

REGULAR MEETING HELD ON WEDNESDAY, MAY 13, 2009

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:05 p.m.

2. ROLL CALL: Freeholder Crabb; Freeholder Parrott; Freeholder Wirths;
Freeholder Zellman; Freeholder Director Vetrano; Dennis
McConnell, County Counsel; John Eskilson, County
Administrator; 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 5, 2009 from the Administrative Center of the County of Sussex, located at One Spring Street, Newton, New Jersey to the following:

New Jersey Herald	WSUS Radio
New Jersey Sunday Herald	WNNJ Radio
The Daily Record	Star Ledger

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

5. PUBLIC HEARINGS

A.

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PUBLIC HEARING – 5:07 PM

**FINAL ADOPTION – BOND ORDINANCE
268-2009**

Freeholder Director Vetrano: "At our regular meeting held on April 22, 2009, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of April 27, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE COUNTY OF SUSSEX, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$5,958,750.00 THEREFOR AUTHORIZING THE ISSUANCE OF \$5,675,000.00 BONDS OR NOTES OF THE COUNTY TO FINANCE PART OF THE COST THEREOF

Is anyone present to be heard regarding this Bond Ordinance?

There was no one.

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

MOTION that this Bond Ordinance be finally adopted made by Freeholder Wirths, seconded by Freeholder Parrott.

On Roll Call the vote was:

Freeholder Crabb	Yes
Freeholder Parrott	Yes
Freeholder Wirths	Yes
Freeholder Zellman	Yes
Freeholder Director Vetrano	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 Zellman, seconded by Freeholder Parrott and passed unanimously.

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B.

PUBLIC HEARING – 5:10 P.M.

PUBLIC HEARING – 2009 SUSSEX COUNTY BUDGET AS APPROVED

MOTION to open Public Hearing for the 2009 Sussex County Budget As Approved made by Freeholder Parrott, seconded by Freeholder Crabb and passed unanimously.

PUBLIC HEARING IS NOW OPEN

Is anyone present to be heard regarding the 2009 County Budget As Approved?

There was no one.

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

(The following Resolution can be acted upon only if budget approval is received from NJ Division of Local Government Services)

RESOLUTION RE: FINAL ADOPTION OF THE 2009 SUSSEX COUNTY BUDGET AS 269-2009 APPROVED

Freeholder Director Vetrano: “BE IT RESOLVED by the Board of Chosen Freeholders of the County of Sussex that the Budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$71,507,294.00 dollars for the County purposes to be raised by taxation and certification to the County Board of Taxation of the following summary of general revenues and appropriations.”

MOTION to finally adopt the 2009 County Budget as Approved made by Freeholder Wirths, seconded by Freeholder Zellman.

Comment from Freeholder Wirths

Freeholder Wirths thanked everyone on the Budget Committee; he said that work has already begun on the 2010 budget.

Comment from Freeholder Parrott

Freeholder Parrott thanked the Budget Committee for its work on the budget; he said there were many difficult decisions that had to be made.

Comment from Freeholder Zellman

Freeholder Zellman thanked the Budget Committee for all of its work.

Comment from Freeholder Crabb

Freeholder Crabb also thanked the Budget Committee for all of its work.

Comment from Freeholder Vetrano

Freeholder Vetrano thanked the Budget Committee; he complimented the staff on their efforts in reducing the budget.

On Roll Call the vote was:

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

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations/Certificates

1. Proclamation declaring the month of May as "Mental Health Awareness Month".

270-2009

2. Proclamation declaring the month of May as "National Drug Court Month".

271-2009

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

272-2009

4. Certificate for Frances Smith in recognition of 25 years as General Manager of the Lake Mohawk Country Club and commitment to continue the Club's time honored tradition of offering exceptional and distinctive services to the Lake Mohawk community.

273-2009

MOTION made by Freeholder Zellman to approve these Proclamations and this Certificate, seconded by Freeholder Crabb and passed unanimously.

B. Presentations

1. Presentation by JCP&L concerning proposed rate increases – Mike O'Bremski (10 min.)

Mike O'Bremski came forward; he said that as a result of Governor Corzine's request to the State's utility companies to participate in promoting a Board of Public Utilities (BPU) economic stimulus plan increasing plan investment and necessary and beneficial infrastructure energy efficient programs, the BPU encouraged the utilities to submit a proposal for enhanced investments; JCP&L filed a petition on January 30, 2009, with the BPU seeking approval to implement and administer an infrastructure program of approximately \$51 million.

Mr. O'Bremski said that the capital investment program proposed by JCP&L is designed to help stimulate the State's economy and create new employment opportunities, as well as improve the reliability and increase the energy efficiency of the distribution system; he added that if this was approved, the average JCP&L customer would see a monthly increase of approximately \$1.23 for one year and then the increase would end.

Mr. O'Bremski also discussed JCP&L's petition with the BPU which seeks approval to implement and administer various energy efficiency and demand response programs; this would include energy efficiency programs that would enhance the existing NJ Clean Energy offerings; the average increase for customers would be 44 cents per month for the first year, which would be reduced to 13 cents per month for the remaining 9 years.

Both of these filings are currently being reviewed by the BPU and no approval has been granted at this time; Mr. O'Bremski said that JCP&L was one of the few companies that was hiring; a program has been established, and is held at Raritan Community College, which offers two year degrees to students who want to become future lineman and sub-station employees; Mr. O'Bremski said that employment recruitment was being done throughout the State as demographics was key to this type of work.

The Board thanked Mr. O'Bremski for his presentation.

7. PUBLIC SESSION FROM THE FLOOR

(Please note: Everyone is asked to keep their comments to 10 minutes or less)

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

Comment from Richard Zeoli

Richard Zeoli came forward; he discussed how he grew up at Lake Mohawk and he thanked Frances Smith for all of her hard work at the Lake Mohawk Country Club.

Comment from Ernie Hofer

Ernie Hofer came forward; he said that he was the President of the Board of Trustees of Lake Mohawk; he stated that on behalf of the Board and the residents of Lake Mohawk, he expressed everyone's appreciation to Frances Smith for all of her hard work.

Historic Marker Committee

Alex Everitt came forward; he said he was a farmer in Lafayette; he added that he was a long-time member of the Sussex County Historical Society Board of Trustees; Mr. Everitt said that he was present because he was on the Oversight Committee of the Historic Marker Committee; he gave a brief overview of how the historic markers came to be placed around the County; Mr. Everitt said that he understood that the funding was cut for the historic markers for 2009 and asked the Board to find some funding to continue the program.

Mr. Everitt said that there were two historic markers that he would like to see be placed this year; one was the birthplace in Wantage of a famous race horse, Goldsmith Maid, who had held the record for money made at a trotter track from the Civil War up to World War II; the second was for the high jacking of the silk mill truck on Route 206.

Freeholder Wirths said that it was difficult to justify funding the historic markers when the County had to lay off employees; he added that this would be a temporary situation and there was no immediate plan to eliminate the program.

Freeholder Wirths said that if anyone in the private sector would be interested in donating the money for a historic marker, it would be a tax deductible donation.

MOTION made at 5:55 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

8. APPROVAL OF CONSENT AGENDA

A. RESOLUTION RE: PAYMENT OF BILLS
274-2009

B. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A COOPERATIVE AGREEMENT WITH SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) FOR GIS DATA DEVELOPMENT (Resolution authorizes this Agreement with the SCMUA compensating the County \$2,040.00 for the development of certain GIS data and

compensating the County for additional work pursuant to the Fee Schedule attached)

- C. **RESOLUTION RE: 276-2009** RESCINDING THE AWARD OF CONTRACT BASED ON PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR THE PROVISION OF SENIOR SOCIAL ADULT DAY CARE SERVICES WITH CATHOLIC FAMILY & COMMUNITY SERVICES FOR THE PERIOD OF JANUARY 1, 2009 – DECEMBER 31, 2009 AS ADOPTED FEBRUARY 11, 2009 (Resolution rescinds this Contract because the New Jersey Department of Health and Senior Services, Division of Aging and Community Services recommended changing the method of reimbursement from unit cost basis to a cost reimbursement basis)
- D. **RESOLUTION RE: 277-2009** AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO ACCEPT FUNDING FROM THE NJ DEPARTMENT OF HEALTH & SENIOR SERVICES, DIVISION OF AGING & COMMUNITY SERVICES FOR \$26,785.00 IN FUNDING MADE AVAILABLE UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) OF 2009 (Resolution authorizes the acceptance of this funding to provide \$17,484.00 for additional congregate nutrition services and \$9,301.00 for additional home-delivered nutrition services)
- E. **RESOLUTION RE: 278-2009** AUTHORIZATION FOR FREEHOLDER DIRECTOR TO EXECUTE CERTIFICATION PURSUANT TO TITLE XV, SUBTITLE A, SECTION 1511 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT (Pub. L. 11-5 (February 17, 2009)) (Resolution authorizes this Certification to allow the County to receive \$3,700,000.00 for five different projects)
- F. **RESOLUTION RE: 279-2009** AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF HAMPTON PROVIDING FOR FLEET MAINTENANCE SERVICES BY THE COUNTY OF SUSSEX IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ. AND N.J.S.A. 40A:11-10 ET SEQ.
- G. **RESOLUTION RE: 280-2009** AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF HAMPTON PROVIDING FOR ROAD SIGN MANUFACTURING SERVICES BY THE COUNTY OF SUSSEX IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ. AND N.J.S.A. 40A:11-10 ET SEQ.
- H. **RESOLUTION RE: 281-2009** AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF HOPATCONG FOR THE PROVISION OF AN EMPLOYEE ASSISTANCE PROGRAM THROUGH ALLIANCE WORK PARTNERS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ. AND N.J.S.A. 40A:11-10 ET SEQ.
- I. **RESOLUTION RE: 282-2009** AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF CERTIFIED LABORATORY TESTING FOR THE SUSSEX COUNTY DEPARTMENT OF ENGINEERING AND PLANNING (Resolution authorizes this purchase from ANS Consultants in the amount of \$100,000.00)

- J. **RESOLUTION RE: AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF LOCAL AREA NETWORK SOFTWARE MAINTENANCE AND UPGRADE SUPPORT OF THE CISCO NETWORK SYSTEMS FOR THE COUNTY OF SUSSEX (Resolution authorizes this purchase from Transnet Corporation in the amount of \$39,500.00)**
283-2009
- K. **RESOLUTION RE: REVISING THE AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF A VEHICLE FOR THE SUSSEX COUNTY DIVISION OF SOCIAL SERVICES (Resolution authorizes the change from a Chevrolet Impala authorized on April 22, 2009 because the State Contract had expired; this Resolution authorizes the purchase of one (1) Dodge Avenger from Hertrich Fleet in the amount of \$16,113.00 (decrease of \$359.00))**
284-2009
- L. **RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A CONTRACT FOR STATE FY 2010 ON BEHALF OF THE COUNTY OF SUSSEX WITH THE NEW JERSEY DEPARTMENT OF MILITARY AND VETERANS AFFAIRS FOR THE PROVISION OF TRANSPORTATION SERVICES TO SUSSEX COUNTY VETERANS**
285-2009
- M. **RESOLUTION RE: SUPPORT OF BIRDING AND NATURE FESTIVAL IN SUSSEX COUNTY (Resolution authorizes County funds in an amount not to exceed \$5,000.00 (\$2,812.50 as a match against the Travel and Tourism Grant and the balance for items not covered under the Grant but required for the Festival))**
286-2009
- N. **RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO APPROVE MODIFICATION #2 OF THE CONTRACT #09-1163-BT-L-1 WITH THE NJ DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR LOCAL CORE CAPACITY FOR PUBLIC HEALTH EMERGENCY PREPAREDNESS FOR THE PERIOD OF AUGUST 10, 2008 TO AUGUST 9, 2009 (Resolution authorizes this Modification in the amount of \$15,500.00 to reflect changes in the budget categories by reallocating funding from the Personal Cost Category, Salary and Wages and the Other Cost Category, Staff Training Education Cost to the categories of Consultant and Professional Services and the Other Cost Category, Program Expense)**
287-2009
- O. **RESOLUTION RE: APPROVAL OF THE 2009 COUNTY FARMLAND PRESERVATION, RECREATION AND OPEN SPACE TRUST FUND LEVY (Resolution authorizes approval of a 2009 levy of 1.3 cents of County equalized real property valuation)**
288-2009
- P. **RESOLUTION RE: AMENDING A RESOLUTION AUTHORIZING THE SUSSEX COUNTY SHERIFF TO ASSESS AND COLLECT AN INMATE PROCESSING FEE FROM INDIVIDUALS SENTENCED TO A TERM OF IMPRISONMENT WITHIN THE KEOGH-DWYER CORRECTIONAL FACILITY OR INCARCERATED WITHIN THE FACILITY PENDING TRIAL AND/OR CRIMINAL INVESTIGATION (Resolution authorizes this amendment to increase the fee from \$50.00 to \$60.00)**
289-2009

- Q. RESOLUTION RE: AUTHORIZING THE ASSUMPTION OF HEALTH AGENCY ACTIVITIES AND RESPONSIBILITIES BETWEEN THE BOROUGH OF HOPATCONG AND THE COUNTY OF SUSSEX PURSUANT TO N.J.S.A. 26:3A-2.1 ET SEQ.
- R. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE AN APPLICATION AND ACCEPT THE FUNDING FOR THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS SHARING AVAILABLE RESOURCES EFFICIENTLY 2009 (SHARE) GRANT FUNDS FOR THE PURPOSE OF PROVIDING HEALTH SERVICES TO HOPATCONG BOROUGH AND OPERATIONAL COSTS (Resolution authorizes this application in the amount of \$66,233.00)
- S. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY OF SUSSEX TO JOIN WITH THE BOROUGH OF HOPATCONG IN APPLYING FOR AND ACCEPTING THE FUNDING FROM THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS SHARING AVAILABLE RESOURCES EFFICIENTLY 2009 (SHARE) GRANT FUNDS FOR THE PURPOSE OF PROVIDING CORE HEALTH SERVICES (Resolution authorizes the County joining in this application in the amount of \$67,507.00)
- T. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO FILE AMENDMENT #1 TO THE PROJECT PROPOSAL WITH NEW JERSEY TRANSIT FOR INCLUSION IN THE CONSOLIDATED JOB ACCESS AND REVERSE COMMUTE GRANT ROUND 8 SUBMITTED TO THE FEDERAL TRANSIT ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY SECTION 3037 OF THE TRANSPORTATION EQUITY ACT OF THE 21ST CENTURY (TEA-21)

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 Zellman.

Resolution 8. F.

Freeholder Parrott asked if there was a set fee for each town for fleet maintenance services.

Mr. Eskilson said that it was a menu of services depending on the services requested by the town.

Resolution 8. E.

Freeholder Zellman said that for clarification purposes, out of the \$124 million that was allocated to the State and to our region, the County received \$3.7 million, which was 3%; it is apportioned according to population, however, it is about 2.7% of the population so Sussex County actually did better per capita.

Resolutions 8. Q., 8. R., 8. S.

limit; this has to be generated at the local level first and then the municipality comes to the County and the County can concur; Mr. McConnell further explained that the parking would be enforced at the local municipal level.

Freeholder Wirths said that he would inform Mr. Kulsar that he (Mr. Kulsar) would have to bring his concerns to Sparta Township first and then Sparta Township would approach the County.

The Motion was passed unanimously.

12. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contract

1. **RESOLUTION RE: 297-2009** AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH INHEALTH ASSOCIATES FOR THE PROVISION OF PHYSICIAN SERVICES/ADVANCE PRACTICE PSYCHIATRIC NURSING 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 Agreement in the amount not to exceed \$40,560.00)
2. **RESOLUTION RE: 298-2009** AWARD OF CONTRACT BASED ON PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR THE PROVISION OF SENIOR SOCIAL ADULT DAY CARE SERVICES WITH CATHOLIC FAMILY & COMMUNITY SERVICES FOR THE PERIOD JANUARY 1, 2009 – DECEMBER 31, 2009 (Resolution awards this Contract to provide \$8,000.00 of State COLA, to be supplemented by Participant Income in the amount of \$130,000.00 and other income in the amount of \$275,443.00 and to have it be on a cost reimbursement basis)
3. **RESOLUTION RE: 299-2009** AWARD OF CONTRACT FOR REPLACEMENT OF COUNTY BRIDGE H-03, COUNTY ROUTE 622, HAMPTON TOWNSHIP, SUSSEX COUNTY, NEW JERSEY (Resolution awards this Contract to the lowest responsible bidder, Lakeside Construction Co., in the amount of \$1,995,769.00)
4. **RESOLUTION RE: 300-2009** AWARDING A CONTRACT BASED ON PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR A PUBLIC HEALTH EPIDEMIOLOGIST TO SATISFY THE NEEDS OF THE COUNTY OF SUSSEX AS REQUIRED FOR LOCAL CORE CAPACITY INFRASTRUCTURE FOR THE DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES (Resolution awards this Contract to the only respondent, Medical Consultant Services, LLC, in the approximate amount of \$11,750.00 for the period May 16, 2009 through August 9, 2009)

MOTION made by Freeholder Parrott to adopt these Resolutions, seconded by Freeholder Wirths.

Resolution 12. A. 1.

Freeholder Parrott asked what the dollar amount was for year 2008.

Mr. McConnell replied that this was a new contract so there was no dollar amount for 2008; he added that this was an attempt by Undersheriff DiMarco to bring down the cost.

Resolution 12. A. 4.

Freeholder Zellman said that the proposal was for \$47,000.00, but noted that there was a short term of May 16, 2009 through August 9, 2009.

Mr. Eskilson replied that he believed that Sussex County was probably the first County to take the Epidemiologist position, which is a required position, and convert it to a Contract position; there are contract funds available through August 9, 2009 for the current round; Mr. Eskilson said that he was optimistic that the County would be fine for the next round; the County could only commit through the current Contract period, although the annual cost of the Contract is the larger amount; he added that with a Contract Employee, when the funding ends, the Contract can be cut off.

Resolution 12. A. 3.

Freeholder Vetrano asked if the portable sign would be placed at the site informing the public of the pending construction.

Mr. Eskilson said that he was sure the portable sign would be placed on site.

On Roll Call the vote was:

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

B. Change Orders

- 1. RESOLUTION RE: AUTHORIZING AN AMENDMENT TO THE EXISTING PROFESSIONAL SERVICES AGREEMENT WITH HQW ARCHITECTS, L.L.C. FOR NECESSARY DESIGN SERVICES FOR THE REHABILITATION OF THE SUSSEX COUNTY MOTOR POOL AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this increase of \$33,000.00 (83%) to design a standby power system for, conduct a seismic evaluation on, and to design the heating ventilation and air conditioning systems for the re-fitted Motor Pool building at 2 Hampton Street in Newton)**

Pulled from Agenda
- 2. RESOLUTION RE: AUTHORIZING THE SECOND AMENDMENT TO AN ALREADY EXISTING PROFESSIONAL SERVICES AGREEMENT WITH LJM ENGINEERING GROUP FOR THE PROVISION OF PHASE II ENGINEERING SERVICES AND CONSTRUCTION ADMINISTRATION FOR THE TAXATION & ELECTION OFFICES (PHASE II) AND THE SECOND PHASE OF THE WELFARE OFFICES IN THE COUNTY-OWNED AREAS OF COCHRAN HOUSE AS A PROFESSIONAL SERVICES PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes the increase of \$10,760.00 (138% total) for additional engineering services for the contract administration phase associated with the HVAC systems replacement projects)**

3. **RESOLUTION RE: 302-2009** AUTHORIZING THE THIRD AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH KELLER & KIRKPATRICK, INC. TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE H-03 CARRYING COUNTY ROUTE 622 OVER THE PAULINS KILL IN THE TOWNSHIP OF HAMPTON PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)
(Resolution authorizes this Amendment in the amount of \$39,900.00 to resolve unusually complex utility accommodations for bridge construction in Paulins Kill Lake, to revise the roadway profile and negotiate restrictive permits conditions in response to NJDEP comments, to investigate and implement, where possible, means to further accelerate construction, increasing the original Agreement to \$277,536.34 (87.9%))

4. **RESOLUTION RE: 303-2009** AUTHORIZING THE FOURTH AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH KELLER & KIRKPATRICK, INC. TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE H-03 CARRYING COUNTY ROUTE 622 OVER THE PAULINS KILL IN THE TOWNSHIP OF HAMPTON PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i)
(Resolution authorizes this Amendment in the amount of \$77,950.00 to perform construction management functions, increasing the original Agreement to \$355,486.34 (141%))

MOTION made by Freeholder Wirths to adopt Resolutions 12. B. 2. – 12. B. 4., seconded by Freeholder Parrott.

On Roll Call the vote was:

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

13. FINANCIAL

- A. **RESOLUTION RE: AUTHORIZING EMERGENCY TEMPORARY**
Not acted on **APPROPRIATIONS OF 2009 OPERATING BUDGET FOR**
THE COUNTY OF SUSSEX

14. PERSONNEL

- A. Personnel Agenda

There were no items for the Personnel Agenda.

15. ADMINISTRATIVE REPORT

- A. Other

Mr. Eskilson said that he had one item for Closed Session under contract negotiations.

16. COUNTY COUNSEL

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

Additional Resolution regarding Federal detainees

Mr. McConnell said that he had an additional Resolution for the Board's consideration; he added that this Resolution amends an Agreement that the Board approved on April 22, 2009, with regard to the Federal detainees at the Keogh-Dwyer Correctional Facility.

**RESOLUTION RE: AMENDMENT TO THE RESOLUTION
304-2009 AUTHORIZING THE EXECUTION OF AN INTER-
GOVERNMENTAL SERVICE AGREEMENT
BETWEEN THE UNITED STATES DEPARTMENT
OF HOMELAND SECURITY, U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT, OFFICE OF
DETENTION AND REMOVAL, AND THE COUNTY
OF SUSSEX TO PROVIDE DETENTION SERVICES
FOR FEDERAL DETAINEES**

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

On Roll Call the vote was:

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

17. UNFINISHED BUSINESS

There was no Unfinished Business.

18. NEW BUSINESS

- A. Discussion concerning preparing a letter to the State informing the State that the County will no longer participate in the Early Intervention Program that has been carried out by Public Health Nursing, Special Child Health.

MOTION made by Freeholder Parrott to authorize the preparation of a letter to the State informing the State that the County will no longer participate in the Early Intervention Program that has been carried out by Public Health Nursing, Special Child Health, seconded by Freeholder Zellman and passed unanimously.

19. PUBLIC SESSION FROM THE FLOOR

(Please note: Everyone is asked to keep their comments to 10 minutes or less)

MOTION made at 6:25 p.m. by Freeholder Wirths to open the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

There was no one.

MOTION made at 6:26 p.m. by Freeholder Crabb to close the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

20. FREEHOLDERS' COMMENTS

Solid Waste Advisory Council/Flow control

Freeholder Crabb said that the Solid Waste Advisory Council (SWAC) formally voted to provide a Resolution regarding flow control; he believed that SWAC would be scheduled to attend the next Freeholder Meeting. (Freeholder Crabb at the May 27, 2009 meeting amended his statement as follows: "...he believed that SWAC would be presenting a Resolution for the next Freeholder Meeting.")

Freeholder Crabb asked if there was any mechanism for the Board to compel flow control in advance, but in anticipation of the Solid Waste Management Plan Amendment.

Mr. McConnell replied no; there was no emergency flow control; this operates from the top down; the State or Federal Government could do something, but the County could not.

Grand Opening of the new location of the Sussex County Arts & Heritage

Freeholder Crabb said that the ribbon cutting for the new location of the Sussex County Arts & Heritage was tomorrow evening.

Nomination of award for Sussex County Community College

Freeholder Wirths said that the Sussex County Community College was nominated for the NJ Business Association 49th Annual New Good Neighbor Award for its Health, Science and Performing Arts Building.

Groundbreaking Ceremony for the Farmer's Market Building

Freeholder Parrott referred to the Groundbreaking Ceremony for the Farmer's Market Building, noting that he felt the attendees truly appreciated that the Farmer's Market Building was to be completed; he said that it was gratifying to see people congratulate Freeholder Vetrano for all of his efforts and also Congressman Frelinghuysen for obtaining the grant.

County Clerk's budget

Freeholder Parrott said that the County Clerk has been very objective in looking at the 2010 budget, adding that the County Clerk was aware of the budget constraints.

Sussex County Community College Board of School Estimate Meeting

Freeholder Parrott said that he attended the Sussex County Community College Board of School Estimate Meeting today with Freeholder Vetrano and Freeholder Zellman regarding a Chapter 12 issue for additional funds in 2010 of approximately \$2.5 million, of which the County picks up about 25%; the money will be used for safety issues, such as lighting, parking lots, and windows.

Six County Coalition Meeting

Freeholder Zellman said that at the request of Morris County, the Six County Coalition Meeting scheduled for June has been rescheduled to September.

Realignment project in Sussex Borough

Freeholder Zellman said that the Transportation Improvement Program for the North Jersey Transportation Planning Authority (NJTPA) now includes \$3.7 million for design in the 2009 budget for the realignment of Sussex Borough; it appears that it will be brought up for a vote at the next Project Prioritization Meeting as part of a package that shows construction in 2011 and not 2013.

TransOptions Conference

Freeholder Zellman said that she was leaving this evening to attend the TransOptions Conference in Atlantic City and would be monitoring a panel at the Conference.

Liaison Meeting with the Department of Human Services

Freeholder Zellman distributed a report of her recent Liaison Meeting with the Department of Human Services to the Board; she noted that from March, 2008 to March, 2009, the number of visitors to the Division of Social Services increased 114%.

Ribbon cutting for Route 515 project in Vernon

Freeholder Vetrano asked the status of the ribbon cutting for the Route 515 project in Vernon.

Mr. Eskilson replied that he was not able to attend the meeting that morning, however, Steve Losey and Don Drake did meet with some people regarding some plantings around the area; he said that representatives from Vernon would contact him once the Beautification Committee finished its work; no date has been set, but there was some discussion regarding the ribbon cutting.

Ribbon cutting for Route 15 and White Lake Road

Freeholder Zellman said that a ribbon cutting would be scheduled for Route 15 and White Lake Road; she said that she would let Walter Cramp know.

Farmland Preservation/farm closings

Freeholder Vetrano said that to date, 15 farms have closed under the Farmland Preservation Program; for the entire year 2008, only 18 were closed.

Ribbon cutting for the Farmer's Market

Freeholder Vetrano said that the ribbon cutting for the Farmer's Market was scheduled for August 15, 2009.

Freeholder Vetrano noted that the funding which would allow the Board to place an ad in the NJAC Journal during the NJAC Conference, was eliminated from the 2009 budget; he asked the Board if it would consider using funds from one of the Freeholder accounts, such as the account used for conferences and meetings, to place an ad in the NJAC Journal.

There was a brief discussion; the Board agreed to use alternate funds to place an ad in the NJAC Journal.

21. EXECUTIVE SESSION

MOTION made at 6:45 p.m. by Freeholder Wirths to go into Executive Session for an item of contract negotiations, seconded by Freeholder Crabb and passed unanimously.

RESOLUTION RE: REQUESTING EXECUTIVE SESSION 305-2009

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

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

MOTION made at 6:48 p.m. by Freeholder Wirths to come out of Executive Session and return to Open Session, seconded by Freeholder Crabb and passed unanimously.

MOTION made by Freeholder Parrott to give County Counsel direction to pursue contract negotiations for the purchase of property, seconded by Freeholder Wirths and passed unanimously.

22. REMINDERS

Wednesday	May 13, 2009	League of Mun.	6:30 pm
		Meeting – Lafayette House	
Wednesday	May 27, 2009	Regular Meeting	5:00 pm

23. ADJOURNMENT

MOTION made at 6:50 p.m. by Freeholder Crabb to adjourn, seconded by Freeholder Parrott and passed unanimously.

Elaine A. Morgan, Clerk

DATED: May 13, 2009