orders for EBSCO Information Services and Reinhart Foodservice)
- E. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A GRANT APPLICATION FOR THE VICTIM AND WITNESS ADVOCACY FUND (VWAF) SUPPLEMENTAL GRANT PROGRAM ADMINISTERED BY THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF CRIMINAL JUSTICE, OFFICE OF VICTIM WITNESS ADVOCACY FOR THE PERIOD JANUARY 1, 2011 THROUGH JUNE 30, 2012 IN THE AMOUNT OF \$20,730.00
- F. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN

**163-2011** FREEHOLDERS TO APPROVE A NO COST TIME EXTENSION FOR A CONTRACT WITH JAMES LEE WITT ASSOCIATES FOR THE DEVELOPMENT OF AN ALL HAZARDS PRE-DISASTER MITIGATION PLAN FOR AN AMOUNT NOT EXCEEDING \$385,000.00

**Comment on Resolutions 9. G. and 9. H.**

**Mr. McConnell noted a minor amendment to this Resolution; when the Statute refers to 40A:11-10, it is supposed to be 40A:11-1; this will also refer to Resolution 9.H., as well.**

- G. **164-2011** RESOLUTION RE: AUTHORIZING THE EXECUTING OF AN AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE COUNTY OF MORRIS FOR THE HOUSING OF SUSSEX COUNTY JUVENILE DETAINEES 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. (Resolution authorizes this Agreement for three (3) guaranteed beds at a cost of \$525.00 per day for an annual cost of \$191,625.00)
- H. **165-2011** RESOLUTION RE: AUTHORIZING THE EXECUTING OF AN 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. (Resolution authorizes this Agreement for two (2) guaranteed beds at a cost of \$350.00 per day for an annual cost of \$127,750.00)
- I. **166-2011** RESOLUTION RE: EXTENDING THE CONTRACT BASED ON PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR CERTIFIED LABORATORY TESTING SERVICES SUPERVISED BY A PROFESSIONAL ENGINEER FOR THE DEPARTMENT OF ENGINEERING AND PLANNING (Resolution extends this Contract with ANS Consultants for one additional and consecutive one year period in the approximate minimum amount of \$18,000.00)
- J. **167-2011** RESOLUTION RE: RESOLUTION OF THE COUNTY OF SUSSEX, NEW JERSEY AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE MORRIS COUNTY IMPROVEMENT AUTHORITY AND CERTAIN OTHER MATTERS ALL IN CONNECTION WITH ESTABLISHING THE SUSSEX COUNTY RENEWABLE ENERGY PROGRAM

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

**Resolution 9. J.**

Freeholder Crabb asked Mr. Eskilson about the time factors built into the Resolution with regard to being able to turn around.

Mr. Eskilson replied that information provided by the Improvement Authority was that

educational meetings in March and subsequent energy audits could lead to bid and financing by the end of the year.

Freeholder Crabb asked if there were limitations on pursuing other routes such as BPU.

Mr. Eskilson replied no not at all; that would be the option of the municipality.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes, but abstain on Bill #27414 on Resolution 9. A.
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Zeoli	Yes

**10. APPROVAL OF MINUTES** Reorganization Meeting January 3, 2011

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

**11. APPOINTMENTS AND/OR RESIGNATIONS**

A. Appointments

1. **RESOLUTION RE: APPOINTMENT OF BRIAN M. HAUTAU AS A MEMBER OF THE SUSSEX COUNTY AGRICULTURE DEVELOPMENT BOARD TO FILL THE UNEXPIRED TERM OF WARREN WELSH; SAID TERM TO BEGIN IMMEDIATELY AND EXPIRE SEPTEMBER 30, 2011**

B. Resignations

1. E-mail received by Eric Snyder from James Wright, who resigned from his position on the Solid Waste Advisory Council effective December 31, 2010.

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

**12. RESOLUTIONS**

There were no Resolutions for Item #12.

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

A. Awards of Contracts

1. **RESOLUTION RE: AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH ENERGY CURTAILMENT SPECIALISTS, INC., IN PROVIDING A POWERPAY PROGRAM (CAPACITY-BASED PROGRAM) FOR THE COUNTY OF SUSSEX AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(a)(i) (Resolution authorizes this Agreement as a no cost proposal for the time period February 23, 2011 through December 31, 2011)**
2. **RESOLUTION RE: AWARD OF CONTRACT FOR THE PURCHASE**

**170-2011**

OF "ONE (1) CURRENT MODEL YEAR COMBINATION DUAL GUTTER BROOM/CATCH BASIN CLEANER" FOR THE COUNTY OF SUSSEX (Resolution awards this Contract to the only responsible bidder, U.S. Municipal Supply, Inc., in the amount of \$237,950.00 after trade-in allowance)

- 3. **RESOLUTION RE: 171-2011** AWARD OF A CONTRACT RENEWAL FOR UNIFORM SUPPLY AND LAUNDRY SERVICE FOR THE COUNTY OF SUSSEX (Resolution awards this Contract renewal through December 31, 2011 to American Wear in the approximate amount of \$28,800.00)

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

On Roll Call the vote was:

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

B. Change Orders

- 1. **RESOLUTION RE: 172-2011** AWARD OF CHANGE ORDER NO. 3 TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND EMPKO CONTRACTING, INC. FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE Q-11 CARRYING COUNTY ROUTE 620 (GLEN ROAD) OVER SPARTA GLEN BROOK, TOWNSHIP OF SPARTA, SUSSEX COUNTY, NEW JERSEY (2009 ARRA GRANT IN THE AMOUNT OF \$901,237.50) (Resolution authorizes this Change Order No. 3 in the amount of \$25,581.50, or a 2.84% increase of the original Contract, to provide and maintain advance variable message signs for six weeks, to provide ground heaters to heat the concrete deck, to increase Porous fill and to increase BGA base course)

**MOTION** made by Freeholder Zellman to adopt this Resolution, seconded by Freeholder Vohden.

On Roll Call the vote was:

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

**14. FINANCIAL**

A.

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**INTRODUCTION FOR FIRST READING – BOND ORDINANCE  
173-2011**

**BOND ORDINANCE PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION OF VARIOUS EQUIPMENT FOR THE SUSSEX COUNTY TECHNICAL SCHOOL, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY APPROPRIATING \$1,196,000.00 THEREFOR (INCLUDING \$478,400.00 AGGREGATE AMOUNT OF GRANTS FROM THE STATE OF NEW JERSEY) AND AUTHORIZING THE ISSUANCE OF \$717,600.00 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING A PORTION OF SUCH APPROPRIATION, AND AUTHORIZING A PUBLIC HEARING TO BE HELD WEDNESDAY, MARCH 9, 2011 AND AUTHORIZING PUBLICATION THEREOF**

**MOTION** to adopt this Bond Ordinance on first reading made by Freeholder Zellman, seconded by Freeholder Vohden.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Zeoli	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 March 9, 2011 at 5:00 pm prior to final adoption of this Bond Ordinance made by Freeholder Vohden, seconded by Freeholder Space and passed unanimously.

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**15. PERSONNEL**

A. Personnel Agenda (none)

**16. ADMINISTRATIVE REPORT**

A. Other

Mr. Eskilson stated that he had no report at this time.

**17. COUNTY COUNSEL**

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

Mr. McConnell stated that he had no report at this time.

**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 5:47 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Space and passed unanimously.

**Comments from George Brandt**

George Brandt, Councilman, Stanhope, came forward; he said he was present regarding Resolution 9. J.; he said that this was something that the Borough of Stanhope has already moved on and has had an energy audit performed; he asked if this energy audit had to be duplicated.

Mr. Eskilson replied that he did not think so; the County could work with the professionals at the Morris County Improvement Authority; of course the audit would have to be looked at; if it is a roof mounted system, there may have to be an analysis of the roof structure; Mr. Eskilson said that he had spoken to the attorney for the Improvement Authority about hypothetical situations such as this; the attorney said that the cost that would be charged for the analysis would be reduced in these circumstances.

There was a brief discussion.

**Comments from Lisa Chammings**

**Educational meetings/renewable energy**

Lisa Chammings, came forward; Ms. Chammings questioned if the public could attend the educational meetings regarding renewable energy.

Freeholder Crabb said the meetings were not constrained at all and any one could attend.

**Resolution 13. A. 1.**

Ms. Chammings questioned if load shedding was similar to demand side management.

Mr. Eskilson replied that it was not shedding a load for purposes of reducing demand or reducing demand charge; it is shedding a load to assist the PJM pool to go through certain contingency operations and to test the legitimacy of some of its systems under certain controlled conditions; PJM actually identifies the meters and gives the client about two weeks notice that on specified days ,typically between June and September, the client would be asked to shed 200kw of load; the County would have to agree on the days; it is likely to be in a facility such as the Administrative Center and clearly, not in a facility such as the Nursing Home; the switch would go off at those meters, the load is shed, and in return the County would receive a check for doing so.

**Budget cuts to Extension Service**

Ms. Chammings discussed the elimination of one of the two clerical positions at the Extension Service; she asked the Board to consider re-instating at least eight hours to a clerical position.

The Board thanked Ms. Chammings for her comments.

**MOTION** made at 6:00 p.m. by Freeholder Zellman to close the meeting to the Public, seconded by Freeholder Crabb 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                      March 9, 2011                      Regular Meeting                      5:00 pm

**Youth in County Government Day**

Freeholder Zellman informed the Board that Youth in County Government Day was scheduled for Wednesday, April 13, 2011, 12:30 p.m. to 4:30 p.m.

**23. ADJOURNMENT**

**MOTION** made at 6:01 p.m. by Freeholder Zellman to adjourn the meeting, seconded by Freeholder Space and passed unanimously.

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Diane S. Eakman, Deputy Clerk

**DATED:      February 23, 2011**