

REGULAR MEETING HELD ON WEDNESDAY, MARCH 9, 2011

5:00 PM

ORDER OF BUSINESS

Item

1. **CALL TO ORDER BY DIRECTOR** at 5:00 p.m.
2. **ROLL CALL:** Freeholder Crabb; Freeholder Space; Freeholder Vohden;
Freeholder Zellman; Freeholder Director Zeoli; 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 February 15, 2011 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 – 5:02 PM

**FINAL ADOPTION – BOND ORDINANCE
174-2011**

Freeholder Director Zeoli: "At our regular meeting held on February 23, 2011, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of February 27, 2011, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

BOND ORDINANCE PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS AND THE ACQUISITION AND INSTALLATION OF VARIOUS EQUIPMENT FOR THE SUSSEX COUNTY TECHNICAL SCHOOL, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY APPROPRIATING \$1,196,000.00 THEREFOR (INCLUDING \$478,400.00 AGGREGATE AMOUNT OF GRANTS FROM THE STATE OF NEW JERSEY) AND AUTHORIZING THE ISSUANCE OF \$717,600.00 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING A PORTION OF SUCH APPROPRIATION, AND AUTHORIZING A PUBLIC HEARING TO BE HELD WEDNESDAY, MARCH 9, 2011 AND AUTHORIZING PUBLICATION THEREOF

MOTION that the Public Hearing be opened made by Freeholder Space, seconded by Freeholder Zellman and passed unanimously.

Is anyone present to be heard regarding this Bond Ordinance?

There was no one.

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

MOTION that this Bond Ordinance be finally adopted made by Freeholder Vohden, seconded by Freeholder Crabb.

On roll call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Zeoli	Yes

MOTION to authorize the Clerk to advertise this Bond Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center made by Freeholder Crabb, seconded by Freeholder Vohden and passed unanimously.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations/Certificates

1. Proclamation recognizing Brandan Trapp for attaining the rank of Eagle Scout.
175-2011
2. Proclamation recognizing Spenser Trapp for attaining the rank of Eagle Scout.
176-2011
3. Proclamation recognizing Christopher David Marion for attaining the rank of Eagle Scout.
177-2011
4. Proclamation recognizing Brendan Flynn for attaining the rank of Eagle Scout.
178-2011
5. Proclamation declaring the month of March, 2011 as "March for Meals Month".
179-2011
6. Certificate for Donna Goodrich in recognition of being chosen by the Human Spirit Awards Committee as a recipient of the Human Spirit Award 2011.
180-2011
7. Certificate for Ashley Craig in recognition of being chosen by the Human Spirit Awards Committee as a recipient of the Human Spirit Award 2011.
181-2011
8. Certificate for Amanda Henderson in recognition of being chosen by the Human Spirit Awards Committee as a recipient of the Human Spirit Award 2011.
182-2011
9. Certificate for Angelina Barbero in recognition of being chosen by the Human Spirit Awards Committee as a recipient of the Human Spirit Award 2011.

183-2011

10. Certificate for Mary Lou McCutcheon being presented posthumously in recognition of being chosen by the Human Spirit Award Committee as a recipient of the Enduring Spirit Award 2011.

184-2011

11. Certificate for Beverly Gordon in recognition of her being honored as a "New Jersey Hero" by the New Jersey Heroes Program for her work with Project Self-Sufficiency.

185-2011

Freeholder Zeoli added one Certificate for the Board's consideration.

12. Certificate in recognition of the 100th Anniversary of the Franklin Fire Department.

186-2011

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

B. Presentations

1. Acknowledging the retirement of John G. Armeno, Undersheriff, who retired after 19 years with the County; Diane Brookhart, Lieutenant of Investigators at the Prosecutor's Office, who retired after 26 years with the County; Nicolina Conklin, Senior Clerk Typist, at the Board of Taxation, who retired after 25 $\frac{3}{4}$ years with the County; Lee F. Corby, Legal Secretary at the Prosecutor's Office, who retired after 9 $\frac{1}{2}$ years with the County; Carolyn M. Dennis, County Tax Administrator, who retired after 26 years with the County; Ronald D. Duenskie, County Correction Sergeant, who retired after 25 years with the County; Erma A. Gormley, County Clerk, who retired after 20 years with the County; Robert Johnson, Principal Engineering Aide with the engineering Department, who retired after 37 $\frac{1}{2}$ years with the County; Bonnie Maslowski, Assistant Supervisor of Accounts at Social Services, who retired after 29 $\frac{1}{4}$ years with the County; Frederick Reisen, Registered Environmental Health Specialist with the Department of Environmental and Public Health Services, who retired after 24 $\frac{1}{2}$ years with the County; Cheryl L. Thom, Confidential Assistant for Facilities Management, who retired after 33 $\frac{1}{2}$ years with the County; Scott A. Vealey, Sheriff's Officer, Captain at the Sheriff's Office, who retired after 23 $\frac{1}{4}$ years with the County; and Joseph F. Verkon, Mechanic at Fleet Management, who retired after 37 years with the County.
2. Presentation by the Sussex County Chamber of Commerce on its new tourism initiative. (10 minutes)

The presentation by the Sussex County Chamber of Commerce was postponed to a later date.

7. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:13 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

Comments from Bill Gettler on the deteriorating fire insulation in the parking garage at the Sussex County Administrative Center

Bill Gettler, Wantage Township, came forward; Mr. Gettler said that he knew he was always telling the Freeholder Board to stop spending money, however, he said that the County needed to make emergency repairs on the Administrative Center; he noted that the fire insulation on the beams under the building in the parking garage was being knocked off; Mr. Gettler said that if there should be a car fire under the building, the structural integrity of the building is gone and the building goes down; he suggested the County have this inspected.

MOTION made at 5:15 p.m. by Freeholder Zellman to close the meeting to the Public, seconded by Freeholder Vohden and passed unanimously.

8. FREEHOLDERS' COMMENTS

Comments from Freeholder Crabb

- **Solid Waste Advisory Council (SWAC)**

Freeholder Crabb said that the SWAC meeting was cancelled but he had been advised that a committee called SWAGGER has been formed; its purpose is to come up with some deliverables for the SWAC group because it is approaching the time that the SWAC will be looking to the Freeholder Board for guidance as to what the final situation beyond the expected life of the landfill in 2017 will be.

- **Cancellation of the SCCC Board of School Estimate Meeting**

Freeholder Crabb noted that the Community College had cancelled the Board of School Estimate Meeting that had originally been scheduled for earlier today; he said that he would be more than happy to give the College additional time if it meant an opportunity for the College to apply more scrutiny to its budget.

Comments from Freeholder Space

- **Town Hall Meeting in Hopatcong**

Freeholder Space said that he attended the Town Hall Meeting in Hopatcong today.

- **2011 budget**

Freeholder Space said he enjoyed working on the Budget Committee and that he has learned a lot; he noted that Freeholder Zeoli would be stepping down from the Committee and Freeholder Vohden would be joining the Committee.

- **Cancer fundraiser**

Freeholder Space said that on March 19, 2011, he was participating in a fundraiser at the Hamburg Fire Department to raise money to help two Sussex County children with cancer; various fire departments throughout the County participate; Freeholder Space said that participants solicit donations and have their heads shaved; 100% of the donations go towards the children's medical bills.

Comments from Freeholder Vohden

- **DAR Luncheon**

Freeholder Vohden said he attended the annual awards luncheon of the Daughters of the American Revolution.

- **NJ Forestry Association annual meeting**

Freeholder Vohden said he attended the annual meeting of the NJ Forestry Association; he said two items came up that will impact Sussex County; the first is the new Forest Stewardship Legislation that was passed which would change the requirements for managing woodlands; the second item is legislation that would revise the Farmland Assessment Act; he said this year the legislation is being sponsored by Jennifer Beck and Steven Sweeney and it is predicted that it would go through; the change would increase the income requirement, but more importantly, would set more stringent standards and make it more difficult to qualify for farmland assessment; if someone does not qualify, it would require property owners to pay full taxes.

- **Champions for Charity at Pope John**

Freeholder Vohden said that the Champions for Charity would be held on March 10, 2010, at Pope John High School at 8:00 a.m.

Comments from Freeholder Zellman

- **Funding for lakes**

Freeholder Zellman requested that if discussion came up regarding funding for Lake Hopatcong, to not forget to include Lake Musconetcong; she said that the need was there because the water chestnut was prevalent in Lake Musconetcong and its threat to the wild and scenic rivers that are going downstream.

- **Conversation with the new College President**

Freeholder Zellman said that she had about a one hour telephone conversation with Dr. Mazur, the new President of the Sussex County Community College; she said that she was very pleased to hear of Dr. Mazur's efforts; Freeholder Zellman said that she was also pleased that the Board of School Estimate Meeting had been postponed today and that the College budget would be having a closer review.

- **Youth in County Government Day**

Plans for Youth in County Government Day are moving forward.

- **Complete Streets**

Freeholder Zellman said that the Complete Streets Conference that was being co-sponsored by Morris, Warren, and Sussex Counties, was now up to 75 registrants; there is a limit of 100; the Conference will look at ways in which municipalities and Counties can expand the use of its streets to accommodate all users, including the disabled, bicyclists, etc.

- **Friends of Waterloo Village**

The Friends of Waterloo Village are planning a music festival for May 14 and 15; there are 15 bands playing for free throughout the two day festival; all the net proceeds will go directly to the restoration of Waterloo Village.

Comments from Freeholder Zeoli

- **Acknowledgement of the Department of Engineering & Planning**

Freeholder Zeoli acknowledged the presence of Walter Cramp, County Engineer, and members of the Department at the Freeholder Meeting.

- **Meeting at the Department of Environmental Protection (DEP)**

Freeholder Zeoli said he attended a meeting at the DEP with John Eskilson, County Administrator, and Eric Snyder, Director, Division of Planning; the meeting was regarding sewer service areas with Commissioner Martin of the DEP; he noted that there was a meeting at the Administrative Center on March 15, 2011, at 5:00 p.m.; the DEP will be present to explain the proposed sewer service map; he said he felt it was very important for people to participate in the process; Freeholder Zeoli said that the County's ability to grow as it wanted to grow was entirely dependent on the map.

- **2011 budget**

Freeholder Zeoli said that the 2011 budget process began with a \$7 million deficit; the County was \$5 million away from hitting cap, but the Budget Committee did not like the idea of a cap at \$5 million because it had four exceptions in it; the Committee did not want any exceptions; the goal was to close the \$7 million gap; Freeholder Zeoli said that the County was very lucky to have competent professionals running the day to day operations of the County.

Freeholder Zeoli said there was a lot of shared sacrifice in this budget; no one and no department was spared; he thanked the 650 County employees from the only two unions, Local 1032 and Local 1083, who agreed to a pay freeze; Freeholder Zeoli also thanked the non-represented employees who had a pay freeze put on them without any say.

9. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS
187-2011

- B. RESOLUTION RE: FINAL APPROVAL FOR THE GEORGE SELLA FARM IN FREDON TOWNSHIP AND THE LOUIS TOMMASO FARM IN GREEN TOWNSHIP SUBJECT TO AVAILABLE FUNDING FOR THE 2010 COUNTY EASEMENT PURCHASE FUNDING ROUND (Resolution authorizes the purchase of these two farms in the approximate amount of \$1,144,500.00 based on surveys completed at a later date)

- C. 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 these purchase orders for Black Box Corp., Cintas Fire Protection, Clariant Corporation, Direct Supply, Kustom Control Solutions and WB Wood)

- D. RESOLUTION RE: AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS UNDER THE PROVISIONS OF N.J.S.A. 19:44A-20.4 ET SEQ. FOR VARIOUS BID EXEMPT SERVICES AS STATED BELOW (Resolution authorizes these purchase orders for Lyrasis, Sirsidynex, and Newton Memorial Hospital)

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 adopt the Financial Consent Agenda, seconded by Freeholder Zellman.

On roll call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Zeoli	Yes

10. APPROVAL OF MINUTES

There were no minutes for approval.

11. APPOINTMENTS AND/OR RESIGNATIONS

There were no items for Appointments and/or Resignations.

12. RESOLUTIONS

- A. RESOLUTION RE: AMENDING RESOLUTION ENTITLED "DATE AND TIME OF MEETINGS OF THE BOARD OF CHOSEN FREEHOLDERS" ADOPTED JANUARY 3, 2011
191-2011
(Resolution amends the original Resolution by changing the time of the Freeholder Meetings from 6:00 pm to 5:00 pm)

- B. RESOLUTION RE: AMENDING RESOLUTION RE: "DIRECTOR'S APPOINTMENTS FOR VARIOUS DEPARTMENT LIAISONS AND COMMITTEES" ADOPTED ON JANUARY 3, 2011 (Resolution changes the members of the Budget Committee from Freeholder Zeoli and Freeholder Space to Freeholder Space and Freeholder Vohden)
192-2011

MOTION made by Freeholder Zellman to adopt these Resolutions, seconded by Freeholder Space and passed unanimously.

13. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

There were no items for Awards of Contracts/Change Orders/Bids.

14. FINANCIAL

Freeholder Zeoli stated that there was an additional Resolution for the Board's consideration.

A.

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INTRODUCTION FOR FIRST READING - RESOLUTION

RESOLUTION RE: AUTHORIZING CAP TO LIMIT COUNTY TAX REVENUE INCREASE IN 2011 COUNTY BUDGET TO 3.5% OVER THE PREVIOUS YEAR'S FINAL LEVY SUBJECT TO CERTAIN EXCEPTIONS AND TO ESTABLISH A CAP BANK
193-2011

MOTION to adopt this Resolution on first reading made by Freeholder Vohden, seconded by Freeholder Crabb.

On roll call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Zeoli	Yes

MOTION to authorize the Clerk to advertise this Resolution 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 March 23, 2011 at 5:00 p.m. prior to final adoption of this Resolution made by Freeholder Space, seconded by Freeholder Vohden and passed unanimously.

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- B. RESOLUTION RE: APPROVAL OF 2011 LIBRARY BUDGET AND
194-2011 CERTIFICATION OF 2011 LIBRARY TAX LEVY

- C. RESOLUTION RE: APPROVAL OF 2011 COUNTY HEALTH BUDGET AND
195-2011 CERTIFICATION OF 2011 HEALTH TAX LEVY

Comments from Mr. Eskilson

Mr. Eskilson stated that the increases on the levy, the tax portion of these funds, is up 2% from last year, which is in line with the Budget Committee's target; these are separate items that finance the library system, of which 23 of our 24 municipalities participate; Sparta does not participate in the County library system; the health tax was established during the time only 17 of the 24 municipalities participated in the County health system; so in fairness to the towns that did not participate, a separate tax was established; Mr. Eskilson said that of the original 17 participants in the County health system, all 17 paid less in 2010 in real dollars, not in inflation corrected dollars, than they did in 2000 for the same services.

MOTION made by Freeholder Vohden to adopt Resolutions 14. B. and 14. C., seconded by Freeholder Space.

On roll call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Zeoli	Yes

- D. Approval of the Budget of the Division of Social Services.

MOTION made by Freeholder Crabb to approve the Budget of the Division of Social Services, seconded by Freeholder Zellman.

On roll call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Zeoli	Yes

E.

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INTRODUCTION OF 2011 COUNTY BUDGET FOR FIRST READING

Freeholder Director Zeoli: "The 2011 Sussex County Budget is being introduced for First Reading at this time and awaits approval by the Board. The 2011 Sussex County Budget Revenues and Appropriations Summary will be advertised in the New Jersey Herald issue of March 18, 2011.

RESOLUTION RE: APPROVAL OF THE 2011 COUNTY BUDGET AS PRESENTED FOR 196-2011 VOTE

MOTION to adopt this Resolution on first reading made by Freeholder Zellman, seconded by Freeholder Crabb.

On roll call the vote was:

Freeholder Crabb	Yes
Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Zeoli	Yes

MOTION to authorize the Clerk to advertise the Budget Revenues and Appropriations Summary 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 on the Budget and Tax Resolution will be held in the Freeholder Meeting Room, County Administrative Center, One Spring Street, Newton, New Jersey on Wednesday, April 13, 2011 at 5:00 P.M., at which time and place objections to said Budget and Tax Resolution for the year 2011 may be presented by taxpayers or other interested persons." , made by Freeholder Vohden, seconded by Freeholder Zellman and passed unanimously.

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15. PERSONNEL

A. Personnel Agenda (none)

16. ADMINISTRATIVE REPORT

A. Other

Comment on 2011 budget

Mr. Eskilson thanked everyone for their support and hard work regarding the 2011 budget; he said no one was spared; every single area experienced budget cuts; many tough decisions and choices had to be made and he appreciated the support of the Board and County staff.

17. COUNTY COUNSEL

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

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

18. UNFINISHED BUSINESS

There was no Unfinished Business.

19. NEW BUSINESS

Letter of Support

Freeholder Crabb requested the Board's approval for a letter of support on behalf of the Sussex County Arts & Heritage Council's application to the State Arts Council for a 2012 – 2014 grant; this grant would allow the Arts & Heritage Council to re-grant that funding to the various non-profit organizations in the County.

MOTION made by Freeholder Crabb to approve a letter of support on behalf of the Sussex County Arts & Heritage Council's grant application to the State Arts Council, seconded by Freeholder Space and passed unanimously.

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

MOTION made at 5:40 p.m. by Freeholder Zellman to open the meeting to the Public, seconded by Freeholder Space and passed unanimously.

Comments from Sam Castimore/limit on sewer service areas

Sam Castimore, Frankford Township Committeeman, came forward; he said that he was present as a resident of the County; he stated that it has come to his attention recently that it is people higher up, not the town, but the County, the State, and the DEP that is holding back growth; particularly in Frankford Township along the corridors; he asked the Board to be flexible and cognizant that if there is no growth in this country, there will be growth in China and Malaysia, and the United States will be a third rate world power very quickly.

Mr. Castimore gave the example that Frankford Township was going through a master plan process; certain lands were being classified as commercial, agriculture, residential, etc.; he noted that he felt the traffic passing through the Frankford corridor could harvest dollars through stores and other commercial interests; he discussed the 2,000 gallon per day sewer limit and said he felt it was time to become more flexible; Mr. Castimore stated that this limit restricted the potential for businesses to be strip malls or fast food establishments only and he did not think that the County wanted its corridors to be developed into only strip malls and fast food establishments.

Mr. Eskilson stated that the 2,000 gallon per day threshold is as per the Department of Environmental Protection (DEP), and the County has no say about that; Mr. Eskilson added that County officials have met with the DEP Commissioner regarding this; he said that if those sewer service areas are not set in the manner the County has suggested, not the DEP, there will be no solution to the budget problems; unless something radically and fundamentally changes on the revenue side of the ledger, and that is through growth for the most part, the County does not know how to solve the puzzle in one year or two; it is that serious; Mr. Eskilson said that the County and the Freeholder Board has been very supportive identifying those growth areas and have argued vehemently before the DEP.

Freeholder Zeoli added that he and Mr. Eskilson, along with Senator Oroho and Assemblyman Chiusano had a meeting with Lori Grifa, Commissioner, Department of Community Affairs, months ago about Frankford and Ross' Corner.

Mr. Eskilson said it was important to get the right information out to the public about the County's stand on this issue; he offered to sit down with Mr. Castimore and answer any questions he may have.

The Board thanked Mr. Castimore for his comments.

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

21. EXECUTIVE SESSION

There were no items for Executive Session.

RESOLUTION RE: REQUESTING EXECUTIVE SESSION

- A. Personnel
- B. Contract
- C. Litigation
- D. Other Matters

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Sussex County Board of Chosen Freeholders that the public interest will no longer be served by such confidentiality.

22. REMINDERS

Wednesday	March 9, 2011	League of Mun. Dinner- Lafayette House	6:00 pm
Wednesday	March 23, 2011	Regular Meeting	5:00 pm

23. ADJOURNMENT

MOTION made at 5:51 p.m. by Freeholder Crabb to adjourn, seconded by Freeholder Space and passed unanimously.

Elaine A. Morgan, Clerk
Board of Chosen Freeholders

DATED: March 9, 2011