

REGULAR MEETING HELD ON WEDNESDAY, SEPTEMBER 23, 2009

5:00 PM

ORDER OF BUSINESS

Item

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

2. ROLL CALL: Freeholder Crabb; Freeholder Deputy Director Parrott;
Freeholder Wirths; John Eskilson, County Administrator; Dennis
McConnell, County Counsel; Elaine Morgan, Clerk

Absent: Freeholder Vetrano and Freeholder Zellman

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.

PUBLIC HEARING – 5:05 PM

FINAL ADOPTION – BOND ORDINANCE
(Adopted later in the meeting)

Freeholder Director Vetrano: "At our regular meeting held on September 9, 2009, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of September 14, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

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

Is anyone present to be heard regarding this Bond Ordinance?

There was no one.

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

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

On Roll Call the vote was:

| | |
|----------------------------|-----|
| Freeholder Crabb | yes |
| Freeholder Wirths | yes |
| Freeholder Deputy Director | yes |

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

There was a short discussion concerning the fact that the actual cost of this project may be reduced by approximately 40% due to grants that the Technical School may receive from the State.

B.

PUBLIC HEARING – 5:07 PM

FINAL ADOPTION – BOND ORDINANCE
(Adopted later in the meeting)

Freeholder Director Vetrano: "At our regular meeting held on September 9, 2009, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of September 14, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

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

Is anyone present to be heard regarding this Bond Ordinance?

There was no one.
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MOTION that the Public Hearing be closed made by Freeholder Crabb, seconded by Freeholder Wirths and passed unanimously.

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

On Roll Call the vote was:

| | |
|----------------------------|-----|
| Freeholder Crabb | yes |
| Freeholder Wirths | yes |
| Freeholder Deputy Director | yes |

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

C.

PUBLIC HEARING – 5:09 PM

**FINAL ADOPTION – BOND ORDINANCE
(Adopted later in the meeting)**

Freeholder Director Vetrano: "At our regular meeting held on September 9, 2009, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of September 14, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

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

Is anyone present to be heard regarding this Bond Ordinance?

There was no one.

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

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

On Roll Call the vote was:

| | |
|----------------------------|-----|
| Freeholder Crabb | yes |
| Freeholder Wirths | yes |
| Freeholder Deputy Director | yes |

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

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations and Certificates

1. Proclamation in recognition of Michael Yanoso attaining the rank of Eagle Scout.

535-2009

2. Certificate for Ellen Courtright in celebration of her 100th birthday.

536-2009

MOTION made by Freeholder Wirths to approve this Proclamation and Certificate, seconded by Freeholder Crabb and passed unanimously.

7. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:10 pm by Freeholder Crabb to open the meeting to the public, seconded by Freeholder Wirths and passed unanimously.

Darryl Savage, 18 Hilltop Trail, Sparta came forward and said she was curious about the acquisition of 201 Wheatsworth Road; she asked what that property was going to be used for.

Freeholder Parrot gave Ms. Savage a brief history of the property and then he turned it over to the County Administrator.

Mr. Eskilson indicated that three of the County's operations are moving out to that property; one is Fleet Maintenance; he explained why this building is well-suited for that operation; the second component is the Transit component; the County operates approximately 30 buses around the County; he explained why it was important for that operation to be moved to the new building; the third operation is the Department of Environmental and Public Health Services; he explained that the County's Health operations has grown over the last five years by taking over every municipality in the County; he also explained by doing this, it will relieve some pressure on parking at this building and avoids having to do the parking deck; he said the County does have to do some renovations to allow the three operations to go to that building.

Ms. Savage thanked the Board for the information and then noticed that the bond for that building is almost the same as the bond for the payroll issues; she wondered if the Board would consider putting off something like buying that building when an unexpected expense comes up as the one with the payroll service.

Mr. Eskilson said it was a criminal act perpetrated against not only the taxpayers here but all over the State; but the Wheatsworth Road project was launched in advance of that and there are those avoided costs; if you want to count on the low end, \$2.5 million of avoided costs and it still makes sense.

There was a short discussion.

Ms. Savage asked if there was anything the Board can do in the future to prevent the payroll situation from happening again.

Mr. Eskilson said there is now, there wasn't before; the County now has a \$10 million bond in place that is a product that wasn't available in the past; now there are other checks and balances in place.

Freeholder Crabb said that one of the first things the Board talked about was the bonding aspects and came to the discovery that that wasn't an accepted best practice for third party payroll firms; since that time, it has become obvious that the County has to do something above and beyond to make 1,000% sure that this doesn't happen again.

Freeholder Parrott added that the issue having to do with recovery has not been fully addressed yet as far as asset distribution, what might be coming back to the County after the receivers are all done and the bankruptcy takes place. There was a short discussion.

Freeholder Wirths explained that the payroll service issue was not a long standing problem, it was one quarter's taxes before the County detected it. There was a short discussion.

MOTION made at 5:25 pm 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
537-2009

B. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR
538-2009 TO EXECUTE CONTRACT MODIFICATION #1 WITH THE
NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF

FAMILY DEVELOPMENT TO PROVIDE \$110,355.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JANUARY 1, 2009 TO DECEMBER 31, 2009 (Resolution authorizes this additional funding from the ARRA and reflects changes within the Budget Categories of "A. Personnel" and "F. Other")

- C. **RESOLUTION RE: AUTHORIZING THE FILING AND EXECUTION OF THE 539-2009** FY 2010 (JANUARY 1, 2010 TO DECEMBER 31, 2010) JUVENILE JUSTICE COMMISSION'S COMPREHENSIVE COUNTY FUNDING APPLICATION FOR A TOTAL AMOUNT OF \$386,040.00 (Resolution authorizes this Application in the amount of \$153,379.00 in State/Community Partnership Program Services funding, \$55,550.00 in Program Management funding, \$165,448.00 in Family Court funding and \$10,497.00 in JABG funding for specific program)
- D. **RESOLUTION RE: AUTHORIZING DIRECTOR, SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS, TO EXECUTE, 2009-2010 540-2009** TITLE IV-D REIMBURSEMENT AGREEMENT BETWEEN THE SUSSEX COUNTY SHERIFF'S OFFICE AND THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT (Resolution authorizes this Agreement in the amount of \$577,426.00 for the term of October 1, 2009 through September 30, 2010)
- E. **RESOLUTION RE: TERMINATING THE CONTRACT WITH ASSESSMENT AND TREATMENT SERVICES FOR THE FAMILY CRISIS 541-2009** INTERVENTION UNIT PROGRAM FOR THE CITIZENS OF SUSSEX COUNTY FOR THE PERIOD OF JANUARY 1, 2009 THROUGH DECEMBER 31, 2009 (Resolution authorizes the termination of this Contract and the reallocation of the balance of \$15,150.00)
- F. **RESOLUTION RE: AUTHORIZING THE ENTRY INTO AN AGREEMENT 542-2009** BETWEEN THE COUNTY OF SUSSEX AND THE SUSSEX COUNTY TECHNICAL SCHOOL FOR THE PROVISION OF CORE CURRICULUM TEACHING SERVICES TO JUVENILES CONFINED WITHIN THE COUNTY JUVENILE DETENTION CENTER FOR THE PERIOD OF JULY 1, 2009 TO DECEMBER 31, 2009 (Resolution authorizes this Agreement in the amount of \$82,500.00)
- G. **RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF 543-2009** ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE EARLY INTERVENTION SERVICE COORDINATION, EXTENSION JULY 1 – AUGUST 31, 2009, IN THE TOTAL AMOUNT OF \$54,495.00

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 Wirths to approve the Financial Consent Agenda, seconded by Freeholder Crabb.

On Roll Call the vote was:

| | |
|----------------------------|-----|
| Freeholder Crabb | yes |
| Freeholder Wirths | yes |
| Freeholder Deputy Director | yes |

MOTION made at 5:27 pm by Freeholder Crabb to take a 2 minute recess, seconded by Freeholder Wirths and passed unanimously.

MOTION made at 5:29 pm by Freeholder Crabb to come back into session, seconded by Freeholder Wirths and passed unanimously.

Freeholder Parrott explained that the bonds that were approved earlier needed to have four Freeholders voting on them and not three; he contacted Freeholder Zellman, who said she would participate in the meeting by phone.

Freeholder Zellman was on a speaker phone to participate at 5:31 pm.

A.

PUBLIC HEARING – 5:31 PM

**FINAL ADOPTION – BOND ORDINANCE
544-2009**

Freeholder Director Vetrano: "At our regular meeting held on September 9, 2009, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of September 14, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

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

Is anyone present to be heard regarding this Bond Ordinance?

There was no one.

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

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

On Roll Call the vote was:

| | |
|----------------------------|-----|
| Freeholder Crabb | yes |
| Freeholder Wirths | yes |
| Freeholder Zellman | yes |
| Freeholder Deputy Director | 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 Wirths, seconded by Freeholder Zellman and passed unanimously.

B.

PUBLIC HEARING – 5:33 PM

**FINAL ADOPTION – BOND ORDINANCE
545-2009**

Freeholder Director Vetrano: "At our regular meeting held on September 9, 2009, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of September 14, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

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

Is anyone present to be heard regarding this Bond Ordinance?

There was no one.

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

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

On Roll Call the vote was:

| | |
|----------------------------|-----|
| Freeholder Crabb | yes |
| Freeholder Wirths | yes |
| Freeholder Zellman | yes |
| Freeholder Deputy Director | yes |

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

C.

PUBLIC HEARING – 5:35 PM

**FINAL ADOPTION – BOND ORDINANCE
546-2009**

Freeholder Director Vetrano: "At our regular meeting held on September 9, 2009, we introduced for first reading the following Bond Ordinance which was advertised in the New Jersey Herald issue of September 14, 2009, together with a Notice of Public Hearing stating it would be held at this meeting at 5:00 PM:

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

Is anyone present to be heard regarding this Bond Ordinance?

There was no one.

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

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

On Roll Call the vote was:

| | |
|----------------------------|-----|
| Freeholder Crabb | yes |
| Freeholder Wirths | yes |
| Freeholder Zellman | yes |
| Freeholder Deputy Director | 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 Wirths, seconded by Freeholder Crabb and passed unanimously.

Freeholder Zellman left participating in the meeting at 5:36 pm.

9. APPROVAL OF MINUTES Regular Meeting September 9, 2009

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

10. APPOINTMENTS AND/OR RESIGNATIONS

There were none.

11. RESOLUTIONS

- A. RESOLUTION RE: ENDORSEMENT OF THE 2010 YOUTH SERVICES COMMISSION'S COMPREHENSIVE YOUTH SERVICES PLAN UPDATE FOR SUSSEX COUNTY
547-2009
- B. RESOLUTION RE: EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND INTERNAL GARDENS TAI CHI, LLC FOR THE PURPOSE OF ADOPTING COUNTY ROUTE 517 FROM MILE MARKER 34.0 TO MILE MARKER 36.0 IN THE TOWNSHIP OF SPARTA THROUGH THE ADOPT A COUNTY ROAD PROGRAM
548-2009
- C. RESOLUTION RE: RESOLUTION URGING STATE FUNDING FOR THE MAINTENANCE AND PROTECTION OF LAKE MUSCONETCONG
549-2009
- D. RESOLUTION RE: AMENDING RESOLUTION ENTITLED "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
550-2009

SUSSEX COUNTY BRIDGE O-04 LOCATED ALONG CR
517 IN OGDENSBURG BOROUGH" ADOPTED
SEPTEMBER 9, 2009

MOTION made by Freeholder Wirths to adopt these Resolutions, seconded by Freeholder Crabb and passed unanimously.

12. AWARDS OF CONTRACTS/CHANGE ORDERS/BIDS

A. Awards of Contract

1. **RESOLUTION RE: 551-2009** AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES AGREEMENT WITH RAYMOND E. O'BRIEN, R.A., INC. FOR THE PROVIDING OF SCHEMATIC AND DESIGN DEVELOPMENT DRAWINGS FOR THE RENOVATION TO WHEATSWORTH CAMPUS AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution authorizes this Agreement in the amount not to exceed \$23,050.00)
2. **RESOLUTION RE: 552-2009** AUTHORIZING THE ENTRY INTO A PROFESSIONAL SERVICES CONTRACT WITH CAPITOL CARE FOR THE PROVISION OF INTOXICATED DRIVER RESOURCE CENTER SERVICES WITHOUT COMPETITIVE BIDDING AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) (Resolution awards this Contract for these services for the period of September 26, 2009 to December 31, 2009, with no County funds necessary for this Contract)
3. **RESOLUTION RE: 553-2009** AWARD OF CONTRACTS FOR BITUMINOUS CONCRETE FOR THE COUNTY OF SUSSEX DIVISION OF PUBLIC WORKS 2009-2010 (Resolution awards these Contracts to the low bidder for each item based on location and per ton mile hauled)
4. **RESOLUTION RE: 554-2009** AWARD OF CONTRACT FOR DRAINAGE PIPE & TUBING; HIGH DENSITY POLYETHYLENE (HDPE) FOR THE COUNTY OF SUSSEX (Resolution awards this Contract to the lowest responsible bidder, Chemung Supply Corporation, at the unit prices proposed in the bid)
5. **RESOLUTION RE: 555-2009** AWARD OF CONTRACT FOR ONE (1) 2010 MODEL YEAR PETERBILT 340, FREIGHTLINER M2, INTERNATIONAL 7400, OR EQUAL DUMP TRUCK WITH PLOW AND SPREADER FOR THE COUNTY OF SUSSEX (Resolution awards this Contract to the lowest responsible bidder, Robert H. Hoover & Sons, in the amount of \$126,715.00)
6. **RESOLUTION RE:** AWARD OF CONTRACT FOR ONE (1) BOBCAT

- 556-2009** SKID-STEER LOADER OR EQUAL (Resolution awards this Contract to the lowest responsible bidder, Bobcat of North Jersey – East, in the total amount of approximately \$41,018.00, without trade-in)
7. **557-2009** RESOLUTION RE: AWARD OF CONTRACT FOR SUPPLY AND DELIVERY OF SODIUM FORMATE FOR THE COUNTY OF SUSSEX DIVISION OF FACILITIES MANAGEMENT (Resolution awards this Contract to the lowest responsible bidder, Clariant Corporation in the amount of \$2,180.00 per metric ton)
8. **558-2009** RESOLUTION RE: AWARD OF CONTRACT FOR CONCRETE REPAIRS AT THE SUSSEX COUNTY JUDICIAL COMPLEX PARKING DECK FOR THE COUNTY OF SUSSEX
9. **(not acted on)** RESOLUTION RE: AWARD OF CONTRACT FOR THE SUPPLY OF ELECTRICITY FOR VARIOUS SUSSEX COUNTY OFFICES AND INSTITUTIONS
10. **(not acted on)** RESOLUTION RE: AWARD OF CONTRACT FOR THE SUPPLY OF NATURAL GAS FOR VARIOUS SUSSEX COUNTY OFFICES AND INSTITUTIONS

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

On Roll Call the vote was:

| | |
|----------------------------|-----|
| Freeholder Crabb | yes |
| Freeholder Wirths | yes |
| Freeholder Deputy Director | yes |

Freeholder Crabb asked if the County intends to resubmit the last two Resolutions at some point; Mr. Eskilson said they were looking at that right now; he mentioned that they have been working on parallel tracks on the procurement of energy, gas and electric, service; the County was also working with the Middlesex Educational Coop, which is a very large group of public entities that jointly purchase electric and gas; what he thinks the County is going to do is refocus on that effort; on the next meeting there will be a Resolution authorizing the joining of that Coop; there is no commitment, if the County wants to use its contracts, it can; there was a short discussion.

B. Change Orders

1. **559-2009** RESOLUTION RE: FIRST AMENDMENT TO RESOLUTION “APPROVAL OF THE REVISED FISCAL YEAR (FY) 2009 ANNUAL TRANSPORTATION PROGRAM (ATP) STATE AID PROJECT POOL FOR THE COUNTY OF SUSSEX” ADOPTED ON JULY 22, 2009 (Resolution authorizes this revision to change distances on four of the paving projects)

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

On Roll Call the vote was:

| | |
|------------------|-----|
| Freeholder Crabb | yes |
|------------------|-----|

There was none.

18. NEW BUSINESS

There was none.

19. PUBLIC SESSION FROM THE FLOOR

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

MOTION made at 5:47 pm by Freeholder Wirths to open the meeting to the public, seconded by Freeholder Crabb and passed unanimously.

Linda Ward, Catholic Charities, came forward and asked when the Swine Flu vaccinations would be available in the County; Mr. Eskilson said the County does not know yet; there was a short discussion.

MOTION made at 5:50 pm by Freeholder Crabb to close the meeting to the public, seconded by Freeholder Wirths and passed unanimously.

20. FREEHOLDERS' COMMENTS

SWAC Representation

Freeholder Crabb informed the Board that he will be drafting a letter to all the municipalities with regard to their SWAC representation to make sure they have active SWAC representation and to make sure that the representative is in communication with the governing body; he is going to recommend that SWAC explicitly send out minutes of every meeting to the individual governing bodies as well as attendance records of their representatives. Freeholder Wirths agreed but suggested e-mailing the minutes.

Liberty Towers Event

Freeholder Wirths said he represented the Board at the Liberty Towers event celebrating its 35 year Anniversary of the only Senior public housing in Sussex County.

Homeland Security (LEPC Meeting)

Freeholder Wirths said earlier in the day he attended the LEPC meeting, which is a group of homeland security professionals; one of the discussions at this meeting was the H1N1 flu; he indicated that the virus can only live 6 to 8 hours, so if a school is simply closed down from 8 at night until 8 in the morning, there would be no chance of the Swine Flu, unless the students bring it back into the school the next day.

Liaison to the Department of Environmental and Public Health Services

Freeholder Parrott said as liaison to the Health Department, he had a meeting with the County Administrator and Herb Yardley, Administrator, Department of Environmental and Public Health Services; he is happy to say that the educational process for the H1N1 flu has been very informative for the schools; there was a short discussion.

SWAC

Freeholder Parrott said they also discussed Flow Control and the health issues for the County.

Center for Prevention and Counseling

Freeholder Parrot indicated he stood in for Freeholder Zellman today at a ceremony having to do with treatment services, addiction and recovery for alcoholism and drug addiction; the one message he came away with from the individuals there is that hope and dignity is what they

want; they have a disease and they are proud of the fact that when they beat the disease, they share their stories with other people.

21. EXECUTIVE SESSION

RESOLUTION RE: REQUESTING EXECUTIVE SESSION

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

There were no items for Executive Session.

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

| | | | |
|-----------|------------------|-----------------|---------|
| Monday | October 12, 2009 | Columbus Day | Holiday |
| Wednesday | October 14, 2009 | Regular Meeting | 5:00 pm |

23. ADJOURNMENT

MOTION made at 5:57 pm by Freeholder Crabb to adjourn, seconded by Freeholder Wirths and passed unanimously.

Elaine A. Morgan, Clerk

DATED: September 23, 2009