

**REGULAR MEETING HELD ON WEDNESDAY, SEPTEMBER 9, 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 –RESOLUTION**

**Freeholder Director Vetrano:** "At our regular meeting held on August 19, 2009, we introduced for first reading the following Resolution which was advertised in the New Jersey Herald issue of August 23, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

**RESOLUTION RE: SOLID WASTE DISTRICT PLAN AMENDMENT TO REINSTITUTE  
500-2009 SOLID WASTE FLOW CONTROL**

**MOTION** made by Freeholder Crabb to open the Public Hearing, seconded by Freeholder Parrott and passed unanimously.

Is anyone present to be heard regarding this Resolution?

**Comments from Jarrod Cofrancesco**

Mr. Jarrod Cofrancesco, owner and General Counsel for Grinnell Recycling, came forward; he said that he was present this evening on behalf of Grinnell Recycling to voice an objection to the institution of the waste flow directive; not to the entire directive, but to a very specific part of it; this part is the inclusion of Type 13-C waste to be flow controlled to the County Landfill; this is the only aspect of the Resolution that Grinnell Recycling is objecting to; Mr. Cofrancesco said that directing Type 13-C waste flow to a landfill violates every aspect of recycling from classroom recycling programs to large State and Federal initiatives at the DEP and EPA level; he said this class of waste has tremendous recycling value, perhaps as much as 100% of it is recyclable; this

Resolution is directing this type of waste to be sent to a landfill and none of this waste will then be recycled.

Mr. Cofrancesco added that Grinnell Recycling was a party to a Contract with the County and with the Sussex County Municipal Utilities Authority (SCMUA), that essentially identifies and governs Grinnell's operation as a material recovery facility in the County, permitted to take Type 13-C waste, with an obligation to send a percentage of residual to the County Landfill; he added that he believed that by passing this Resolution, that this Contract was violated.

Also discussed was whether or not Grinnell would be obligated, for purposes under this Resolution, to bring the residue that remained from Type 13-C waste to the SCMUA if that particular Type 13-C waste had originated in another County.

Mr. McConnell said that this gets a little more complicated; Grinnell has Contracts with Morris County and a few other Counties where residual had to be taken back to that County because of that County's flow control; he said since those Contracts existed, Sussex County would not trump another County; he added that he would not advise the Board to enforce that because there was already an existing Contract with a sister County and the other County was allowing its waste to be brought into Grinnell and was requesting, pursuant to the terms of that County's Contract, for the residual to come back to that County; Mr. McConnell said that with regard to waste that is taken from a County with no redirect pertaining to residual, that was probably generated in Sussex County and would be disposed of at the SCMUA.

Mr. Cofrancesco questioned if it was the Board's position that Grinnell's current Contract with the County and SCMUA, would supersede this directive.

Mr. McConnell said that he felt this should be determined by the NJDEP because the NJDEP approved that Contract as a part of the Plan Amendment; he said he would have that question redirected to the NJDEP as that was a part of the NJDEP's process for approval.

Also discussed by Mr. Cofrancesco was the lack of tracking of Type 13-C and the tracking of a general category Type 13 and that the flow directive has been extended to include Type 13-C; he questioned that without the specific knowledge of the amount of Type 13-C that is brought in, why was it included if no one knows how much revenue would be gained or not gained.

The loss of "LEED credits" (Leadership and Energy Efficient Design) by County contractors was discussed; contractors would no longer be able to bring their construction waste to Grinnell for recycling and to earn "LEED credits"; their construction waste would have to be brought to the Landfill.

Mr. Cofrancesco questioned why the first draft of the directive did not include Type 13-C, but a subsequent draft did include it.

Lastly, Mr. Cofrancesco referred to the Counties that did not have waste flow control and that when Type 13-C was received by Grinnell from one of those Counties, Grinnell would still have to take the residual from that to the County Landfill even though it was not generated in Sussex County; he said this did not make sense to him.

Mr. Cofrancesco said that these were the concerns of Grinnell and he wanted to have them on record; he said that after three years Grinnell would not have a Contract with the County and questioned where Grinnell would stand after that point, providing it was allowed to continue to take in Type 13-C for the next three years under the Contract.

Mr. McConnell addressed the issue of the first draft not containing Type 13-C; he said that the SCMUA initially thought that Type 13 included Type 13-C, but it did not; as a result of this, Type 13-C was then included.

Mr. McConnell referred to Grinnell's report of January through August, 2009, which showed that Grinnell received about 2.3% of its C&D from Sussex County; Grinnell received 7.06% from Warren County; he said it seemed that a certain amount of C&D was not going to Grinnell and possibly not going to the County.

John Hatzelis, Administrator, SCMUA, came forward; Mr. Hatzelis said that the SCMUA was in favor of flow control and has been since 1986; he said that at that point in time, flow control encompassed all waste types that were regulated and did not differentiate between Type 13 and Type 13-C, but since 1997, has been broken out; Mr. Hatzelis said that there was no intention to deprive Grinnell from the contractual rights in the three party Contract.

Mr. Hatzelis discussed the falling revenue stream, noting that the SCMUA did not want this to fall on the backs of the taxpayer, so this was the motivation to get the Plan Amendment through; he addressed the issue of the Grinnell Contract and said that he felt everyone was in agreement that the Contract would have to be abided by until 2013; after 2013, Sussex County would be in a similar situation as Morris County, whereby the residual waste from Sussex County would have to be returned to the SCMUA, but not necessarily all the other waste that was generated from non-flow control Counties; he said this was his understanding, but it would be up to the NJDEP for its interpretation.

There was a brief discussion regarding flow control Counties and residual waste, that which is generated in Sussex County and that which is generated in other Counties.

Mr. Cofrancesco briefly discussed the three party Contract and the associated costs for Type 13-C, stating that he felt that the Contract was hurting Grinnell in terms of its Type 13-C intake.

A discussion took place regarding the policing of the C&D in the County; Freeholder Parrott asked if the SCMUA received the demolition permits from each town and if the SCMUA followed up on them; Mr. Hatzelis said a draft agreement with the Department of Environmental and Public Health Services for enforcement was being worked on.

Bob Lombardo, Sparta Township, came forward; Mr. Lombardo asked if what was being suggested was that Grinnell would not receive any Type 13-C from Sussex County.

The Board responded collectively, no, the Contract was going to be honored; the only issue to be clarified by the NJDEP was the out-of-county residuals.

Mr. Eskilson said that flow control would not change Grinnell's circumstances; he gave the example that if Grinnell's rate of intake of Type 13-C from Sussex County doubled from 400 to 800 tons, the Contract says that Grinnell would have to provide the County with 800 tons of residual; flow control would not get in the way of any of that; Grinnell has the ability to increase its levels of intake at the facility despite flow control.

The Board thanked Mr. Cofrancesco and Mr. Hatzelis for their comments.

Mr. Lombardo confirmed that flow control was not going to require a hauler in the County with C&D to go to the SCMUA and that the hauler could still go to Grinnell.

The Board confirmed that a hauler could use the SCMUA or Grinnell.

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

**MOTION** that this Resolution be finally adopted made by Freeholder Crabb, 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 Resolution as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center made by Freeholder Parrott, seconded by Freeholder Zellman and passed unanimously.

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## **6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**

### A. Proclamations and Certificates

1. Proclamation in recognition of Thomas Paul Sickles, Jr. attaining the rank of Eagle Scout.

**501-2009**

2. Proclamation in recognition of Matthew Robert McGuinness, attaining the rank of Eagle Scout.

**502-2009**

3. Proclamation declaring the month of September, 2009 as "Alcohol and Drug Addiction Recovery Month".

**503-2009**

Freeholder Vetrano said that there was also a Certificate of Recognition for the Board's approval.

4. Certificate for Liberty Towers in recognition of its 35<sup>th</sup> Anniversary.

**504-2009**

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

### B. Presentation

1. Acknowledging the retirement of Deborah A. Allen, Senior Data Entry Machine Operator, Division of Social Services, who retired after 15 years with the County; Victoria B. Larson, Supervising Librarian, who retired after 30  $\frac{3}{4}$  years with the County; Nancy C. Perry, Senior Recreation Therapy Aide, Division of the Homestead, who retired after 14  $\frac{3}{4}$  years with the County; Scott C. Sargent, County Correction Sergeant, Keogh-Dwyer Correctional Facility, who retired after 25 years with the County; and Terry Sliker, County Correction Sergeant, Keogh-Dwyer Correctional Facility, who retired after 25 years with the County.

## **7. PUBLIC SESSION FROM THE FLOOR**

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

**MOTION** made at 6:06 p.m. by Freeholder Parrott to open the meeting to the Public,

seconded by Freeholder Wirths and passed unanimously.

### **Comments from Linda Ward, Catholic Family Charities**

Linda Ward, Catholic Family Charities, came forward; she discussed the project with the Nutrition Sites and various churches to provide Christmas gifts to the homeless and the poor; she said she participated last year and that it was quite surprising to find out how lonely and poor some of the seniors were; Ms. Ward expressed concern that they would not receive the response that was received last year due to the economy; she said she would like to do more promotion in the County this year and asked if a couple of the Freeholders could promote the project and perhaps even deliver some gifts to the seniors; Ms. Ward asked the Board to consider her request and she would get back to the Board at a later time.

The Board thanked Ms. Ward for her comments.

### **Comments from Joseph Duffy, Catholic Family Charities**

- **Donation of wood**

Joseph Duffy, Catholic Family Charities, came forward; he referred to a previous Freeholder Meeting where he had spoken to the Board regarding the donation of wood from trees that had been taken down by the County; this wood was in turn given to someone in need to use as firewood; he provided an update on the arrangements made with the County to obtain the wood and with the Knights of Columbus who are chopping the wood into logs; he added that the wood is given to those in need who rely on burning wood for heat.

- **Senior Adult Day Center**

Mr. Duffy invited the Board to stop by the Senior Adult Day Center on Mill Street; he said that many improvements have been made; Mr. Duffy said that he felt the Board would be very pleased with these changes.

The Board thanked Mr. Duffy for his comments.

**MOTION** made at 6:10 p.m. by Freeholder Wirths to close the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

## **8. APPROVAL OF CONSENT AGENDA**

- A. RESOLUTION RE: PAYMENT OF BILLS  
**505-2009**
- B. RESOLUTION RE: PAYMENT OF BILLS FOR AUGUST 26, 2009  
**506-2009** AUTHORIZED ON JANUARY 2, 2009
- C. RESOLUTION RE: ALLOCATION OF \$111,741.00 TO THE SUSSEX COUNTY DIVISION OF SOCIAL SERVICES FOR VOUCHERS FOR TRANSPORTATION AND NON-TANF/POST-TANF SUPPORT AND AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK TO EXECUTE A CONTRACT  
**507-2009**
- D. RESOLUTION RE: AUTHORIZATION TO ACCEPT THE PARIS GRANT IN THE AMOUNT OF \$894,143.00 FOR PROJECTS INCLUDING: PURGE & INDEX – SHARED SERVICE, RECORDS MANAGEMENT STAFF, AND RECORDS CENTER – ASBESTOS ABATEMENT (Resolution authorizes the acceptance of these funds in the following amounts: Purge & Index - \$431,575.00; Records

Management Staff - \$167,568.00; and Records Center - \$295,000.00)

- E. **RESOLUTION RE: AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO ALLOW THE SUSSEX COUNTY DEPARTMENT OF ENVIRONMENTAL AND PUBLIC HEALTH SERVICES TO APPLY FOR CAPACITY-BUILDING FUNDING FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) FOR THE SUSSEX COUNTY MEDICAL RESERVE CORPS (Resolution authorizes this Application in the amount of \$5,000.00)**  
**509-2009**
- F. **RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO ENDORSE A MODIFICATION ALLOWING FOR A NO COST TIME EXTENSION UNTIL NOVEMBER 30, 2009 FOR 2006 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT, JAG-1-15TF-06**
- G. **RESOLUTION RE: COOPERATIVE AGREEMENT BETWEEN THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS AND SCARC, INC. TO EFFECTUATE THE REHABILITATION OF VARIOUS SCARC, INC. OWNED AND OPERATED GROUP HOMES (Resolution authorizes this Agreement as a result of the County receiving \$318,000.00 in grant funds for this rehabilitation)**  
**511-2009**
- H. **RESOLUTION RE: AMENDING THE RESOLUTION "AUTHORIZING THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SUSSEX TO EXECUTE A CONTRACT FOR THE PURCHASE OF REAL PROPERTY COMMONLY KNOWN AS 201 WHEATSWORTH ROAD, HARDYSTON TOWNSHIP, SUSSEX COUNTY, NEW JERSEY FROM SUSSEX BANK" ADOPTED JUNE 10, 2009**  
**512-2009**
- I. **RESOLUTION RE: AUTHORIZING THE ENTRY INTO A CONTRACT WITH ADP, INC., TO PROVIDE PAYROLL SERVICES TO THE COUNTY OF SUSSEX PURSUANT TO N.J.A.C. 1:30-17.3 ET SEQ.**  
**(Title Changed)**

**Freeholder Vetrano noted that there was a change in the title of Resolution 8. I.**

- I. **RESOLUTION RE: AUTHORIZING THE ENTRY INTO AN AGREEMENT WITH ADP, INC., TO PROVIDE PAYROLL SERVICES TO THE COUNTY OF SUSSEX PURSUANT TO N.J.A.C. 5:30-17.1 ET SEQ.**  
**513-2009**
- J. **RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2009 BUDGET OF THE COUNTY OF SUSSEX FOR THE CONTRACT FOR THE CASE MANAGEMENT SERVICES #10-131-SCH-L-2 FOR THE TOTAL AMOUNT OF \$83,692.00**  
**514-2009**
- K. **RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF**

**515-2009** ANY SPECIAL ITEM OF REVENUE IN THE CURRENT BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE RIGHT TO KNOW PROGRAM FOR A TOTAL AMOUNT OF \$9,380.00

L. **516-2009** RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE CURRENT BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE COUNTY COMPREHENSIVE CANCER CONTROL PLAN GRANT FOR A TOTAL AMOUNT OF \$65,000.00 FOR THE PERIOD OF JULY 1, 2009 TO JUNE 30, 2010

M. **517-2009** 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 purchase orders for Lyrasis, Inc.)

**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 Zellman to approve the Financial Consent Agenda, seconded by Freeholder Parrott.

**Resolution 8. L.**

Freeholder Vetrano asked if Project Self Sufficiency and the Comprehensive Cancer Control Plan worked together.

Freeholder Wirths said that he was on that committee; he said that it did seem like a duplicate; he said that the Comprehensive Cancer Control Plan was very aggressive in doing screening.

Mr. Eskilson said that this was used for workshops and education regarding early detection; he added that County Health did do a number of cancer screenings, but those were separate from this grant.

**Resolution 8. H.**

Freeholder Vetrano said that this purchase would take the County one step closer to solving the Administrative Center's space issue.

On Roll Call the vote was:

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

**9. APPROVAL OF MINUTES** Regular Meeting August 19, 2009

**MOTION** made by Freeholder Wirths to approve these Minutes, seconded by Freeholder Parrott and passed unanimously.

**10. APPOINTMENTS AND/OR RESIGNATIONS**

There were no Appointments and/or Resignations.

**11. RESOLUTIONS**

- A. RESOLUTION RE: APPROVING THE USE OF THE TERM "SUSSEX COUNTY SKYLANDS RIDE" AS THE PROGRAM NAME FOR THE SUSSEX COUNTY OFFICE OF TRANSIT AND AUTHORIZING THE FILING OF AN APPLICATION TO REGISTER A TRADE MARK  
**518-2009**
  
- B. RESOLUTION RE: ADOPTION OF SMALL CITIES CITIZEN PARTICIPATION PLAN  
**519-2009**
  
- C. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE BOARD CLERK TO EXECUTE AN AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND ELIZABETHTOWN GAS COMPANY ALLOWING ATTACHMENT OF A NATURAL GAS MAIN TO SUSSEX COUNTY BRIDGE Q-21 LOCATED ALONG CR 517 IN SPARTA TOWNSHIP AND SUSSEX COUNTY BRIDGE O-04 LOCATED ALONG CR 517 IN OGDENSBURG BOROUGH  
**520-2009**

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

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

- A. Awards of Contract
  - 1. RESOLUTION RE: AUTHORIZING THE RETENTION AND COMPENSATION OF RONALD REBISH, APPRAISAL SERVICES OF NORTH JERSEY, IN CONNECTION WITH THE ACQUISITION OF DEVELOPMENT RIGHTS FOR THE CRISMAN BROTHERS, LLC 1 AND 2, CRISMAN, ET AL, VAN WINGERDEN, GREEN AND KLEIN FARMS IN FREDON TOWNSHIP; FOR THE CHARLES AND WILLIAM GORDON FARMS IN HAMPTON TOWNSHIP; FOR THE DE VRIES FARM IN HAMPTON AND LAFAYETTE TOWNSHIPS; AND FOR THE GOLDMAN FRANKFORD FARM PARTNERS FARM IN FRANKFORD TOWNSHIP FOR THE 2009 COUNTY FUNDING ROUND  
**521-2009**
  
  - 2. RESOLUTION RE: AUTHORIZING THE RETENTION AND COMPENSATION OF ROBERT COOPER, LANDMARK 1 APPRAISAL, IN CONNECTION WITH THE ACQUISITION OF DEVELOPMENT RIGHTS FOR THE CRISMAN BROTHERS, LLC 1 AND 2, CRISMAN, ET AL, VAN WINGERDEN, GREEN AND KLEIN FARMS IN FREDON TOWNSHIP; FOR THE CHARLES AND WILLIAM GORDON FARMS IN HAMPTON TOWNSHIP; FOR THE DE VRIES FARM IN HAMPTON AND LAFAYETTE TOWNSHIPS; AND FOR THE  
**522-2009**

GOLDMAN FRANKFORD FARM PARTNERS  
FARM IN FRANKFORD TOWNSHIP FOR THE  
2009 COUNTY FUNDING ROUND

3. **RESOLUTION RE: EMERGENCY SITUATION PERTAINING TO AIR QUALITY AT 83 SPRING STREET, NEWTON, NEW JERSEY AND AUTHORIZING THE AWARD OF CONTRACTS FOR THE REQUIRED MATERIALS AND SERVICES WITHOUT PUBLIC BIDDING IN ACCORDANCE WITH N.J.S.A. 40A:11-6**  
**523-2009**
  
4. **RESOLUTION RE: AWARD OF CONTRACT FOR ICE CONTROL MATERIALS (SALT AND GRITS) FOR THE COUNTY OF SUSSEX DIVISION OF PUBLIC WORKS (Resolution awards this Contract to the lowest responsible bidders, Diamond Sand & Gravel in the amount of \$10.85 per ton for a total amount of approximately \$108,500.00 based on unit prices and Atlantic Salt, Inc. in the amount of \$62.00 per ton for a total amount of approximately \$1,240,000.00 based on unit prices)**  
**524-2009**
  
5. **RESOLUTION RE: AWARD OF CONTRACT FOR GARBAGE REMOVAL FROM VARIOUS SUSSEX COUNTY BUILDINGS AND FACILITIES FOR THE DIVISION OF FACILITIES MANAGEMENT (Resolution awards this Contract to the lowest responsible bidder, Waste Management of NJ, Inc. with the total amount of the Contract for the first year being approximately \$48,342.32)**  
**525-2009**
  
6. **RESOLUTION RE: AWARD OF CONTRACT FOR CONCRETE REPAIRS AT THE SUSSEX COUNTY JUDICIAL COMPLEX PARKING DECK FOR THE COUNTY OF SUSSEX**  
**Pulled from Agenda**

**MOTION** made by Freeholder Wirths to adopt Resolutions 12. A. 1 through 12. A. 5., seconded by Freeholder Crabb.

**Resolution 12. A. 1.**

Freeholder Crabb referred to page two of Resolution 12. A. 1.; he pointed out that Farm 2 and Farm 3, even though there was a different owner listed for each farm, that it seemed like the exact same Lot and Block and acreage were listed for both; he asked if the County had to pay twice for the same farm.

There was a brief discussion as to whether it was the same physical property and if the County was paying the appraiser twice.

Mr. McConnell said that Resolution 12. A. 1., and Resolution 12. A. 2., as this Resolution was also for the same farms as Resolution 12. A. 1., would be subject to confirmation with staff that this was either a 204 acre farm that is being sub-divided into two parcels, or that there has been a typographical error and the Lot and Block designation is inappropriate, and the

appropriate Lot and Block designations for the Crisman Brothers Farm, LLC 1 and the Jeff Crisman Farm, et al, should be inserted in both Resolutions.

After a brief discussion, it was determined that the Motion would include that approval of Resolutions 12. A. 1, and 12. A. 2., would be subject to confirmation with staff that this was either a 204 acre farm that is being sub-divided into two parcels, or that there has been a typographical error and the Lot and Block designation is inappropriate, and the appropriate Lot and Block designations for the Crisman Brothers Farm, LLC 1 and the Jeff Crisman Farm, et al, should be inserted in both Resolutions.

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: THIRD AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH FRENCH & PARRELLO ASSOCIATES, P.A., TO PROVIDE ADDITIONAL ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE Q-09 CARRYING SUSSEX COUNTY ROUTE 620 (MAIN STREET) OVER GLEN BROOK IN THE TOWNSHIP OF SPARTA PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this increase of \$15,600.13 for additional engineering work that is necessary to address NJDOT project review comments relevant to American Recovery and Reinvestment Act of 2009 (ARRA) requirements)**
2. **RESOLUTION RE: THIRD AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH WILBUR SMITH ASSOCIATES TO PROVIDE ENGINEERING SERVICES FOR THE REPLACEMENT OF SUSSEX COUNTY BRIDGE Q-11 CARRYING COUNTY ROUTE 620 (GLEN ROAD) OVER SPARTA GLEN BROOK IN THE TOWNSHIP OF SPARTA PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this increase of \$23,022.26 for additional engineering work that is necessary to address NJDOT project review comments relevant to American Recovery and Reinvestment Act of 2009 (ARRA) requirements)**

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

**Resolutions 12. B. 1. and 12. B. 2.**

Freeholder Zellman noted that there was a maximum of \$3.7 million for the ARRA funds for this; she asked if these Change Orders would use some of the balance that was going to be used for road resurfacing.

Mr. Eskilson replied that it might very well be that way; he said it was a logical conclusion, but he could not tell Freeholder Zellman that for sure; he added that the monies that were

intended to stimulate the economy in 2009 were not going to be available until next year because of the additional paperwork requirements foisted upon the County by the Federal and State Governments.

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: CHANGE IN TITLE, TEXT, OR AMOUNT OF  
**528-2009** APPROPRIATIONS PURSUANT TO N.J.S.A. 40A:4-85
  
- B. RESOLUTION RE: EMERGENCY APPROPRIATION FOR PAYROLL  
**529-2009** OBLIGATIONS FOR FEDERAL AND STATE TAX DEPOSITS (Resolution authorizes this appropriation in the amount of \$2,500,000.00 for certain statutory payroll obligations for Federal and State tax deposits)
  
- C. RESOLUTION RE: AMENDING THE 2009 CAPITAL BUDGET  
**530-2009**
  
- D. RESOLUTION RE: RESOLUTION OF THE COUNTY OF SUSSEX, NEW  
**531-2009** JERSEY, MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 ET SEQ.

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

On Roll Call the vote was:

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

E.

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**INTRODUCTION FOR FIRST READING – BOND ORDINANCE  
532-2009**

**BOND ORDINANCE OF THE COUNTY OF SUSSEX, NEW JERSEY, PROVIDING FOR THE CONNECTION OF THE SUSSEX COUNTY TECHNICAL SCHOOL TO THE TOWNSHIP OF SPARTA WATER SUPPLY SYSTEM BY THE SUSSEX COUNTY VOCATIONAL SCHOOL, APPROPRIATING \$500,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000.00 BONDS OR NOTES OF THE COUNTY FOR FINANCING THE COST THEREOF**

**MOTION** to adopt this Bond Ordinance on first reading made by Freeholder Wirths, seconded by Freeholder Parrott.

**Comment from Freeholder Vetrano regarding cost of connecting water supply system**

Freeholder Vetrano said that good news was received today that this figure was reduced to approximately \$350,000.00 to \$375,000.00; he added that Robert Clark of the Technical School said that notification was received from the State that the Technical School would be receiving the grants it applied for, allowing for the needed repairs to be done.

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 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 September 23, 2009 at 5:00 pm prior to final adoption of this Bond Ordinance made by Freeholder Parrott, seconded by Freeholder Wirths and passed unanimously.

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F.

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**INTRODUCTION FOR FIRST READING – BOND ORDINANCE  
533-2009**

**BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF REAL PROPERTY LOCATED AT 201 WHEATSWORTH ROAD, HARDYSTON TOWNSHIP, RENOVATION THEREOF AND ACQUISITION OF OFFICE FURNITURE THEREFOR FOR USE BY THE COUNTY, APPROPRIATING \$2,550,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,619,000.00 BONDS OR NOTES OF THE COUNTY TO FINANCE PART OF THE COST THEREOF**

**MOTION** to adopt this Bond Ordinance on first reading made by Freeholder Wirths, seconded by Freeholder Vetrano.

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 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 September 23, 2009 at 5:00 pm prior to final adoption of this Bond Ordinance made by Freeholder Wirths, seconded by Freeholder Crabb and passed unanimously.

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G.

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**INTRODUCTION FOR FIRST READING – REFUNDING BOND ORDINANCE  
534-2009**

**REFUNDING BOND ORDINANCE FUNDING AN EMERGENCY APPROPRIATION BY THE COUNTY OF SUSSEX, NEW JERSEY, TO RESTORE FUNDS FOR PAYROLL OBLIGATIONS FOR FEDERAL AND STATE TAX OBLIGATIONS THAT WERE MISAPPROPRIATED BY A PRIVATE PAYROLL SERVICE, APPROPRIATING \$2,500,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF BONDS OR NOTES OF THE COUNTY FOR FINANCING THE COST THEREOF**

**MOTION** to adopt this Bond Ordinance on first reading made by Freeholder Parrott, seconded by Freeholder Vetrano.

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 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 September 23, 2009 at 5:00 pm prior to final adoption of this Bond Ordinance made by Freeholder Wirths, seconded by Freeholder Crabb and passed unanimously.

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**14. PERSONNEL**

- A. Personnel Agenda

**MOTION** made by Freeholder Wirths to approve the Personnel Agenda in accordance with the County Administrator's recommendations, seconded by Freeholder Crabb and approved unanimously.

**15. ADMINISTRATIVE REPORT**

- A. Other

Mr. Eskilson stated that he did not have a report at this time.

**16. COUNTY COUNSEL**

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

Mr. McConnell stated that he did not have a report at this time.

**17. UNFINISHED BUSINESS**

There were no items for Unfinished Business.

**18. NEW BUSINESS**

There were no items for New Business.

**19. PUBLIC SESSION FROM THE FLOOR**

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

**MOTION** made at 6:37 p.m. by Freeholder Parrott to open the meeting to the Public, seconded by Freeholder Wirths and passed unanimously.

There was no one.

**MOTION** made at 6:38 p.m. by Freeholder Parrott to close the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

**20. FREEHOLDERS' COMMENTS**

**Share Grants received**

Freeholder Crabb stated that a \$48,000.00 Share Grant approval was received to provide two temporary persons for purging, scanning and shelving the Hopatcong Health documents.

A \$79,000.00 Share Grant approval was received for fleet maintenance software which would integrate all of the invoices to allow for documenting the true costs for every County vehicle; also included is equipment and training on the software.

Freeholder Crabb added that receiving these grants will allow the County to stretch out its PARIS funding; also, out of 14 Counties that made application, Sussex County was presented with an award for the County Government whose project best exemplifies an enterprise wide, rather than stand alone approach to imaging and microfilming, putting all departments, agencies, and offices on a common platform.

**Price of salt and grit**

Freeholder Crabb said that the price of salt and grit was down and would be a \$120,000.00 savings based on what the County used last year.

**Hopatcong Health**

Mr. Eskilson added that the Borough of Hopatcong also received \$68,000.00 for its part in the health merger, which was submitted on Hopatcong's behalf by Keith Armstrong,

**SWAC Meeting**

Freeholder Crabb stated that at last evening's SWAC Meeting, there was discussion regarding the Grinnell letter objecting to the flow control; he said that the SWAC decided to compose a letter of its own to ask Grinnell some information regarding how much Grinnell was doing for ID13; Freeholder Crabb said that he felt the letter would now be a moot point.

Mr. McConnell said not necessarily because Grinnell wanted to know the process for recycling, specifically, what was to be done with what Grinnell was not sure of regarding residual.

**Bids for County garbage collection**

Freeholder Wirths said that for years, the County has been trying to get a competitive bid for the County's garbage; the good news is that two bids came in and the County's present hauler was the low bidder.

**9/11 Memorial Service**

Freeholder Parrott complimented Freeholder Vetrano for the great job on the 9/11 Memorial Service; he added that he felt it was a terrific ceremony.

## **Department of Environmental & Public Health Services**

Freeholder Parrott said that County Health was working with the schools in the County regarding the H1N1 flu virus; he said there would be a report next month regarding the review with the schools.

## **Wheatsworth Road**

Freeholder Parrott said that he felt the taxpayers should know that the complete package for the building is about \$2.5 million versus the approximately \$6 million it would have cost to renovate the current County facilities.

## **Request for ADP to send quarterly verification regarding submission of taxes**

Freeholder Parrott said that he would like ADP to send a quarterly verification to the County that all of its Federal and State taxes have been paid.

## **Six County Coalition Meeting**

Freeholder Zellman said that the Jets facility where the September 2, 2009 Six County Coalition Meeting was held was very impressive; she added that the presentations by the combined hospital facilities, Saint Clare's, Chilton Memorial, and Atlantic Healthcare Systems, were excellent; she said the other presentation was by Glen Roe, Treasurer for Morris County; Freeholder Zellman said that John Eskilson had sent out an email which summarized the presentation which was really the voice of doom and gloom for the Counties as far as the financial aspect; she said that Mr. Roe had commented that County business as we know it would not be the same five years from now in Morris County; Freeholder Zellman said that she felt that it would be even more escalating in Sussex County.

Freeholder Zellman said she felt it would be helpful for Sussex County to participate in the Task Force as well.

Mr. Eskilson noted that the topics of pension reform and CAP reform are issues that keep coming up and are presented to the Legislators; perhaps it should be framed a little differently; frame it as an issue of sustainability and incorporate within that discussion of economic sustainability those items and perhaps others; he said that he felt the discussion needed to be re-framed and re-positioned beyond those issues that the Legislators are constantly presented with; it has not seemed to resonate in the past; Mr. Eskilson said that they needed to get all of their counterparts to take a look five years out and do the straight line and other projections and present that as an issue of sustainability and the inability under the current circumstances to remain sustainable or even survive five years out.

Freeholder Zellman said that she felt Mr. Eskilson's point was well taken as far as all of the County's counterparts; she said that Peter Palmer would be the President of NJAC next year; next month Mr. Palmer is attending the meeting of the Southern Counties Freeholders Association; she noted that Mr. Palmer wanted to establish a link with that organization as well; this would then be the 6 northern Counties and the 8 Counties in the Southern Counties Freeholders Association; Freeholder Zellman said that the next Six County Coalition Meeting was scheduled for December 2, 2009, and was being hosted by Passaic County; she said that Passaic County would like to invite Bergen County to participate; together there would be 15 out of the 21 Counties.

## **9/11 Memorial Service**

Freeholder Vetrano said that he was pleased with the 9/11 Memorial Service.

## **Economic Innovation Award**

Freeholder Vetrano noted that the Farmers Market was being nominated to receive the Economic Innovation Award from the Sussex County Economic Development Partnership.

## **Sale of the Youth Shelter**

Freeholder Vetrano asked if the sale of the Youth Shelter was moving along.

Mr. Eskilson said that the environmental assessment was about 99% completed; Mr. McConnell said that the next step was for the notices of the Public Hearings.

Freeholder Vetrano said that he went with John Eskilson, Keith Armstrong, and John Drake to see a Central 9-1-1 Dispatching Center in Orange County; he acknowledged the tremendous amount of time that both Mr. Armstrong and Mr. Drake have invested into this fact finding process to look at the potential for a Central 9-1-1 Dispatching Center.

Freeholder Vetrano noted that his previous concern was having an Emergency Operating Center (EOC) and a Central 9-1-1 Dispatching Center located in the same building; he said that he is now convinced that this is the way to go; there is much advantage and potential for information sharing on the law enforcement aspect on having the Central 9-1-1 Dispatching Center; Freeholder Vetrano said that there was a cost associated with all this and for a long time this was pushed to the back burner; the idea is gaining momentum and some of the largest towns are currently PSAPs and are looking for the County to take a lead role in establishing a Central 9-1-1 Dispatching Center; he said that he hoped this happened sometime between now and the end of the year, adding that he felt the County would have to be the leader in this area; Freeholder Vetrano said that there was much talk about shared services and this would truly be one of the biggest opportunities the County will have to share services among the 24 municipalities and at the same time deliver a more efficient service than what is being delivered now.

Freeholder Vetrano said that the County needed to step up to the plate and make the difficult decisions regarding establishing a Central 9-1-1 Dispatching Center; he added that it would be of great value to the residents of Sussex County; Warren County is interested in partnering with Sussex County to establish a back-up with Sussex County.

If any members of the Board are interested in seeing any of these other facilities, Freeholder Vetrano said that arrangements could be made to visit Warren County and Orange County.

## **Liberty Towers 35<sup>th</sup> Anniversary Event**

Freeholder Vetrano said that Liberty Towers was hosting its 35<sup>th</sup> Anniversary Celebration on September 22, 2009, at 4:30 p.m.; he stated that both he and Freeholder Zellman were unable to attend and asked if any member of the Board would be available to present the Certificate of Recognition at that time.

Freeholder Wirths said that he would attend and present the Certificate of Recognition.

## **SCMUA Commissioner**

Freeholder Vetrano said that he had two conversations with one of the Sussex County Municipal Utilities Authority Commissioners that has not attended recent meetings; he said that this Commissioner has no intention of going back between now and the end of his term.

There was a brief discussion; Freeholder Wirths said that as Liaison, he would give direction to the SCMUA Commission to continue to denote this Commissioner as "non-excused".

## **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                      September 23, 2009                      Regular Meeting                      5:00 pm

**23. ADJOURNMENT**

**MOTION** made at 6:58 p.m. by Freeholder Wirths to adjourn, seconded by Freeholder Zellman and passed unanimously.

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Elaine A. Morgan, Clerk

**DATED: September 9, 2009**