

REGULAR MEETING HELD ON WEDNESDAY, JUNE 25, 2008

5:00 PM

ORDER OF BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 5:01 p.m.

2. ROLL CALL: Freeholder Crabb; Freeholder Parrott; Freeholder Vetrano;  
Freeholder Zellman; Freeholder Director Wirths; John  
Eskilson, County Administrator; Dennis McConnell, County  
Counsel; 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 7, 2008 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

There were no Public Hearings.

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations/Certificates

1. Proclamation declaring June 26, 2008 as Legal Services of Northwest Jersey, Inc., "Equal Justice Day".  
**409-2008**

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

7. PUBLIC SESSION FROM THE FLOOR

MOTION made at 5:06 p.m. by Freeholder Vetrano to open the meeting to the Public, seconded by Freeholder Zellman and passed unanimously.

**Comments regarding CJS Investments/Water Quality Plan**

Dennis Collins, Attorney on behalf of CJS Investments (hereinafter referred to as CJS), came forward; he referred to the proposed Amendment to the Water Quality Plan that was on the Agenda and to his previous appearance before the Board when he asked for his client's inclusion in a designation of over 2,000 gallons; Mr. Collins said that he appeared before the Policy Advisory Committee (hereinafter referred to as the PAC), and spoke regarding his client's (CJS) position.

Freeholder Wirths said that for the record, the Board was familiar with the issue and there was no need to go over it in detail.

Mr. Collins stated that he has not seen the PAC's Resolution, but it was his understanding that the PAC was recommending to the Board that it essentially maintain a status quo by recommending to the NJDEP that CJS be permitted up to 20,000 gallons without a Plan Amendment and anything over that would require a Plan Amendment; he said that this was the basis on which he was going to address the Board.

Mr. Collins said that the Board was aware that CJS filed litigation against the County when it did not include CJS in an over 2,000 gallon designation; he said that he had been required to appear before the PAC advising them that Wantage Township had altered its position and had informed the PAC that Wantage Township was endorsing CJS in the Water Quality Plan; Mr. Collins said that the PAC has recognized that there was a piece of property that has received site plan approval and that the municipality has been ordered to cooperate in all respects to obtain the infrastructure necessary to build the site; he said that Wantage Township has told the County that it now endorses the CJS site.

Freeholder Wirths stated for the record that it was endorsed by Wantage Township under Court Order.

Mr. Collins said that Wantage Township could have appealed it but chose not to; he discussed the background information leading up to this action; Mr. Collins said that although the PAC took a half step forward and recognized that it did not want to impede this development, if the Board was going to be consistent and going to attempt to abide by the proposed rules, it should designate CJS over 2,000 gallons.

Mr. Collins referred to a letter from Wantage Township in which the Township indicated a desire to comply with the Judge's Order, but the Township attorney asked the County what the Township had to do to comply with the Order; he said that this was an unusual situation in that it was giving legal advice as to how to comply with someone else's Order; Mr. Collins said that Eric Snyder indicated on the record that he (Mr. Snyder) believed that certain steps needed to be taken by the municipality; Mr. Collins asked the Board to authorize Mr. Snyder to respond, with the advice of Counsel, to that request from Wantage Township.

Mr. Collins thanked the Board for its time.

Marie Springer, Vernon Township, came forward; she expressed her concern that the sewage treatment plant would be 220 feet from the National Wildlife Refuge boundaries; Ms. Springer asked if there was a site plan for this treatment plant.

Mr. Collins responded that no site specific plan has been reviewed; he said that he was aware that it was subject to all of the engineering and environmental requirements of the regulations; a plan will be designed accordingly to be consistent with the planning document.

Ms. Springer asked how a Town Center was designated; Mr. Eskilson explained that there was no longer a Town Center designation, but there was a State Planning Commission process called Plan Endorsement; he explained the process, adding for the record, that he was a member of the State Planning Commission.

Christine Feoranzo, Wantage Township, came forward; she said that she felt that the PAC made part of its determination based on the fact that Mr. Collins continues to inform everyone that the Judge ordered Wantage Township do everything and anything possible to make this development happen.

Mr. Collins said that he was quoting from the Judge's Order.

Ms. Feoranzo said that the Judge's Order stated that Wantage Township was to do what it had to do to recommend the site as a Town Center and to add CJS into the local Wastewater Management Plan; she said that she was asking the Board to not add CJS back in and make CJS an inclusionary site in the Plan that is already before the DEP.

Robert Kohle, Wantage Township, came forward; he said that in the 20 years since this property was designated Mount Laurel, many things have changed, such as the establishment of the National Wildlife Refuge; Mr. Kohle said that he was also against this site as being designated back into the Wastewater Management Plan.

### **Comments on Delaware Water Gap National Recreation Area/ Citizens Advisory Commission**

Bob Longcor, came forward; he said that he wanted to speak to the Board about an issue relevant to the Delaware Water Gap National Recreation Area; he expressed his concern about the way historic aspects of the Delaware Valley have been treated; Mr. Longcor said that many footnotes of history have been destroyed; he discussed the Citizens Advisory Commission and what its purpose was; he said that his concern was that the Commission would end its authorization in October; Mr. Longcor said that he was asking the Board to consider requesting its Congressional representative to support the movement in Congress to extend this Commission for another decade.

The Board thanked Mr. Longcor for his comments.

### **Comment on 2008 Sussex County Official Directory cover**

Margaret Kolico, Wantage Township, came forward; she expressed her appreciation for the barn at Lusscroft Farm being featured on the cover of the 2008 *Sussex County Official Directory*.

### **Letter of support for grant application**

Ms. Kolico said that a letter of support for a grant application would be requested from the Freeholder Board regarding Lusscroft Farm.

### **Question on response from Commissioner of Education/Dr. Mark Toback's contract**

Teresa Vihti, Glenwood, came forward; she asked the Board if it had ever received a response from the State when Dr. Toback's contract was forwarded to the Commissioner of Education.

Freeholder Wirths replied that the Board had received a response; based on Dr. Toback's age and his years in the pension system, the Commissioner of Education did not feel it was an issue and that any review of the terms of Dr. Toback's contract would be premature.

Ms. Vihti discussed Dr. Toback's current salary and said that his salary was \$17,000.00 over what the annual salary was in comparison to other Superintendents in his position in the State of New Jersey; she expressed her dismay that Dr. Toback was still going to receive a raise, as well as other benefits in his contract.

### **Comments on Technical School Board of Education By-Laws/Petitions/General comments concerning Technical School**

Sydney Uster, Stillwater Township, came forward; she gave the Board a copy of the Technical School Board of Education By-Laws (copy on file in the Clerk of the Board's Office); she said that these By-Laws explained how to remove the members of the Board of Education; Mrs. Uster said that parents have been circulating petitions regarding the removal of the members of the Technical School Board of Education and also Dr. Toback.

Mrs. Uster read the petition (copy on file in the Clerk of the Board's Office) which requested that the Commissioner of Education remove the remaining members of the Technical School Board of Education.

Mrs. Uster said that the second petition concerned the Superintendent/Principal, Dr. Mark Toback, of the Technical School; she said that she had called the Commissioner of Education and was advised by a staff person that if the Board of Chosen Freeholders would call the Commissioner with its request to remove the Board of Education, that it might be more expeditious.

Freeholder Wirths said that correspondence was sent to the Commissioner and he felt it was a more professional way to handle the matter.

Mrs. Uster read the second petition (copy on file in the Clerk of the Board's Office) concerning the Superintendent/Principal, Dr. Mark Toback.

Mrs. Uster distributed a page from the By-Laws (copy on file in the Clerk of the Board's Office) regarding parents serving on the Board of Education; she asked that in the future, the Board consider appointing a parent to the Board of Education.

Alex Uster, Stillwater Township, came forward; he said the process did not allow for accountability and he did not understand this; he said the Board of Education was doing what it pleased.

Freeholder Parrott said that the latest appointment to the Board of Education shows the aggressiveness the Freeholder Board has taken to find an applicant who would be fair, objective, and beneficial to the Technical School; he added that in a short time parents and students would recognize that the individual who was just appointed understood completely the objective of making the Technical School the best it could be.

Jill Green came forward; she expressed her concern that her son, who utilizes the services of the Child Study Team, had to endure the elimination of the Child Study Team; she said she was happy that the Child Study Team was reinstated, but worried about the future of the Child Study Team.

Freeholder Vetrano suggested that parents step back and look at what was accomplished as a result of their efforts; he said that parents were going down the right path, and that he did not want to discourage anyone from attending a Freeholder Meeting, however, parents would accomplish the most at the Board of Education Meetings.

Ken Harrington, Lafayette Township, came forward; he said that he was appalled that there was no parent on the School Board to serve as an advocate for the children; he also said that he did not feel that an ex-employee should be allowed to serve on the School Board.

### **Letter of support/Lusscroft Farm**

Margaret Kolico referred to her earlier reference to the letter of support for a grant application regarding Lusscroft Farm; she said that Tom Davis asked if he could have a copy of the letter of support as he needed to include the letter as a part of the grant application.

Ms. Kolico said that she and Mr. Davis would follow up on Thursday morning to obtain the letter.

### **New County Superintendent of Schools**

Teresa Vihti came forward; she asked if the new County Superintendent of Schools would be a member of the Board of Education.

Freeholder Wirths said that the new Superintendent of Schools would be a member of the School Board as this is required by the State; he noted that the present Superintendent of Schools would be retiring as of July 1, 2008, and the Governor would be appointing a new Superintendent.

**MOTION** made at 6:06 p.m. by Freeholder Vetrano to close the meeting to the Public, seconded by Freeholder Parrott and passed unanimously.

8. **APPROVAL OF CONSENT AGENDA**

- A. RESOLUTION RE: PAYMENT OF BILLS  
**410-2008**
- B. RESOLUTION RE: PAYMENT OF BILLS FOR JUNE 11, 2008 AUTHORIZED  
**411-2008** ON JUNE 4, 2008
- C. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF  
**412-2008** ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY RELATING TO THE GREEN COMMUNITIES PHASE II GRANT FOR A TOTAL AMOUNT OF \$3,000.00
- D. RESOLUTION RE: RESOLUTION PROVIDING FOR THE INSERTION OF  
**413-2008** ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY RELATING TO THE STATE FACILITIES EDUCATION ACT (SFEA) FUNDS FOR THE 2008-2009 SCHOOL YEAR FOR A TOTAL AMOUNT OF \$31,500.00
- E. RESOLUTION RE: AUTHORIZING THE FREEHOLDER DIRECTOR AND  
**Pulled from** CLERK OF THE BOARD TO EXECUTE A CONTRACT  
**Agenda** BETWEEN THE COUNTY OF SUSSEX AND THE TOWNSHIP OF VERNON FOR THE PROVISION OF HEALTH SERVICES PURSUANT TO N.J.S.A. 26:3A2-1 ET SEQ., THE "LOCAL HEALTH SERVICES ACT"
- F. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR  
**414-2008** TO EXECUTE THE SPECIAL INITIATIVES AND TRANSPORTATION CONTRACT WITH THE NJ DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT TO PROVIDE \$126,978.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PERIOD OF JULY 1, 2008 TO JUNE 30, 2009
- G. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR  
**415-2008** AND CLERK OF THE BOARD TO EXECUTE MODIFICATION DEP-076 WITH THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION TO THE FY2008 COUNTY ENVIRONMENTAL HEALTH ACT (CEHA) GRANT AGREEMENT #EN08-028 FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 (Resolution authorizes this Modification in the amount of \$34,786.00)
- H. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR  
**416-2008** TO APPLY FOR AND ACCEPT 2008 CAPITAL BOND FUNDING IN THE AMOUNT OF \$40,000.00 FROM THE NJ DEPARTMENT OF CHILDREN & FAMILIES (Resolution authorizes the acceptance of these funds to purchase a generator that would power the full shelter home during power outages with a County match in the amount of \$4,000.00)

- I. **RESOLUTION RE: 417-2008** AUTHORIZING THE ENTRY INTO AN AGREEMENT 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 (Resolution authorizes this Agreement in the amount of \$170,000.00 with \$31,500.00 of these funds being reimbursed through the State Facilities Education Act)
- J. **RESOLUTION RE: 418-2008** AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF GUIDE RAIL MATERIALS UNDER THE TERMS OF THE CONTRACT FOR SAID MATERIALS (Resolution authorizes this purchase of guide rail parts from Chemung Supply Corporation in the amount of \$137,771.00)
- K. **RESOLUTION RE: 419-2008** AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF A CREW CAB TRUCK AND UTILITY BODY FOR THE SUSSEX COUNTY DIVISION OF ENGINEERING, OFFICE OF BRIDGE AND TRAFFIC SAFETY (Resolution authorizes this purchase from Flemington Car & Truck for a Ford F550 Cab/Chassis in the amount of \$36,447.00 and Steelfab for a Knapheide Utility Body in the amount of \$9,856.00)
- L. **RESOLUTION RE: 420-2008** AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO ACCEPT A HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP) PASS-THROUGH GRANT FROM THE NEW JERSEY STATE POLICE, HAZARDOUS MATERIALS RESPONSE UNIT, SPECIAL OPERATIONS SECTION, AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION, PIPELINE AND HAZARDOUS MATERIALS ADMINISTRATION IN THE AMOUNT OF \$8,119.13 FOR THE PURPOSE OF THE SUSSEX COUNTY SHERIFF'S OFFICE, DIVISION OF EMERGENCY MANAGEMENT TO CONDUCT A HAZARDOUS MATERIALS EXERCISE
- M. **RESOLUTION RE: 421-2008** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A CONTRACT FOR STATE FY 2009 ON BEHALF OF THE COUNTY OF SUSSEX WITH THE NEW JERSEY DEPARTMENT OF MILITARY AND VETERANS AFFAIRS FOR THE PROVISION OF TRANSPORTATION SERVICES TO SUSSEX COUNTY VETERANS (Resolution authorizes this Contract in the amount of \$9,000.00)
- N. **RESOLUTION RE: 422-2008** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE AN APPLICATION FOR NEW JERSEY DEPARTMENT OF TRANSPORTATION COMMISSIONERS' DISCRETIONARY AID IN THE AMOUNT OF \$600,000.00 FOR FY 2008 WITH \$150,000.00 AS COUNTY SHARE (Resolution authorizes this application for the rehabilitation of County Bridges P-13 in Sandyston Township, D-30 in Frankford Township and B-03 in Branchville Borough)

- O. **RESOLUTION RE: 423-2008** AUTHORIZING A JOINT DRAINAGE MAINTENANCE EFFORT BY THE COUNTY OF SUSSEX, TOWNSHIP OF SPARTA, AND THE LAKE MOHAWK COUNTRY CLUB (LMCC) INVOLVING THE BALSAM PARKWAY DRAINAGE SYSTEM WITHIN THE TOWNSHIP OF SPARTA (Resolution authorizes this effort with the County's contribution of \$10,000.00)
- P. **RESOLUTION RE: 424-2008** AUTHORIZATION TO APPLY FOR THE RECREATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES GRANT (ROID) FOR THE TOTAL AMOUNT OF \$60,000.00 FOR THE PERIOD OF JANUARY 1, 2009 TO DECEMBER 31, 2009 (Resolution authorizes this application for funds in the amount of \$60,000.00 for DAWN, CIL., SCARC, Inc. and the Division of Social Services, with a County match of \$12,000.00)
- Q. **RESOLUTION RE: 425-2008** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO FILE A PROJECT PROPOSAL WITH NEW JERSEY TRANSIT FOR INCLUSION IN THE CONSOLIDATED JOB ACCESS AND REVERSE COMMUTE GRANT APPLICATION SUBMITTED TO THE FEDERAL TRANSIT ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY SECTION 3037 OF THE TRANSPORTATION EQUITY ACT OF THE 21<sup>ST</sup> CENTURY (TEA-21)
- R. **RESOLUTION RE: 426-2008** AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE A BUDGET MODIFICATION FOR THE SENIOR CITIZEN AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE PROGRAM (SCDRTAP) WITH NJ TRANSIT TO PROVIDE \$657,303.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HUMAN SERVICES, DIVISION OF SOCIAL SERVICES, OFFICE OF TRANSIT, FOR THE PERIOD OF JANUARY 1, 2008 TO DECEMBER 31, 2008 (Resolution authorizes this Modification to incorporate 2004 SCDRTAP Close-Out carry-over funding in the amount of \$29,527.00 for transportation services in the 2008 SCDRTAP for a total of \$657,303.00)
- S. **RESOLUTION RE: 427-2008** AUTHORIZATION FOR THE FILING OF AN APPLICATION TO NEW JERSEY TRANSIT CORPORATION AND THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, ON BEHALF OF THE COUNTY OF SUSSEX FOR A GRANT UNDER THE FEDERAL TRANSIT ACT AS AMENDED, FOR THE STATE FY 2009 IN THE AMOUNT OF \$817,492.00 (Resolution authorizes this application for Federal (Section 5311) share in the amount of \$408,746.00, State (NJ Transit) share in the amount of \$204,373.00 and Local (County of Sussex) share in the amount of \$204,373.00)
- T. **RESOLUTION RE: 428-2008** AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A CONTRACT RENEWAL WITH THE SUSSEX COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP, INC., FOR THE PROVISION OF A COUNTY ECONOMIC DEVELOPMENT PROGRAM FOR 2008 (Resolution authorizes this renewal in the amount of \$50,000.00)

- U. RESOLUTION RE: AUTHORIZATION FOR THE COUNTY ADMINISTRATOR TO SUBMIT AN APPLICATION FOR DONATION OF REAL ESTATE TO THE GREEN ACRES PROGRAM; SAID REAL ESTATE BEING LOT 8, BLOCK 85.02, VERNON TOWNSHIP, SUSSEX COUNTY, NEW JERSEY  
**429-2008**
- V. RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE AN APPLICATION FOR THE 2008 COPS TECHNOLOGY GRANT WITH U.S. DEPARTMENT OF JUSTICE TO PROVIDE \$935,300.00 IN FUNDING TO THE COUNTY OF SUSSEX SHERIFF'S OFFICE FOR THE PERIOD OF SEPTEMBER 1, 2008 TO AUGUST 31, 2011 (Resolution authorizes this application to design and install the first module of a Countywide UHF truck integrated voice and data communications system to link and be accessed by all local police, State Police, SC Prosecutor's Office, local fire departments, EMS squads, public works departments, social service agencies and educational agencies for effective collaboration, safer first response and faster decision making and reduction in operational costs)
- W. RESOLUTION RE: AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF STANHOPE FOR PLANNING SERVICES IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ. AND N.J.S.A. 40A:11-10 ET SEQ.

**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 Resolutions 8. A. – 8. D., and 8. F. – 8. W., on the Financial Consent Agenda, seconded by Freeholder Vetrano.

#### **Resolution 8. I.**

Freeholder Parrott asked the County Administrator if the County had budgeted for the \$31, 500.00.

Mr. Eskilson responded yes; every year on October 15, the State does a census of the Juvenile Detention Center population; this single day census number is applied to the formula which determines the State aid; Mr. Eskilson added that the census was down from the previous year and has remained down; the Center is operating at half capacity and has been for some time.

#### **Resolution 8. U.**

Freeholder Parrott asked for an explanation of Resolution 8. U.

Mr. McConnell said that this property was acquired by the New Jersey Department of Transportation with State funds for a road construction project; the property was conveyed to the County by the State after the State no longer needed it; the County was now going to convey the property to Green Acres who would utilize the property for a parking lot for the Appalachian Trail.

#### **Resolution 8. H.**

Freeholder Vetrano asked if accepting this money would require making a commitment to keep the Youth Shelter open for the next 20 years.



Mr. Eskilson said this was discussed at length during the Agenda Meeting and there was a general consensus that the County would proceed; if the funds were received, it would then go before the Board; Mr. Eskilson said that the commitment to keep the Shelter open would not have to be made at this time.

On Roll Call the vote was:

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

9. **APPROVAL OF MINUTES** Regular Meeting June 4, 2008

**Executive Session Minutes**  
Regular Meeting June 4, 2008

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

10. **APPOINTMENTS AND/OR RESIGNATIONS**

A. Appointments

1. **RESOLUTION RE: REAPPOINTMENT OF ED SZABO AND PATRICIA PACKARD AS MEMBERS OF THE SUSSEX COUNTY MENTAL HEALTH BOARD FOR TERMS OF THREE (3) YEARS EACH**  
**432-2008**

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

**Thank you letter for years of service to the Mental Health Board**

Freeholder Zellman asked that a thank you letter be sent to Dr. Mark Perrin for his years of service to the Mental Health Board.

11. **RESOLUTIONS**

- A. **RESOLUTION RE: AUTHORIZATION TO EXECUTE A MODIFICATION TO AN AGREEMENT AND CONSENT TO A LEASEHOLD MORTGAGE ON A LEASE BETWEEN THE COUNTY OF SUSSEX AND KNOLL SHARED HOUSING INC., FOR PREMISES KNOWN AS LOT 2, IN BLOCK 23, AS SHOWN ON THE TAX MAPS OF TOWNSHIP OF FRANKFORD**  
**433-2008**
- B. **RESOLUTION RE: AUTHORIZING AMENDMENT #2 FOR A NO-COST TIME EXTENSION FOR THE HIGHLANDS AGRITOURISM GRANT (Resolution authorizes this no-cost time extension until September 30, 2008)**  
**434-2008**
- C. **RESOLUTION RE: SUPPORTING THE BOROUGH OF HOPATCONG'S GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR 2008 SAFE STREETS TO TRANSIT PROGRAM FOR NEW SIDEWALKS ON LAKESIDE BOULEVARD**  
**435-2008**

- D. RESOLUTION RE: OPPOSITION OF PROPOSED SENATE BILL, S-818  
**436-2008** (Resolution proposes to make public entities' solid waste and recycling collection and transportation contracts subject to prevailing wage requirements)
- E. RESOLUTION RE: SUPPORTING SENATE BILL NO. 1836 LIMITING BIGLEY HEARING AWARDS TO 4% OVER PRIOR YEAR BUDGET APPROPRIATIONS  
**437-2008**
- F. RESOLUTION RE: SUSSEX COUNTY WASTEWATER MANAGEMENT PLAN UPDATE AND INCLUSION OF PROPERTY ON LOWER UNIONVILLE ROAD, WANTAGE TOWNSHIP  
**438-2008** (Resolution authorizes the inclusion of Block 2, Lot 20.01 in the Sussex County Wastewater Management Plan Update)

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

Mr. McConnell stated that Freeholder Parrott may want to abstain on Resolution 11. F.; Freeholder Parrott could vote on Resolutions 11. A – 11. E., and abstain on Resolution 11. F.

Freeholder Parrott added that because of his prior involvement with the Wantage Township governing body, he would be abstaining on Resolution 11. F.

**MOTION** made by Freeholder Zellman to amend the original Motion and to adopt Resolutions 11. A. – 11. E., second amended by Freeholder Vetrano and passed unanimously.

**MOTION** made by Freeholder Crabb to adopt Resolution 11. F., seconded by Freeholder Zellman.

**Comment on Resolution 11. F.**

Freeholder Zellman said that she was Liaison to the “208” Policy Advisory Committee (PAC); she was unable to attend that meeting as she had a work commitment, however, she said that there was extensive discussion regarding the gallon issue; Freeholder Zellman proposed that the Board accept the recommendation of the PAC regarding the number of gallons.

Mr. McConnell said that the only thing the “208” had to do was provide a hearing, of which it did; out of that hearing came a Resolution to the Freeholder Board recommending the inclusion of that site for 2 to 20,000 gallons.

The Motion passed with Freeholder Parrott abstaining.

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**Freeholder Zellman said that she had previously committed to speaking at the Project Self-Sufficiency Graduation this evening; she excused herself from the Freeholder Meeting at 6:20 p.m.**

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

A. Awards of Contracts

- 1. RESOLUTION RE: AWARD OF CONTRACT FOR MISCELLANEOUS BUILDING TRADE SERVICES (HVAC) TO BE PERFORMED IN AND AROUND VARIOUS SUSSEX COUNTY BUILDINGS FOR THE DEPARTMENT OF ENGINEERING AND PLANNING (Resolution awards this Contract to the lowest responsible bidder, Cortese Corporation, at the hourly rates specified in the bid)  
**439-2008**

2. RESOLUTION RE: AWARD OF A CONTRACT RENEWAL FOR SUSSEX COUNTY HOMESTEAD CHILLER SYSTEM MAINTENANCE FOR THE DIVISION OF FACILITIES MANAGEMENT (Resolution awards this Contract renewal to the only responsible bidder, Trane, in the approximate amount of \$14,305.00)  
**440-2008**
  
3. RESOLUTION RE: AWARD OF THE CONTRACT BASED ON PROPOSALS RECEIVED THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR PROFESSIONAL SURVEYING SERVICES FOR THE SUSSEX COUNTY 2007-A FARMLAND PRESERVATION PROGRAM FOR THE DEPARTMENT OF ENGINEERING AND PLANNING (Resolution awards these Contracts to various vendors in the amount of \$218,170.00 for 29 farms)  
**441-2008**

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

On Roll Call the vote was:

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

B. Change Orders

1. RESOLUTION RE: AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE COUNTY OF SUSSEX AND PERSISTENT CONSTRUCTION CO. FOR A TEMPORARY EMERGENCY LOW FLOW STREAM CROSSING IN CONJUNCTION WITH THE REPLACEMENT OF SUSSEX COUNTY BRIDGE M-16 CARRYING CR 653 OVER A TRIBUTARY OF MILL BROOK POND IN MONTAGUE TOWNSHIP, SUSSEX COUNTY (Resolution authorizes this increase in the amount of \$60,000.00 to construct the stream crossing)  
**442-2008**
  
2. RESOLUTION RE: AWARD OF CHANGE ORDER NUMBER 2 FINAL TO A CONTRACT BETWEEN THE COUNTY OF SUSSEX AND SCHIFANO CONSTRUCTION CORPORATION FOR RESURFACING OF ROADS-2007 (Resolution authorizes the increase of \$151,409.59 (27.14% total increase) for the final quantities to be determined by as built measurements and certified weight tickets)  
**443-2008**

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

**Resolution 12. B. 1.**

Freeholder Vetrano asked if this was the bridge the County was being pressured to finish during the summer and prior to the start of the new school year.

Mr. Eskilson replied that this was the bridge Freeholder Vetrano was referring to.

On Roll Call the vote was:

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

**13. FINANCIAL**

- A. RESOLUTION RE: ACCEPTANCE OF FEDERAL FUNDS FOR ENTITLEMENT LANDS AND DISTRIBUTION OF FEDERAL FUNDS FOR PAYMENT IN LIEU OF TAXES (Resolution authorizes the distribution of \$32,121.00 received from the U.S. Treasury to Montague in the amount of \$7,082.68, Sandyston in the amount of \$9,739.09, and Walpack in the amount of \$15,299.23)

**MOTION** made by Freeholder Vetrano to adopt this Resolution, seconded by Freeholder Parrott.

On Roll Call the vote was:

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

**14. PERSONNEL**

- A. Personnel Agenda

**MOTION** made by Freeholder Parrott to approve the Personnel Agenda in accordance with the County Administrator's recommendations, seconded by Freeholder Vetrano.

**Item #3**

Freeholder Vetrano asked what the next step was regarding Item #3., the Fleet Manager position.

Mr. Eskilson replied that the job description was completed; the newspaper ad was initiated and interviews would begin as soon as responses were received.

The Motion was passed unanimously.

**15. ADMINISTRATIVE REPORT**

- A. Other

Mr. Eskilson stated that he had no report at this time.

**16. COUNTY COUNSEL**

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

**Resolution 8. H.**

Mr. McConnell stated that he would like to re-visit Resolution 8. H., regarding the application for and acceptance of capital funding in the amount of \$40,000.00 from the New Jersey Department of Children & Families; he said this Resolution was not only applying for these funds, but also accepting the funding; Mr. McConnell said that the word “accept” needed to be removed from the title, and also, in the “Now, Therefore”; he said the Board could rescind the prior Resolution and put on the record that the County was only applying for funding and not accepting funding at this time.

Mr. McConnell said that the Board needed to rescind the prior Resolution and authorize the new Resolution, citing the removal of the word “accept” from the two places that he had previously noted.

**RESOLUTION RE: AUTHORIZATION FOR THE FREEHOLDER DIRECTOR  
445-2008 TO APPLY FOR THE 2008 CAPITAL BOND FUNDING IN  
THE AMOUNT OF \$40,000.00 FROM THE NJ  
DEPARTMENT OF CHILDREN & FAMILIES**

**MOTION** made by Freeholder Vetrano to rescind the action previously taken by the Board on Resolution 8. H., and replace it with the language outlined by County Counsel in the new revised Resolution 8. H., seconded by Freeholder Parrott.

On Roll Call the vote was:

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

**Proposed contract with the Technical School for Medco**

Mr. McConnell said that there was a proposed Contract with the Technical School for Medco, which was the self-insured prescription fund; since the County had a Self-Insurance Fund and the Technical School is the entity entering into the Contract, the Self-Insurance Fund would not sign any Contract unless the Freeholder Board was advised ahead of time of its intent; this is another shared service item.

Mr. McConnell said that this was for informational purposes; the Self-Insurance Fund was meeting on Monday and would approve this Contract at that time.

**Presentation by Picatinny Arsenal Garrison Commander**

Elaine Morgan, Clerk of the Board, referred to an email received from LTC John Stack, Garrison Commander at Picatinny Arsenal; LTC Stack discussed an effort underway to reach out to nearby communities to improve how support is offered to military families and their dependents as they deal with the strain of ongoing deployments.

LTC Stack has offered to provide a brief presentation to the Freeholder Board regarding these efforts and how Sussex County could become involved; Mrs. Morgan asked the Board if it would like LTC Stack to attend a Freeholder Meeting in the near future to provide a presentation.

The Board agreed to have LTC Stack attend a Freeholder Meeting and provide a presentation as to how Sussex County could partner with Picatinny Arsenal in this effort.

Mrs. Morgan will contact LTC Stack to arrange his attendance at a future Freeholder Meeting.

**17. UNFINISHED BUSINESS**

There was no Unfinished Business for discussion.

## **18. NEW BUSINESS**

- A. Authorizing letter of support for grant application to the New Jersey Historic Trust for the development of a master plan for the historic buildings of Peters Valley.

### **Letter to Highlands Council urging it to reconsider its position to apply the Regional Master Plan across the Highlands Region**

Freeholder Wirths referred to the Highlands Council position to apply the Regional Master Plan nitrate dilutions standards to wastewater planning decisions across the Highlands Region; a draft letter has been composed urging the Highlands Council to reconsider its position and not to apply the stricter nitrate dilution standards in the Highlands Regional Plan. Freeholder Wirths requested that this letter be sent out with his signature on behalf of the Freeholder Board.

**MOTION** made by Freeholder Vetrano to authorize a letter to the Highlands Council urging it to reconsider its position to apply the Regional Master Plan across the Highlands Region, and to also authorize a letter of support for a grant application to the New Jersey Historic Trust for the development of a master plan for the historic buildings of Peters Valley, both letters to be signed by the Freeholder Director, seconded by Freeholder Crabb and passed unanimously.

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

**MOTION** made at 6:43 p.m. by Freeholder Crabb to open the meeting to the Public, seconded by Freeholder Parrott and passed unanimously.

### **Parking area on property being donated to Green Acres**

Teresa Vihti came forward; she asked how many parking spaces would be included in the property being donated to Green Acres; Freeholder Vetrano replied that it would be approximately 20.

### **Resolution 8. E.**

Teresa Vihti asked why Resolution 8. E. was removed from the Agenda.

Mr. Eskilson responded that it was not quite ready to be presented.

### **Resolution 13. A.**

Margaret Kolicco came forward; she questioned why Wantage Township was not included in the distribution of funds.

Freeholder Parrott said that this was done at different times; Congress will allocate the funds based on periodic stands; he added that a check was presented to Wantage Township last year for about \$23,000.00 by Congressman Garrett.

Mr. Eskilson added that this appeared to be the distribution for the Delaware Water Gap area and not for the Wallkill River.

### **Possum Glen Road Bridge**

Margaret Kolicco asked if the Possum Glen Road Bridge was being considered for repair.

Freeholder Wirths said that he has been told that it is scheduled for repair in the fall of this year.

### **Comments on Attorney for CJS**

Margaret Kolico expressed her negative opinion of Dennis Collins and his treatment of the citizens of Wantage Township and Lower Unionville Road.

Christine Feoranzo, Wantage Township, came forward; she said that in February when Dennis Collins appeared before Judge Bozonelis, it was very clear that Mr. Collins knew he had to make an application because Wantage Township's Attorney had told him.

Marie Springer, Vernon Township, came forward; she referred to a comment made earlier that everyone who wanted to be heard on this issue, was heard; Ms. Springer expressed that she did not feel this was ever going to be the truth as one of the families in the community was threatened with a suit; she said that there were many persons who were afraid to speak up.

The Board thanked everyone for their comments.

**MOTION** made at 6:55 p.m. by Freeholder Parrott to close the meeting to the Public, seconded by Freeholder Crabb and passed unanimously.

## **20. FREEHOLDERS' COMMENTS**

### **Board of Elections**

Freeholder Crabb said that he met again with Marge McCabe at the Election Board; he discussed a lawsuit, not against the County, but against the concept of an electronic voting machine as to verification; as a result of these proceedings, one of the things being proposed is the utilization of paper tape as a verification tool for the electronic voting issue; this would physically print a confirmation; Freeholder Crabb said that he and Mrs. McCabe felt this would be a disaster as it is prone to jams and misprints.

Freeholder Wirths stated that Mrs. McCabe had previously provided the Board with a presentation on this issue.

Freeholder Crabb said that the Sussex County Election Board was probably leading the State with regard to verification protocol; the County Election Board has its own document that has been reviewed by other County Election Boards within New Jersey and has received rave reviews; he added that this document has not received acknowledgement as a potential choice for remedy for the Court proceeding that is going on in Trenton; Freeholder Crabb said that the Election Board has reached out to Senator Oroho and asked him to try to introduce the option of looking at this document as a viable alternative to the proposal of the paper tape.

### **Meeting with IT staff/Planning technology needs for the future**

Freeholder Crabb said that he met with the County IT staff; it was being considered to put together a select group that would become a steering group to provide vision as to where the County eventually wants to go from a technology point of view; what type of technology, what type of services to provide, not only for the County, but potentially on a shared services basis.

### **Farmer's Market project**

Freeholder Vetrano provided an update on the Federal earmark from Congressman Frelinghuysen on the Farmer's Market project; it went before the Frankford Township Land Use Board this past week and received approval; as per the attorneys, there should be a signed agreement by the Fair Association by mid-July; upon receiving the signed agreement, preparations can be made to go out for bid for the building.

### **Commercial Kitchen**

Freeholder Vetrano stated that as a result of renovation taking place at the Technical School this summer, the plans for the commercial kitchen for the farmers is on hold; he said that contact would be made with Dr. Toback to see if there could be some kind of leeway to allow the farmers to have access to the kitchen at least one or two nights per week later in the summer so they may begin processing their products.

### **Trinity Street re-milling**

Freeholder Vetrano asked Mr. Eskilson if there was any update on Newton's re-milling of Trinity Street as a result of the work on the water main.

Mr. Eskilson said that it was originally anticipated to be done in mid-June; he added that there has not been another update; Mr. Eskilson said he would contact Newton to inquire again.

### **Establishment of Film Commission**

Freeholder Vetrano said that he spoke with Dr. Mierendorf of the Sussex County Community College this past week; there was an interest to possibly promote Sussex County and what it had to offer; he said that some other counties have created a film commission; this promotes the County, via the web, to introduce all the places of interest in the County to film producers who may want to do a movie in the County; Freeholder Vetrano passed out several copies of the *Passaic County, New Jersey Film Production Resource Guide* (copy on file in the Clerk of the Board's Office).

Freeholder Vetrano said that the Economic Development Partnership may have an interest in doing some of the work to form a Film Commission.

### **Update on Liaison Meeting with Department of Environmental and Public Health Services**

#### **a. Farm & Horse Show**

Freeholder Parrott said that the Department of Environmental and Public Health Services was prepared for the Farm & Horse Show as far as health inspections of all food stands.

#### **b. Sussex County Strategic National Stockpile SNS Capacity**

Freeholder Parrott said that there was a review of the 2008 Assessment Review of the Sussex County Strategic National Stockpile SNS Capacity; he said that Sussex County received 98% out of 100%; Sussex County was identified as having the highest score in New Jersey for Strategic National Stockpile preparedness.

### **State Business Tax Climate Index Ranking**

Freeholder Parrott said that New Jersey was ranked 49 out of 50 States for business; he said that New Jersey used to be ranked number 48; he said that a technology study was done which asked the States to contribute to the study; New Jersey and Rhode Island did not comply with the study.

## **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**

Friday	July 4, 2008	Independence Day	Holiday
Wednesday	July 9, 2008	Regular Meeting	5:00 pm

**23. ADJOURNMENT**

**MOTION** made at 6:56 p.m. by Freeholder Crabb to adjourn, seconded by Freeholder Parrott and passed unanimously.

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Elaine A. Morgan, Clerk

**DATED: June 25, 2008**