

REGULAR MEETING HELD ON WEDNESDAY, JANUARY 14, 2009

5:00 PM

ORDER OF BUSINESS

Item

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

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

3. MOMENT OF SILENT PRAYER AND SALUTE TO THE FLAG

4. PUBLIC STATEMENT

"Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975 Adequate Notice as defined by Section 3D of Chapter 231, P.L. 1975, has been made by regular mail, such notice being submitted on January 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 Robert A. Vandenberg in recognition of his many years of dedicated service to the Sussex County Community College Board of Trustees, faculty, and students, and commitment that a college education should be affordable and accessible to all who desire to expand their educational horizons.

50-2009

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

2. Certificate for Eric G. Grove in recognition of his many years of service to the County of Sussex, Department of Engineering & Planning, and his commitment to the improvement and maintenance of County roads and bridges to insure the safety of the travelling public.

51-2009

MOTION made by Freeholder Wirths to approve these Certificates, 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 5:07 p.m. by Freeholder Wirths to open the meeting to the Public, seconded by Freeholder Parrott and passed unanimously.

New Director of Aging Services for Catholic Family and Community Services

Joseph Duffy, Catholic Family and Community Services, came forward; he said that he was pleased to inform the Board, that effective this past Monday, Linda Ward has been promoted to Director of Aging Services for Catholic Family and Community Services; Mr. Duffy said that Ms. Ward would also be assuming responsibility for the Adult Day Care Center in Newton.

Mr. Duffy said that Ms. Ward would be full time in Sussex County, adding that this would also improve the level and availability of services to County senior citizens.

MOTION made at 5:10 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Parrott and passed unanimously.

8. APPROVAL OF CONSENT AGENDA

A. RESOLUTION RE: PAYMENT OF BILLS Not Acted On

MOTION made by Freeholder Wirths to authorize the County Treasurer, at the appropriate time, as a result of the software and computer change, to pay bills, seconded by Freeholder Zellman.

On roll call, the vote was:

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

B. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE AN APPLICATION AND ACCEPT THE FUNDING FOR THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS SHARING AVAILABLE RESOURCES EFFICIENTLY 2009 (SHARE) GRANT FUNDS FOR THE PURPOSE OF PROVIDING STREET SIGN MANUFACTURING SERVICES TO THE TOWNSHIP OF ANDOVER AND ANDOVER BOROUGH AND THE TRANSITIONAL COSTS (Resolution authorizes this Application in the amount of \$11,300.00)

C. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE THE LOW INCOME HEATING AND ENERGY ASSISTANCE PROGRAM (LIHEAP) COUNTY WELFARE AGENCY (CWA) ADMINISTRATION 2009 GRANT AGREEMENT #09-0417-00 IN THE AMOUNT OF \$1,874.00 FOR THE PERIOD OF OCTOBER 1, 2008 THROUGH SEPTEMBER 30, 2009

D. RESOLUTION RE: AUTHORIZATION TO ACCEPT THE APPLICATION FOR THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM, GRANT NUMBER: JAG-3-13-06 FOR THE TOTAL AMOUNT OF \$60,000.00, FEDERAL FUNDS AND \$20,000.00 COUNTY FUNDS FOR THE PERIOD OF FEBRUARY 2, 2009 TO FEBRUARY 10, 2010

- E. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE AN 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 NOVEMBER 1, 2008 THROUGH APRIL 30, 2010 (Resolution authorizes this Application in the amount of \$13,200.00)**
55-2009
- F. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO SIGN THE SUBGRANT AWARD FOR THE SEXUAL ASSAULT NURSE EXAMINER/SEXUAL ASSAULT RESPONSE TEAM PROJECT, VICTIMS OF CRIME ACT GRANT, VS-39-08, OCTOBER 1, 2008 TO SEPTEMBER 30, 2009 IN THE AMOUNT OF \$107,206.00**
56-2009
- G. **RESOLUTION RE: AUTHORIZATION TO EXECUTE THE PROJECT AWARD CONTRACT FOR THE COUNTY PROSECUTOR INSURANCE FRAUD REIMBURSEMENT PROGRAM, JANUARY 1, 2009 THROUGH DECEMBER 31, 2009 IN THE TOTAL AMOUNT OF \$118,750.00**
57-2009
- H. **RESOLUTION RE: APPROVAL OF THE FISCAL YEAR (FY) 2009 ANNUAL TRANSPORTATION PROGRAM (ATP) STATE AID PROJECT POOL FOR THE COUNTY OF SUSSEX AND AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE AN AGREEMENT FOR STATE AID TO COUNTIES UNDER THE NEW JERSEY TRANSPORTATION TRUST FUND AUTHORITY ACT IN THE AMOUNT OF \$1,873,000.00 FOR FY 2009**
58-2009
- I. **RESOLUTION RE: AUTHORIZING THE FREEHOLDER DIRECTOR TO SUBMIT AN APPLICATION FOR A WASTEWATER MANAGEMENT PLANNING GRANT (Resolution authorizes this Application in an amount not less than \$74,139.00 nor more than \$100,000.00)**
59-2009
- J. **RESOLUTION RE: AUTHORIZING THE SUSSEX COUNTY SHERIFF TO ENTER INTO A 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**
60-2009
- K. **RESOLUTION RE: ESTABLISHING THE BUDGET AND THE HOURLY RATE FOR PROFESSIONAL LEGAL SERVICES FOR LEGAL COUNSEL FOR THE COUNTY OF SUSSEX (Resolution authorizes County Counsel hourly rate to be \$120.00 per hour, plus reimbursements for actual expenses for a total amount not to exceed \$188,000.00)**
61-2009

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 Resolutions 8.B. -8.K. on the Financial Consent Agenda, seconded by Freeholder Parrott.

Resolution 8.E.

Freeholder Wirths commented that previously, funding for this program had been decreased and the Prosecutor had made up for it out of his budget.

Resolution 8.J.

Freeholder Wirths asked if all expenses for the Sheriff's Office were still covered by the Motor Vehicle Agency.

Mr. Eskilson replied yes.

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 Regular Meeting December 17, 2008

MOTION made by Freeholder Wirths to approve these Minutes, seconded by Freeholder Zellman and passed unanimously.

Regular Meeting December 31, 2008

MOTION made by Freeholder Crabb to approve these Minutes, seconded by Freeholder Parrott and passed with Freeholder Vetrano abstaining.

Executive Session Minutes
Regular Meeting December 17, 2008

MOTION made by Freeholder Zellman to approve these Minutes, seconded by Freeholder Wirths and passed unanimously.

Release of Executive Session Minutes
Regular Meeting November 25, 2008

MOTION made by Freeholder Wirths to release these Minutes, seconded by Freeholder Parrott and passed unanimously.

10. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. **RESOLUTION RE: APPOINTMENT OF MICHAEL L. FRANCIS AS A MEMBER OF THE SUSSEX COUNTY PLANNING BOARD FOR A THREE (3) YEAR TERM; SAID TERM TO EXPIRE DECEMBER 31, 2011**
62-2009

MOTION made by Freeholder Wirths to adopt this Resolution, seconded by Freeholder Zellman and passed unanimously.

11. RESOLUTIONS

There were no Resolutions for Item #11.

12. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Change Orders

- 1. RESOLUTION RE: AWARD OF CHANGE ORDER NUMBER 2, FINAL, TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND SCHIFANO CONSTRUCTION CORPORATION FOR RESURFACING OF ROADS-2008 (Resolution authorizes the increase of \$115,061.12 (34.48%) for final quantities that have been determined by as built measurements and certified weight tickets)
63-2009

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

Resolution 12.A.1.

Freeholder Wirths noted that this Change Order was to allow for paving of additional roads.

On Roll Call the vote was:

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

- 2. RESOLUTION RE: AWARD OF CHANGE ORDER NUMBER 3, FINAL, TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND OWL CONTRACTING FOR RECONSTRUCTION OF COUNTY ROUTE 515 BETWEEN MP 8.14 & MP 8.54 IN THE TOWNSHIP OF VERNON (Resolution authorizes the increase of \$32,193.55 (6.78%) for final quantities that have been determined by as built measurements and certified weight tickets)
Tabled

13. FINANCIAL

- A. RESOLUTION RE: TRANSFER OF 2008 APPROPRIATION RESERVES
64-2009

MOTION made by Freeholder Parrott to adopt this Resolution, 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 Zellman and passed unanimously.

15. ADMINISTRATIVE REPORT

- A. Other

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

16. COUNTY COUNSEL

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

4 Park Place

Mr. McConnell stated that he had one issue which had to do with 4 Park Place, the former County Clerk's building; he said that this building had been sold some time ago and it has been discovered that there was a small section of property that was not conveyed to the purchaser; Mr. McConnell said that this was the second section of property that had not been conveyed to the purchaser; the purchaser is requesting that the County record a corrected Deed to include this additional piece of property with the original Deed; Mr. McConnell said this property was a part of the parking lot; there were nine small sections dealing with that Deed.

Mr. McConnell said he was requesting authorization for the Freeholder Director and the Clerk of the Board to execute the corrected Deed necessary to convey the last portion of the property to 4 Park Place, LLC.

MOTION made by Freeholder Parrott to authorize the Freeholder Director and the Clerk of the Board to execute the corrected Deed necessary to convey the last portion of the property to 4 Park Place, LLC., seconded by Freeholder Zellman and passed unanimously.

17. UNFINISHED BUSINESS

Official County Directory

Freeholder Vetrano discussed as to whether or not the Board wanted to place the 2009 County Directory on the website only and as a cost saving measure, not have it printed, or if it would also like to have the Directory printed; he added that there were two quotes that were very close in price; Freeholder Vetrano asked the Board what it would prefer to do.

The Board briefly discussed the options; it was decided to explore ways to decrease the cost of publication by asking the two printers who responded to review their quotes and determine if they could incorporate changes to their original quotes to reduce the cost to the County.

The Clerk of the Board was requested to contact the two printers who responded and ask them to review their quotes and determine possible ways to decrease the cost of the Directory.

The Board decided to wait for feedback from the two printers as to possible ways the cost could be reduced.

18. NEW BUSINESS

There was no New Business.

19. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:30 p.m. by Freeholder Wirths to open the meeting to the Public, seconded by Freeholder Parrott and passed unanimously.

Official County Directory

Richard Zeoli came forward; he said that many companies today were producing high quality PDFs of various documents that were printer ready that could be downloaded and printed; he said that theoretically, the Directory could be turned into an onload version, which was a very high quality, printer ready version and could be printed by anyone.

MOTION made at 5:33 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

20. FREEHOLDERS' COMMENTS

Comments to Freeholder Vetrano

Members of the Board welcomed Freeholder Vetrano as Freeholder Director for 2009, and said that they looked forward to working with him in the coming year.

Shared Services with the school systems

Freeholder Crabb said that the next step for shared services was within the school systems; some of the services being considered for further investigation involve plumbing and electrical services, physiological exams, sports physicals, fleet maintenance, fueling, vehicle equipment washing, records, records purging, archival backup and recovery systems, EAP, medical and prescription programs and athletic field maintenance; Freeholder Crabb said that a meeting has been scheduled with various school principals and a consultant from the State who has been meeting with Morris County on similar topics.

Solid Waste Advisory Council (SWAC)

Freeholder Crabb said that one of the issues being discussed is the lifespan (2016) of the landfill and what decisions would have to be made at that time; he suggested that a County presence be maintained at the SWAC meetings to keep apprised of the current and future issues being faced by the landfill.

Truck washing

Freeholder Wirths said that a local businessman was scheduled to build a truck washing facility for his own personal fleet; he said that this could be an opportunity whereby the County could maybe do a voucher system; he said there could possibly be a HazMat bay within this facility also; Freeholder Wirths said that he has always felt that the County should not do anything until the State begins washing its own trucks.

County budget

Freeholder Wirths said that budget meetings would resume shortly; he said that the economic conditions continued to get worse and he felt that the budgets on the Federal, State, and local levels would get worse; Freeholder Wirths said that he could see additional tough cuts in the future.

COAH

Freeholder Wirths asked if the Executive Order on COAH was suspended.

Mr. Eskilson said that there was a lot of strong support for the proposal to implement a one year moratorium on the 2.5% assessment on businesses for COAH; Mr. Eskilson said that he did not think it was an Executive Order; he said that he was fairly confident that this would be done soon for the one year period.

County budget

Freeholder Parrott said that the Governor has stated that he is going to cut school and municipal aid to make up the shortfall; this will also affect the counties; Freeholder Parrott said that decisions made on the County level are not always easy to make, but must be made.

Food Drive

Freeholder Parrott reminded the Board that the Double S Diner and TJ's Pizzeria in Wantage Township were sponsoring food drives, offering either a free breakfast (Double S Diner) or a slice of pizza (TJ's Pizzeria) to anyone who drops off food at its establishments; he said that he felt these businesses should be commended for what they were doing for those in need and also the people of Sussex County for coming together in times such as these; Freeholder Parrott said that the drop off point for food donations for the food bank at Social Services is 83 Spring Street in Newton, and asked the reporter who was present from the Herald, to print this information to make the public aware; Freeholder Parrott encouraged everyone to do what they could to help those in need.

Meeting at NJDOT/Environmental concerns on Route 206

Freeholder Zellman said that she, Mr. Eskilson, and Tom Drabic went to Trenton to meet at the NJDOT with the Commissioner, other representatives from the NJDOT, members of the Sierra Club, and Eskil Danielson from Byram, to discuss the environmental concerns with Route 206; she said that everyone left with a good feeling, however, final results of the meeting were not known yet; work could potentially begin on Route 206 within 180 days of release of funds; Freeholder Zellman said that it was hoped that this could be a part of the economic stimulus package.

Economic Stimulus package

Freeholder Zellman said that at the January NJTPA Meeting, an update was provided of the stimulus package; she had provided a copy of the remarks to the Board; Freeholder Zellman added that it was not particularly definitive, giving overall dollar amounts, but nothing specific as to what projects will be affected or not affected by both the Federal and the State economic stimulus package.

Sussex Borough project

Freeholder Zellman said that she spoke with Rick Hammer, Deputy Commissioner, NJDOT, regarding Sussex Borough; a meeting would be set up in Trenton with the Mayor of Sussex Borough and the Project Managers to review the status; there may be a potential to bring in one major business that is possibly looking to relocate in Sussex Borough.

Elimination of sewer service areas

Freeholder Zellman said that the "208" PAC asked that the Freeholder Board express its concerns, via a Resolution, regarding the elimination of the sewer service areas in the current planning areas that are to become preservation areas as of April 1, 2009; she added that she was bringing this issue to the Six County Coalition Meeting on January 15, 2009, to solicit support from the other five counties.

Mr. McConnell said that the planning area was optional for most municipalities and now that option was rapidly disappearing.

There was a brief discussion regarding the Resolution from the Board; Freeholder Zellman suggested that Mr. Eskilson review the Resolution and then if determined that it would be a good thing, it could be brought up at the next Freeholder Meeting; Freeholder Zellman said that the Resolution for the Six County Coalition could also be reviewed and if there were any changes on something generic, those revisions could be reviewed as well.

There was a brief discussion as to possible affects this issue could have on other counties or municipalities.

Six County Coalition Meeting

Freeholder Zellman said that Sussex County was the next County to host the Six County Coalition Meeting; a suggested meeting date was April 1, 2009.

Comments from Freeholder Vetrano

Freeholder Vetrano said that he was honored to have the support of his colleagues to assume the role as Freeholder Director.

Freeholder Vetrano offered his sincere appreciation to everyone for being there for him and his family during their time of need.

Technical School Auditorium

Freeholder Vetrano said that a meeting had been scheduled with Paul Meacham, Director of the Tri-States Actors Theatre, regarding possible uses for the Technical School Auditorium; he said that one of the concerns expressed to him has been the large size of the facility and felt that this would be one of the main hurdles that would have to be addressed.

Freeholder Vetrano said that the Technical School Board of Education President, Gary Sargent, had expressed an interest to meet to discuss possible opportunities that may be available; he said that he has also contacted Nina Wells, Secretary of State, who also has as one of her charges, the arts, to pass some ideas through her.

Pension payments

Freeholder Vetrano said that at the last NJAC Meeting, he was surprised to hear that there was a Freeholder from Bergen County who was opposed to foregoing the pension payments; he said that the Executive Director of NJAC thought this was an issue that should be dealt with on a County basis.

Freeholder Wirths said that the County Budget Committee was planning on it not going through and was budgeting for it as full payment.

Building for Farmer's Market

Freeholder Vetrano said that the building for the Farmer's Market would probably go back out to bid for a smaller size building.

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

Thursday	January 15, 2009	Six County Coalition Meeting	5:30 pm
Monday	January 19, 2009	Martin Luther King Jr. Day	Holiday
Wednesday	January 28, 2009	Regular Meeting	5:00 pm

23. ADJOURNMENT

MOTION made at 6:05 p.m. by Freeholder Crabb to adjourn, seconded by Freeholder Zellman and passed unanimously.

Elaine A. Morgan, Clerk

DATED: January 14, 2009