

REGULAR MEETING HELD ON WEDNESDAY, FEBRUARY 28, 2018

7:00PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR 7:00 PM

2. ROLL CALL Freeholder Lazzaro, Freeholder Petillo, Freeholder Director
Rose, Freeholder Yardley, Freeholder Graham absent

3. MOMENT OF SILENCE 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 8, 2018 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. APPROVAL OF AGENDA

MOTION made by Freeholder Petillo to approve the Agenda; seconded by Freeholder Lazzaro and passed unanimously.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. PROCLAMATIONS

1. Proclamation in recognition of March as American Red Cross Month
(Ed Susco, Charlie Wortmann, Carol Lee Spages, Fred Spages accepting)
108-2018

This was read into the record by Freeholder Lazzaro.

2. Proclamation in recognition of Robert E. Reilly earning the rank of Eagle Scout.
(Proclamation already presented)
109-2018

3. Proclamation in recognition of Mark J. Reilly earning the rank of Eagle Scout.
(Proclamation already presented)
110-2018

MOTION made by Freeholder Lazzaro to adopt the Proclamations; seconded by Freeholder Petillo and passed unanimously.

B. CERTIFICATE OF RECOGNITION

1. Betsy Reilly Sutherland, Grand Marshal – 2018
(No one accepting)
111-2018

MOTION made by Freeholder Petillo to adopt the Certificate of Recognition; seconded by Freeholder Lazzaro and passed unanimously.

C. PRESENTATION

1. Napoli Shkolnik PLLC, Attorneys At Law
This was moved to later in the meeting due to the late arrival of an associate.

7. PUBLIC HEARINGS

NONE

8. PUBLIC SESSION FROM THE FLOOR

Please Note: Everyone is asked to keep their comments to 5 minutes or less and only address issues regarding agenda items followed by a 3 minute response time from the Freeholder Board. Please state your name, and print your name and municipality on the sign in sheet.

MOTION made at 7:06 PM by Freeholder Petillo to open the meeting to the Public; seconded by Freeholder Lazzaro

Tom Makoujy from Sparta, Acting President of the Beekeepers Association. He came before the Board to request their help on behalf of the 300 members of their organization county wide, on the recent proposed regulations that the NJ Department of Agriculture has issued on beekeepers. He said Sussex County strongly opposes many of the recommendations. He said there is no evidence of a general problem with honeybees that such drastic barriers need to be taken.

Freeholder Yardley asked what prompted these regulations.

Mr. Makoujy stated in 2015 the state passed regulations prohibiting municipalities from prohibiting beekeeping in the municipality. They then suggested to the Dept. of Agriculture that they come up with some workable regulations for beekeepers to be sure the beekeepers were good neighbors. There was a situation that arose with the attorney for the Department of Agriculture who had an issue with a neighbor who was a beekeeper but was not being a responsible beekeeper and it caused problems with the neighborhood. With that, they put forth regulations that were not based on science and this is what created the issue.

Mr. Makoujy feels the proposed regulations are especially erroneous and he is afraid they will drive existing beekeepers underground. They will no longer register their hives because they will no longer want the interference and new beekeepers will be kept from entering in the field.

George and Dorothy Wortche from Wantage, stated that their disabled daughter who was receiving transportation services from SCARC in order to attend a SCARC program is no longer able to receive this service. The transportation contract was terminated and with little advance notice; which has imposed a tremendous burden on the family.

Freeholder Petillo said she was recently made aware of this concern and contacted Human Services Department Administrator Carol Novrit for a solution. The reason why service was terminated is because the State reduced its program funding and the cut was applied to transportation.

Carol Novrit was recognized in the audience and acknowledged that her Department is exploring several ideas but has not yet found a solution. The Skylands bus cannot assist for it is currently occupied with its limitation of wheelchairs riders. However, Ms. Novrit will continue to pursue ideas and hopes to have an answer in the near future. Mrs. Wortche concluded her remarks expressing displeasure that SCARC could have better communicated in advance of the transportation cut.

Laura Tesori, from Byram stated that she has a 25 year old disabled daughter who also attends SCARC and suffers the same transportation burden. Because SCARC has a 10 mile catchment policy they will not provide door to door transport within a 10 mile program radius. However, SCARC still travels to group homes that are outside the radius. Because there is no other program in the County, families with disabilities are at a loss. Medicare covers the transportation costs but there is currently no service provider in Sussex County. Ms. Tesori suggested transportation companies need incentives to provide this level of service.

MOTION made at 7:28 PM to close the Public session by Freeholder Lazzaro; seconded by Freeholder Petillo and passed unanimously.

Presentation by Napoli Shkolnik PLLC, Attorneys at Law

Joseph Ciaccio and Salvatore Badala spoke on opioid litigation that is currently going on across the Country. Mr. Ciaccio said their law firm currently represents 150 to 200 counties and cities that have already filed or are in the process of filing law suits against the Manufacturers and Distributors of opioid pain medications. Napoli and Shkolnik is uniquely positioned to take on the complex task of pursuing opioid litigation on behalf of government entities. The lawsuits will seek to achieve financial recovery for each government entity for the costs associated with this epidemic, including substance abuse programs, insurance/Medicaid, lost productivity, foster care costs, narcotics training and supplying, increased law enforcement. The materials they distributed included research on Sussex County in terms of the opioid distributions rates, overdose rates and some of the effects that they have been able to access that the epidemic has already had on Sussex County.

County Counsel Williams stated we all found out over the years with the tobacco litigation that the tobacco companies knew nicotine was addictive but never disclosed. Already there is evidence that when Pharma was marketing this new opioid pain killer they knew it was addictive and failed to make this disclosure.

Mr. Ciaccio concurred. All of the pharmaceutical companies especially Purdue Pharmaceuticals who is sort of the Grandfather behind this industry has already paid millions if not hundreds of thousands of dollars in fines for this failure. There really is no way of denying it; they pretty much blatantly hid the information about addiction. With Purdue Pharmaceutical, the pain killers were first approved to ease the pain of end of life patients and short term pain relief after surgery. Purdue turned a twenty million dollar per year drug into one producing billions of dollars a year. Quickly other pharmaceuticals companies saw Purdue's profits and they followed right in line.

Freeholder inquiries:

Freeholder Yardley posed questions about what the County could anticipate in awards, why fight this litigation in the State Court and not Federal why should Sussex County consider Napoli Shkolnik?

Mr. Ciaccio responded this is not a class action suit. The County by filing its own lawsuit in State Court will benefit with greater control of the case and greater accountability of the Award. In State Court the case will be heard by a Jury of your New Jersey Peers; unlike the Federal Cases which are being heard around the Country. Why Napoli Shkolnik is because we have a track record for this litigation and we best know what information to solicit and how to present. We have much experience with opioid litigation.

Freeholder Lazzaro asked if Award Recovery is directed towards treatment programs

Mr. Badala stated the recovery depends on what the County wants to do with the money. The County decides where to invest the Award.

Freeholder Rose asked how much did the FDA play in this? Mr. Badala answered that this is not a labeling case, it is a marketing case.

Freeholder Rose said so the legality is that they marketed it wrong. Mr. Badala said it is a case of negligent and deceptive marketing.

9. FREEHOLDERS' COMMENTS

Comments from Freeholder Lazzaro

Freeholder Lazzaro reported that costs for twenty seven storms YTD is \$1, 239,647.00. What is forecasted for this weekend will require a great response in manpower and equipment.

Freeholder Lazzaro recently attended the NJAC meeting which highlighted several Bills pending in the Legislature. One in particular could have a financial impact on the County. Senate Bill 1229 would establish salaries for certain public officials within the judicial, executive and legislative branches of State Government. The Bill Summary statement was read. If and when this Bill passes, it will have an impact on the County budget because we will be directed to cover these expenses as they come up to us. These are the kinds of Bills that pass quietly in Trenton and we find out about them after the fact.

Comments from Freeholder Petillo

Freeholder Petillo congratulated Nicholas Della Ferra , new Police Officer recently appointed in Franklin Borough.

The First Annual Sussex County Senior Olympics will be held June 13th. Ceremony and events will be at Station Park in Sparta. Participants will compete in six events. Like the recent Winter Olympics there will be an Opening Ceremony complete with Torch Run and participants will compete under the banner of designated Senior Centers.

Tuesday, March 6th the County will host a Sussex County Human Services Forum. This Forum is open to local officials, police personnel and school officials. The Forum Goal is to make local and school officials aware of the Human Services the County provides. Most often a person in need goes to the Municipal Building for help and with more knowledge local officials will have a great sense on where to direct the need.

In light of recent events in Florida, the Forum will highlight Mental Illness services and grant programs that are available to schools to address early intervention. Freeholder Petillo thanked the Human Services Department and Staff for making this Forum possible.

Freeholder Petillo recently attended a NJEA workshop regarding the Praxis Test and Common Core Curriculum. The Workshop was well attended by Legislators and teachers. The Praxis Test workshop concluded with an agreement that one test should not be the full assessment for any student. Hopefully with this understanding it will bring about a change.

Comments from Freeholder Yardley

Freeholder Yardley recently attended the Eagle Scout Court of Honor for Robert and Mark Reilly and commended each Scout for their dedicated and commitment to the Honor.

Also, recently attended the Agriculture Board meeting which included a presentation on Right to Farm. Many issues today that Farmers face are handled through the Department of Agriculture; however if a local municipality imposes enforcement the State will intercede and assist the Farmer. Farming is very important to this County and we have a very good Program.

10. APPROVAL OF CONSENT AGENDA

- A. **RESOLUTION RE:** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE CONTRACT #18ALUN WITH THE STATE OF NEW JERSEY DEPARTMENT OF CHILDREN AND FAMILIES AND THE SUSSEX COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PROVISION OF THE HUMAN SERVICES ADVISORY COUNCIL AND THE CHILD ABUSE/MISSING CHILDREN PROGRAM FOR THE PERIOD OF JANUARY 1, 2018 TO DECEMBER 31, 2018 FOR A TOTAL AMOUNT OF \$63,836.00.
- A. **RESOLUTION RE:** AUTHORIZING SUBMISSION OF A GRANT APPLICATION TO N.J.D.E.P. FOR THE IMPLEMENTATION OF A PROGRAM UNDER THE COUNTY ENVIRONMENTAL HEALTH ACT N.J.S.A. 26:3A2-21 ET SEQ. FOR THE SUSSEX COUNTY DIVISION OF HEALTH AND FURTHER AUTHORIZING THE ENTRY INTO INTERAGENCY AGREEMENTS BETWEEN THE COUNTY OF SUSSEX AND N.J.D.E.P. COVERING THE PROVISIONS OF ENVIRONMENTAL HEALTH SERVICES FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018 IN THE AMOUNT OF \$170,985.00
- B. **RESOLUTION RE:** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO FILE AND EXECUTE THE UNIVERSAL SERVICE FUND (USF) COUNTY WELFARE AGENCY (CWA) ADMINISTRATION GRANT AWARD #2018-05134-0046-00 THROUGH THE NJ DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF \$1,587.00 FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018
- C. **RESOLUTION RE:** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO FILE AND EXECUTE THE LOW INCOME HEATING AND ENERGY ASSISTANCE PROGRAM (LIHEAP) COUNTY WELFARE AGENCY (CWA) ADMINISTRATION GRANT AWARD #2018-05139-0088-00 THROUGH THE NJ DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF \$2,482.00 FOR THE PERIOD OF OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018
- D. **RESOLUTION RE:** AUTHORIZATION TO PROVIDE ON-CALL ENGINEERING SERVICES FOR BRIDGE C-18, ROSEVILLE ROAD, BYRAM TOWNSHIP, SUSSEX COUNTY, NJ IN THE AMOUNT NOT TO EXCEED \$84,420.00
- E. **RESOLUTION RE:** AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH KURRA ASSOCIATES, PA, FOR THE PROVISION OF PHYSICIAN/PsYCHIATRIC SERVICES FOR THE INMATES WITHIN THE KEOGH-DWYER CORRECTIONAL FACILITY FOR A PERIOD OF TWELVE (12) MONTHS BEGINNING MARCH 17, 2018 THROUGH MARCH 16, 2019 IN AN AMOUNT NOT TO EXCEED \$72,000.00, PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i).
- F. **RESOLUTION RE:** AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO APPLY TO AND ACCEPT THE FY 2016 EMERGENCY MANAGEMENT AGENCY ASSISTANCE (EMAA) SUBGRANT THROUGH THE STATE HOMELAND SECURITY PROGRAM FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2017 TO PROVIDE FUNDING TO ENHANCE THE ALL-HAZARDS EMERGENCY MANAGEMENT CAPABILITIES FOR THE SUSSEX COUNTY SHERIFF'S OFFICE, DIVISION OF EMERGENCY MANAGEMENT

- G. **RESOLUTION RE:** AUTHORIZATION OF OPEN SPACE TRUST FUND
119-2018 EXPENDITURE IN THE AMOUNT OF \$3,000.00 FOR THE
PURCHASE OF ARCGIS MAPPING DATA AND WATER
RESOURCE MODEL DEVELOPED AS PART OF THE
SUSSEX COUNTY OPEN SPACE PLAN UPDATE, FROM
THE LAND CONSERVANCY OF NEW JERSEY

- H. **RESOLUTION RE:** AUTHORIZING AIR MAINTENANCE SOLUTIONS, LLC. TO
120-2018 PROVIDE HVAC MAINTENANCE AGREEMENTS FOR
VARIOUS COUNTY OWNED BUILDINGS IN THE AMOUNT
OF \$137,932.00

- I. **RESOLUTION RE:** APPROVAL AND CONSENT OF THE SUSSEX COUNTY
121-2018 BOARD OF CHOSEN FREEHOLDERS PURSUANT TO THE
1987 COUNTY AGREEMENT OF THE SUSSEX COUNTY
MUNICIPAL UTILITIES AUTHORITY'S LEACHATE PUMP
STATION AND FORCE MAIN PROJECT AND THE ISSUANCE
BY THE SUSSEX COUNTY MUNICIPAL UTILITIES
AUTHORITY OF SOLID WASTE REVENUE BONDS OR
PROJECT NOTES (LEACHATE PUMP STATION AND FORCE
MAIN PROJECT) AND AUTHORIZING CERTAIN COUNTY
OFFICERS AND OFFICIALS TO EXECUTE VARIOUS
DOCUMENTS IN CONNECTION THEREWITH

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. If any Freeholder would like to remove an item to be considered separately, please do so now. Could I have a motion to approve the Consent Agenda?

MOTION made by Freeholder Lazzaro to adopt the Consent Agenda; seconded by Freeholder Yardley

Discussion:

Mr. Poff provided a brief summary for each Resolution being voted on tonight.

Freeholder Rose asked County Counsel if Item J. was a Consent Agenda item or should it have been moved somewhere else on the agenda? Mr. Williams answered that he reviewed the Resolution with the County Treasurer and it is permissible for Consent Agenda.

On Roll call the vote was:

Freeholder Graham	absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Yes
Freeholder Yardley	Yes

11. APPROVAL OF MINUTES

Regular Meeting- January 24, 2018
(Freeholder Rose will abstain)

MOTION made by Freeholder Lazzaro to adopt the minutes; seconded by Freeholder Petillo and passed unanimously.

On Roll Call the vote was:

Freeholder Graham	Absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Abstain
Freeholder Yardley	Yes

Regular Meeting – February 14, 2018
(All are eligible to vote)

MOTION made by Freeholder Petillo to adopt the minutes; seconded by Freeholder Lazzaro and passed unanimously.

12. APPOINTMENTS AND/OR RESIGNATIONS

- A. **RESOLUTION RE:** REAPPOINTMENT OF VALERIE STECCATO AS PUBLIC
122-2018 AGENCY COMPLIANCE OFFICER IN AND FOR THE
COUNTY OF SUSSEX FOR CALENDAR YEAR 2108,
PURSUANT TO PUBLIC LAW 1975 C. 127 (N.J.A.C. 17:27)

MOTION made by Freeholder Petillo to approve the appointment; seconded by Freeholder Lazzaro

On Roll Call the vote was:

Freeholder Graham	Absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Yes
Freeholder Yardley	Yes

13. RESOLUTIONS

- A. **RESOLUTION RE:** IN OPPOSITION TO THE PROPOSED BEE KEEPING
123-2018 REGULATIONS OF THE NEW JERSEY DEPARTMENT OF
AGRICULTURE
- B. **RESOLUTION RE:** AUTHORIZATION TO CLOSE SUSSEX COUNTY BRIDGE
124-2018 Q-18, CARRYING COUNTY ROUTE 669 (LIMECREST
ROAD) OVER SPARTA JUNCTION BROOK IN SPARTA
TOWNSHIP AND TO IMPLEMENT, MAINTAIN, AND
MODIFY AS NECESSARY, AN OFFICIAL DETOUR OF
COUNTY ROUTE 669 AND PROVIDE FOR
ENFORCEMENT OF THE BRIDGE CLOSURE AND ROAD
DETOUR
- C. **RESOLUTION RE:** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR
125-2018 AND CLERK TO EXECUTE THE FISCAL YEAR 2018
SUBREGIONAL TRANSPORTATION PLANNING WORK
PROGRAM SUBCONTRACT BETWEEN THE COUNTY OF
SUSSEX AND THE NORTH JERSEY TRANSPORTATION
PLANNING AUTHORITY
- D. **RESOLUTION RE:** AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS IN
126-2018 COMPLIANCE WITH N.J.S.A. 19:44A- 20.4 ET SEQ. FOR VARIOUS
SERVICES, WITH ACCUMULATED VALUE LESS THAN THE BID
THRESHOLD, AS STATED BELOW

MOTION made by Freeholder Lazzaro to adopt the resolutions; seconded by Freeholder Yardley and passed unanimously.

14. AWARDS OF CONTRACT/CHANGEORDERS/BID

A. **AWARD OF CONTRACTS**

1. **RESOLUTION RE:** AWARDED A CONTRACT EXTENSION THROUGH
127-2018 THE COMPETITIVE CONTRACTING PROCESS
FOR ARBITRAGE REBATE CONSULTANT IN
COMPLIANCE WITH SECTION 148(F) OF THE
INTERNAL REVENUE CODE OF 1986 TO
INTEGRITY PUBLIC FINANCE CONSULTING LLC
FROM MARCH 8, 2018 UNTIL MARCH 7, 2019 IN
THE AMOUNT NOT TO EXCEED \$22,000
2. **RESOLUTION RE:** AWARDED A CONTRACT EXTENSION FOR
128-2018 THE PURCHASE OF BEAM GUIDE RAILS, END
TERMINALS AND CRASH CUSHIONS FOR THE
COUNTY OF SUSSEX FROM MARCH 8, 2018 TO
MARCH 7, 2019
3. **RESOLUTION RE:** AWARDED A CONTRACTS EXTENSION FOR THE
129-2018 SUPPLY AND DELIVERY OF TRAFFIC SIGNAL
AND ELECTRICAL EQUIPMENT FOR THE
COUNTY OF SUSSEX FROM MARCH 8, 2018 TO
MARCH 7, 2019

4. **RESOLUTION RE:
130-2018** AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS TO CAPITOL CARE, INC. FOR THE CALENDAR YEAR JANUARY 1, 2018 THROUGH DECEMBER 31, 2018 FOR THE PROVISION OF ADULT SUBSTANCE ABUSE TREATMENT SERVICES IN THE AMOUNT NOT TO EXCEED \$26,673.00

5. **RESOLUTION RE:
131-2018** AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS TO FREEDOM HOUSE INC. FOR THE CALENDAR YEAR 2018 FOR ADULT SUBSTANCE ABUSE TREATMENT SERVICES IN THE AMOUNT NOT TO EXCEED \$50,000.00

6. **RESOLUTION RE:
132-2018** AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS TO DASI: DOMESTIC ABUSE AND SEXUAL ASSAULT INTERVENTION SERVICES FOR THE CALENDAR YEAR 2018 FOR SUBSTANCE ABUSE RECOVERY SUPPORTS PROGRAM IN AN AMOUNT NOT TO EXCEED \$21,236.00

7. **RESOLUTION RE:
133-2018** AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS TO THE CENTER FOR PREVENTION AND COUNSELING FOR THE CALENDAR YEAR 2018 FOR SUBSTANCE ABUSE RECOVERY SUPPORTS PROGRAM IN AN AMOUNT NOT TO EXCEED \$34,583.00

8. **RESOLUTION RE:
134-2018** AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS TO THE CENTER FOR PREVENTION AND COUNSELING FOR ADULT SUBSTANCE ABUSE TREATMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$66,294.00

9. **RESOLUTION RE:
135-2018** AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS TO TURNING POINT FOR THE CALENDAR YEAR 2018 FOR ADULT SUBSTANCE ABUSE TREATMENT SERVICES IN A TOTAL AMOUNT NOT TO EXCEED \$92,001.00

10. **RESOLUTION RE:
136-2018** AWARDING A CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS TO TURNING POINT (ANDERSON HOUSE) FOR THE CALENDAR YEAR 2018 FOR ADULT SUBSTANCE ABUSE TREATMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$10,000.00

MOTION made by Freeholder Petillo to adopt the Resolutions; seconded by Freeholder Lazzaro

Discussion:

Mr. Poff provided brief summaries for each Resolution being voted on for tonight.

Freeholder Lazzaro interjected tonight we have authorized over \$300,000 to treat drug abuse. j

On Roll Call the vote was:

Freeholder Graham	Absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Yes
Freeholder Yardley	Yes

B. CHANGE ORDERS

- 1. **RESOLUTION RE: 137-2018** AWARD OF CHANGE ORDER NO. 2 TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND LAKESIDE CONSTRUCTION FOR REPLACEMENT OF SUSSEX COUNTY BRIDGE C-17, ROSEVILLE ROAD, BYRAM TOWNSHIP, NEW JERSEY, REPRESENTING A DECREASE OF \$61,157.20, OR A 2.71% REDUCTION IN THE CONTRACT AMOUNT
- 2. **RESOLUTION RE: 138-2018** AWARD OF CHANGE ORDER NO. 2 TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND COLONNELLI BROTHERS, INC., FOR REPLACEMENT OF SUSSEX COUNTY BRIDGE O-07 IN OGDENSBURG BOROUGH, NEW JERSEY, REPRESENTING A DECREASE OF \$91,564.00, OR A 6.56% REDUCTION IN THE CONTRACT

MOTION made by Freeholder Petillo to adopt the Resolutions; seconded by Freeholder Lazzaro

Discussion:

Freeholder Rose said these Resolutions represent some Change Orders to projects that occurred during the TTF shutdown. They are not inclusive of any immobilization or other costs associated with the TTF. We would expect with one or both Projects to have other Change Orders where the numbers will go back up representing the cost to the County for the TTF shutdown.

On Roll call the vote was:

Freeholder Graham	Absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Yes
Freeholder Hardly	Yes

15. FINANCIAL

- A. RESOLUTION RE: 139-2018** PAYMENT OF BILLS
(Freeholder Rose Abstaining)

MOTION made by Freeholder Petillo to adopt the Resolution; seconded by Freeholder Lazzaro

On Roll Call the vote was:

Freeholder Graham	Absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Abstain
Freeholder Hardly	Yes

- B. RESOLUTION RE: 140-2018** PAYMENT OF BILLS

MOTION made by Freeholder Lazzaro to adopt the Resolution; seconded by Freeholder Yardley

On Roll Call the vote was:

Freeholder Graham	Absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Yes
Freeholder Hardly	Yes

- C. RESOLUTION RE: 141-2018** AUTHORIZING SUBMISSION OF THE PUBLIC LIBRARY STATISTICAL REPORT FOR 2017 BY THE SUSSEX COUNTY DIVISION OF LIBRARY SERVICES

MOTION made by Freeholder Petillo to adopt the Resolution; seconded by Freeholder Lazzaro

On Roll Call the vote was:

Freeholder Graham	Absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Yes
Freeholder Hardly	Yes

B. INTRODUCTION FOR FIRST READING – RESOLUTION

RESOLUTION RE: 142-2018 AUTHORIZING CAP TO LIMIT COUNTY BUDGET APPROPRIATION INCREASE IN CY 2018 COUNTY BUDGET TO 3.5% OVER THE PREVIOUS YEAR’S FINAL APPROPRIATIONS SUBJECT TO CERTAIN EXCEPTIONS AND TO ESTABLISH AN APPROPRIATION CAP BANK

MOTION to adopt this Resolution on first reading made by Freeholder Petillo; seconded by Freeholder Lazzaro

Discussion:

Mr. Poff said this Resolution should be familiar to the Freeholder Board. It is a provision under statute that allows local governments including Counties the opportunity to establish a CAP bank based upon the preliminaries of the preparation of the County’s 2018 draft budget. It is not expected that we would exceed the cost of living adjustment this year and in fact will be below that, however, this provision and the Freeholder’s Board’s consideration of this Resolution allows for the establishment of the CAP bank that can be used in subsequent years to address unexpected emergencies that may arise.

On Roll Call the vote was:

Freeholder Graham	Absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Yes
Freeholder Hardly	Yes

MOTION to authorize the Clerk to advertise this Resolution as introduced for first reading, and also post same on the bulletin board in the lobby of the County Administrative Center, together with a Notice of Public Hearing stating that a hearing will be held on March 14, 2018 at 7:00 p.m. prior to final adoption of this Resolution by Freeholder Lazzaro; seconded by Freeholder Petillo and passed unanimously.

On Roll Call the vote was:

Freeholder Graham	Absent
Freeholder Lazzaro	Yes
Freeholder Petillo	Yes
Freeholder Director Rose	Yes
Freeholder Hardly	Yes

16. PERSONNEL

- 1. Division of Library Services
 - A. Request to temporarily increase hours for Library Assistant position from part time 21hours/week to part time 28 hours/ week \$14.042 per hour. (A. Swendeman)
 - B. Request to temporarily increase hours for Library Assistant position from part time 15 hours/week to part time 22 hours/week \$14.042 per hour (L. Cooper)
 - C. Request to temporarily increase hours for Senior Library Assistant position from part time 28 hours/week to full time 35 hours/week \$14.80 per hour (M. Nardolillo)

MOTION made by Freeholder Lazzaro to approve the Personnel Agenda; seconded by Freeholder Petillo and passed unanimously.

17. ADMINISTRATIVE REPORT

Mr. Poff introduced Ernie Reigstad, Safety and Loss Control Officer for Skylands Risk Management. Mr. Reigstad presented a Safety Award to the County. Mr. Reigstad acknowledged that the County has an excellent safety program and all of the employees are of the right mindset. Being safe reduces costs as a result of injury or equipment failure. Freeholder Rose accepted the Award on behalf of the Board.

Mr. Poff said he is working on finalizing the 2018 County budget. He will be looking to schedule a meeting with the Budget Committee to finalize both the Library budget as well as the Open Space Trust Fund amounts.

The ongoing roof replacement project at Ginny's house is expected to be complete by next week, weather permitting.

New Jersey Office of Information Technology has advised the County it will no longer provide for the County Division of Social Services use of the State's extra net. We have a conference call scheduled within the next two weeks with the State to determine the impact on the Division of Social Services and what steps may be needed to address the elimination of those services.

Mr. Poff said the Freeholder Board was recently provided with a Memo prepared by the Department of Engineering regarding the FLAP Grant that was presented a few weeks back by US Fish and Wildlife. Unless Mr. Poff receives any new information, the Board should anticipate a Resolution for the Grant to be listed on the March 28th agenda.

18. COUNTY COUNSEL

No report

19. UNFINISHED BUSINESS

None

20. NEW BUSINESS

None

21. EXECUTIVE SESSION – (Closed Session) – None for this evening

RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 10:4-12 ET SEQ.

WHEREAS, the subject matter(s) about to be discussed may be excluded from the Public portion of the meeting by Resolution of the Board of Chosen Freeholders as an exception to the "Open Public Meetings Act" pursuant to N.J.S.A. 10:4-12 (b); and

WHEREAS, it appears necessary for the Board of Chosen Freeholders to discuss such matter(s) in Executive Session.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex, in accordance with the provisions of N.J.S.A. 10:4-12(b) and N.J.S.A. 10:4-13 that the Board at this time enter into an Executive Session from which the public shall be excluded; and

BE IT FURTHER RESOLVED, that the general nature of the subject(s) to be discussed relate to the following item(s) authorized by N.J.S.A. 10:4-12(b) as designated below:

_____ (1) **Matters Required by Law to be Confidential:**

_____ (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:**

_____ (3) **Matters Involving Individual Privacy:**

_____ (4) **Matters Relating to Collective Bargaining Agreements:**

_____ (5) **Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds:**

_____ (6) **Matters Relating to Public Safety and Property:**

_____ (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege:**

_____ (8) **Matters Relating to the Employment Relationship:**

_____ (9) **Matters Relating to the Potential Imposition of a Penalty:**

BE IT FURTHER RESOLVED that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Sussex County Board

of Chosen Freeholders or provided by law that the public interest will no longer be served by such confidentiality; and

BE IT FURTHER RESOLVED that upon completion of the business for which the Board has entered into the Executive Session, the Board shall reconvene and resume its meeting open to the public.

22. PUBLIC SESSION FROM THE FLOOR

Please Note: Everyone is asked to keep their comments to 5 minutes or less followed by a 3 minute response time from the Freeholder Board.

Please

state your name and print your name and municipality on the sign in sheet.

MOTION made at 8:25 PM to open the Public Session by Freeholder Petillo; seconded by Freeholder Yardley and passed unanimously.

Nicole Friedberg from Wantage, introduced herself as an AmeriCorps VISTA member serving with NORWESCAP/Sklylands VISTA stands for Volunteers in Service to American, more commonly known as a domestic version of the Peace Corps and conceived by JFK and implemented by Lyndon Johnson as part of the War on Poverty. VISTA mobilizes volunteers to eliminate poverty all through America. VISTA is a part of the Corporation for National and Community Service (CNCS) established in 1993. CNCS is the nation's largest grant maker for service and volunteering. She said in an effort to recognize those dedicated individuals donating their time, CNCS organizes an annual National Service Recognition Day occurring on Tuesday, April 3, 2018. She asked the Board if they could recognize this through issuing a Proclamation.

Freeholder Yardley asked what groups Nicole is working with.

Ms. Friedberg said she is stationed in the Division of Senior Services office. She mainly works with individual Seniors in their homes and mobilizes the volunteers.

Dennis Mudrick, Sparta thanked the Board for the \$300,000 dedicated this evening towards the opioid situation in the County as well at the \$1.2million allocated towards continuing to be the strongest County in the state in terms of roads.

Mr. Mudrick said three years ago on February 25, 2015 there was a Solar Settlement that was voted on by three Counties. Mr. Mudrick a former Member of the Freeholder Board along with eleven other Freeholders from Sussex, Morris and Somerset County voted in in favor of the Settlements. Five Freeholders in three Counties voted in opposition of the Settlements. Two of these Freeholders were Freeholder Graham and Phoebe. Then about two years ago, this Board voted recklessly in favor of spending a half million dollars on an Investigative Report. Mr. Mudrick read this Report three times and found that it did not give him one bit of new information that he did not already have when he served on the Board. He said now we have two other Counties who will not join Sussex County in trying to recoup any money. Freeholder Lazzaro said at the time of his election, he would take full responsibility if something wasn't recouped. He said he finds it despicable that this Board would spend \$500,000 of Tax Payer money for this Report. By not spending this money you could have cut the County Budgets the last two years by .3125 each year. Now you are going to spend more money during this Election Season.

Mr. Mudrick finds it interesting that the Report was done on August 9th but surfaces publicly with a presentation by Freeholder Graham at the meeting on February 14th. Mr. Mudrick does not find the Report factual. The Report author Mr. Boxer formed this opinion based on interviews he conducted with different individuals. Mr. Boxer did not interview him, why? He did want the truth? He didn't want to hear from someone who read over 100 of pages over months of time serving at that Board. He said the Tax Payers deserves better. He hopes Freeholder Yardley will do the right thing and change the direction this Board is going due to lack of leadership and misleaders hip by Freeholder Graham.

MOTION made by Freeholder Petillo to close the public session; seconded by Freeholder Lazzaro and passed unanimously.

23. REMINDERS

<u>Date/Time</u>	<u>Meeting</u>	<u>Location</u>
March 5 th 3:00PM	PB Development Review	FMR
March 5 th 4:00PM	Planning Board	FMR
March 6 th 9:00 AM	SC Human Services Forum	SCCC
March 8 th 7:30PM	Water Quality	FMR
March 1 st 12 Noon	Senior Advisory Council	Knoll Heights
March 12 th 12 Noon	Disability Services Adv.	FMR
March 8 th 1:00 PM	UCC	FMR

24. **ADJOURNMENT**

MOTION made by Freeholder Petillo at 8:38 PM to adjourn the meeting; seconded by Freeholder Lazzaro and passed unanimously.

DATED: February 28, 2018

Clerk of the Board

Teresa Lyons