

REGULAR MEETING HELD ON THURSDAY, JUNE 25, 2015

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:01 PM

2. ROLL CALL Freeholder Graham; Freeholder Mudrick;
Freeholder Phoebus; Freeholder Vohden;
Freeholder Director Crabb; County Counsel;
Dennis McConnell; Catherine Williams;
Clerk of the Board

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 June 10, 2015 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. Presentations

1. Acknowledging the retirement of Anne Kakerbeck, Administrative Supervisor of Family Service for Social Services, Retired after 25 years with the County.

Freeholder Director Crabb asked without objection if Item 14.1 Financial, Resolution RE Certificate of Review of Audit by Group Affidavit could be moved and addressed at this time.

14. FINANCIAL

1. RESOLUTION RE: CERTIFICATION OF REVIEW OF AUDIT BY GROUP
288-2015 AFFIDAVIT

MOTION made by Freeholder Phoebus to move item 14 1. of the agenda, seconded by Freeholder Vohden and pass unanimously.

Ray Sarinelli of Nisivoccia LLP, Auditor for the County of Sussex, He stated it is quite a lengthy process. We had our auditor here for about a month to go through all the financial statements. Bernie's claim to fame while he has been here is he has only had one audit adjustment after all the scrutiny that we give his financial. We have never had a client that has had no adjustments. He said it has been a pleasure to work with Bernie and his records are immaculate.

Mr. Sarnielli gave an overview of the audit. He said you can hear from the numbers that things are in a positive.

Freeholder Director Crabb said I think the success is evident.

MOTION made by Freeholder Vohden to accept the Certification of Review of Audit by Group Affidavit, seconded by Freeholder Phoebus

On Roll Call the vote was:

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

7. PUBLIC SESSION FROM THE FLOOR
(Please note: Everyone is asked to keep their comments to 5 minutes or less)

MOTION made at 5:14 PM by Freeholder Vohden to open the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

Comment from Jackie Espinoza

Jackie Espinoza from JCP&L came forward and stated every month we invite all the municipal officials down to Morristown to tour our Distribution Control Center. She gave an update of where crews have been recently.

Comment from Harvey Roseff

Mr. Roseff came forward and asked what the status of the buildout is

Freeholder Director Crabb said this is an opportunity to express your comments.

Mr. Roseff said as part of the settlement there was supposed to be a buildout and it now is the summer and as I understand it there is still not approval yet for doing the buildouts at some of the previously identified locations. This is an off balance sheet entity. I was curious now that it has been four months since we made plans to fund hold the budget we should have a report on the project. The other thing is it has been very hard to get the Vanguard contract; I still don't have it through a series of OPRA's. I think we should have access to the Vanguard contract. I don't have the Vanguard/Sunlight contract.

Mr. McConnell apologized and said we get a lot of OPRA's and I was responding to you last night, I know we have given it out and I will get it to you tonight.

Mr. Roseff said in the Vanguard Funding letter it is kind of confusing as I know it Sussex is contracting with Sunlight. We are still in that arrangement and now we have other legal contracts with entities that don't report directly to us, they report to Sunlight and we promised them quite a bit of financial, indemnity, hold harmless, etc.

Mr. Roseff read the letter that they wrote on what we signed up for. Sussex County hereby agrees to indemnify, hold harmless Vanguard and it authorities coming against any and all cost claims and expenses incurred by any of the indemnified parties in connection with or arising from the agreements with Sunlight Entities and the settling principals and/or the County principals and/or Sussex County local units and/or MasTec without limitation including Vanguards contract. I was wondering who our counterparty is for the buildout. If we are going to hold everyone harmless and we are going to pay for any mistakes, who is our counterparty; not from the past. I am concerned about the future. This paragraph basically absolves everybody. If there is a screw up going forward, we have already learned what can happen yet in advance we are absolving Vanguard?

Mr. McConnell said that has to do specifically with the funding letter not the contract. You will get the contract. The funding letter has various sources of funds. They are talking about the funding.

Mr. Roseff said we have released funds out of our hands and they are now with one of the parties that is indemnified here and held harmless. This was our problem, we released funds; we never had control of the project. We gave these funds to somebody else who was supposed to manage the project and they didn't; that is why this project failed. We had bad engineering,

bad project management, it has nothing to do with SREC's and then there was a fight between the contractor and Sunlight. We are indemnifying Vanguard in regards to the contract that you are eventually going to send to them. That is fundamentally what happened between MasTec and Sunlight. That is exactly what happened and now we have signed up to pay everyone's expenses. Who is left that is not protected and has a responsibility to us?

Mr. McConnell said you need to read the contract. I will get it to you.

Mr. Roseff said now you have an audit and from the audit's standpoint we have a whole series of trust funds regarding the solar project. How do you audit that?

Mr. McConnell said he does not audit those.

Mr. Sarinelli stated there are no funds held by Sussex County. Those funds are handled through the Morris County Improvement Authority so they are not part of that audit they are picked up on MCIA's audit.

Mr. Roseff said there is a line item that depends on the cash flow from these off balance entities. How do you know that the line item is correct for this year? There is a loss of \$900,000. It is a line item on the audit. How do you know that \$900,000 is legit?

Mr. Sarinelli said the \$900,000 was reached not with the expectation of what might be collected; it was reached based on what was already on deposit with the MCIA net of the \$2.7 debt. That is basic budgeting from the State of New Jersey. You cannot anticipate revenue in advance of its collection. So when the budget was prepared in the anticipation of the State's review, Bernie only included their funds that were specifically going to be used to offset the debt.

Mr. Roseff continued his comments regarding the audit.

Mr. Re said you are not going to want to hear this and probably the people that gave us the hardest time was one of the rating agencies after reviewing the results the worst case scenario. Again, I come from corporate world. I just didn't just happen to wind up here in Sussex County. I was an auditor just like Ray is. I spent 15 years of my career; 10 of those years with a big eight accounting firm. No slouchy firm. Everyone tells me to run government like a business. I am concerned as everybody else is. Everyone one that knows me - I don't like to spend a dime. I really don't. I am tight. My wife hardly ever talks to me. I am more upset about this whole thing than you are. I will give you thanks for your couple of nice words in the paper. You kind of destroyed it though at the end by someone I have never heard of giving evaluations on Standard and Standard and Poor's, Moody's and there is one other company out there. Our financial markets which you are aware of evaluate us based on financial information. But they look at materiality. If the whole thing went bad till the end of the year - is it material to the financial statements of this County? I know it is a bad statement to say but it is not material to the overall County. I hate to say that. It is material to me and you, but running it as a business, it is not material. I hear your concern; we are working on some of that stuff now. I am telling you how it is. I am not trying to lie to you.

Mr. Roseff said we have in my town the same auditor and auditing has its function but as a taxpayer, I am worried about my taxes. Secondary, are the books correct and so forth? When you say we have great credit rating it just means that we will get a little lower interest rate. It doesn't mean it will lower my taxes. What is more important to me is the value I get for my taxes and now we are looking at an off balance tax sheet for the end of the year and it is bleeding. I don't know if you will do your buildout this summer.

Comment from Kenneth Collins

Kenneth Collins, from Andover and the Green Party candidate for State Assembly in the 24th District came forward and said I am here tonight because it has come clear to me that the people you represent cannot trust this governing body with its money nor with its decision making. The Board of Chosen Freeholders is entrusted with that responsibility and has betrayed the public trust. It is appalling that you would suggest that the tax payers should pay the bail out for the failed solar energy deal. It is not right. Our taxes are already too high. Sussex County's population is shrinking at a disconcerting rate and as Mr. Vohden himself has pointed out, we got here \$10 at a time and that is a problem that we cannot ignore. I want to know how much money in total does Sussex County project to save upon the completion of these solar projects. "Does anybody have a number?"

Freeholder Director Crabb stated this opportunity is for you to express yourself. If you want to submit questions you certainly can. We are very expeditious in answering them.

Mr. Collins said I would like to know how much money Sussex County expects to save in total upon completion of these solar projects. Then I would like to hear from the Board of Chosen Freeholders that you will pay for your failure with the money you will save by going solar. Instead you are proposing that you realize a substantial savings on energy cost while you increase the tax burden on every property owner in the county. What you propose is simply wrong and does not add up. What twisted logic dictates that Sussex County should be allowed to reap the profits of significantly reduced energy bills while the tax payers are forced to pay for this solar boondoggle. I submit that you should put the choice to the voters on the ballot in November where the citizens can decide. It should not be left up to you. It was the poor choices made by the Board of Chosen Freeholders that got us into this mess. It is my greatest hope that should you choose to do the wrong thing and burden the tax payers with this debt, that the voters of Sussex County will vote all of you out of office because none of you should be trusted, none of you. You got us into this mess and now you want all the benefits while we pay the price. If that is your choice, I hope the voters make the right decision and replace every damn one of you in the next election. What you are doing is just not right and I heard you to correct yourselves – we will follow the money and we will see where it leads. Already it has come out that a firm run by a political power house, Guy Molinari and one connected to the powerful political boss of South Jersey, George Norcross profited from the solar shenanigans. The people of Sussex County deserve better and we deserve it from you. Use your savings to fund your bailout-don't force us to pay for it.

MOTION made at 5:35 PM by Freeholder Mudrick to close the meeting to the Public, seconded by Freeholder Vohden and passed unanimously.

8. FREEHOLDERS' COMMENTS

Comments by Freeholder Vohden

- **NJTPA Monthly meeting**

Freeholder Vohden attended the meeting in Newark. The morning session had two presentations one was the Regional Comprehensive Economic Development Strategy Update concerning the 13 counties in the North Jersey region. This is an ongoing project. The second presentation was a report on a round table discussion hosted by the NJTPA and NJ Transit with experts discussing the trends affecting the economic and demographic growth in New Jersey. One trend discussed involved the millennial generation whose members are now reaching working age; chose to drive less and intend to live in more urbanized areas. The TPA's forecasting manager said a central question is whether the recent changes will endure. Freeholder Vohden said he does have the power point presentation from the meeting where they do go over in detail and show the closing of all the empty office buildings across the state and the affect it is having on the economies and municipalities is apparent. We have lost a couple up here. It is hurting the rest of the state a lot more.

The afternoon presentation was from Renner Bakery a company that provides frozen dough that goes out to bakeries, establishments where they make bread, pizza dough. It is a pretty good size company. They are relocating to New Brunswick. They employ 250 people now, they plan on doubling that. They came from out of state to take advantage of the transportation benefits in the area. The benefits include transportation on a rail spur allowing bulk flour supplies; its proximately to a commuter station used by its employees and a good highway access for delivery of product to customers in 48 states. One thing I was surprised to hear is the shortage of truck drivers which raises transport cost and adds delays. They are hoping access to drivers will be easier in New Jersey and he suggested would you consider adding truck driving as a technical high school course.

- **Highlands Regional Master Plan Meeting, Highlands Regular Council Meeting
Highlands Plan Conformance Committee Meeting**

Freeholder Vohden attended these meetings. He stated Council contracted with a consultant from California to do a regional economics evaluation of the Highlands Region as part of a fiscal impact assessment. They are starting to release some of the information. They are in part 2 of a three part study which will be done in a couple of months. All of the economic and demographic studies should give us the information we need in order to plan ahead for Sussex County economic health.

- **Catholic Charities**

Freeholder Vohden attended the thrift shop for the vets in Franklin. You can get a suit for \$10.00 at the thrift shop.

- **Meeting the Sussex County Fairgrounds**

Freeholder Vohden stated there is a group trying to preserve Winding Brooks Farm on Rt. 565. They are trying to preserve the barn and the farm and they are looking for our support.

Comments from Freeholder Graham

- **Congratulations**

Freeholder Graham congratulated Bernie Re on the high bond rating that we receive for the school bonds is an achievement. It was something that was done while watching things. It was done while keeping things in line. He acknowledged that this is Bernie's last meeting. Freeholder Graham said ever since we did the first capital meeting since I started here, Bernie has a guiding light in the way he presents things. He sometimes says it could go this way, or that way, sometimes it goes back again; he throws it all out in front of you. It is not easy to do and Bernie did it well. He also acknowledged that it is Dennis McConnell's last meeting and he said that Mr. McConnell and he had a disagreement in public but he does respect him. Freeholder Graham said I think you two are fine gentlemen and I wish you well in your retirements.

Freeholder Graham stated on a county bases we had a Federal Transit Authority Audit regarding our transit system. It is a normal audit that we have and we did very well on it. I applaud the people in transit. I applaud Ron Tappan. He got us through that.

Herb Yardley is also retiring. Freeholder Graham said he had a walk through today to see how things were going and things are moving along nicely. Mr. Yardley said our documents are being put more and more online so that people don't have to go to an OPRA request especially for Health Department requirements.

- **Project Self-Sufficiency**

Freeholder Graham attended the Thirteenth Annual Celebration of Literacy & Self-Sufficiency. He said it was amazing. There was a room filled with people bettering themselves, working jobs, raising children, taking care of the families and while going to school. That is not an easy thing to do. I looked around the room and listened to how they have improved themselves and how other people have helped them improve themselves. He said he was taken back by it.

- **Sheriffs Crimestoppers**

Freeholder Graham said it is a lot more effective than you think. The tips that are given many times they reach out to crime stoppers and raise the money for those tips and there are a lot of people who have benefited from it especially in the areas of smaller crimes and drug offenses; they sort of blend into the woodwork. Crimestoppers have been able to bringing some of those crimes to a resolution.

Comments from Freeholder Phoebus

Freeholder Phoebus thanked Bernie and Dennis and wished them well in their retirements and stated it has been a pleasure working with you both as well as Herb Yardley.

- **Skylands Ride**

Freeholder Phoebus said we get quite a bit of money for Skylands Ride that comes out of SCDRTAP money that comes from Atlantic City and casinos and we all know what is

going on with the casinos in Atlantic City. E-betting has not turned out to be as much as a money maker that they had hoped it would be. They were hoping this would close the gap with the money they were not able to get from Atlantic City. There are only a few counties that do not have NJ Transit and we are one of them. It is extremely important that we keep Skylands Ride healthy and operating for our residents. Carol Norvit does a fabulous job with this. She and I met with Senator Oroho because they are working on crushing their budget in Trenton right now and we asked if there was any other funding that he could come up with that could potentially help Sussex County with the Skylands Ride. He came up with some ideas and we are trying to offset the losses coming out of Atlantic City.

- **Mt. Olive Trade Zone**

Freeholder Phoebus said she got a chance to talk with the Mayor of Mt. Olive, Rob Greenbaum. They are doing an awful lot of work in the Trade Zone. They are starting to put businesses in there. He said he would be very interested in working with Sussex County because his township in Morris County, Stanhope and Hopatcong meet Mt. Olive so it would be helpful to work with him on some type of economic program going forward. I think we could get people living in Sussex County to get jobs there and vice versa.

- **The Cochran House**

Freeholder Phoebus said she has been approached again on the stoop outside of the Cochran House in the parking area which is apparently Newton's parking lot. They are not appreciating all the cigarette butts and the other stuff and we have tried to get this straightened out and they do not want to put an ashtray there because it is a non-smoking facility so any help you gentlemen have on keeping that area litter free and cigarette free would be greatly appreciated.

Comments from Freeholder Mudrick

- **Thirteenth Annual Celebration of Literacy & Self-Sufficiency**

Freeholder Mudrick attended this as well. It was really great. As someone growing up in an economically challenged household, I can attest to what a lot of those individuals are going through. I tried to say so in my words to the best of my ability when we had an opportunity to speak to them. It was very rewarding to see these folks achieving.

- **Commencement at Sussex County Vo-Tech**

There were approximately 192 graduates there so Sussex Vo-Tech is alive and well. I had a general idea, but now I have a more specific idea of the multiple and varied programs offered. Freeholder Mudrick read a few of the programs and stated it has become a very competitive place to get into. I don't want to misspeak, but I believe approximately 800 students try for a 200 seats each year; I will confirm that with Mr. Modla. It was a great graduation ceremony.

- **Sussex County Treasury Department**

Freeholder Mudrick said as Liaison to the Treasury Department this year, the AA+ rating glass half full; glass half empty, I always try to see the glass half full. The bond rating credits go to not only Mr. Re but also Mr. Maikis, Ms. Malcolm, our Bond Council, Mr. Cantalupo and Auditor Ray Sarinelli; it is a team effort. It is not a me thing, it is a team thing and that makes good government. Despite what the glass half empty people would say actually does mean something. It means that it is a long way to saving the county dollars on every sale where we can get a good credit rating. So, kudos to Bernie and everyone else that I had mentioned.

Retirements & Thanks

Freeholder Mudrick said collectively approximately 60 plus year of institutional knowledge on their retirements County Administrator, John Eskilson, approximately 12 years of

service; Dennis McConnell, County Counsel, approximately 26.5 years of service; Bernie Re, Treasury and Finance, 11.5 years; Herb Yardley, Department of Environmental and Health and his 10 years of service. I am one of those Freeholders if I have a question on something at any time of the day or night, Saturday or Sunday without exception in particular, John and Dennis the amount of phone calls you have received from me you have always returned quickly and have always showed total impartiality to all five of us, you have been upstanding, Bernie, overall you have been fiscally responsible. The budgets that have come in the last three years that I have had the privilege to serve on this Board are 0 percent in Year 1, and have averaged a .75 percent increase over the three years. With the solar settlement, we needed to build approximately \$896,000 into the 2015 budget and without a settlement, we would have had to build in approximately \$2.3 million into the 2015 budget and in subsequent years. That would be \$9.2 million over the next 4 years without a settlement needed versus \$3.6 million needed over the next four years with the settlement. My heartfelt thanks to all of you for what you have done for the County in your years of service.

Comments from Freeholder Director Crabb

Freeholder Director Crabb said I agree with Mr. Roseff that we do need to have a reporting of how the process is going. It is my intention to reach out to Vanguard and have them provide a status update that we can report on, that I can report on at every meeting going forward. I can tell you this; I know Vanguard is ready to begin if they haven't already done so with some of the beginning steps for Kittatinny and Hardyston Township. Freeholder Vohden and I met with the Operations Committee with the Sparta Board of Education about a week and a half ago and reviewed the configuration and what has been repropose for their buildings. There is one that Vanguard threw out, the Alpine School because the roof wasn't appropriate to be putting the panels on. I know there is a concern in Sparta with regards to the removal of heavy snow on an on-going basis. For the reconfigured layout of where the solar panels will go including the ground mount at the Sparta Jr. High School on Rt. 517, all of the due diligence has been done that the roofs could carry not only the load of the roof itself but of the solar panels and of major snowstorms as it has at their facilities in Massachusetts. They do have a concern because at one of their schools they did have a roof collapse and they do want to have someone go up on the roofs to remove the snow. We have presented what the revised layout is which is a few changes of what was originally accepted by the Sparta Board of Education. We have reminded them based on the original acceptance and agreement to move forward that we have pretty close to \$1 million worth of solar panels stored away for that particular project. They are going back and reviewing everything that was discussed at that point and we are waiting to hear back from them.

Freeholder Phoebus asked who was at the meeting.

Freeholder Director Crabb stated it was a subcommittee of the Board of Education, the superintendent of Sparta, Dennis Tobin, head of their facilities, the one remaining Board of Education member that approved this to go forward and one lady that is on the Board of Education now that is part of this Operations Committee and 2 representatives from Vanguard and 1 from the consulting firm.

Freeholder Phoebus asked who has picked up Gables' job on this whole thing.

Dennis McConnell said I believe a company called Matrix.

Freeholder Director Crabb said we are still waiting to hear back from Sparta Board of Education. But to your comment, Mr. Roseff, I do agree the least we can have is have some sort of status progress or lack thereof each time we meet here.

- **Sussex Vo-Tech Graduation**

Freeholder Director Crabb said he had the distinct honor to speak at the graduation and the reason why it was important to him is that unlike other schools in Sussex County every student at the vocation school is there because they want to be and it shows. I learned that they graduate by shops and there are about 18 shops. They all come up separately. There was an auditorium filled with pride. So I congratulate everyone there. I had a conversation with Superintendent Dr. Modla and they are looking to have 850 students next year. This has contrasted to other schools in the county that are losing population; that is not the case of the vocational school and I congratulate them on their success.

Freeholder Graham said he is the liaison to the school but he couldn't make it. Besides the competition of certain programs, there are many other programs that students can get involved with. There are many different shops and the students are suited to what is best for that particular student that they want to do but not get edged out.

Freeholder Director Crabb said another thing he learned was there is a resurgent of the adult classes for specific skills. There are a lot of good things going on there. I would encourage this body to support them as much as we can.

- **Bond Rating**

Freeholder Director Crabb said he is very proud that this bond rating has been sustained for so long. Going back to 2010 and 2011 and the fact that we are able to keep the focus of this with other distractions coming in and they are keeping this credit, I think it is very significant. I thank you for the long term aspects of this. Bernie, you are always here late; you don't mail it in.

Bernie Re said, I have to be honest with you; I am not the first person in in the morning, but I have to give credit when I said team I really meant it. We all worked together. It is the budget committee. You put an unbelievable amount of hours in. The capital committee you always make time for us during the day. Department heads as well, Ron Tappan and Engineering. Do you realize how many bridges got repaired at Hurricane Irene and we used FEMA. We leveraged very well. I thank you guys I couldn't have done it without you.

Freeholder Director Crabb said when you mentioned the bridges there was \$11.5 million that was not anticipated and we got through it. That has been one of the hallmark things around here and that is we manage through it. It will certainly be a legacy of yours here.

Goodbyes

I have said it before that the senior management team we have here Denny, Bernie, John who can't be here tonight because of a personal matter and Herb are one of a kind. I am going to be able to tell people that I served on this Board when this team was intact here. Delivery was hallmark here. Surprises were at an absolute minimum here and if any surprises came up they were not pushed to the side, they were dealt with immediately. Someone coming from my side of the business world that is what matters most, is delivery. This team delivered all the time on a day to day basis, especially during the Homestead Sale. What a management year that was. What a big project it was and so many facets to get your arms around. I thank you for being part of that process and I don't think we would have gotten through it without this particular management team. It made me a better Freeholder and I am going to miss you all.

9. APPROVAL OF CONSENT AGENDA

A. RESOLUTION RE: PAYMENT OF BILLS
289-2015

B. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF
290-2015 ANY SPECIAL ITEM OF REVENUE IN THE 2015
BUDGET OF THE COUNTY OF SUSSEX RELATING TO
THE 2015 AREA PLAN CONTRACT GRANT, MID-YEAR
ALLOCATION FOR AN ADDITIONAL AMOUNT OF
\$242,247.00

C. RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE

- 291-2015** OF TWO (2) VEHICLES BY THE SUSSEX COUNTY OFFICE OF FLEET MANAGEMENT FOR THE DIVISION OF FACILITIES MANAGEMENT AND FOR THE DEPARTMENT OF ENGINEERING AND PLANNING
- D. **292-2015** RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF TWO (2) VEHICLES BY THE SUSSEX COUNTY OFFICE OF FLEET MANAGEMENT FOR THE DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES
- E. **293-2015** RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO APPROVE THE SUBMISSION OF A RENEWAL GRANT APPLICATION WITH THE NJ DEPARTMENT OF HEALTH FOR THE PROVISION OF THE LOCAL CORE CAPACITY FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT FOR THE PERIOD OF JULY 1, 2015 TO JUNE 30, 2016
(The purpose of the grant program is to sustain current capabilities of the Local Information Network and Communication System Agencies (LINCS) and to enhance additional ones by upgrading and evaluating their respective jurisdiction's preparedness for and response to terrorism, pandemic influenza, and other public health emergencies by utilizing an all-hazards capabilities approach. Amount of grant funds sought: \$ 266,025.00)
- F. **294-2015** RESOLUTION RE: AUTHORIZATION FOR THE COUNTY OF SUSSEX TO EXECUTE AN APPLICATION TO RENEW THE SPECIAL CHILD HEALTH SERVICES CASE MANAGEMENT GRANT FOR \$86,587.00 FOR THE CONTRACT PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2016 AND FUNDING PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2016 BETWEEN THE COUNTY OF SUSSEX AND THE NEW JERSEY DEPARTMENT OF HEALTH *(Renewal of Case Management/Special Child Health Services Grant #10-131-SCH-L-2 for case management of special needs children as per state requirements. State Grant Funds \$86,587.00; County Cash Funds \$51,002.00; County In-kind Funds \$4,969.00)*
- G. **295-2015** RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE A RELEASE FROM LIBERTY MUTUAL INSURANCE COMPANY (THE BONDING COMPANY FOR JOGI CONSTRUCTION) IN THE AMOUNT OF \$5,000.00 FOR REPLACEMENT OF SUSSEX COUNTY BRIDGE C-16 CARRYING COUNTY ROUTE 607 OVER LUBBERS RUN, TOWNSHIP OF BYRAM, SUSSEX COUNTY, NEW JERSEY
- H. **296-2015** RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A MUTUAL AID AGREEMENT FOR PUBLIC HEALTH SERVICES WITH THE COUNTY OF PASSIAC
(The resolution establishes a Public Health Services Mutual Aid Agreement for public health services between Passaic and Sussex County during a declared public health emergency)
- I. **297-2015** RESOLUTION RE: AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO N.J.D.E.P. FOR THE IMPLEMENTATION OF A PROGRAM UNDER THE COUNTY ENVIRONMENTAL HEALTH ACT N.J.S.A. 26:3A2-21 ET SEQ. FOR THE DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES AND FURTHER AUTHORIZING THE ENTRY INTO INTERAGENCY AGREEMENTS BETWEEN THE COUNTY OF SUSSEX AND N.J.D.E.P. COVERING THE PROVISIONS OF ENVIRONMENTAL HEALTH SERVICES *(NJDEP provides grant funding to SCDEPHS to monitor*

and enforce environmental health standards within the county as per the County Environmental Health Act N.J.S.A. 26:3A2-21, et seq.: for air pollution control, solid waste and recycling-facilities and transportation, hazardous materials, safe drinking water, water pollution control and noise control)

- J. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE REVISION #1 NO COST TIME EXTENSION WITH THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION TO COUNTY ENVIRONMENTAL HEALTH ACT (CEHA) GRANT AGREEMENT #EN15-028CY**(Revision #1 is needed to move \$18,640.00 from Other Cost Category to the Category of Personnel Category-Salary and Wages)
- K. **RESOLUTION RE: AMENDING A RESOLUTION ADOPTED BY THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS ON JUNE 10, 2015 ENTITLED "AUTHORIZING THE PLACEMENT OF A PUBLIC QUESTION ON THE OFFICIAL BALLOT FOR THE GENERAL ELECTION ON NOVEMBER 3, 2015 CONCERNING A PROPOSITION AUTHORIZING THE COUNTY OF SUSSEX TO CONTINUE A TRUST FUND IN ORDER TO ACQUIRE LANDS FOR FARMLAND PRESERVATION, RECREATION AND OPEN SPACE PURPOSES PURSUANT TO N.J.S.A. 40:12-15.1 ET. SEQ."**

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

Discussion:

Freeholder Mudrick said on 9. C & D the significance is when I first got on the Board, the latter part of that first quarter, I had asked for department annual reports and they gave them to me through John and one of the things I remember clearly reading was the savings we were getting when we purchased these new vehicles on gas miles in that area. It is a significant savings and the work order process that Ron does. At the agenda meeting I acknowledged Ron but I want to publicly acknowledge Ron as well. Those dollars add up very quickly.

On Roll Call the vote was:

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

10. APPROVAL OF MINUTES

Regular Meeting April 8, 2015

Regular Meeting April 22, 2015

MOTION made by Freeholder Vohden to approve the Minutes of the Regular meeting of April 8, 2015 and April 22, 2015, seconded by Freeholder Mudrick and passed unanimously.

Comments:

Freeholder Mudrick stated that there were some items misspelled and some typos but all of the corrections have all been made.

11. APPOINTMENTS AND/OR RESIGNATIONS

- 1. RESOLUTION RE: DIRECTOR'S APPOINTMENT OF A
300-2015 LIAISON TO THE COUNTY
SUPERINTENDENT OF SCHOOLS
- 2. RESOLUTION RE: APPOINTMENT OF ROBERT MAIKIS, JR.
301-2015 AS THE COUNTY'S CERTIFYING OFFICER
PURSUANT NJSA 33:3C-15

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

On Roll Call the vote was

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

12. RESOLUTION

- A. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 631 IN
302-2015 FRANKLIN BOROUGH
- B. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 613 IN
303-2015 THE TOWNSHIP OF SPARTA
- C. RESOLUTION RE: EXECUTION OF A TRAFFIC SIGNAL AGREEMENT
304-2015 BETWEEN THE STATE OF NEW JERSEY, THE COUNTY
OF SUSSEX, AND THE TOWNSHIP OF LAFAYETTE
FOR THE INSTALLATION AND MAINTENANCE OF A
TRAFFIC CONTROL SIGNAL AT THE INTERSECTION
OF ROUTE NJ 15 & NJ 94 AND COUNTY ROUTE 623,
A.K.A. SUNSET INN ROAD IN THE TOWNSHIP OF
LAFAYETTE, COUNTY OF SUSSEX

Added: RESOLUTION RE: SUPPORT A SENATE BILL 2811 ASSEMBLY BILL 4356
305-2015

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

D.

INTRODUCTION FOR FIRST READING – ORDINANCE

ORDINANCE TO AMEND THE FEE SCHEDULE OF THE DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES

MOTION made at 6:12 PM to adopt this Ordinance on first reading by Freeholder Graham, seconded by Freeholder Vohden.

On Roll Call the vote was:

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

MOTION made at 6:14 PM to authorize the Clerk to advertise this 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 July 8, 2015 at 5:00 pm prior to final adoption of this Ordinance by Freeholder Graham, seconded by Freeholder Vohden passed unanimously.

E.

INTRODUCTION FOR FIRST READING – ORDINANCE

ORDINANCE MEMORIALIZING MID-BLOCK CROSSWALKS ON SUSSEX COUNTY ROUTE 519 AT THE INTERSECTION WITH PAULINS KILL VALLEY TRAIL, APPROXIMATE MILE MARKER 67.78, AND THE INTERSECTION OF GREAT VALLEY TRAIL, APPROXIMATE MILE MARKER 69.65, BOTH IN THE TOWNSHIP OF HAMPTON

MOTION made at 6:15 PM by Freeholder Graham to adopt this Ordinance on first reading, seconded by Freeholder Vohden.

On Roll Call the vote was:

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

MOTION made at 6:16 PM to authorize the Clerk to advertise this 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 July 8, 2015 at 5:00 pm prior to final adoption of this Ordinance by Freeholder Graham, seconded by Freeholder Phoebus and passed unanimously.

13. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contract

1. **RESOLUTION RE: AWARD OF CONTRACTS FOR THE SUPPLY AND DELIVERY OF TRAFFIC SIGNAL AND ELECTRICAL EQUIPMENT FOR THE COUNTY OF SUSSEX**
306-2015

B. CHANGE ORDERS

1. **RESOLUTION RE: AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE COUNTY OF SUSSEX AND ZITONE CONSTRUCTION & SUPPLY CO., INC. FOR THE JUDICIAL CENTER SECURITY SCREEN FOR THE COUNTY OF SUSSEX, DIVISION OF FACILITIES MANAGEMENT**
307-2015
2. **RESOLUTION RE: AWARD OF CHANGE ORDER NO. 2, FINAL TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND SALMON BROS., INC., FOR REPLACEMENT OF SUSSEX COUNTY BRIDGE S-28 CARRYING OLD TANNERY ROAD, TOWNSHIP OF STILLWATER, SUSSEX COUNTY, NJ**
308-2015

MOTION made by Freeholder Graham to adopt these Resolutions, seconded by Freeholder Vohden

On Roll Call the vote was:

Freeholder Graham	Yes
Freeholder Mudrick	Yes
Freeholder Phoebus	Yes

Freeholder Vohden Yes
Freeholder Director Crabb Yes

14. FINANCIAL

RESOLUTION RE: CERTIFICATION OF REVIEW OF AUDIT BY
(voted on earlier GROUP AFFIDAVIT
Earlier in the meeting)

15. PERSONNEL

- A. Personnel Agenda

MOTION made by Freeholder Mudrick to accept the Personnel Agenda, seconded by Freeholder Vohden and passed unanimously.

16. ADMINISTRATIVE REPORT

- A. Other

No report tonight.

17. COUNTY COUNSEL

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

Dennis McConnell said he has one item regarding a subpoena that has been served on the County of Sussex in litigation known as Montvale Surgical Center, LLC vs. Connecticut General which is CIGNA Insurance Company who was our prior health insurance carrier. The subpoena is extremely elaborate about the type of information they want. CIGNA at this time is represented by the Gibbons Law Firm, a substantial law firm based at 1 Gateway Plaza, Newark, NJ. They have offered to represent this County with regards to the subpoena and the limitations with regards to the amount of documentation they have requested. They will do this for no charge. They are doing this no charge for several entities as well. It is my recommendation that we go forward and let them represent us in this matter and I would like authorization for our County Administrator to sign this No Cost Fee Agreement to allow them to represent us in court for this subpoena. Ron Tappan has spent a lot of time going through these documents and there is a lot more that he has to go through. If this firm can limit the amount of documentations that Ron needs to go through, it will be very beneficial for him and his whole department at no cost to us; I think it is a great deal.

Freeholder Graham said and there are no conflicts?

Dennis McConnell said no conflicts, we did check on the conflicts.

MOTION made by Freeholder Graham to authorize the County Administrator to execute this No Cost Fee Agreement with the Gibbons Law Firm to represent us with regard to the subpoena and the litigation state previously, seconded by Freeholder Phoebus and passed unanimously.

18. UNFINISHED BUSINESS

Freeholder Mudrick gave an update on the accountability and transparency of this Board with a self-imposed deadline of July 8, 2015 (which will be our next freeholder meeting) to give to the public the attendance records of my colleagues and myself if there are no objections. There was no objection. Ms. Givone and I were able to work on it this past Friday a little and we are working on this calendar year and working our way back but with Ms. Givone going on vacation this week it may take to the second meeting in July to have the information to my four colleagues.

19. NEW BUSINESS

Freeholder Phoebus said I would like to suggest to the Board that going forward I don't think we are going to have many more job interviews to go through, but I think we need to come up with a better way to operate, to do the interviews. For one thing, I felt a little out of the loop that at one of the interviews we hadn't decided what type of job we were offering, I think we can do a better job at it; be more professional. I think we can improve the process of the interviews.

Freeholder Director Crabb said I couldn't agree with you more. Can I put you in charge of a little committee to come up with a better process?

Freeholder Phoebus said yes and you and I are in another little committee that hasn't met yet; maybe we can meet on both of these.

Freeholder Vohden asked would that go into the administrative code.

Freeholder Phoebus said it would be policy.

Freeholder Crabb said let's come back with recommendations and then we will see what is best.

Freeholder Graham said Freeholder Mudrick and I both serve on the committee with the jail and I had a brief conversation with the Sheriff and I think it is time to have another meeting. We had a lot of conversation. Joe Biuso has gone out, Ron Tappan has gone out and they have brought in a lot of information. I think it is time for us to have another conversation and where we go with it.

Freeholder Director Crabb said when he was at the college saying goodbye to Paul Mazur and he would like to say how grateful he is for the tenure of Paul Mazur. He came in and really made a difference in that school. His success is easily measured by the fact that we are no longer worried about the financials and we are getting a more accurate financial picture from the school. It was a challenging situation some years back, but since he has been there, he found a corner and has worked out of it. Freeholder Crabb thanked him for his time with the college and wished him the best in the future.

Freeholder Mudrick piggybacked on Freeholder Graham's comments about the Jail Population Manager. There is movement on that; we are closing in on it. There is a lot of paperwork and red tape but it is moving.

Freeholder Crabb said the college is very encouraged, excited and motivated about the some of the ideas that we are getting for the library system so if we can come to both of you to move the ball forward.

20. PUBLIC SESSION FROM THE FLOOR

(Please note: Everyone is asked to keep their comments to 5 minutes or less)

MOTION made at 6:21 PM by Freeholder Graham to open the floor to the Public, seconded by Freeholder Mudrick and passed unanimously

No Public came forward.

MOTION made at 6:22 PM by Freeholder Graham to close the floor to the Public, seconded by Freeholder Vohden and passed unanimously

21. EXECUTIVE SESSION – (Closed Session)

There were no items for Executive Session

RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 10:4-12 ET SEQ

WHEREAS, the subject matter(s) about to be discussed may be excluded from the public portion of the meeting by Resolution of the Board of Chosen Freeholders as an exception to the "Open Public Meetings Act" pursuant to N.J.S.A. 10:4-12 (b); and

WHEREAS, it appears necessary for the Board of Chosen Freeholders to discuss such matter(s) in Executive Session.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex, in accordance with the provisions of N.J.S.A. 10:4-12(b) and N.J.S.A. 10:4-13 that the Board at this time enter into an Executive Session from which the public shall be excluded; and

BE IT FURTHER RESOLVED, that the general nature of the subject(s) to be discussed relate to the following item(s) authorized by N.J.S.A. 10:4-b as designated below:

- _____ (1) **Matters Required by Law to be Confidential:**
- _____ (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:**
- _____ (3) **Matters Involving Individual Privacy:**
- _____ (4) **Matters Relating to Collective Bargaining Agreements:**
- _____ (5) **Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds:**
- _____ (6) **Matters Relating to Public Safety and Property:**
- _____ (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege:**
- _____ (8) **Matters Relating to the Employment Relationship:**
- _____ (9) **Matters Relating to the Potential Imposition of a Penalty:**

BE IT FURTHER RESOLVED that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Sussex County Board of Chosen Freeholders or provided by law that the public interest will no longer be served by such confidentiality; and

BE IT FURTHER RESOLVED that upon completion of the business for which the Board has entered into the Executive Session, the Board shall reconvene and resume its meeting open to the public.

Freeholder Director Crabb said, again, I would like to thank our professionals and this is our last time here and it will be something that will be remembered for some time.

22. REMINDERS

Freeholder Graham said on this Saturday, June 27th is Canal Days at Waterloo Village. The entire Village is open. The Grist Mill is open with a blacksmith. They put a boat on the canal. If you are interested in history is it definitely worth going to. This year we did put a roof on the carriage house.

Friday July 3, 2015 Holiday – Independence Day

Wednesday July 8, 2015 Regular Meeting – 5:00 P.M.

23. ADJOURNMENT

MOTION made at 6:25 PM by Freeholder Mudrick to adjourn, seconded by Freeholder Phoebus and passed unanimously.

Catherine M. Williams, Clerk

DATED: June 25, 2015