

REGULAR MEETING HELD ON WEDNESDAY, JULY 23, 2008

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:07 p.m.

2. ROLL CALL: Freeholder Crabb; Freeholder Parrott; Freeholder Vetrano;
Freeholder Zellman; Freeholder Director Wirths; John
Eskilson, County Administrator; Dennis McConnell, County
Counsel; 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 7, 2008 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. Proclamation in recognition of Matthew David Barnish attaining the rank of Eagle Scout.
466-2008
2. Proclamation in recognition of Adam Mengon attaining the rank of Eagle Scout.
467-2008
3. Certificate for Paula Roll in recognition for her selfless acts of courage and concern for others when on May 21, 2008 she initiated her own search in Norvin Green State Forest for a missing six year old boy, locating him, and carrying him to safety.
468-2008
4. Certificate for Project Self-Sufficiency in celebration of the grand opening of the new Project Self-Sufficiency campus and in recognition of its commitment to create strong, healthy families through education, community support and the inspiration to believe in one's self.
469-2008

MOTION made by Freeholder Vetrano to approve these Proclamations and these Certificates, seconded by Freeholder Zellman and passed unanimously.

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Freeholder Wirths amended the Agenda to allow for Item #10

10. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. RESOLUTION RE: APPOINTMENT OF JAMES P. GUIMES AND
470-2008 ELIZABETH OSTUNI AS MEMBERS OF THE
ADVISORY COUNCIL OF THE SUSSEX COUNTY
DIVISION OF SENIOR SERVICES FOR TERMS OF
THREE (3) YEARS EACH; SAID TERMS TO BEGIN
IMMEDIATELY AND EXPIRE DECEMBER 31, 2010

2. RESOLUTION RE: APPOINTMENT OF DANIEL J. STOLL AS
471-2008 ASSISTANT FIRE MARSHAL FOR SUSSEX
COUNTY TO FILL AN UNEXPIRED TERM, SAID
TERM TO BEGIN AUGUST 1, 2008 AND EXPIRE
JANUARY 14, 2010

3. RESOLUTION RE: APPOINTMENT OF MICHAEL P. ALVAREZ AS
472-2008 ASSISTANT FIRE MARSHAL FOR SUSSEX
COUNTY TO FILL AN UNEXPIRED TERM, SAID
TERM TO BEGIN AUGUST 1, 2008 AND EXPIRE
JANUARY 14, 2010

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

Comment on Resolutions 10. A. 2. and 10. A. 3.

Joe Inga, Sussex County Fire Marshal, came forward; he said that after a long process, the Firemen's Association recommended Mr. Stoll and Mr. Alvarez to serve as Assistant Fire Marshals; Mr. Inga introduced the new appointees.

The Board congratulated Mr. Stoll and Mr. Alvarez on their appointments.

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Freeholder Wirths amended the Agenda again to allow for Item #13.

13. FINANCIAL

- A. RESOLUTION RE: CERTIFICATION OF REVIEW OF AUDIT BY GROUP
473-2008 AFFIDAVIT

Comments on audit by Raymond Sarinelli, Nisivoccia & Company

Raymond Sarinelli, Nisivoccia & Company, came forward; he said this was the 2007 report and he would first discuss the Fund Balance; at the beginning of 2007, the Fund Balance was \$14.8 million and at the end of the year it was \$17.3 million; this was a \$2.5 million increase; there were some unusual transactions which caused this increase; the two largest of those were the unexpended balance of the appropriation reserve involving the change in insurance and the way in which the County appropriated for the Sussex County Municipal Utilities Authority; the balances in the Open Space Trust Fund increased and were adjusted during preparation of the 2008 budget; a bond sale was held in 2007, moving more of some of the County's debt into a permanent position; during 2007, the County got under the \$100 million mark for debt authorized in both issued and authorized and unissued.

Mr. Sarinelli said that these were the financial highlights, adding that there was a lot more data contained in the report for the Board to review.

Mr. Sarinelli reviewed the compliance section of the report; he said there were some comments and recommendations in the report; a meeting was held with the Finance staff to

review these comments and recommendations; Mr. Sarinelli said that a few of the comments were repeats from previous years, but most of the items have been addressed.

The new requirement for 2007, the disclosure of Post Employment Benefits, was discussed; Mr. Sarinelli said this was primarily health insurance costs for employees who have retired, but whose benefits are paid for by the County; that calculation was not completed in the auditor's report; it is a fairly lengthy calculation and should be completed before the end of this year and will be disclosed in next year's report.

The Board thanked Bernard Re and Raymond Nisivoccia for their work on the audit and report.

MOTION made by Freeholder Parrot to adopt this Resolution, seconded by Freeholder Vetrano.

On Roll Call the vote was:

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

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Freeholder Wirths returned the meeting to the Agenda as listed.

7. PUBLIC SESSION FROM THE FLOOR

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

There was no one.

MOTION made at 5:26 p.m. by Freeholder Parrott to close the meeting to the Public, seconded by Freeholder Vetrano and passed unanimously.

8. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS
474-2008

- B. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH CATHOLIC FAMILY & COMMUNITY SERVICES FOR THE PROVISION OF CONGREGATE NUTRITION SERVICES FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$83,218.00 (Resolution authorizes this Modification to provide \$61,336.00 Title III-C-1 funds, \$21,882.00 in County funds, \$5,235.00 USDA, \$33,800.00 Client Income and \$5,528.00 in Other Income for calendar year 2008)

- C. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH CATHOLIC FAMILY & COMMUNITY SERVICES FOR THE PROVISION OF HOME DELIVERED MEALS SERVICES FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$88,037.00 (Resolution authorizes this Modification to provide up to \$40,944.00 Title IIIC-2 funds, \$11,604.00 in State Match B-D, \$3,910.00 in County funds, \$19,144.00 in State Aid funds and \$12,435.00 in State Home Delivered Meal funding, to be supplemented by income in the amount of \$119,698.00 for calendar year 2008)**
476-2008
- D. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH LEGAL SERVICES OF NORTHWEST JERSEY, INC., SUSSEX COUNTY DIVISION FOR THE PROVISION OF LEGAL ASSISTANCE FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$35,396.00 (Resolution authorizes this Modification to provide up to \$29,396.00 Title IIIB funds, \$6,000.00 COLA funds, \$2,720.00 Grant-in-Aid funds, to be supplemented by \$2,090.00 other income for calendar year 2008)**
477-2008
- E. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH IN HOME HEALTH SERVICES FOR THE PROVISION OF CERTIFIED HOME HEALTH AIDE SERVICES FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$15,696.00 (Resolution authorizes this Modification to provide up to \$12,494.00 Title IIIB funds, \$3,202.00 in COLA funds, to be supplemented by \$100.00 Client Contributions funds for calendar year 2008)**
478-2008
- F. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH IN HOME HEALTH SERVICES FOR THE PROVISION OF HOUSEKEEPING SERVICES FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$6,736.00 (Resolution authorizes this Modification to provide up to \$2,834.00 Title IIIB funds, \$2,800.00 in COLA funds, \$980.00 in State Match III B-D, and \$122.00 in County funds, to be supplemented by \$100.00 Client Contributions for calendar year 2008)**
479-2008

- G. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A" FOR A NUTRITION SERVICES INCENTIVE PROGRAM (NSIP) WITH THE NEW JERSEY DIVISION OF SENIOR AFFAIRS FOR THE DISTRIBUTION OF USDA FUNDS FOR THE CONGREGATE NUTRITION PROGRAM AND HOME DELIVERED MEAL PROGRAM FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$12,190.00 (Resolution authorizes this Modification to provide up to \$5,235.00 for the Congregate Nutrition Program and \$6,955.00 in USDA Reimbursement for the Home Delivered Meal Program for calendar year 2008)**
480-2008
- H. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT, ATTACHMENT "A", WITH THE SUSSEX COUNTY OFFICE OF TRANSIT FOR THE PROVISION OF SENIOR TRANSPORTATION (STOP) FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 FOR A TOTAL AMOUNT OF \$87,656.00 (Resolution authorizes this Modification to provide up to \$59,498.00 Title IIIB funds, \$24,882.00 in COLA funds, \$1,476.00 in Medicaid Match funds and \$1,800.00 County funds, to be supplemented by \$6,000.00 Client Contributions funds for calendar year 2008)**
481-2008
- I. **RESOLUTION RE: AUTHORIZATION TO CLOSE SUSSEX COUNTY BRIDGE M-16, CARRYING SUSSEX COUNTY ROUTE 653 (CLOVE ROAD) OVER A BRANCH OF MILL BROOK IN MONTAGUE TOWNSHIP, AND TO IMPLEMENT, MAINTAIN, AND MODIFY AS NECESSARY, AN OFFICIAL DETOUR OF SUSSEX COUNTY ROUTE 653, AND PROVIDE FOR ENFORCEMENT OF THE BRIDGE CLOSURE AND ROAD DETOUR**
482-2008
- J. **RESOLUTION RE: AUTHORIZATION TO CLOSE SUSSEX COUNTY BRIDGE K-03, CARRYING SUSSEX COUNTY ROUTE 607 (RIVER STYX ROAD) OVER THE RIVER STYX OF LAKE HOPATCONG IN HOPATCONG BOROUGH, AND TO IMPLEMENT, MAINTAIN, AND MODIFY AS NECESSARY, AN OFFICIAL DETOUR OF SUSSEX COUNTY ROUTE 607, AND PROVIDE FOR ENFORCEMENT OF THE BRIDGE CLOSURE AND ROAD DETOUR**
483-2008
- K. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE AN APPLICATION FOR STATE AID UNDER THE NJDOT LOCAL AID INFRASTRUCTURE FUND FOR ADDITIONAL FUNDS IN THE AMOUNT OF \$480,000.00 FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE H-03, CARRYING SUSSEX COUNTY ROUTE 622 OVER PAULINS KILL IN HAMPTON TOWNSHIP FOR FY 2009**
484-2008

- L. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE AN APPLICATION FOR STATE AID UNDER THE NJDOT LOCAL AID INFRASTRUCTURE FUND FOR THE REHABILITATION OF THE PASSAIC AVENUE BRIDGE O-07 OVER THE WALLKILL RIVER IN OGDENSBURG BOROUGH IN THE AMOUNT OF \$520,000.00 FOR FY 2009
485-2008
- M. RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO APPROVE THE RECOMMENDATION OF THE SUSSEX COUNTY OPEN SPACE COMMITTEE FOR FUNDING THROUGH THE COMPETITIVE OPEN SPACE FUND FOR THE NEWSTAR RIDGE PROPERTY IN SPARTA TOWNSHIP (Resolution authorizes this recommendation to use \$150,000.00 from the Farmland Preservation, Open Space and Recreation dedicated tax and \$150,000.00 from the Sussex County Planning Incentive Grant for a total of \$300,000.00)
486-2008
- N. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SUSSEX TO ACCEPT THE TOBACCO AGE OF SALE ENFORCEMENT (TASE) PROGRAM, GRANT #97-1705-TOB, GRANT AGREEMENT PERIOD APRIL 1, 2008 TO MARCH 31, 2009 (Resolution authorizes the acceptance of this Grant in the amount of \$7,560.00)
487-2008
- O. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A GRANT APPLICATION FOR A PROJECT UNDER THE 2006 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, (JAG), FOR A TOTAL AMOUNT OF \$4,471.00 FOR THE PERIOD OF FEBRUARY 29, 2008 THROUGH FEBRUARY 28, 2009
488-2008
- P. RESOLUTION RE: AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS LOT 22.02 IN BLOCK 74 IN THE TOWNSHIP OF ANDOVER, 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
489-2008
- Q. RESOLUTION RE: AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS LOT 1 IN BLOCK 40306; LOT 77 IN BLOCK 40601; LOT 1 IN BLOCK 40605; LOT 15 IN BLOCK 40904; AND LOT 1 IN BLOCK 41003 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
490-2008
- R. RESOLUTION RE: AUTHORIZING THE ACQUISITION OF REAL PROPERTY KNOWN AS LOT 6 IN BLOCK 21 IN THE TOWNSHIP OF GREEN, 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
491-2008
- S. 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
492-2008

purchase orders for Traffic Safety Service and Cintas Fire Protection)

Notation on Resolution 8. S.

Freeholder Wirths noted for the record that the company "Traffic Safety Service" was removed from the Resolution because its documentation was not received in time.

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 Crabb.

Resolutions 8. B. and 8. C.

Freeholder Crabb said that these Resolutions read as though the Meals on Wheels services would be doubled over what was being provided for now.

Freeholder Wirths said it was actually going down; Mr. Eskilson added that this was the mid-year adjustment which is a regular part of this program; an amount is allocated, with approximately half the money being received; at mid-year recalculation and modification are adjusted to the level of activity; the meals are now slightly down.

Resolutions 8. I. and 8. J.

Freeholder Zellman questioned if Resolutions had been done before for road and bridge closures.

Freeholder Wirths said yes, this is for enforcement purposes; Mr. McConnell said that if someone violates a closure, a ticket cannot be issued unless a Resolution is in place.

On Roll Call the vote was:

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

9. APPROVAL OF MINUTES Regular Meeting July 9, 2008

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

10. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. **RESOLUTION RE: APPOINTMENT OF JAMES P. GUIMES AND (adopted earlier) ELIZABETH OSTUNI AS MEMBERS OF THE ADVISORY COUNCIL OF THE SUSSEX COUNTY DIVISION OF SENIOR SERVICES FOR TERMS OF THREE (3) YEARS EACH; SAID TERMS TO BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2010**
2. **RESOLUTION RE: APPOINTMENT OF DANIEL J. STOLL AS (adopted earlier) ASSISTANT FIRE MARSHAL FOR SUSSEX COUNTY TO FILL AN UNEXPIRED TERM, SAID TERM TO BEGIN AUGUST 1, 2008 AND EXPIRE JANUARY 14, 2010**

3. RESOLUTION RE: APPOINTMENT OF MICHAEL P. ALVAREZ AS
(adopted earlier) ASSISTANT FIRE MARSHAL FOR SUSSEX COUNTY TO FILL AN UNEXPIRED TERM, SAID TERM TO BEGIN AUGUST 1, 2008 AND EXPIRE JANUARY 14, 2010

Adopted earlier in the Meeting.

11. RESOLUTIONS

- A. RESOLUTION RE: PROPOSED AMENDMENT TO THE SUSSEX COUNTY
493-2008 WATER QUALITY MANAGEMENT PLAN FOR KIMBER PETROLEUM PROPERTY, ROUTE 15, LAFAYETTE
- B. RESOLUTION RE: AUTHORIZING THE RENEWAL OF THE COMMODITY
494-2008 RESALE SYSTEM IN ACCORDANCE WITH N.J.A.C. 5:34-7.16 (Resolution authorizes the renewal of this System so the County can utilize this system to share the materials stored in the salt storage sheds and fuel tanks with various other governmental entities)

MOTION made by Freeholder Vetrano to adopt these Resolutions, seconded by Freeholder Parrott and passed unanimously.

12. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contracts

1. RESOLUTION RE: AWARD OF CONTRACT FOR MICRO
495-2008 SURFACING OF VARIOUS SUSSEX COUNTY ROADS – 2008 – PHASE II (Resolution awards this Contract to the lowest responsible bidder, Asphalt Paving Systems, Inc., with the total amount being approximately \$230,852.00)

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

On Roll Call the vote was:

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

B. Change Orders

1. RESOLUTION RE: AUTHORIZING AN AMENDMENT TO A
(Held until next Meeting) PROFESSIONAL SERVICES AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND ARCARI IOVINO ARCHITECTS, PC FOR THE PROVIDING OF COMMUNITY DEVELOPMENT BLOCK GRANT ASSISTANCE FOR THE DENNIS LIBRARY ADA AND CODE IMPROVEMENTS AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes the increase of \$5,400.00 (16.3%) so the County can identify, apply for and obtain grant funds to help pay for the improvements needed)

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

Resolution 12. B. 1.

Freeholder Wirths questioned why this was not being done in-house and if it involved a timeframe.

There was a brief discussion on Block Grants and the process and timeframe involved; Mr. Eskilson said he did not think that it was urgent that this Resolution be acted on and said that it could be carried until the next meeting.

Freeholder Wirths said that it would be carried until the next meeting to allow time to obtain additional information.

Freeholder Zellman withdrew her Motion to adopt Resolution 12. B. 1.

Freeholder Vetrano withdrew his Second to Freeholder Zellman's original Motion to adopt Resolution 12. B. 1.

MOTION made by Freeholder Parrot to carry Resolution 12. B. 1. to the next meeting, seconded by Freeholder Vetrano and passed unanimously.

C. Bids

1. RESOLUTION RE: REJECTION OF BIDS FOR ONE (1) STERLING L-8500 DUMP TRUCK AND SEVEN (7) STERLING BULLET #5500 DUMP TRUCKS FOR THE COUNTY OF SUSSEX OFFICE OF ROADS (Resolution rejects these bids based on the errors within the specifications and various bidder's response to the errors on their proposals)
Pulled from Agenda

Additional Resolution authorizing issuance of bids

Freeholder Wirths said that Mr. McConnell had another Resolution for the Board's consideration which related to Resolution 12. C. 1.

Mr. McConnell read the following Resolution authorizing the issuance of bids into the record; if the bids are rejected and instructions are given to go out for bid again, there is not another meeting until August; this Resolution allows the County to immediately go out again for bids; if the Bid Committee decides that the bid should be awarded, then this Resolution would have no force and effect.

RESOLUTION RE: AUTHORIZING THE ISSUANCE OF BIDS FOR ONE (1) STERLING L-8500 DUMP TRUCK AND SEVEN (7) STERLING BULLET #5500 DUMP TRUCKS FOR THE COUNTY OF SUSSEX OFFICE OF ROADS
496-2008

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

On Roll Call the vote was:

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

Questions on bid process

Freeholder Zellman asked that once the RFP's went out and prior to people responding, was there a question and answer session or a period when people could ask questions; Mr. McConnell replied yes; Freeholder Zellman then asked if someone did not ask questions at that time, but asked questions after the bids came back, how was that viewed.

Mr. McConnell responded that it depended on what the question was; if the person was taking issue with one of the items that was specified, that is an exception in the bid and must be addressed; Mr. McConnell said that it could be asked prior to, but if it is not it is still a valid issue.

Freeholder Zellman asked that once the bids came in and someone had a question afterwards, do all of the people who put in a bid know what the other bids are; Mr. McConnell replied yes, the bids are opened publicly; Freeholder Zellman said that afterwards someone could ask a question and if it were a valid concern, it would have to be re-bid; then all of the people who re-bid would know what the original bids were, which would remove the competitiveness of the bids; she said that something should be done to eliminate the questions afterwards so that people know what the bids are and can come back and make a more competitive bid.

13. FINANCIAL

- A. RESOLUTION RE: CERTIFICATION OF REVIEW OF AUDIT BY GROUP
(adopted earlier) AFFIDAVIT

Item #13. A. was adopted earlier in the meeting.

Authorization for the County Treasurer to pay bills on August 13, 2008

Freeholder Wirths said that he needed a Motion to authorize the County Treasurer to pay bills on August 13, 2008, as the next Freeholder Meeting was not until August 20, 2008.

MOTION made by Freeholder Parrott to authorize the County Treasurer to pay bills on August 13, 2008, seconded by Freeholder Zellman.

On Roll Call the vote was:

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

B.

INTRODUCTION FOR FIRST READING – BOND ORDINANCE 497-2008

BOND ORDINANCE OF THE COUNTY OF SUSSEX, NEW JERSEY AMENDING THE DESCRIPTION OF IMPROVEMENT REFERRED TO IN BOND ORDINANCE NUMBERED 2004-02 FINALLY ADOPTED MARCH 10, 2004 (ORDINANCE #201-2004); BOND ORDINANCE NUMBERED 2005-02 (ORDINANCE #169-2005) FINALLY ADOPTED MARCH 9, 2005; AND BOND ORDINANCE NUMBERED 2006-01 FINALLY ADOPTED APRIL 12, 2006 (ORDINANCE #246-2006)

MOTION to adopt this Bond Ordinance on first reading made by Freeholder Crabb, seconded by Freeholder Vetrano.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Vetrano	Yes
Freeholder Zellman	Yes
Freeholder Director Wirths	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 August 20, 2008 at 5:00 pm prior to final adoption of this Bond Ordinance made by Freeholder Zellman, seconded by Freeholder Parrott and passed unanimously.

14. **PERSONNEL**

A. Personnel Agenda

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

Epidemiologist position

Freeholder Vetrano questioned an item on the Personnel Action Report; he stated that he did not think that the County still had its Epidemiologist and asked if the County has been carrying that position, adding that he thought it had been vacant for awhile.

Mr. Eskilson responded that the County has had an Epidemiologist for awhile; he said that there was one position vacant in Bioterrorism, but was not sure which position it was.

B. Resolutions

1. **RESOLUTION RE: AUTHORIZATION FOR COUNTY STAFF TO
498-2008 PROCESS AN INVOLUNTARY DISABILITY
RETIREMENT APPLICATION**

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

15. **ADMINISTRATIVE REPORT**

A. Other

Mr. Eskilson stated that he did not have a report at this time.

16. **COUNTY COUNSEL**

A. Capital Projects

B. Litigation

- C. Contracts
- D. Other Matters

Item for Closed Session

Mr. McConnell stated that he had one item for Closed Session under Litigation and the Litigation is known as the *County of Warren, et al v. the State of New Jersey, Department of Environmental Protection* regarding the Highlands Act.

17. UNFINISHED BUSINESS

There were no items for Unfinished Business.

18. NEW BUSINESS

Budget Meetings/County budget

Freeholder Wirths said that the second Budget Meeting had been held earlier that day; he said that things looked a little bleak, adding that as of right now, the County had a seven figure deficit; Freeholder Wirths said that his recommendation was for Department Administrators to go over every position that was vacant; any ideas for the budget process should be forwarded to Freeholder Wirths, Freeholder Parrott, or Mr. Eskilson.

Hunterdon County/Sussex County Juvenile Detention Center

Freeholder Zellman asked Mr. Eskilson if the County had heard from Hunterdon County regarding a potential agreement with Sussex County to utilize the services of the Sussex County Juvenile Detention Center.

Mr. Eskilson replied that the County had not heard from Hunterdon County, but that he would follow-up on the issue.

Correspondence to Departments regarding the County budget

Freeholder Wirths asked if an email should be sent to the Departments regarding budget issues such as conserving gasoline, fuel, etc.

Mr. Eskilson said that usually a budget memo will go out by mid-August, which would include the current status of the budget and what is being specifically asked of the Departments; he added that the rising cost of fuel was a big issue, however, it was not the only problem; revenues are off, there is less surplus to utilize this year, citing that diesel prices are up almost 60% since January, with gas prices up almost 50% since January.

County budget

Freeholder Parrott stated that he felt everyone had to be proactive regarding the budget, and that he was confident that with the suggestions of the Board, savings could be passed along to the taxpayers.

C-1 maps

Freeholder Parrott referred to the copies of the C-1 maps that he had requested and received; he said that he felt that each of the County's municipalities should have a copy of these maps so the municipalities had them in their municipal buildings; Freeholder Parrott said that did not want the Administrator to spend his time answering questions about C-1's, adding that the maps were self-explanatory.

Mr. Eskilson said that the maps had been sent out that day.

Farmland Preservation/100th Farm Preservation event

Freeholder Parrott complimented Freeholder Vetrano for the presentation at the 100th Farm Preservation event held on July 22, 2008; he added that he felt that the benefits of Farmland Preservation spoke for themselves, protecting equity in people's homes and preserving land for future generations.

Historic Marker Program/Historic Markers

Freeholder Vetrano remarked that the Historic Marker Program generated a tremendous amount of good will; he said that he and Freeholder Crabb attended the ceremony in Ogdensburg recently; Freeholder Vetrano said that the original first marker in the Park indicated the Freeholder Board and the date it was erected on the bottom of the marker so that it was clear that the marker was done by the Board; he said that since then this has not been listed on the markers and there was now some interest to begin including this on the bottom of the markers; the Historic Marker Committee was going to be sending correspondence to the Board regarding this and he wanted to make the Board aware that this suggestion was going to be presented.

Annual 9/11 Memorial Service

Freeholder Vetrano said that the Annual 9/11 Memorial Service would be held this year on September 7, 2008, at 3:00 p.m., Sussex County Community College; it was confirmed that Governor DeFrancesco, who was Governor at that time, would be the keynote speaker.

Six County Coalition Meeting

Freeholder Zellman said that the next Six County Coalition Meeting was scheduled for September 3, 2008, in Warren County.

Lake Musconetcong weed harvesting

Freeholder Zellman said that weed harvesting has begun at Lake Musconetcong; she added that press releases were sent out regarding the weed harvesting.

Correspondence from Department of Environmental Protection

Freeholder Zellman referred to correspondence from the Department of Environmental Protection (DEP) that was sent to Eric Snyder, Director, Division of Planning, regarding the designation of the County as a Plan Implementation Agency.

Freeholder Zellman asked Mr. Eskilson if this was one more thing that was being imposed on the Counties that the Counties would not be reimbursed for; she said that the County has been designated as a Plan Implementation Agency and all municipalities were to submit draft Ordinances to the County Division of Planning, which would review each Ordinance and provide feedback to those municipalities; Mr. Eskilson said this was in regard to solid waste and was a part of the Solid Waste Plan; Freeholder Zellman said she felt this was another example of something that has been imposed on the Counties by the State that the Counties are not being reimbursed for.

Mr. Eskilson referred to the original Solid Waste Plan Update; there were two specific areas flagged, enforcements and the local Ordinances; the County's Plan had to be amended to the DEP's liking to include those provisions.

Winter maintenance services to be provided to Andover Borough

Freeholder Crabb said that that the County was about to have an Agreement with Andover Borough to provide winter maintenance services to the Borough; the cost analysis for sanding, salting, and plowing showed that compared to the private vendor's cost for those areas of the Borough where private vendors are utilized, the Borough could save money; after reviewing how well this will work, additional services could be offered.

19. PUBLIC SESSION FROM THE FLOOR

MOTION made at 6:15 p.m. by Freeholder Parrott to open the meeting to the Public, seconded by Freeholder Wirths and passed unanimously.

There was no one.

MOTION made at 6:16 p.m. by Freeholder Vetrano to close the meeting to the Public, seconded by Freeholder Parrott and passed unanimously.

20. FREEHOLDERS' COMMENTS

There were no Freeholders' Comments.

21. EXECUTIVE SESSION

MOTION made at 6:17 p.m. by Freeholder Parrott to go into Executive Session for an item of litigation known as County of Warren, et al v. the State of New Jersey, DEP, Highlands, seconded by Freeholder Zellman and passed unanimously.

Freeholder Vetrano was not participating in the Executive Session because of a conflict.

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.

MOTION made at 6:24 p.m. by Freeholder Parrott to come out of Executive Session and return to Open Session, seconded by Freeholder Zellman and passed unanimously.

Direction to County Counsel

Mr. McConnell stated that a Motion was needed to authorize County Counsel to advise Steven Shaw, Special Counsel to Warren County, that the County of Sussex, at this time due to financial constraints, and the tight budget for next year, would not be able to join in the litigation through the filing of an Amicus Brief to the Appellate Court.

MOTION made by Freeholder Parrott to authorize County Counsel to advise Steven Shaw, Special Counsel to Warren County, that the County of Sussex, at this time due to financial constraints, and the tight budget for next year, would not be able to join in the litigation through the filing of an Amicus Brief to the Appellate Court, seconded by Freeholder Crabb.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes

Freeholder Vetrano	Abstain
Freeholder Zellman	Yes
Freeholder Director Wirths	Yes

22. REMINDERS

Wednesday August 20, 2008 Regular Meeting 5:00 pm

23. ADJOURNMENT

MOTION made at 6:27 p.m. by Freeholder Crabb to adjourn, seconded by Freeholder Parrott and passed unanimously.

Elaine A. Morgan, Clerk

DATED: July 23, 2008