

REGULAR MEETING HELD ON WEDNESDAY, JANUARY 13, 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 Zeoli; Freeholder Director Parrott; Dennis McConnell, County Counsel; John Eskilson, County Administrator; Elaine Morgan, Clerk

Freeholder Wirths and Freeholder Zellman were absent.

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. Proclamation in recognition of Eric Rebisz attaining the rank of Eagle Scout.

**50-2010**

2. Proclamation designating the month of January, 2010 as "National Mentoring Month".

**51-2010**

3. Certificate presented to High Point Regional High School "Champions for Charity" for sharing their spirit of community, enthusiasm of youth, and sincere desire to help those in need on December 16, 2009.

**52-2010**

4. Certificate for Glenn R. Lewis in recognition of his many years of devoted service to the residents of Sussex County.

**53-2010**

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

B. Presentations

1. Presentation to the Sussex County Community College by the Department of Environmental and Public Health Services in appreciation for its outstanding contributions and service during the 2009 H1N1 Influenza Clinics during November and December, 2009.

### **Presentation of plaque to the Sussex County Community College**

Herbert Yardley, Administrator, Department of Environmental and Public Health Services, presented a plaque to Constance Mierendorf, President, Sussex County Community College, in recognition of the assistance and cooperation exhibited by the College during the recent H1N1 flu vaccinations clinic held at the College.

The Board acknowledged the College staff and staff of the Department of Environmental and Public Health Services for all of their assistance.

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

**MOTION** made at 5:25 p.m. by Freeholder Zeoli to open the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

#### **Comments from Joseph Duffy**

Joseph Duffy, Catholic Family Charities, came forward; he discussed the number of people Catholic Family Charities has provided food for in Sussex County during the last year; Mr. Duffy said that pet food has been added to the Meals on Wheels Program for those elderly clients who have pets and cannot afford to purchase pet food; he highlighted the number of persons provided with food in the other counties that are serviced by Catholic Family Charities.

The Board thanked Mr. Duffy for his comments.

#### **Comments from Cheryl Thom**

Cheryl Thom, representing the Sussex County Firemen's Association, came forward; Mrs. Thom said she was present to extend the Association's thank you for once again being allowed to make its recommendation to the Freeholder Board for the re-appointment of the Fire Marshals; she said that these three men being re-appointed represent the best of the Sussex County fire service.

The Board thanked Mrs. Thom for her comments.

**MOTION** made at 5:27 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Zeoli and passed unanimously.

### **8. APPROVAL OF CONSENT AGENDA**

- A. RESOLUTION RE: PAYMENT OF BILLS  
**54-2010**

#### **Comment from County Counsel**

Mr. McConnell stated that this Resolution was going to be subject to review and approval by the County Administrator prior to payment; he said that he has received the list and he will forward it to the County Administrator who will approve the bills later this week.

Mr. Eskilson said that copies would be provided to the Board and if any of the Freeholders had any questions, they could contact him (County Administrator).

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

- B. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK TO EXECUTE LETTER OF AGREEMENT WITH MORRIS COUNTY TO PROVIDE \$8,437.00 IN FUNDING TO THE SUSSEX COUNTY DIVISION OF SOCIAL SERVICES FOR THE PROVISION OF DATA ENTRY AND RELATED SERVICES UNDER THE WORK FIRST NEW JERSEY TEMPORARY ASSISTANCE FOR NEEDY FAMILIES WORK VERIFICATION PROGRAM FOR THE PERIOD OF JULY 1, 2009 THROUGH JUNE 30, 2010**
  
- C. **RESOLUTION RE: AUTHORIZATION TO EXECUTE THE PROJECT AWARD CONTRACT FOR THE COUNTY PROSECUTOR INSURANCE FRAUD REIMBURSEMENT PROGRAM, JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 IN THE TOTAL AMOUNT OF \$126,865.00**
  
- D. **RESOLUTION RE: DESIGNATING THE MORVILLE AGENCY AS RISK MANAGEMENT CONSULTANT FOR THE PUBLIC ALLIANCE INSURANCE COVERAGE (PAIC) FUND (Resolution authorizes the fee of \$80,554.88, which is 7.5% of the 2010 annual assessment for all lines, which is \$1,074.065.00)**  
**Pulled from Agenda**
  
- E. **RESOLUTION RE: DESIGNATING THE MORVILLE AGENCY AS RISK MANAGEMENT CONSULTANT FOR THE STATEWIDE INSURANCE FUND (Resolution authorizes the fee of \$74,623.20, which is 6% of the 2010 annual assessment for Worker's Compensation, which is \$1,243.720.00)**  
**Pulled from Agenda**
  
- F. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF COMPUTER ASSISTED SCANNING EQUIPMENT FOR COURTHOUSE SECURITY FOR THE SUSSEX COUNTY OFFICE OF THE SHERIFF (Resolution authorizes this purchase from Smith's Detection in the approximate amount of \$84,105.00)**
  
- G. **RESOLUTION RE: AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS LOT 9 IN BLOCK 40001 IN THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY PURSUANT TO N.J.S.A. 40A:12-5, AS PART OF THE COUNTY'S OPEN SPACE PROGRAM (Resolution authorizes this acquisition in the amount of \$50,000.00 for a 10 acre parcel (County's share is \$17,500.00 and the balance of \$32,500.00 being paid from the County's Green Acres Planning Incentive Grant))**
  
- H. **RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A CONTRACT WITH JAMES LEE WITT ASSOCIATES FOR THE DEVELOPMENT OF ALL HAZARDS PRE-DISASTER MITIGATION PLAN FOR FOUR OF THE FIVE COUNTIES IN THE NORTHERN DELAWARE RIVER REGION FOR A CONTRACT**

AMOUNT NOT EXCEEDING THE AMOUNT OF  
\$385,000.00

**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 adopt Resolutions 8. B. – 8. C. and Resolutions 8. F. – 8. H. on the Financial Consent Agenda, seconded by Freeholder Zeoli.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

9. **APPROVAL OF MINUTES** Regular Meeting November 24, 2009  
Regular Meeting December 16, 2009  
Regular Meeting December 30, 2009

(minutes tabled)

**Executive Session Minutes**  
Regular Meeting November 24, 2009

**MOTION** made by Freeholder Crabb to table these minutes, seconded by Freeholder Zeoli and passed unanimously.

10. **APPOINTMENTS AND/OR RESIGNATIONS**

A. Appointments

1. **RESOLUTION RE: APPOINTING FUND COMMISSIONER AND ALTERNATE FUND COMMISSIONER FOR STATEWIDE INSURANCE FUND (Resolution appoints John Eskilson as the Fund Commissioner and Patrick Bailey as the Alternate Fund Commissioner)**  
**60-2010**
2. **RESOLUTION RE: REAPPOINTMENT OF JOSEPH C. INGA AS FIRE MARSHAL FOR SUSSEX COUNTY FOR A THREE (3) YEAR TERM. SAID TERM TO BEGIN JANUARY 15, 2010 AND EXPIRE JANUARY 14, 2013**  
**61-2010**
3. **RESOLUTION RE: REAPPOINTMENT OF MICHAEL P. ALVAREZ AS ASSISTANT FIRE MARSHAL FOR SUSSEX COUNTY FOR A THREE (3) YEAR TERM. SAID TERM TO BEGIN JANUARY 15, 2010 AND EXPIRE JANUARY 14, 2013**  
**62-2010**
4. **RESOLUTION RE: REAPPOINTMENT OF DANIEL J. STOLL AS ASSISTANT FIRE MARSHAL FOR SUSSEX COUNTY FOR A THREE (3) YEAR TERM. SAID TERM TO BEGIN JANUARY 15, 2010 AND EXPIRE JANUARY 14, 2013**  
**63-2010**
5. **RESOLUTION RE: APPOINTMENT OF ALLEN P. LANGJAHR AS THE SECOND ALTERNATE MEMBER OF THE SUSSEX COUNTY PLANNING BOARD FOR A THREE (3) YEAR TERM. SAID TERM TO EXPIRE DECEMBER 31, 2012**  
**64-2010**

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

**11. RESOLUTIONS**

A.

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**INTRODUCTION FOR FIRST READING – RESOLUTION**

**Comment from County Counsel**

Mr. McConnell stated that this Resolution would be tabled; he added that there was an issue with the timing of the vacation of this road; Mr. McConnell said that he has been discussing this issue with the State; there will be a Memorandum of Understanding between the two parties; this will take place once the road has been realigned.

Mr. Eskilson added that this was a vacation of a piece of County road that is to be given to the State by the County to give to a property owner who is involved in the realignment.

**RESOLUTION RE: VACATION OF A PORTION OF COUNTY ROUTE 607, LAKE  
Tabled LACKAWANNA ROAD, IN THE TOWNSHIP OF BYRAM, PURSUANT  
TO THE PROVISIONS OF N.J.S.A. 27:16-28(b)**

**MOTION** to adopt this Resolution on first reading.

**MOTION** to authorize the Clerk to advertise this Resolution as introduced for first reading, and also post same on the bulletin board in the lobby of the County Administrative Center, together with a Notice of Public Hearing stating that a hearing will be held on February 10, 2010 at 5:00 pm prior to final adoption of this Resolution.

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

A. Awards of Contract

1. **RESOLUTION RE: AWARD OF CONTRACT BASED ON PROPOSALS  
Tabled RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS PURSUANT TO N.J.S.A. 40A:11-4.1 ET SEQ. FOR A MUNICIPAL RECORDS MANAGEMENT SHARED SERVICES PROFESSIONAL SERVICES PROJECT FOR THE COUNTY OF SUSSEX (Resolution awards this Contract to Access Systems with an estimated cost of the project being \$75,000.00)**
  
2. **RESOLUTION RE: AWARDED A CONTRACT BASED ON  
65-2010 PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR A CONSULTANT TO ASSIST IN THE AGRITOURISM/ECOTOURISM MARKETING STRATEGY OF THE COUNTY OF SUSSEX AS REQUIRED UNDER THE GRANT FOR SAID PURPOSE (Resolution awards this Contract to the only respondent to the proposal process, Union Green, in the amount of \$13,000.00 plus reimbursement for documented advertising expenditures)**

3. **RESOLUTION RE: AWARD OF CONTRACT FOR A SHERIFF'S OFFICE MOBILE COMMAND VEHICLE (Resolution 66-2010 awards this Contract to the lowest responsible bidder, North American Catastrophe Services, with the total amount of the Contract being \$340,000.00)**

**MOTION** made by Freeholder Zeoli to table Resolution 12. A. 1., and to adopt Resolutions 12. A. 2. and 12. A. 3., seconded by Freeholder Crabb.

**Resolution 12. A. 3.**

Freeholder Crabb stated that he had a discussion with Skip Danielson and Mark Vogel of the Division of Emergency Management regarding the subject vehicle; he said that across the County there were no certified emergency operation centers; what the County had were considered makeshift operating centers; this vehicle would be of great use at emergency events throughout the County.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

**B. Change Orders**

1. **RESOLUTION RE: AUTHORIZING THE FIFTH AND FINAL AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH PICKERING, CORTS & SUMMERSON, INC. TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE M-16 CARRYING SUSSEX COUNTY ROUTE 653 OVER A TRIBUTARY OF MILL BROOK, MONTAGUE TOWNSHIP PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Amendment for a decrease of \$30,357.41 (49.72% overall increase of the original Contract) because the project has been completed and the anticipated Construction Inspection Services by the Consulting Engineer were not required)**
2. **RESOLUTION RE: AWARD OF CHANGE ORDER NUMBER 1 FINAL TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND LAKESIDE CONSTRUCTION FOR THE REPLACEMENT OF COUNTY BRIDGE H-03, COUNTY ROUTE 622 OVER THE PAULINS KILL, TOWNSHIP OF HAMPTON, SUSSEX COUNTY, NEW JERSEY (Resolution authorizes this Change Order to increase the Contract in the amount of \$80,672.90 (3.89%) for additional work and unforeseen ground conditions; this Change Order also added a ten (10) day time extension)**

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

**13. FINANCIAL**

- A. RESOLUTION RE: TRANSFER OF 2009 APPROPRIATION RESERVES  
**69-2010**
- B. RESOLUTION RE: APPROVING A CASH MANAGEMENT PLAN FOR 2010  
**70-2010**
- C. RESOLUTION RE: ADOPTION OF A 2010 TEMPORARY OPERATING  
**71-2010** BUDGET BY THE COUNTY OF SUSSEX

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Zeoli	Yes
Freeholder Director Parrott	Yes

**14. PERSONNEL**

- A. Personnel Agenda

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

**15. ADMINISTRATIVE REPORT**

- A. Other

**Senate Bill 2895**

Mr. Eskilson stated that Senate Bill 2895 was passed by both Houses; in essence, this action will extend the validity of the current sewer service areas in the County until April, 2011.

**16. COUNTY COUNSEL**

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

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

**17. UNFINISHED BUSINESS**

There was no Unfinished Business.

**18. NEW BUSINESS**

- A. Letter to Governor Corzine urging him to sign Assembly Bill #2046 and Senate Bill #1830, which propose to establish the casino revenues (Senior Citizens and Disabled Residents Transportation Assistance Program) at 8 ½% of funds collected.

**MOTION** made by Freeholder Crabb to approve the letter to Governor Corzine urging him to sign Assembly Bill #2046 and Senate Bill #1830, which propose to establish the casino revenues (Senior Citizens and Disabled Residents Transportation Assistance Program) at 8 ½% of funds collected, seconded by Freeholder Zeoli 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 5:45 p.m. by Freeholder Zeoli to open the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

There was no one.

**MOTION** made at 5:46 p.m. by Freeholder Zeoli to close the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

**20. FREEHOLDERS' COMMENTS**

**Emergency response services**

Freeholder Crabb referred to recent emergency events that have occurred in the County; he commended all of the emergency services and charitable organizations, such as the Red Cross, who have responded and provided shelter and personal assistance to those who were displaced.

**Thank you to staff**

Freeholder Zeoli thanked the County Administrator and the Clerk's Office for their assistance to him.

**Meetings with Walter Cramp and Herbert Yardley**

Freeholder Zeoli stated that he met with Herbert Yardley; he said that as the Liaison to the Department of Environmental and Public Health Services, he wanted to become familiar with everything the Department was doing; Freeholder Zeoli said that he was impressed with all of the services available to County residents and the handling of the recent H1N1 flu clinic.

Freeholder Zeoli said that he also met with Walter Cramp to learn about the engineering aspects of the Department of Engineering and Planning; he said that he wanted to be aware of what the future needs of the County's bridges and roads would be over the next couple of years as a tool to assist in the critical planning process.

**Thank you to the public**

Freeholder Zeoli thanked the public for the opportunity to serve as a Freeholder.

**Sussex County Technical School Board of Education**

Freeholder Parrott stated that there was an opening for a member on the Technical School Board of Education; the Board would be accepting letters of interest; the vacant position must be filled by either a Republican or Independent.

**Thank you to Cheryl Thom**

Freeholder Parrott thanked Cheryl Thom for expressing her support for the Fire Marshals.

**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	January 18, 2010	Martin Luther King, Jr. Day	Holiday
Wednesday	January 27, 2010	Regular Meeting	5:00 pm

**23. ADJOURNMENT**

**MOTION** made at 5:55 p.m. by Freeholder Zeoli to adjourn, seconded by Freeholder Crabb and passed unanimously.

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Elaine A. Morgan, Clerk

**DATED: January 13, 2010**