

REGULAR MEETING HELD ON WEDNESDAY, MAY 9, 2012

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:03 pm

2. ROLL CALL Freeholder Space; Freeholder Vohden; Freeholder Zellman;
Freeholder Director Crabb; John Eskilson, County Administrator;
Dennis McConnell, County Counsel; Elaine Morgan, Clerk.

Freeholder Zeoli was excused due to surgery.

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 4, 2012 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.

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PUBLIC HEARING – 5:05 PM

FINAL ADOPTION – BOND ORDINANCE

Freeholder Director Crabb: "At our regular meeting held on April 23, 2012, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of April 27, 2012, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

ORDINANCE RE: BOND ORDINANCE PROVIDING FOR THE UNDERTAKING OF 2012-2013 CAPITAL IMPROVEMENTS AT AND FOR CERTAIN FACILITIES OF SUSSEX COUNTY COMMUNITY COLLEGE LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, APPROPRIATING \$1,500,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,500,000.00 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING SUCH APPROPRIATION, THE PRINCIPAL OF AND INTEREST ON THE AGGREGATE PRINCIPAL AMOUNT OF WHICH WILL BE ENTITLED TO STATE AID, PURSUANT TO CHAPTER 12 OF THE LAWS OF NEW JERSEY OF 1971

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 Zellman and passed unanimously.

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

On roll call the vote was:

Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Crabb	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 Space, seconded by Freeholder Zellman and passed unanimously.

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B.

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PUBLIC HEARING – 5:07 PM

FINAL ADOPTION – BOND ORDINANCE

Freeholder Director Crabb: "At our regular meeting held on April 23, 2012, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of April 27, 2012, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

ORDINANCE RE: BOND ORDINANCE PROVIDING FOR VARIOUS 2012 CAPITAL IMPROVEMENTS, BY AND IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$7,520,100.00 THEREFOR AND AUTHORIZING \$7,162,000.00 BONDS OR NOTES OF THE COUNTY TO FINANCE PART OF THE COSTS THEREOF

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

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

On roll call the vote was:

Freeholder Space	Yes
Freeholder Vohden	Yes
Freeholder Zellman	Yes
Freeholder Director Crabb	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 Space and passed unanimously.

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6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations and Certificates

1. Proclamation designating the month of May, 2012 as "Older Americans Month".

265-2012

2. Proclamation designating the month of May, 2012 as "National Drug Court Month".

266-2012

3. Proclamation designating the month of May, 2012 as "Mental Health Awareness Month".

267-2012

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

B. Presentations

1. Presentation of Proclamation designating the week of May 14, 2012 as "Relay for Life Days" approved on April 23, 2012.

The Proclamation was presented by Freeholder Crabb.

7. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:20 p.m. by Freeholder Space to open the meeting to the Public; seconded by Freeholder Zellman and passed unanimously.

Comments on the Lake Neepaulin Dam

Kathleen Gorman, Wantage Township, came forward; she said she was the person suing the Township of Wantage over the Lake Neepaulin dam; she explained her part of the law suit; Ms. Gorman said she called Trenton and spoke to the Director of Constituent Relations, Jean Ashmore, who questioned what were the Sussex County Freeholders doing in reference to this problem.

County Counsel, Dennis McConnell said that basically there was nothing the Board could do; he stated that the Board had no jurisdiction over local issues and the County is not allowed to get involved in these types of transactions.

Ms. Gorman said that she found on a website the definition of a Freeholder and it said that the Freeholders are the intermediary between the State and Federal to regulate County property, finances and affairs.

Mr. McConnell explained "County affairs only."

Ms. Gorman asked why the Governor's office would refer her to the Board for answers on how the Board could help her.

Freeholder Crabb expressed his empathy and again reiterated that the Board could not insert themselves into this situation.

Ms. Gorman continued with her concerns about the Dam.

Freeholder Zellman asked if the Board could write a letter proving that Ms. Gorman appeared before the Board and what the Board's stand was in this situation; Mr. McConnell said he just needed to be directed to do so.

MOTION made by Freeholder Zellman to direct County Counsel to respond to Ms. Gorman's request for County assistance by stating the stand of the County; seconded by Freeholder Space and passed unanimously.

Comments on the Homestead

Krista Gerry, Vernon, came forward; she stated that she attended the Senior of the Year luncheon in Vernon today and several seniors approached her about their concerns over the Homestead and showed their backing for what she was doing; Ms. Gerry reiterated her concerns over the selling of the Homestead.

Ray Witte, Hampton, came forward and made a comparison of the possible closing of Saint Clare's in Sussex and the potential sale of the Homestead; he expressed the dangers of private ownership in the health care business; Mr. Witte spoke of his concerns with the Freeholders and their decision.

MOTION made at 5:35 p.m. by Freeholder Space to close the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

8. **FREEHOLDERS' COMMENTS**

Comments from Freeholder Space

- **Event for Veterans Cemetery**

Freeholder Space attended the event last evening with his father-in-law, who was a Viet Nam Vet; he spoke of how proud his father-in-law is and how happy he (father-in-law) is to be part of establishing this Cemetery.

- **Black Bear Population in Sussex County**

Freeholder Space had an opportunity to speak with the "bear catcher" from the area; he reminded everyone that the black bear population is on the move and to be very conscientious with any interactions with the bears.

- **2nd Annual Firemen's Rib Eating Contest**

Freeholder Space said that the Contest this year was this Saturday, May 12, at the Franklin-Sussex Auto Mall; Freeholder Space's son would be defending his title from last year.

Comments from Freeholder Zellman

- **"Transactions" Statewide Transportation Conference**

On April 11, Freeholder Zellman served as Moderator at "TransActions" for a session highlighting VizTools which is a program of the NJTPA designed to assist in developing long range plans.

- **Women Elected Officials**

Freeholder Zellman said she attended a reception in Spring Lake, NJ for County and State level Women Elected Officials.

- **208 Water Quality Meeting**

Freeholder Zellman reported that the PAC encouraged the Resolution before the Board tonight from Lake Hopatcong; Freeholder Zellman also attended the Lake Musconetcong Regional Planning Board Meeting where they also expressed concern about weed harvesting funding and herbicide treatment, so there is a combined Resolution for this evening's Freeholder meeting.

- **Six County Coalition Meeting**

Freeholder Zellman said that at the May 2, 2012 Six County Coalition Meeting, there was discussion about the \$11 Million in expenditures that Sussex County had following the two storms from last year; County Engineer, Walter Cramp, reported that there are fees and professional costs, partly from the DEP, of over \$4 Million; Freeholder Zellman said there was a discussion about each County sending a Resolution to ask for waivers of those fees; she said County Administrator, John Eskilson, would prepare a Resolution to be sent to the five other Counties (Hunterdon, Morris, Passaic, Somerset and Warren).

Freeholder Zellman reported that there was also a concern regarding the \$10 Million reduction in local aid for municipal road resurfacing, etc.; she said it was planned to ask the North Jersey Transportation Planning Authority to be a speaker at the next Six County Coalition Meeting scheduled for this October which is being hosted by Sussex County to determine where the Counties should lobby and find ways to increase the funding for next year.

Freeholder Zellman said there was an interesting presentation about the Medicaid Managed Long Term Care Comprehensive Waiver Proposal.

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

Freeholder Zellman said that Gene Feyl who is the Chair of the NJTPA is stepping down this weekend since he has been appointed as the Executive Director of the Highlands Council; the second Vice Chair (who is a Republican) will then take over as Chair.

- **Veterans' Cemetery**

Freeholder Zellman congratulated the Veterans on the success of their event last evening and it was rewarding to see all five Freeholders and three Constitutional Officers in attendance.

Comment from Freeholder Crabb

Freeholder Crabb said that he was proud to announce that the League of Women Voters will be honoring Freeholder Zellman very shortly and that it was a pleasure serving on the same Board as Freeholder Zellman.

Comments from Freeholder Vohden

- **Board of Agriculture**

Freeholder Vohden said that the Board of Agriculture and Rutgers Extension held their Meeting this month at the Mohawk House; the owner of the Mohawk House offered to allow the group to have five or six meetings a year there free of charge.

- **Sussex County Arts and Heritage Council**

Freeholder Vohden attended the Annual Skyline Art Show on Spring Street; he said there was a great turn out and they had very impressive art work from the residents of Sussex County.

- **Senior Services Advisory Council**

Freeholder Vohden attended the Senior Services Advisory Council Meeting where they talked about Older American Day and the theme this year is "Never Too Old To Play"; he said that the celebration would be held at Selective Insurance on Friday, May 11 and it's sold out.

Freeholder Vohden reported that more than one out of 10 residents in Sussex County is a senior citizen; he stated that this is the year that the "baby boomers" kick in for Social Security as they will be turning 66.

Freeholder Vohden discussed a new program called "Traditional Care Services", which is an innovative program to provide in hospital planning and home follow-up health care for the senior citizens of Sussex County to avoid re-admittance to the hospitals.

Freeholder Crabb agreed that this would be a wonderful program; he said the senior citizens would be able to maintain their independence and their dignity with the ability to remain in their own homes longer; he said that most importantly they would avoid unnecessary institutionalization in hospitals or nursing homes.

Comments from Freeholder Crabb

- **The Homestead**

Freeholder Crabb explained that the County had engaged a broker for the possible sale of the Homestead, Marcus and Millichap; he then went on to say that pursuant to the Board passing a Resolution to sell the Homestead, parts of the terms of sale should be the following:

1. The successful bidder must operate the property as a nursing home for at least 15 years;
2. The successful bidder shall not transfer or release any current resident of the property without their consent;
3. The successful bidder shall agree to provide a minimum of 65% of the beds available for Sussex County residents or their relatives;
4. The successful bidder shall agree to assign a minimum of 65% of the beds to government funded payees residents or State mandated percentages, whichever is the greater.
5. The successful bidder shall provide an opportunity to all full-time County employees of the Sussex County Nursing Home to interview with the successful bidder for employment at the facility.

Freeholder Crabb said that this would be framed to happen at a schedule prior to the closing. Mr. McConnell agreed. Freeholder Crabb added that every full-time County employee at the Nursing Home would have the opportunity to interview with the successful bidder prior to the Closing.

- **Veterans' Cemetery**

Freeholder Crabb, along with the other Freeholders, attended the event last evening for the Veterans at Perona Farms; he said that the Board has been working for over a year on attempting to find property for the Veterans' Cemetery; and with the combined efforts of the Board; County Administrator, John Eskilson and County Counsel, Dennis McConnell were able to find the property on Route 94 adjacent to the Vocational School, 60-64 acres; the process has started to have engineers look over it and determine what is useful and what the feasibility is. Freeholder Crabb explained that one of the problems being thrown at the Veterans is a State requirement of a \$75,000.00 escrow for anyone operating a cemetery; he went on to explain the Board's commitment to the Veterans; to that end Freeholder Crabb recommended to the Board to consider providing \$50,000.00 towards that escrow account which is a way that the County can give back to the Veterans for what they have done and continue to do on our behalf. It will be an ongoing process and there will be no decision today, but the process is in the works.

Freeholder Crabb added that there will be other entities that will be willing to piggyback the initiative by the Board that will make up the remaining \$25,000.00.

There was a short discussion and Mr. McConnell stated that, at this time, it would be appropriate to direct staff to do the appropriate research to come up with the methodology for that proposal.

Freeholder Crabb, without objection, directed staff to move ahead with that proposal.

Freeholder Crabb invited John Harrington to come forward.

Mr. Eskilson said that he and Mr. McConnell found the property, but Mr. Harrington played a big role in assisting Mr. Eskilson and Mr. McConnell.

Mr. Harrington thanked everyone for being at the Event last evening and the Committee raised a lot of money for the Cemetery. He stated that the Cemetery was not going to be run by the County, but it would be run by the Veterans and their families buying their own plots, and that money would just go back into it to keep it running and it will be for all Veterans of Northern New Jersey.

9. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: PAYMENT OF BILLS
268-2012
- B. RESOLUTION RE: FINAL APPROVAL FOR THE DAVID LANE AND JUDITH KEYES FARMS IN WANTAGE TOWNSHIP AND THE MC LAND TRUST FARM IN FRANKFORD TOWNSHIP SUBJECT TO AVAILABLE FUNDING FOR THE 2011 COUNTY EASEMENT PURCHASE FUNDING ROUND (Resolution authorizes this final approval in the approximate amount of \$304,700.00)
269-2012
- C. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A CONTRACT FOR 2012 ON BEHALF OF THE COUNTY OF SUSSEX WITH THE TOWNSHIP OF HARDYSTON FOR THE PROVISION OF TRANSPORTATION SERVICES TO SENIOR CITIZENS AND PEOPLE WITH DISABILITIES WHO RESIDE IN HARDYSTON TOWNSHIP
270-2012
- D. RESOLUTION RE: AUTHORIZATION TO FILE AN APPLICATION WITH NJ TRANSIT AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR AN ELDERLY AND PERSONS WITH DISABILITIES CAPITAL ASSISTANCE PROGRAM GRANT UNDER SECTION 5310 OF THE FEDERAL TRANSIT ADMINISTRATION FOR 2012 FUNDING
271-2012
- E. RESOLUTION RE: APPROVAL OF THE REVISED FISCAL YEAR (FY) 2010 ANNUAL TRANSPORTATION PROGRAM (ATP) STATE AID PROJECT POOL FOR THE COUNTY OF SUSSEX
272-2012
- F. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY OF SUSSEX TO EXECUTE AN APPLICATION TO RENEW THE SPECIAL CHILD HEALTH SERVICES CASE MANAGEMENT GRANT FOR \$85,692.00 FOR THE PERIOD OF JULY 1, 2012 THROUGH JUNE 30, 2013 BETWEEN THE COUNTY OF SUSSEX AND THE NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES (Resolution authorizes this Application for State funds in the amount of \$85,692.00; County Cash funds in the amount of \$51,948.00 and County in-kind funds in the amount of \$4,874.00)
273-2012

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 Space to adopt the Financial Consent Agenda, seconded by Freeholder Vohden.

On roll call the vote was:

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

10. APPROVAL OF MINUTES

Regular Meeting April 23, 2012

MOTION made by Freeholder Vohden to approve these minutes, seconded by Freeholder Space and passed with Freeholder Zellman abstaining.

11. APPOINTMENTS AND/OR RESIGNATIONS

A. Appointments

1. RESOLUTION RE: APPOINTMENT OF JEANNE SMETANA AS A MEMBER OF THE SUSSEX COUNTY MENTAL HEALTH BOARD FOR A TERM OF THREE (3) YEARS BEGINNING IMMEDIATELY AND EXPIRING JUNE 30, 2014
274-2012

MOTION made by Freeholder Zellman to approve this appointment, seconded by Freeholder Space and passed unanimously.

Freeholder Zellman mentioned that the Mental Health Board is looking for members and if anyone is interested call Christine Florio or let the Clerk, Elaine Morgan know or Freeholder Zellman herself.

12. RESOLUTIONS

- A. RESOLUTION RE: SUPPORTING FUNDING FOR LAKE HOPATCONG AND LAKE MUSCONETCONG
275-2012

MOTION made by Freeholder Vohden to adopt this Resolution, seconded by Freeholder Zellman and passed unanimously.

Freeholder Zellman said she wanted to clarify that the Resolution from Hopatcong had been received much earlier from the Lake Hopatcong Commission; she stated that at the 208 Water Quality Meeting it was requested that the Board move this Resolution forward; she explained that there are some portions of the original Resolution that are mute points because the equipment has been turned over to the State; she stated that she is a representative of the Lake Musconetcong Regional Planning Board and they are also in the same situation with a lack of funding and have requested a Resolution as well, so she incorporated both into one Resolution since she felt it would be more effective.

13. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contracts

1. RESOLUTION RE: AWARD OF CONTRACT FOR FUNDING YEAR 2011 SUSSEX COUNTY ROAD RESURFACING PROGRAM (Resolution awards this Contract to the lowest responsible bidder, Schifano Construction Corporation for a total amount of \$2,868,365.55)
276-2012
2. RESOLUTION RE: AWARDING A PROFESSIONAL SERVICES AGREEMENT TO KELLER & KIRKPATRICK, INC. TO PROVIDE ENGINEERING SERVICES FOR THE EMBANKMENT RE-STABILIZATION OF SUSSEX COUNTY ROUTE 644 IN THE TOWNSHIP OF VERNON PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution awards this Agreement in the amount of \$194,996.08)
277-2012

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

On Roll Call the vote was:

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

14. FINANCIAL

- A. RESOLUTION RE: AMENDING THE 2012 CAPITAL BUDGET
278-2012
- B. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR

279-2012

AND BOARD CLERK TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH TECHNICAL ANALYSTS FOR GOVERNMENT, INC. FOR THE PREPARATION OF AN INDIRECT COST ALLOCATION PLAN, MAINTENANCE IN LIEU OF RENT CLAIM DOCUMENTS IDENTIFIED TO PROBATION TITLE IV-D FUNCTIONS AND FINAL MAINTENANCE IN LIEU OF RENT CLAIM DOCUMENTS ON BEHALF OF THE DIVISION OF SOCIAL SERVICES FOR 2012

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

On Roll Call the vote was:

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

C.

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INTRODUCTION FOR FIRST READING – BOND ORDINANCE

ORDINANCE RE: BOND ORDINANCE PROVIDING FOR THE UNDERTAKING OF 2011-280-2012 CAPITAL IMPROVEMENTS AT AND FOR CERTAIN FACILITIES OF SUSSEX COUNTY COMMUNITY COLLEGE, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$3,400,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,400,000.00 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING SUCH APPROPRIATION, THE PRINCIPAL OF AND INTEREST ON THE AGGREGATE PRINCIPAL AMOUNT OF WHICH WILL BE ENTITLED TO STATE AID, PURSUANT TO CHAPTER 12 OF THE LAWS OF NEW JERSEY OF 1971

MOTION to adopt this Bond Ordinance on first reading made by Freeholder Space, seconded by Freeholder Vohden.

On Roll Call the vote was:

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

MOTION to authorize the Clerk to advertise this Bond 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 May 23, 2012 at 5:00 pm prior to final adoption of this Bond Ordinance made by Freeholder Space, seconded by Freeholder Zellman and passed unanimously.

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15. PERSONNEL

A. Personnel Agenda - None

16. ADMINISTRATIVE REPORT

A. Other

Solar Energy Project

Mr. Eskilson attended a meeting at the College; Sunlight Energy is in its final due diligence on nine of the 17 solar sites; the nine are all related to education; they hope to be before multiple municipal planning boards in the next 30 days or so to get through that part of the process in the hope that all of the education related facilities can be under construction and completed prior to the September restart of school.

April 16, 2012 Hearing Concerning the Homestead

Mr. Eskilson said that the Freeholder Board asked that the questions that were raised at the Hearing be transcribed which was completed by the Clerk of the Board, Elaine Morgan. Responses were prepared by Mr. Eskilson and the staff, they were in a document called "Final County Response to April 16". Mr. Eskilson stated that unless the Board had changes, deletions, or amendments that the Board authorize the posting of these responses on the County Website.

MOTION made by Freeholder Vohden to post the Final County Responses from the April 16, 2012 Hearing on the County Website, seconded by Freeholder Space and passed unanimously.

17. COUNTY COUNSEL

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

Mr. McConnell advised the Board that they had received Minutes of the Public Hearing held on April 16, 2012 regarding the proposed sale of the County nursing home pursuant to N.J.S.A. 48.12-13 and a motion is needed to approve the minutes of the Public Hearing.

MOTION made by Freeholder Space to approve the Minutes of the Public Hearing, seconded by Freeholder Zellman and passed unanimously.

Mr. McConnell advised that those Minutes would also be posted on the County Website.

18. UNFINISHED BUSINESS

Lake Musconetcong Resolution

Freeholder Zellman said she needed to clarify the Lake Musconetcong Resolution; she stated that this was not a Resolution to ask the County for money, but a Resolution to the State Legislature; because the two lakes are State lakes, requesting funding from the boat licensing fees to take care of the weed harvesting problems.

Freeholder Vohden added that when they first proposed this Resolution, Freeholder Vohden assumed that it was going to be very expensive, and it would keep people from putting their boats in the lake, however, the fees are going to be an \$18.00 fee for a four year license permit to put your boat in the lake and a \$6.00 fee for a photograph for the license, and he now feels this is responsible for people to enjoy the lake for four years.

19. NEW BUSINESS

There was no New Business.

20. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 6:13 p.m. by Freeholder Space to open the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

Comments on Affordable Housing in Andover Township

Gail Phoebus, Deputy Mayor of Andover Township and the Chair of the Affordable Housing Project came forward; she said she was at the meeting to ask the Board to consider writing a letter backing up Andover Township's request for waiving of some of the fees for the new Wastewater Treatment Plant that would be created when Andover refurbishes the Abbey which is its Affordable Housing project; she said they are within two weeks of signing a contract with RPM; the plans are that the existing stone building which has historic value, but is not on a historical register, will be converted to 22 senior units; and in the back, the Township had to go and lease another 17 acres from Saint Paul's Abbey and it will be putting one, two and three bedroom affordable units in the back; all of these units are 100% affordable so it's all coming out of grants; she explained that the problem is that the Wastewater Treatment Plant is \$5 Million and the Township does not have the \$5 Million in its Housing Trust Fund; therefore, the Township is asking the State through Senator Oroho's office if the State Housing Trust Fund in Trenton would free up some money for this project. Ms. Phoebus asked the Board to consider composing a letter backing Andover Township in asking the NJ DEP to at least lower their fees for this project.

There was a short discussion.

Without objection from the Board, Freeholder Crabb, agreed to write a letter of support for Andover Township.

Comments on the Veterans Cemetery

Linda Hunter-Conklin of the Homestead came forward; she commended everyone that is working on the Veterans Cemetery

Comments on the Proposed Sale of the Homestead

Linda Hunter-Conklin asked about the proposed stipulations in the Contract concerning retirement; several people feel that they are being forced to retire and if they don't retire before the closing then they are going to miss out on their pension; she asked that the Board put something in the Contract that people who have retired in the last eight months could be interviewing as equally as the full time employees.

Comments on Sussex County Transit

Ms. Hunter-Conklin mentioned that she contacted Transit on occasions requesting that they take her to a certain place and was denied; she states that she is the only resident of the Homestead who is considered independent meaning she does not have to go out with an aide; she is going to be a volunteer at one of the social agencies in the County and wants to know if it is possible for her to be picked to be taken to her destination of volunteer work?

Mr. Eskilson said that he would speak to Mr. Steven Gruchacz and Mr. John Jackson at Transit/Skylands Rides and determine why she was denied a ride.

Comment on SCARC Homes

Mr. Tony Kruchinski of Hampton came forward; he stated that there are 18 homes in Sussex County that are run by SCARC; he asked where are those people supposed to live when they cannot be taken care of, like when their insurance runs out or they don't have insurance or they are under Medicaid or Medicare, where are these people going to live?

Freeholder Vohden said that at the Six County Coalition Meeting, the Director of the Warren County Nursing Home was in attendance; she said there are 550 nursing homes in the state of NJ, 135 are non-profits; there are only 10 County homes left; there are 28,000 residents which is less than 1%; and with the changes in Medicaid and Medicare, in the next few years, they will be looking to move 1,000 individuals (out of the 28,000) that are able to get around on their own out of the nursing homes and this is just the beginning. The core mission of the Senior Service Department is to keep people in their homes with some dignity.

There was a short discussion.

Comment on the Homestead

Linda Hunter-Conklin came forward and asked why the County is putting on the stipulation that it be operated as a nursing home for only 15 years?

Dennis McConnell, County Counsel, responded that the County wants to ensure that the people that are there now stay there, and that it stay for 15 years at a minimum; he said that most likely it's never ever going to be changed because of the zoning so it can't be anything else; once it is sold to a private entity that's the only choice they have is to keep it a nursing home because anything else would be a use variance and they would have to go back to the town. It's going to be a nursing home.

Ms. Hunter-Conklin said that patients that are up there in age shouldn't have to worry about where they are going to have to go in 15 years when they turn the Homestead into something else.

Freeholder Crabb explained that the 15 years was put in there to be a minimum amount of time; he further explained that one of the things that he read tonight is asking his colleagues to consider as a stipulation of sale is that the successful bidder shall not transfer or release any current resident of the property without their consent.

A discussion on the 15 year stipulation continued.

MOTION made at 6:40 p.m. by Freeholder Space to close the meeting to the Public, seconded by Freeholder Vohden 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	May 9, 2012	League of Municipalities (Bella Italia, Andover)	6:30 pm
Wednesday	May 23, 2012	Regular Meeting	5:00 pm

23. ADJOURNMENT

MOTION made at 6:41 p.m. by Freeholder Space to adjourn the meeting, seconded by Freeholder Zellman and passed unanimously.

Elaine A. Morgan, Clerk

DATED: MAY 9, 2012