

REGULAR MEETING HELD ON WEDNESDAY, JULY 24, 2013

5:00 PM

ORDER OF BUSINESS

Item

1. **CALL TO ORDER BY DIRECTOR** at 5:03 p.m.
2. **ROLL CALL** Freeholder Crabb; Freeholder Graham; Freeholder Mudrick;
Freeholder Phoebus; Freeholder Director Vohden;
John Eskilson, County Administrator; Robert Campbell,
Acting 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 8, 2013 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**

A.

PUBLIC HEARING – 5:05 PM PURSUANT TO:

RESOLUTION RE: SETTING A PUBLIC HEARING TO AMEND THE DISTRICT SOLID WASTE MANAGEMENT PLAN FOR SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY AMENDMENT TO EXPAND LANDFILL

MOTION made to open the Public Hearing made by Freeholder Crabb, seconded by Freeholder Phoebus and passed unanimously.

PUBLIC HEARING IS NOW OPEN

Is anyone present to be heard regarding the proposed Amendment to expand the landfill?

Tom Varro, Chief Engineer of the Sussex County Municipal Utilities Authority (SCMUA), came forward and explained this Hearing was to amend the Solid Waste Management Plan and provide for the extension of the landfill life; this is a culmination of a planning effort between the SCMUA and the County Planning Division and they have been before the Solid Waste Advisory Council with presentations and discussions and have fine tuned the proposal; the engineering consultants, Cornerstone, will present a brief presentation.

Mark Swyka, Cornerstone Environmental Group, came forward and gave a presentation on the approach they are taking to extend the life of the Sussex County landfill to provide for solid waste management into the future.

There was no one from the public to comment.

MOTION that the Public Hearing be closed made by Freeholder Crabb, seconded by Freeholder Phoebus and passed unanimously.

Freeholder Crabb thanked the SCMUA, the Solid Waste Advisory Council (SWAC) and the County Planning Division for doing a great job in finding a way to get to this point.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

Freeholder Vohden added the following Certificate:

A. Proclamations/Certificates

1. Certificate recognizing the Sussex County "Senior of the Year" for 2013.
388-2013

MOTION made by Freeholder Crabb to approve this Certificate, seconded by Freeholder Mudrick 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 5:15 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

There was no one.

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

8. FREEHOLDERS' COMMENTS

Comments by Freeholder Phoebus

- **Sussex County Department of Human Services**

Freeholder Phoebus and the rest of the Board was given several presentations today by Human Services and are up to date on several issues including Transitional Care.

Freeholder Phoebus attended the last Mental Health Board meeting and said that they are moving along beautifully.

Comments by Freeholder Graham

- **Ginnie's House**

Freeholder Graham visited Ginnie's House and commented on what a remarkable program it has for child advocacy.

- **Highland's Grant**

Freeholder Graham touched briefly on the Highland's Grant that did not go the County's way; he spoke of the many Farmer's Markets that are available in the County.

Comments by Freeholder Mudrick

- **Office of Information Management**

Freeholder Mudrick congratulated Bill Kosinetz and his staff for receiving Top 10 recognition from the trade publication, "Digital Communities", for its innovative IT work.

- **Sussex County Farm and Horse Show**

Freeholder Mudrick reminded everyone that the Farm and Horse Show, which promotes the County's economy, starts on August 2, 2013.

Comments by Freeholder Crabb

- **Presentations presented to the Board of Chosen Freeholders**

Freeholder Crabb said with regard to the presentations today from the Technology Division, it was incredible how integrated they are with each other; Freeholder Crabb is truly impressed with how they are sharing data and he feels the public would benefit greatly from learning about these technologies, especially the County's GIS program.

Comments by Freeholder Vohden

- **North Jersey Transportation Planning Authority (NJTPA)**

Freeholder Vohden reported that at recent meetings and a conference call today, two major items were discussed that will impact Sussex County; the first item is the annual funding for the transportation improvement program, where the amount of the funding hasn't changed but the formula for allocating the funding has been changed because of the shift in population with the 2010 census; Sussex County is going to get an increase in funding, but the more urban counties are going to be getting less; the second item that was discussed is a program that's been labeled as "swap" where in the past, federal funds used to go to the NJTPA and NJ DOT they are now going to fund NJ Transit and state funds are going to NJTPA and NJ DOT; Freeholder Vohden elaborated on the details of these issues.

9. APPROVAL OF CONSENT AGENDA

A. RESOLUTION RE: PAYMENT OF BILLS
389-2013

B. RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO ALLOW THE SUSSEX COUNTY DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES TO SUBMIT A RENEWAL APPLICATION FOR THE ENHANCED IMPLEMENTATION OF THE NJ COMPREHENSIVE CANCER CONTROL PLAN THROUGH COORDINATED CANCER AND CHRONIC DISEASE ACTIVITIES PROJECT ISSUED BY THE NJ DEPARTMENT OF HEALTH, DIVISION OF FAMILY HEALTH SERVICES, OFFICE OF CANCER CONTROL AND PREVENTION (Resolution authorizes this Application in the amount of \$130,800.00 for the period of July 1, 2013 through June 30, 2014)

C. RESOLUTION RE: AUTHORIZATION TO SUBMIT AN APPLICATION FOR GRANT FUNDS TO THE STATE OF NEW JERSEY, DIVISION OF CRIMINAL JUSTICE, FOR AN AMOUNT YET TO BE DETERMINED, TO BE USED FOR THE PURCHASE OF BODY ARMOR FOR MEMBERS OF THE SHERIFF'S BUREAUS OF LAW ENFORCEMENT AND CORRECTIONS

- D. **RESOLUTION RE: AUTHORIZATION FOR THE COUNTY OF SUSSEX, OFFICE OF THE SHERIFF, TO EXECUTE THE APPLICATION FOR THE DRIVE SOBER OR GET PULLED OVER 2013 STATEWIDE CRACKDOWN GRANT FOR THE PERIOD OF AUGUST 16, 2013 THROUGH SEPTEMBER 2, 2013 IN THE AMOUNT OF \$4,400.00 (Resolution authorizes this Application for 88 hours of overtime enforcement during this period budgeted as a reimbursement of \$50.00 per hour)**
392-2013
- E. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF A VEHICLE (2014 FORD FOCUS) FOR THE SUSSEX COUNTY OFFICE OF FLEET MANAGEMENT (Resolution authorizes this purchase from Beyer Ford in the amount of \$14,475.00, with the \$475.00 for a non-contract option – reverse sensors)**
393-2013
- F. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE AN AGREEMENT MODIFICATION TO FEDERAL AID AGREEMENT NO. 2010-DT-BLA1-14 (Resolution authorizes this Modification in the amount of \$165,577.99 for Bridge Q-11 in Sparta Township)**
394-2013
- G. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO SIGN THE SUBGRANT AWARD FOR THE RECOVERY STOP VIOLENCE AGAINST WOMEN ACT 11VAWA-73 PROJECT, FOR THE PERIOD MAY 1, 2013 THROUGH APRIL 30, 2014 IN THE AMOUNT OF \$9,060.00**
395-2013
- H. **RESOLUTION RE: AUTHORIZING THE PURCHASE OF AN INFORMATION MANAGEMENT SECURITY SYSTEM FROM PIVOT POINT SECURITY TO BE UTILIZED BY THE DIVISION OF INFORMATION MANAGEMENT FOR THE COUNTY OF SUSSEX (Resolution authorizes this purchase in the amount of \$71,129.00, estimating that it will take approximately 42 man days at a cost of \$1,440.00 per man day plus \$10,649.00 for audit cost)**
396-2013
- I. **RESOLUTION RE: AUTHORIZING REVISIONS TO THE SHARED SERVICES AGREEMENT PREVIOUSLY AUTHORIZED ON JUNE 26, 2013 BETWEEN THE COUNTY OF SUSSEX AND THE COUNTY OF HUNTERDON, AND THE COUNTY OF MORRIS, AND THE COUNTY OF WARREN FOR THE PROVISION OF TEMPORARY INMATE HOUSING IN THE EVENT OF ANY EMERGENCY PRISONER EVACUATIONS THAT MAY OCCUR AT EITHER CORRECTIONAL FACILITY IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.**
397-2013
- J. **RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS, RECREATION OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES (ROID), 2005 FOR A TOTAL AMOUNT OF \$204.93**
398-2013

- K. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE STATE OF NEW JERSEY, DEPARTMENT OF STATE, DIVISION OF ELECTIONS, HELP AMERICA VOTE ACT (HAVA), 10ELEC009APA, JULY 5, 2011 TO JULY 5, 2012 FOR THE AMOUNT OF \$13,458.24
399-2013
- L. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2013 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE COUNTY ENVIRONMENTAL HEALTH ACT (CEHA) GRANT FOR A TOTAL AMOUNT OF \$108,700.00
400-2013
- M. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2013 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE NEW JERSEY CANCER EDUCATION AND EARLY DETECTION (NJCEED) PROGRAM GRANT, JULY 1, 2013 TO JUNE 30, 2014 FOR A TOTAL AMOUNT OF \$223,500.00
401-2013
- N. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2013 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE 2013 AREA PLAN ALLOCATION, MID-YEAR ALLOCATION OF AREA PLAN FOR AN ADDITIONAL AMOUNT OF \$241,659.00
402-2013
- O. RESOLUTION RE: PAYMENT OF DEDUCTIBLE LITIGATION COST IN THE MATTER OF MURRAY V. COUNTY OF SUSSEX (Resolution authorizes this payment in the amount of \$4,490.42)
403-2013

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 approve the Financial Consent Agenda, seconded by Freeholder Graham.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

10. APPROVAL OF MINUTES Regular Meeting July 10, 2013

Release of Executive Session Minutes
A portion of the Regular Meeting May 7, 2013

MOTION made by Freeholder Graham to approve the Minutes of the Regular Meeting July 10, 2013 and to release a portion of the Executive Session Minutes of the Regular Meeting May 7, 2013, seconded by Freeholder Phoebus and passed unanimously.

11. APPOINTMENTS AND/OR RESIGNATIONS

There were no Appointments and/or Resignations.

12. RESOLUTIONS

- A. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY ENGINEER TO IMPLEMENT A TEMPORARY TRAFFIC CONTROL PLAN ENTITLED "DETOUR OF BRIDGE D-45, CARRYING CR 629 OVER PAPA KATING CREEK TRIBUTARY, FRANKFORD TWP, SUSSEX COUNTY, NJ: DETOUR & TRAFFIC CONTROL PLAN", DATED JULY 8, 2013, PREPARED BY THE SUSSEX COUNTY DIVISION OF ENGINEERING FOR THE TEMPORARY TRAFFIC CONTROL WORK ZONE REQUIRED TO ADVANCE THE REPLACEMENT OF THE EXISTING CULVERT
404-2013
- B. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY ENGINEER TO IMPLEMENT A TEMPORARY TRAFFIC CONTROL PLAN ENTITLED "DETOUR OF BRIDGE D-36, CARRYING PERRY ROAD OVER DRY BROOK, FRANKFORD TWP, SUSSEX COUNTY, NJ: DETOUR & TRAFFIC CONTROL PLAN", DATED JULY 8, 2013, PREPARED BY THE SUSSEX COUNTY DIVISION OF ENGINEERING FOR THE TEMPORARY TRAFFIC CONTROL WORK ZONE REQUIRED TO ADVANCE REPAIRS TO THE BRIDGE
405-2013

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

13. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

- A. Awards of Contracts
1. RESOLUTION RE: AWARD OF CONTRACT FOR THE 9-1-1 EMERGENCY COMMUNICATION CENTER RAISED FLOORING IN SUSSEX COUNTY, NEW JERSEY (Resolution awards this Contract to the lowest responsible bidder, Re:Source New Jersey, Inc. in the amount of \$22,996.00)
406-2013
 2. RESOLUTION RE: AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE KEOGH DWYER CORRECTIONAL FACILITY NEW ENTRY PLAZA IN SUSSEX COUNTY, NEW JERSEY (Resolution awards this Contract to the only responsible bidder, T.M. Brennan Contractors, Inc. in the amount of \$217,000.00 for the lump sum bid and alternates option)
407-2013
 3. RESOLUTION RE: AWARD OF CONTRACT FOR THE REHABILITATION OF SUSSEX COUNTY BRIDGE E-06, CR 631 (CHURCH STREET), FRANKLIN BOROUGH, NEW JERSEY (Resolution awards this Contract to the lowest responsible bidder, Sparwick Contracting, Inc., in the amount of \$675,241.00)
408-2013

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

Freeholder Crabb stated that on Item 13.A.3. he was surprised that Ritacco Construction did not receive this bid since they were working on Bridge E-07. Elaine Morgan, Clerk, explained to Freeholder Crabb that Ritacco Construction did not submit a bid.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

B. Change Orders

1. **RESOLUTION RE: AWARD OF CHANGE ORDER NO. 2 TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND RITACCO CONSTRUCTION INC. FOR REPLACEMENT OF SUSSEX COUNTY BRIDGE E-07 CARRYING COUNTY ROUTE 631 OVER WALLKILL RIVER AND NYS&W RAILROAD, BOROUGH OF FRANKLIN, SUSSEX COUNTY, NEW JERSEY (Resolution authorizes this Change Order for additional work on Bridge E-07 in the amount of \$106,744.39 (1.31%))**
409-2013

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

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

14. FINANCIAL

- A. **RESOLUTION RE: EMERGENCY APPROPRIATION FOR THE SUSSEX COUNTY OFFICE OF MOSQUITO CONTROL FOR ADDITIONAL AERIAL SPRAYING (Resolution authorizes this appropriation in the amount of \$150,000.00)**
410-2013

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

Freeholder Graham asked Mr. Eskilson to explain this Resolution. Mr. Eskilson explained that at this point in the 2013 budget the County had appropriated approximately \$125,000.00 for spraying; \$50,000.00 for the contract pilot and about \$72,000.00 worth of chemicals; because of the historically high rains in June of this year, the County saw a massive spike in mosquito populations; because of that and because of the frequency of the rain, the County had to do multiple sprayings within a very short period of time; Mr. Eskilson said the good news is that between the aerial larviciding and the adulticiding the County was able to have an impact on those spikes in population. Since then, it has dried out; however there is no money remaining in the mosquito budget and the approximately \$120,000.00 is the identical number that was appropriated last year, the County used probably 70-80% of that last year and had some reserve; the County bought product at the end of the year to put in reserve for this year; it was a fairly typical amount that was budgeted over the last few years; there was a request for approximately \$266,000.00 in additional funding; a meeting with Freeholder Liaison Mudrick and Freeholder Director Vohden to review the request with Herb Yardley and Jim McDonald,

who heads up mosquito operations, determined that \$150,000.00 would be brought up before the Board for consideration; Mr. Eskilson is hopeful that the County may not use all of it; he indicated that part of it that is used has to be raised in next year's budget, hence the appropriation. There was a lengthy discussion.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes
Freeholder Director Vohden	Yes

15. PERSONNEL

A. Personnel Agenda (no Personnel Agenda for this meeting)

B. Resolutions

1. RESOLUTION RE: AMENDING PERSONNEL POLICY REGARDING REFERRALS TO THE PUBLIC BY COUNTY EMPLOYEES (Resolution amends the previous Resolution by limiting the ban on referrals to for-profit service providers and professionals by County employees)

MOTION made by Freeholder Graham to adopt this Resolution, seconded by Freeholder Crabb and passed unanimously.

Freeholder Graham asked if this was an amendment to the Resolution that was passed at the last meeting.

Mr. Eskilson replied this was an Amendment; he further explained that when this was discussed at the Department Head meeting after the last Freeholder Meeting the question was asked if employees could no longer recommend clients to specific not-for-profit services such as drug rehab and the direct answer was yes, that was what that meant and that was an unintended consequence and this Amendment fixes that.

16. ADMINISTRATIVE REPORT

A. Other

Mr. Eskilson had no Administrative Report for this meeting.

17. COUNTY COUNSEL

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

Mr. Campbell had no items for this meeting.

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 5:45 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

Comment from Tammy Hayes

Tammy Hayes of Lafayette came forward; she missed the first part of the meeting about the landfill and wanted to know what resolution was made because she understands there is a liner underneath the dump that is supposed to last a certain number of years, but there has been leakage into wells around the area and she asked what was being done about that.

Freeholder Crabb asked Ms. Hayes if she was talking about leakage from the SCMUA or from the old Hamm's landfill. She replied that the liner was from the Hamm's landfill. Freeholder Crabb said that they have been tracking this thing since around 2006 and he would be surprised if there was any leakage under the existing landfill. There was a lengthy discussion.

Mr. Eskilson stated that the SCMUA's presentation would be up on the County's website by the following day.

MOTION made at 5:48 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Mudrick and passed unanimously.

21. EXECUTIVE SESSION

RESOLUTION RE: REQUESTING EXECUTIVE SESSION

There were no items for 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 August 14, 2013 Regular Meeting 5:00 pm

23. ADJOURNMENT

MOTION made at 5:49 p.m. by Freeholder Crabb to adjourn, seconded by Freeholder Graham and passed unanimously.

Elaine A. Morgan, Clerk

DATED: July 24, 2013