

REGULAR MEETING HELD ON WEDNESDAY, MARCH 12, 2014

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:00 p.m.

2. ROLL CALL Freeholder Crabb; Freeholder Graham; Freeholder Mudrick;  
Freeholder Phoebus; Freeholder Director Vohden;  
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 8, 2014 from the Administrative Center of the County of Sussex, located at One Spring Street, Newton, New Jersey to the following:

New Jersey Herald	WSUS Radio
New Jersey Sunday Herald	WNNJ Radio
Star Ledger	

and is also posted on the bulletin board maintained in the Administrative Center for public announcements and has been submitted to the Sussex County Clerk in compliance with said Act."

5. PUBLIC HEARINGS

There were no Public Hearings.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations/Certificates

1. Proclamation in recognition of Thomas J. Sabia attaining the rank of Eagle Scout.

**126-2014**

2. Proclamation in recognition of Stephen Rozek attaining the rank of Eagle Scout.

**127-2014**

3. Proclamation in recognition of Christopher Rozek attaining the rank of Eagle Scout.

**128-2014**

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

B. Presentations

1. Presentation to John Gill, Varsity Wrestling Coach, Kittatinny Regional High School, in recognition of his 500<sup>th</sup> Victory approved at the Freeholder Meeting of February 14, 2014.

7. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:06 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

## **Comments from Kathy Haake and John Morgan**

Kathy Haake, Trust for Public Land and John Morgan, Mayor, Andover Borough, came forward; Ms. Haake explained that she and Mr. Morgan were in attendance because of the Resolution on the Agenda this evening in support of the acquisition of Francisco Farm and hoped and expected the Board to approve this Resolution; Mr. Morgan added that it has been a long battle and appreciates all the efforts of the Freeholder Board to get this done.

Freeholder Mudrick thanked Ms. Haake and Mr. Morgan for coming.

**MOTION** made at 5:08 p.m. by Freeholder Graham to close the meeting to the Public, seconded by Freeholder Phoebus and passed unanimously.

## **8. FREEHOLDERS' COMMENTS**

### **Comments by Freeholder Crabb**

- **Congregate Nutrition Sites**

Freeholder Crabb said he was glad to see the Resolutions on the Agenda for the Congregate Nutrition Sites especially for the one in Franklin; he said that the service level at all the sites keeps this program ongoing and appreciates that fact that the Board is going to continue to support this program.

- **Budget Committee**

Freeholder Crabb mentioned that the Budget Committee had a marathon session recently starting at 10:00 a.m. and finishing about 7:20 p.m. and complimented Bernie Re and his staff for being very prepared; he added that the County was going to be under CAP.

- **Irish Mass and Breakfast**

Freeholder Crabb said that he attended the Irish Mass and Breakfast in honor of St. Patrick's Day; he said it was a great event and nice to see the McGuire brothers, Father Bill and his colleagues in attendance.

### **Comments by Freeholder Phoebus**

- **Springfest Garden Show**

Freeholder Phoebus reminded everyone that at the last Freeholder Meeting she announced that the Board was invited to attend Springfest on Thursday, March 13<sup>th</sup> at 11:00 a.m. to welcome NJ Secretary of Agriculture, Douglas Fisher, on his first visit to Springfest.

- **Sussex County Transit Citizens Advisory Committee (CAC)**

Freeholder Phoebus said that she attended the CAC meeting and reported that some of the County's residents are still having trouble with Logisticare; a representative from Logisticare was present and advised the citizens that they are trying to do the best they can and took down names and issues and advised she would get back to the Committee; the representative also advised the citizens to contact Logisticare directly with their concerns and not the County.

- **Sussex County Healthcare Enrollment Day**

Freeholder Phoebus announced that the Sussex County Healthcare Enrollment Day is scheduled for Wednesday, March 26, 2014 from 1:00 pm to 7:00 pm at Sussex County Community College.

## Comments by Freeholder Graham

- **“Read Across America”**

Freeholder Graham said that he participated in the “Read Across America” program at the Main Library which gave him the opportunity to read Dr. Seuss to the families in attendance.

- **Sussex County Libraries**

Freeholder Graham said that he fully supports libraries; he said that libraries are relevant and still offer a lot of services that you cannot get by just googling. Freeholder Graham gave a brief rundown of some of the services offered by the Libraries that cannot be obtained by using the internet.

- **Resolution 12.B. (Dual Appraisal)**

Freeholder Graham said he fully supports this Resolution and is glad it is on the Agenda for Board approval.

## Comments by Freeholder Mudrick

- **Sussex County Arts & Heritage Council**

Freeholder Mudrick updated the Board on the water damage created by the pipe leak/flood at the Arts & Heritage Council building; he said that he was at the building over the weekend and was happy to report that they are up and running as they were prior to the damage and commended SLAP/SWAP for doing a great job.

Freeholder Mudrick said that the Council was going to hold its first annual Spring Benefit Gala; for \$15.00 per person, it includes drinks, hors d'oeuvres and live music on Saturday, March 29, 2014 at 6:30 p.m. at Project Self Sufficiency.

- **Sussex County Department of Environmental and Public Health**

Freeholder Mudrick reported that he had a meeting with Herb Yardley who updated Freeholder Mudrick on Emergency Preparedness Team activities and Public Health Nursing activities for late winter and early spring 2014; Freeholder Mudrick gave the material to Mrs. Morgan and asked her to share it with the rest of the Board.

- **Sussex County Municipal Utilities Authority (SCMUA)**

Freeholder Mudrick reminded the Board that this weekend, March 15<sup>th</sup>, SCMUA was hosting a free e-waste recycling collection for Sussex County from 7:00 a.m. to 2:00 p.m.

## Comments by Freeholder Vohden

- **Bill Sponsored by Sussex County Legislators**

Freeholder Vohden said there was a Bill sponsored by the County's Legislators McHose and Space, which has passed the Assembly, which provides for voluntary contributions from residents' State Income Tax for development of the County's Veterans' Memorial Cemetery; he said there was also an identical Bill sponsored by Senator Oroho which is moving through the Senate.

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

Freeholder Vohden said he attended an NJTPA Meeting on Monday, March 10<sup>th</sup>, and he gave a brief update on topics that were discussed; he also brought back some handouts for the Board about “Engage North Jersey” and summaries of the Sub-Regional Studies completed for last year.

- **Sussex County Budget**

Freeholder Vohden said that the whole Board is involved with the budget process and felt the need to say what a challenge it is to balance the budget with the economic realities in Sussex County. There was a lengthy discussion.

**9. APPROVAL OF CONSENT AGENDA**

- A. RESOLUTION RE: PAYMENT OF BILLS  
**129-2014**
  
- B. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD TO EXECUTE A CONTRACT WITH SAMARITAN INN, INC. ALLOCATING \$10,765.00 IN SOCIAL SERVICES BLOCK GRANT (SSBG) FUNDING FOR THE PROVISION OF HOMELESS SERVICES FOR THE CITIZENS OF SUSSEX COUNTY (Resolution authorizes this Contract for calendar year 2014)
  
- C. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICE AGREEMENT WITH FRANKLIN BOROUGH FOR THE MANAGEMENT OF THE FRANKLIN CONGREGATE NUTRITION PROGRAM IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40A:65-1 ET SEQ. (Resolution authorizes this Agreement in an amount not to exceed \$22,700.00)
  
- D. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICE AGREEMENT WITH HOPATCONG BOROUGH FOR THE MANAGEMENT OF THE HOPATCONG CONGREGATE NUTRITION PROGRAM IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40A:65-1 ET SEQ. (Resolution authorizes this Agreement in an amount not to exceed \$22,700.00)
  
- E. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE NEWTON HOUSING AUTHORITY, TOWN OF NEWTON FOR THE MANAGEMENT OF THE NEWTON CONGREGATE NUTRITION PROGRAM IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40A:65-1 ET SEQ. (Resolution authorizes this Agreement in an amount not to exceed \$22,700.00)
  
- F. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF VERNON FOR THE MANAGEMENT OF THE VERNON CONGREGATE NUTRITION PROGRAM IN ACCORDANCE WITH THE PROVISION OF N.J.S.A. 40A:65-1 ET SEQ. (Resolution authorizes this Agreement in an amount not to exceed \$22,700.00)
  
- G. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE STATE OF NEW JERSEY, OFFICE OF HOMELAND SECURITY AND PREPAREDNESS, FFY12 HOMELAND SECURITY GRANT, AWARD #EMW-2012-SS-00173-S01 FOR THE TOTAL AMOUNT OF \$11,113.18
  
- H. RESOLUTION RE: RESOLUTION PROVIDING FOR THE CANCELING OF THE GRANT FUND BALANCES FOR THE STATE OF NEW JERSEY, OFFICE OF HOMELAND SECURITY AND PREPAREDNESS, FFY11 HOMELAND SECURITY GRANT, AWARD #2011-SS-00120-S01 FOR THE TOTAL AMOUNT OF \$33,942.65

- I.     **RESOLUTION RE: 137-2014**     AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH THE TOWNSHIP OF SPARTA WATER UTILITY FOR 9-1-1 ANTENNAE ON PROPERTY COMMONLY KNOWN AS 17 TRIPLE CROWN DRIVE, SPARTA, NEW JERSEY (Resolution authorizes this Agreement in the amount of \$1,000.00 per month for a term of five (5) years, with an option to extend the term for four (4) successive five (5) year periods)
  
- J.     **RESOLUTION RE: 138-2014**     AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE OF ALL CLAIMS WITH TEKTON DEVELOPMENT CORPORATION REGARDING RENOVATIONS OF THE 9-1-1 COMMUNICATIONS CENTER (Resolution authorizes this Agreement, which resolves all claims and authorizes payment to Tekton in the amount of \$185,000.00)
  
- K.     **RESOLUTION RE: 139-2014**     AUTHORIZING THE EXECUTION OF AN OPEN SPACE AND FARMLAND PRESERVATION TRUST FUND GRANT AGREEMENT WITH THE TRUST FOR PUBLIC LAND AND THE EXECUTION OF AN AGREEMENT FOR PURCHASE OF UNAPPROVED REALTY WITH THE TRUST FOR PUBLIC LAND, THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE BOROUGH OF ANDOVER, AND THE LAND CONSERVANCY OF NEW JERSEY, FOR THE ACQUISITION OF THE FRANCISCO FARM LOCATED IN ANDOVER BOROUGH, ANDOVER TOWNSHIP AND THE TOWNSHIP OF GREEN

**The Board of Chosen Freeholders of the County of Sussex has reviewed the Consent Agenda consisting of various proposed Resolutions and determined that adoption of the said Resolutions is in and will further the public interest.**

**MOTION** made by Freeholder Crabb to approve the Financial Consent Agenda, seconded by Freeholder Graham.

Freeholder Crabb said he had a remark on Resolution 9.I.; he said that this was a real good relationship that the County was able to build with Sparta Township.

Mr. Eskilson agreed and said that Sparta was very accommodating and very helpful from staff up through the Council; he explained that the County was able to locate, initially, a microwave dish that will bounce signals from the Newton Campus to the Sparta Tank through the Frankford 9-1-1 Center for the purposes of operating security cameras, the panic buttons, the open/close switches on gates over at the Court Complex and in the Sheriff's building.

Freeholder Crabb again said that he was very pleased that the County was able to get into a collaborative relationship with Sparta Township.

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 February 26, 2014

**Release of Executive Session Minutes**  
A portion of Regular Meeting December 30, 2013

**MOTION** made by Freeholder Graham to approve the Minutes of the Regular Meeting of February 26, 2014 and to release a portion of the Executive Session Minutes of the Regular Meeting of December 30, 2013, seconded by Freeholder Crabb and passed unanimously.

**11. APPOINTMENTS AND/OR RESIGNATIONS**

There were no Appointments and/or Resignations.

**12. RESOLUTIONS**

- A. RESOLUTION RE: PROVIDING TEMPORARY CLOSURE OF CR 519 IN  
**140-2014** HAMPTON TOWNSHIP (Resolution authorizes this closure of CR 519 for the purpose of The Dora Pedersen 5K)
  
- B. RESOLUTION RE: EXTENDING DUAL APPRAISAL AND SUPPORTING  
**141-2014** SUSTAINABLE STATE FUNDING FOR PRESERVATION AND STEWARDSHIP OF OPEN SPACE, FARMLAND AND HISTORIC SITES IN NEW JERSEY

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

Freeholder Graham asked Freeholder Vohden for an explanation of Resolution 12.B. Freeholder Vohden explained that when they passed the Highlands Act they included a section in the Highlands Act where property that would be purchased with State funds be allowed to accept either an appraisal done on June 1, 2004 before the Highlands Act was passed, it was retroactive as if the existing regulations and zoning were in place, or they could accept a present or current value by current appraisal; he gave an example of this and said that it was very important.

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

- A. Awards of Contract
  - 1. RESOLUTION RE: AWARDING A CONTRACT EXTENSION  
**142-2014** THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR THE PURCHASE OF COMMISSARY SERVICES FOR THE KEOGH DWYER CORRECTIONAL FACILITY (Resolution authorizes this extension to Keefe Commissary Network for the period of April 24, 2014 until April 23, 2015)
  
  - 2. RESOLUTION RE: AUTHORIZING A PROFESSIONAL SERVICES  
**143-2014** CONTRACT WITH SURESHBABU KURRA, MD, LIMITED LIABILITY COMPANY, FOR THE PROVISION OF PHYSICIAN/ PSYCHIATRIC SERVICES FOR THE INMATES WITHIN THE KEOGH-DWYER CORRECTIONAL FACILITY PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Contract in an amount not to exceed \$68,000.00)
  
  - 3. RESOLUTION RE: AUTHORIZING ENTRY INTO A PROFESSIONAL  
**144-2014** SERVICES AGREEMENT WITH NEWTON URGENT CARE, LLC FOR THE PROVISION OF PHYSICIAN SERVICES FOR THE COUNTY OF SUSSEX PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Agreement for an amount not to exceed \$17,500.00)

**MOTION** made by Freeholder Mudrick to adopt these Resolutions, 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: TRANSFER OF 2013 APPROPRIATION RESERVES  
**145-2014**
  
- B. RESOLUTION RE: AUTHORIZING EMERGENCY TEMPORARY  
**146-2014** APPROPRIATIONS OF 2014 OPERATING BUDGET FOR  
THE COUNTY OF SUSSEX

**MOTION** made by Freeholder Crabb to adopt these Resolutions, 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

**15. PERSONNEL**

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

**16. ADMINISTRATIVE REPORT**

- A. Other

Mr. Eskilson said he had one item for closed session and that's an update on Collective Bargaining.

**17. COUNTY COUNSEL**

Mr. McConnell said he had one item for closed session and that's the discussion regarding the appointment of the Clerk of the Board of Chosen Freeholders.

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

**18. UNFINISHED BUSINESS**

There was no Unfinished Business.

**19. NEW BUSINESS**

Freeholder Mudrick acknowledged Andover Borough Mayor, John Morgan, and Town Committee Member, Ron Bassani of Wantage, for being present at the Meeting.

Freeholder Mudrick advised the Board that April is "National County Government Month" and he is planning to resurrect what Ex-Freeholder Susan Zellman started by inviting some of the student government leaders from the County schools to a program on April 23<sup>rd</sup> and have them introduced to the County's Constitutional Officers and tour this building and possibly the Jail; with the Board's permission he would like to proceed with this program.

**MOTION** made by Freeholder Crabb to allow Freeholder Mudrick to proceed with arrangements for resurrecting “National County Government Day”, seconded by Freeholder Graham and passed unanimously.

Freeholder Mudrick asked the Board members to advise Mrs. Morgan whether or not they would be available at 3:00 p.m. on April 23<sup>rd</sup> to participate in this program; he added that the students would be invited to attend the 5:00 p.m. Freeholder Meeting that afternoon.

**20. PUBLIC SESSION FROM THE FLOOR**

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

**MOTION** made at 5:43 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

**Comments from Ron Bassani**

Ron Bassani of Wantage came forward; Mr. Bassani said that there is good news in Wantage Township and that is that they have reduced their budget, year on year, for uncollected taxes, unfortunately, it's still over \$1,000,000.00, but it has gone down, so the Township is seeing, in a very slight way, the turn, hopefully it continues in that fashion; however, any help the Freeholders can give Wantage Township would be greatly appreciated.

Mr. Bassani thanked the Board and Mr. Eskilson for talking to the Township about the County 9-1-1; he said there are some technical questions that have arisen and would like to revisit them in the future, but not here at the Freeholder Meeting.

**Comments from Robert Southway**

Robert Southway of Layton came forward; he asked the Board who controls Sussex County Soil District.

Mr. Eskilson explained that it is a Federal Agency, the County has no oversight.

There was a short discussion.

**MOTION** made at 5:50 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Graham and passed unanimously.

**21. EXECUTIVE SESSION**

**MOTION** made at 5:51 p.m. by Freeholder Crabb to go into Closed Session for two items, one under Personnel regarding discussion regarding the appointment of the Clerk of the Board of Chosen Freeholders and the second under Contract for negotiations with Unions 1032 and 1083, seconded by Freeholder Phoebus and passed unanimously.

**RESOLUTION RE: REQUESTING EXECUTIVE SESSION  
147-2014**

- A. Personnel
  - 1. Discussion regarding the appointment of the Clerk of the Board of Chosen Freeholders
- 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 6:45 p.m. by Freeholder Crabb to come out of Executive Session and return to Open Session, seconded by Freeholder Phoebus and passed unanimously.

Mr. McConnell said that the only action needed tonight is authorization to hold a Special Meeting to hold an Executive Session regarding the position of the Clerk of the Board which is going to be held at 5:00 p.m. on March 24, 2014.

**MOTION** made by Freeholder Crabb to authorize a Special Meeting to hold an Executive Session regarding the position of the Clerk of the Board on March 24, 2014 at 5:00 p.m., seconded by Freeholder Mudrick and passed unanimously.

**22. REMINDERS**

Wednesday                      March 26, 2014                      Regular Meeting      5:00 PM

**23. ADJOURNMENT**

**MOTION** made at 6:45 p.m. by Freeholder Mudrick to adjourn, seconded by Freeholder Phoebus and passed unanimously.

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Elaine A. Morgan, Clerk

**DATED: MARCH 12, 2014**