

REGULAR MEETING HELD ON WEDNESDAY, SEPTEMBER 27, 2017

7:00 PM

ORDER OF BUSINESS

FREDON MUNICIPAL BUILDING

Item

1. CALL TO ORDER BY DIRECTOR 7:00 PM

2. ROLL CALL Freeholder Crabb, Freeholder Petillo, Freeholder Rose and  
Freeholder Director Lazzaro; County Administrator, Gregory V. Poff II;  
County Counsel, John Williams; Clerk of the Board, Catherine M. Williams

Freeholder Graham was 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 September 22, 2017 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 Rose to approve the Agenda; seconded by Freeholder Petillo and passed unanimously.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. PROCLAMATIONS

1. Proclamation in recognition of October 6<sup>th</sup> as Knock Out Opiate Abuse  
Day  
445-2017

MOTION made by Freeholder Petillo to adopt the Proclamation; seconded by Freeholder Rose and passed unanimously.

B. PRESENTATIONS

Acknowledging the retirement of the following employees:

Jim Scheuer with Facilities, 37 years; Susan McCabe, Library Services, 33 years; Susan Almeida-Steele with Community and Youth Services, 26 years; Frank Martone, Senior Engineering Aide, 10 years.

7. PUBLIC HEARINGS

A. FINAL ADOPTION - CAPITAL ORDINANCE

**Freeholder Director Lazzaro:** "At our regular meeting held on September 13, 2017, we introduced for first reading the following Capital Ordinance which was advertised in the New Jersey Herald issue of September 15, 2017, together with a Notice of Public Hearing stating it would be held at this meeting at 7:00 PM:

<b>ORDINANCE RE:</b> 446-2017	<b>CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS TO VARIOUS COUNTY ROADS AND BRIDGES, BY, IN AND FOR THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; AND APPROPRIATING \$2,522,900.00 FROM THE NJ DEPARTMENT OF TRANSPORTATION'S FY2017 ANNUAL TRANSPORTATION PROGRAM (ATP) – COUNTY AID GRANT TO PAY FOR THE COST THEREOF</b>
----------------------------------	--

MOTION that the Public Hearing be opened made by Freeholder Crabb; seconded by Freeholder Petillo.

**On Roll Call the vote was:**

Freeholder Crabb	Yes
Freeholder Petillo	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

Is anyone present to be heard regarding this Capital Ordinance? No one present.

**MOTION** made by Freeholder Crabb that the Public Hearing be closed; seconded by Freeholder Petillo.

**On Roll Call the vote was:**

Freeholder Crabb	Yes
Freeholder Petillo	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

**MOTION** to that this Capital Ordinance be finally adopted made by Freeholder Crabb; seconded by Freeholder Petillo.

**On Roll Call the vote was:**

Freeholder Crabb	Yes
Freeholder Petillo	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

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

**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. Please state your name, spell your last name, and state your municipal residency.**

**MOTION** made at 7:12 PM by Freeholder Crabb to open the meeting up to the Public; seconded by Freeholder Rose and passed unanimously.

No public came forward.

**MOTION** made at 7:13 PM by Freeholder Crabb; seconded by Freeholder Petillo and passed unanimously.

**9. FREEHOLDERS' COMMENTS**

**Comments from Freeholder Crabb**

Freeholder Crabb spoke about the Skills Leadership USA conference in Washington, D.C. He stated that 23 students from the vocational school attended this conference. He mentioned Harmony Prescott was awarded one of four Skills USA WLTI scholarships and was the only high school student in the nation to be awarded one of those scholarships. She earned \$800 to offset the cost of the conference.

Freeholder Crabb had the opportunity to speak at the Annual Mineral show in Franklin. They had 12,000 visitors. He said they sold almost \$11,000 of hand size rocks. He said Franklin will be working with the Chamber to promote the assets they have in Franklin.

**Comments from Freeholder Petillo**

Freeholder Petillo was invited to the opening of a new trail in Hopatcong. She said the trail will go around the lake from the Sussex County side around to the Morris County side. The work has been done by the Hopatcong Foundation. They were able to raise money and get a grant from the state. She said that an Eagle Scout mapped out the trail and did all the signage for his Eagle Scout project.

Freeholder Petillo spoke about the flu clinic that was in Hopatcong. The County came down to the Farmers' market and set up and gave out flu shots.

Freeholder Petillo spoke about the C.L.E.A.R. program. They received a grant that allows them to go into the hospital and coach someone who has just been saved by Narcan and encourage them to go into a recovery program.

Freeholder Petillo spoke about the Apple Pie and Art show. It is co-sponsored by the Creative Arts Council in Hopatcong and SCCC on Saturday, September 30<sup>th</sup> from 11 – 4 PM.

**Comments from Freeholder Rose**

Freeholder Rose said on September 5<sup>th</sup> we had a meeting with LYFT. On September 14<sup>th</sup> there was a meeting with Uber. Freeholder Rose, Carol Novrit, Marie from Skylands' Ride, Jarrod and Shawn from Uber and Jake from Congressman Gottheimer's office. Freeholder Rose said the presentation was not as informative as LYFT's but overall the services do seem

similar. LYFT said they could do some community outreach to get drivers up here; Uber seemed to be less encouraging about that. They said liability might be an issue. They did ask for a list of hotspots where there would be a lot of traffic. They said the town of Summit is doing a trial with Uber so we will pay attention to how things work out for them also we will see what Summit did for liability.

Freeholder Crabb added that tomorrow through Saturday will be the Franklin Carnival. He also mentioned that the Firemen's parade will be on October 7<sup>th</sup>.

**Comments from Freeholder Lazzaro**

Freeholder Lazzaro reported on the roads and bridges in the County.

Freeholder Lazzaro spoke about the NJTPA meeting he attended. There were many Sussex County projects that got approved that complete all the ADA requirements along various places in the north section of Sussex County. The Route 15 Bridge over the Paulinskil in Lafayette will be completed; Rt. 23 in Hardyston Township had a host of improvements. Vernon Township had work done on Maple Grange Road; Rt. 206 had falling rock mitigation in Andover Township, Pines Road on Rt. 206 and Montague River Road on Rt. 521 and Waterloo Road. All of these projects have been approved using federal money. There were a few issues that got stopped for technicalities but we were supposed to receive a grant that will provide us with four new buses to assist our transportation system. Freeholder Lazzaro will report more on it for next meeting.

Freeholder Lazzaro gave a list of all the roads that will be resurfaced in the County.

**10. APPROVAL OF CONSENT AGENDA**

- A. RESOLUTION RE: APPROVING GRANT APPLICATION WITH THE STATE OF NEW JERSEY FOR THE COUNTY SEXUAL ASSAULT RESPONSE TEAM/FORENSIC NURSE EXAMINER SART/FNE FEDERAL GRANT PROGRAM VS-62-15 BETWEEN THE NJ DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY AND THE SUSSEX COUNTY PROSECUTORS OFFICE FOR A FUNDING REQUEST OF \$63,000.00 AND AN IN-KIND MATCH OF \$15,851.00 FOR THE PERIOD OF OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018  
**447-2017**
  
- B. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO EXECUTE BUDGET MODIFICATION #1 FOR CONTRACT # DFHS17CCC008 WITH THE NJ DEPARTMENT OF HEALTH FOR THE ENHANCED IMPLEMENTATION OF THE NJ OFFICE OF CANCER CONTROL AND PREVENTION ACTIVITIES PROJECT FOR AN ADDITIONAL \$29,050.00 AND A TOTAL CONTRACT AMOUNT OF \$160,750.00 FOR THE PERIOD OF JULY 1, 2016 TO SEPTEMBER 30, 2017  
**448-2017**
  
- C. RESOLUTION RE: AUTHORIZING AMENDMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT WITH HOUGHTON-QUARTY-WARR ARCHITECTS LLC FOR PROVIDING ARCHITECTURAL SERVICES AS A PROFESSIONAL SERVICE PURSUANT TO N.J.S.A. 40A:11-5(1 (a)(i), IN AN AMOUNT OF \$16,700.00; FOR A NEW TOTAL CONTRACT AMOUNT OF \$41,200.00; AND A TERM OF SEPTEMBER 27, 2017 TO FEBRUARY 28, 2018  
**449-2017**
  
- D. RESOLUTION RE: AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO MODIFY ITS RESOLUTION ADOPTED JANUARY 11, 2017 FOR THE FEDERAL FISCAL YEAR 2016 OF DEPARTMENT OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING IN THE AMOUNT OF \$110,000.00 AND A REVISED IN-KIND MATCH OF \$57,446.54  
**450-2017**

**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 Petillo to adopt the Resolutions; seconded by Freeholder Crabb

**On Roll Call the vote was:**

Freeholder Crabb	Yes
Freeholder Petillo	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

**11. APPROVAL OF MINUTES**

A. Regular Meeting – September 13, 2017

**MOTION** made by Freeholder Petillo to approve the Minutes; seconded by Freeholder Crabb and passed unanimously.

B. Executive Session – September 13, 2017

**MOTION** made by Freeholder Crabb to approve the Minutes; seconded by Freeholder Petillo and passed unanimously.

**12. APPOINTMENTS AND/OR RESIGNATIONS**

A. RESOLUTION RE: REAPPOINTMENT OF LORI DAY AND PETER  
**451-2017** SOUTHWAY AS MEMBERS OF THE SUSSEX COUNTY  
AGRICULTURE DEVELOPMENT BOARD FOR THREE  
YEAR TERMS EFFECTIVE IMMEDIATELY AND EXPIRING  
ON SEPTEMBER 30, 2020

**MOTION** made by Freehold Petillo to adopt the Resolution; seconded by Freeholder Crabb and passed unanimously.

Freeholder Lazzaro stated that there are many Boards and Committee that require volunteers, if anyone is interested in volunteering, you can contact the Clerk of the Board’s office and submit an application.

**13. RESOLUTIONS**

A. RESOLUTION RE: DESIGNATING THAT DUE TO THE ABSENCE OF THE  
**452-2017** CLERK OF THE BOARD SUZANNAH L. GIVONE SHALL  
SERVE AS CLERK *PRO TEM* FOR THE FREEHOLDER  
MEETING OF OCTOBER 11, 2017

**MOTION** made by Freeholder Crabb to approve the Resolution; seconded by Freeholder Petillo and passed unanimously.

**14. AWARDS OF CONTRACTS/CHANGE ORDERS/BID**

A. CHANGE ORDERS

1. RESOLUTION RE: AUTHORIZING CHANGE ORDER NO. 1 TO THE  
**453-2017** CONTRACT BETWEEN THE COUNTY OF SUSSEX AND  
STANDARD ELEVATOR CORPORATION FOR THE  
MODERNIZATION OF CERTAIN SUSSEX COUNTY  
ELEVATORS WITH A CHANGE ORDER AMOUNT OF  
\$10,063.00 FOR A TOTAL CONTRACT AMOUNT OF  
\$541,163.00

**MOTION** made by Freeholder Crabb to approve the Resolution; seconded by Freeholder Petillo

**On Roll Call the vote was:**

Freeholder Crabb	Yes
Freeholder Petillo	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

**15. FINANCIAL**

A. RESOLUTION RE: PAYMENT OF BILLS  
**454-2017**

**MOTION** to adopt the Resolution made by Freeholder Crabb; seconded by Freeholder Petillo

**On Roll Call the vote was:**

Freeholder Crabb	Yes
Freeholder Petillo	Yes
Freeholder Rose	Abstain
Freeholder Director Lazzaro	Yes

B. RESOLUTION RE: PAYMENT OF BILLS  
**455-2017**

**MOTION** to adopt the Resolution made by Freeholder Crabb; seconded by Freeholder Petillo

**On Roll Call the vote was:**

Freeholder Crabb	Yes
Freeholder Petillo	Yes
Freeholder Rose	Yes
Freeholder Director Lazzaro	Yes

**16. PERSONNEL**

**17. ADMINISTRATIVE REPORT**

Mr. Poff said that he has assumed the day to day responsibilities for the Department of Central and Shared Services in the absence of the Department Administrator who moved on to the Borough of Hopatcong. The Division Directors of Facilities, Technology and the Offices of Purchasing, Employee Services, and Fleet Management will report to him in the absence of the Department Administrator. The request for applications for the position closed last week and he currently is reviewing the applications that have been submitted. He said he will continue to keep the Board informed as he makes progress.

Mr. Poff said in working with the Clerk of the Board, all Departments have been asked to include the Name of the Vendor, Goods or Services being furnished, the duration of the contract and the cost for all titles of Resolutions that will be put before the Board for their consideration. By doing this, it will make it consistent with all Departments and it will make the matters being considered by the Board more transparent and easier to assess.

Mr. Poff said the Department budget submissions were due today. The preliminary budget schedule has been prepared and is being finalized for the Department meetings which will take place during the month of October.

Freeholder Crabb said historically since he has been here they have talked about getting IT maintenance contracts aligned.

Mr. Poff said he will talk with Purchasing. He said one of the things you will notice given the volume of contracts that they don't coincide exactly but where specific services make sense, he will work with the Office of Purchasing to get those aligned.

**18. COUNTY COUNSEL**

Mr. Williams stated that the Clerk of the Board who is the primary OPRA custodian for the Board, has answered 146 OPRA requests to date, Board of Elections, 27, Tax Board 16, Prosecutor's office, approx. 53 and Sheriff's office, approx. 27.

Mr. Williams emailed to the Board today an article about the Opiate suits that are beginning to catch on in New Jersey similar to the tobacco suits a while back. He said he expects to hear from more law firms soliciting our participation.

**19. UNFINISHED BUSINESS**

**20. NEW BUSINESS**

Freeholder Rose offered a motion to move Item 22 before Item 21; seconded by Freeholder Crabb and passed unanimously.

**22. OPEN PUBLIC SESSION FROM THE FLOOR**

**Please Note: Everyone is asked to keep their comments to 5 minutes or less.  
Please state your name, spell your last name, and state your municipal residency.**

**MOTION** made at 7:42 PM by Freeholder Petillo to open the meeting up to the Public; seconded by Freeholder Crabb and passed unanimously.

Brian Ward, Sussex Technical School. He thanked the Board for recognizing the hard work that goes on in the school. He said unfortunately that comes with a price and we need to be funded by the Freeholders. We cannot continue to be under funded. He said they need help.

**MOTION** made at 7:45 PM by Freeholder Crabb to close the meeting to the Public; seconded by Freeholder Petillo and passed unanimously.

**MOTION** made at 7:46 PM by Freeholder Petillo to go into Executive Session; seconded by Freeholder Crabb and passed unanimously.

**21. EXECUTIVE SESSION – (Closed Session)**

**RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT  
456-2017 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 of Acquisition of Real Property or the Investment of Public Funds:**
- \_\_\_\_\_ (6) **Matters Relating to Public Safety and Property:**
- X   (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege:**

1) Woodruff, Robert vs. County of Sussex, Michael F. Strada, et al.

- \_\_\_\_\_ (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.

**MOTION** made at 8:15 PM by Freeholder Crabb to open the meeting back up; seconded by Freeholder Petillo and passed unanimously.

**23. REMINDERS**

<u>Date/Time</u>	<u>Meeting</u>	<u>Location</u>
September 28 7:30 PM	Open Space	FMR
October 2 3:00 PM	Development Review Comm.	FMR
October 2 4:00 PM	Planning Board	FMR
October 5 9:00 AM	Senior Advisory Council	Knoll Heights, Sparta
October 9 Closed	Columbus Day Holiday	
October 10 1:00 PM	Transit	FMR
October 10 7:00 PM	Solid Waste Adv. Council	FMR
October 11 7:00 PM	Freeholder Meeting	FMR
October 12 1:00 PM	UCC	FMR
October 12 7:30 PM	Water Quality Management	FMR
October 16 10:00 AM	NJTPA Project Prioritization	Newark
October 16 3:00 PM	Development Review Comm.	FMR
October 16 7:30 PM	Agriculture Dev. Board	FMR

October 18	12:30 PM	Youth Services	FMR
October 18	7:00 PM	Lake Musconetcong Reg. PB	Netcong Muni. Bldg.
October 19	3:30 PM	LACADA/Mental Health Board	FMR*
October 25	9:00 AM	HSAC	PSS Bld. 3

- Note time change 3:30 PM in lieu of 4:00 PM

#### **24. ADJOURNMENT**

**MOTION** made at 8:17 PM by Freeholder Petillo to adjourn the meeting; seconded by Freeholder Crabb and passed unanimously.

**DATED:** September 27, 2017

---

Catherine M. Williams  
Clerk of the Board