

1. Meeting Materials

Documents:

[6-10-2020 NOTICE OF EARLIER START TIME \(PDF\).PDF](#)
[6-10-2020 FREEHOLDER MEETING AGENDA \(PDF\).PDF](#)
[6-10-2020 YARDLEY LETTER TO STEPHEN SWEENEY JUNE 4 2020 \(PDF\).PDF](#)
[6-10-2020 HERTZBERG COMMENTS \(PDF\).PDF](#)



SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS
Sussex County Administrative Center
One Spring Street
Newton, New Jersey 07860
PRESS RELEASE

County of Sussex

Posted June 1, 2020

**BOARD OF CHOSEN FREEHOLDERS
SUSSEX COUNTY, NEW JERSEY
CHANGE OF MEETING START TIME**

NOTICE IS HEREBY GIVEN in accordance with the Open Public Meetings Act, the Board of Chosen Freeholders Regular June 10, 2020 meeting will commence at 4:30 PM at the Sussex County Administrative Center, 1 Spring Street, Newton, New Jersey. Pursuant to COVID Government Guidelines, this meeting will be conducted via a telephone conference call platform. To participate in this meeting, dial 973-310-7191.

Teresa Lyons, Clerk
Board of Chosen Freeholders
Sussex County, New Jersey

Due to public health issues arising from the coronavirus situation, the Sussex County Board of Chosen Freeholders will conduct this meeting remotely via a conference call. Callers are invited to listen and will have an opportunity to make comments by calling: 973-310-7191.

FREEHOLDER MEETING OF JUNE 10, 2020 AT 4:30 PM
REGULAR BUSINESS

Item

1. **CALL TO ORDER BY DIRECTOR**
2. **ROLL CALL**
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 June 2, 2020 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 to approve the Agenda:
(Voice vote)

6. **PROCLAMATIONS/CERTIFICATES/PRESENTATIONS- NONE**
7. **PUBLIC HEARINGS – NONE**

8. PUBLIC SESSION FROM THE FLOOR

Comments are limited to 3 minutes or less and must only address issues regarding agenda items. Please state your name and municipality.

**MOTION to open the floor for public comment
(Voice Vote)**

**MOTION to close the floor for public comment
(Voice Vote)**

9. FREEHOLDERS' COMMENTS

10. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE:**
AUTHORIZATION FOR THE FILING OF THE CARES ACT FTA NON-URBANIZED AREA FORMULA PROGRAM (SECTION 5311) TO THE NEW JERSEY TRANSIT CORPORATION AND THE DEPARTMENT OF TRANSPORTATION OF THE UNITED STATES OF AMERICA FOR CY 2020 (MARCH 1, 2020 – DECEMBER 31, 2020) IN THE AMOUNT OF \$1,737,398.00

- B. RESOLUTION RE:**
AUTHORIZATION TO EXECUTE MODIFICATION #1 TO INCREASE THE STATE HEALTH INSURANCE PROGRAM (SHIP) WITH THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING SERVICES IN THE AMOUNT OF \$7,000.00 TO PROVIDE MEDICARE COUNSELING FOR A TOTAL CONTRACTED AMOUNT OF \$39,000.00 AND TO EXTEND THE CONTRACT TERM FROM APRIL 1, 2019 TO MARCH 31, 2020 TO THE REVISED TERM OF APRIL 1, 2019 TO DECEMBER 31, 2020

- C. RESOLUTION RE:**
APPROVING GRANT APPLICATION WITH THE STATE OF NEW JERSEY FOR THE VICTIMS OF CRIME ACT (VOCA) GRANT PROGRAM VICTIM ASSISTANCE PROJECT, ADMINISTERED BY THE OFFICE OF THE ATTORNEY GENERAL, COUNTY OFFICE OF VICTIM WITNESS ADVOCACY V-19-19 FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021 IN THE AMOUNT OF \$292,747.00 FEDERAL SHARE AND \$73,187.00 CASH MATCH, FOR A PROJECT TOTAL OF \$365,934.00

The Board of Chosen Freeholders of the County of Sussex has reviewed the Consent Agenda consisting of various proposed Resolutions and determined that adoption of the said Resolutions is in and will further the public interest. If any Freeholder would like to remove an item to be considered separately, please do so now.

**MOTION to approve the Consent Agenda Resolutions A-C
(Roll call vote)**

11. **APPROVAL OF MINUTES**

Regular Meeting – May 27, 2020
(Voice Vote)

MOTION to approve the Regular minutes

Executive Session – May 27, 2020
(Voice Vote)

MOTION to approve the Executive Session minutes

12. **APPOINTMENTS AND/OR RESIGNATIONS – None**

13. **RESOLUTIONS**

A. RESOLUTION RE:

IN SUPPORT OF THE LEGISLATIVE REVIEW AND RECOVERY COMMITTEE TO IDENTIFY GOVERNMENTAL AND SOCIAL PROBLEMS CAUSED, EXPOSED OR MADE WORSE BY THE COVID-19 PANDEMIC AND TO MAKE RECOMMENDATIONS TO ADDRESS IMMEDIATE PROBLEMS, PREVENT THEM FROM REOCCURRING AND TO DEVELOP LONG-RANGE IMPROVEMENTS **(On by Title Only)**

B. RESOLUTION RE:

AUTHORIZATION FOR ELIZABETHTOWN GAS COMPANY, A PUBLIC UTILITY COMPANY, TO IMPLEMENT TEMPORARY TRAFFIC CONTROL MEASURES, UNDER THE DIRECTION OF THE COUNTY ENGINEER, INCLUDING THE CLOSURE AND DETOUR OF A SECTION OF CR 613 AND THE CLOSURE AND DETOUR OF A SECTION OF CR 605 AS DEFINED WITHIN THE PLANS ENTITLED "GAS MAIN IMPROVEMENTS, E. SHORE TRAIL (COUNTY ROUTE 613), STANHOPE SPARTA ROAD (COUNTY ROUTE 605), TOWNSHIP OF SPARTA AND TOWNSHIP OF BYRAM, COUNTY OF SUSSEX, NEW JERSEY", PREPARED BY MATTHEW J. BEKSEL, P.E., SUBURBAN CONSULTING ENGINEERS FOR ELIZABETHTOWN GAS COMPANY

C. RESOLUTION RE:

AUTHORIZATION TO MODIFY SUSSEX COUNTY TRAFFIC SIGNAL SC-07 AT THE INTERSECTION OF COUNTY ROUTE 607 AND BROOKLYN MOUNTAIN ROAD IN HOPATCONG BOROUGH IN ACCORDANCE WITH THE REVISED PLAN AND TIMING SCHEDULE DEVELOPED BY BOSWELL ENGINEERING

- D. **RESOLUTION RE:**
AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A BRIDGE LICENSE TO MAINTAIN, REHABILITATE, RECONSTRUCT AND PERFORM MAINTENANCE ACTIVITIES FOR BRIDGE C-18 ON PROPERTY WITHIN THE "LACKAWANNA CUTOFF" IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.

- E. **RESOLUTION RE:**
RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE 2020 SENIOR FARMERS MARKET NUTRITION PROGRAM AWARD #DFHS20WMN007 FOR A TOTAL AMOUNT OF \$500.00 FOR THE PERIOD OF JUNE 1, 2020 TO SEPTEMBER 30, 2020

- F. **RESOLUTION RE:**
RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE 2020 JUVENILE DETENTION ALTERNATIVES INITIATIVE (JDAI) AWARD #JDAI-20-IF-19 FOR A TOTAL AMOUNT OF \$34,454.00 FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020

- G. **RESOLUTION RE:**
RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE 2020 AREA PLAN CONTRACT GRANT, AMENDMENT #1 FOR AN ADDITIONAL AMOUNT OF \$74,400.00 FOR CONTRACT #DOAS20AAA005 FOR THE PERIOD OF JANUARY 1, 2020 THROUGH DECEMBER 31, 2020

MOTION to adopt said Resolutions A-G
(Roll Call vote)

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

- A. **RESOLUTION RE:**
AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ROADWAY CRACK SEALANT SERVICES FOR THE SUSSEX COUNTY DEPARTMENT OF ENGINEERING AND PLANNING FROM MICRO PAVE SYSTEMS, INC. IN THE ESTIMATED AMOUNT OF \$300,000.00 FOR THE 2020 SEASON

The Board of Chosen Freeholders of the County of Sussex has reviewed the Award of Contract/Change Orders/Bids consisting of various proposed Resolutions and determined that adoption of the said Resolutions is in and will further the public interest.

MOTION to approve Resolution A
(Roll call vote)

15. **FINANCIAL**

- A. **RESOLUTION RE:**
PAYMENT OF BILLS LIST
JUNE 10, 2020

MOTION to approve the Bills List
(Roll call vote)

- B. **RESOLUTION RE:**
AUTHORIZATION TO CANCEL CERTAIN GENERAL CAPITAL IMPROVEMENT
AUTHORIZATION BALANCES

MOTION to approve Resolution B
(Roll Call vote)

16. **PERSONNEL**

- RESOLUTION RE:**
AUTHORIZING PERSONNEL AGENDA OF JUNE 10, 2020

MOTION to adopt the Personnel Agenda
(Roll Call vote)

17. **ADMINISTRATIVE REPORT**

18. **COUNTY COUNSEL REPORT**

19. **UNFINISHED BUSINESS**

20. **NEW BUSINESS**

21. **PUBLIC SESSION FROM THE FLOOR**

Everyone is asked to keep their comments to 3 minutes. Please state your name and your municipality.

MOTION to open the floor for public comment:
(Voice vote)

MOTION to close the floor for public comment and return to regular business:
(Voice vote)

22. **REMINDERS**

Please check the County's website at www.sussex.nj.us for meeting schedules.

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

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 of Acquisition of Real Property or the Investment of Public Funds:**

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

- **Potential Litigation**

 X (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege;**

- **Potential Litigation**

_____ (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.

BE IT FURTHER RESOLVED that the Board expects to/not to take formal action after returning from Executive Session except to adjourn the regular meeting.

MOTION to adopt the Executive Session Resolution and enter into Executive Session
(Voice vote)

MOTION to adjourn from Executive Session and return to Regular Business
(Voice vote)

24. ADJOURNMENT

MOTION to adjourn the meeting:
(Voice vote)



SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS

Sussex County Administrative Center
One Spring Street
Newton, New Jersey 07860
Tel. 973-579-0210
FAX 973-383-1124
EMAIL hjyardley@sussex.nj.us

Freeholder Herbert Yardley

County of Sussex

June 4, 2020

Stephen M. Sweeney, Senate President
935 Kings Highway, Suite 400
West Deptford, NJ 08086

Dear Senate President Sweeney:

Sussex County began offering COVID-19 testing on May 8, 2020 using our county funds. Governor Murphy and his administration punted the responsibility of providing testing to the counties. It was almost impossible to find a provider because each county was in competition with each other. This put smaller counties like Sussex, Salem, Cumberland at a distinct disadvantage to bigger counties such as Bergen, Hudson, and Essex who not only have more financial resources but because of larger purchasing capacity were able to buy tests easier and more affordably.

Obviously, no government budgeted for COVID-19 testing the year before, but we understood the importance of keeping our residents safe by testing for COVID 19. Our freeholder board felt it important to protect all our 140,000 residents with testing. However, there was no support from the state in the form of funding for the service. Our residents were eager to get back to work and it is our job to make sure they are able to do this in the safest possible way.

On May 5th I sent a letter to Governor Murphy (see attached) requesting funding to help continue to provide testing. As of today I have not heard back on that request. Sussex County has still not received any State or Federal financial support to help fight COVID-19.

We know after Governor Murphy's meeting with President Trump, New Jersey was going to receive 550,000 testing kits and 750,000 swabs. Has there been any decision made whether Sussex County will be receiving any of these tests?

I'm asking if you could support our county, and other counties that are in the same situation, where they are providing Covid-19 services without funding. The State of New Jersey has received discretionary funding in the first round of funding from the federal government which left out not only Sussex, but Salem, Hunterdon, and Warren Counties. I'm asking if you would please support Sussex County's request that the State provide funding to us in order to combat this pandemic.

Sincerely,

Herbert Yardley, Sussex County Freeholder

cc: Governor Phil Murphy
Senator Steve Oroho, Senate Republican Budget Officer
Assemblyman Hal Wirths, Assembly Republican Budget Officer
Kimberly Wood, Administrator/Clerk to the Board County of Cumberland
Patricia Federowic, Clerk to the Board Salem County
Office of the Clerk, Board of Chosen Freeholders, Warren County

Freeholder Meeting - 6/10/2020

For one of the first times I can remember, an act so terrible was perpetrated, that the entire country unified in horror. My personal opinion is that certain powers hoped that event would divide us, but instead united us all against this act of injustice. They couldn't have that happen, so they quickly jumped into action, activating their terrorist branch, ANTIFA, to turn many communities' cries for help into attacks on those very communities. The stories of violence against all race creeds and colors were disgusting. The destruction of businesses, and people's life-long dreams. For so many, watching our country in literal and figurative flames was heartbreaking and completely distracting from what the message of the protests were supposed to be. I just don't understand how all that violence and all that hate is going to bring about that kind of change and healing that's needed..... But if you're paying attention, than you know the people pulling the string don't really want us united because when Americans are united, we are truly an unstoppable force. They want us divided by hate, and there are just far to many people falling for it.... unfortunately it seems so many times that the people who tell us to reject hate are the ones so filled with rage they cannot hear, or try and understand others points of view. We have to not only listen to each other, but hear each other.

So although I don't believe we can legislate hate, or write a bill that will end prejudice, there are things we can do to bring about change. There are things that as elected officials and community leaders we can do to set the bar. And it's 100% not to defund the our police departments. In fact if anything we need to fund these departments so that they can properly train their officers. My understanding is that departments in NJ now are only required to qualify with their weapons once a year.... Do we want them to fail? One of the first things I focused on upon becoming a councilmen in Sparta, was allocating funds in the budget so that our department could have advanced and reoccurring training. I recognized that so many of the grave incidents across our country seemed like they could have been avoided with proper training. I didn't want to see that happen in my community. But the Sparta Police Chief took it a huge leap further. He instituted programs and a culture of community policing. An example of that is an annual event where the entire town is invited, and the officers are there serving the youth of Sparta ice cream. The attitude of our officers and of the youth and residents, towards our officers is much different because of it, because of his leadership, and because of the caliber of officer that we have. I'm proud of the work they do, and the community that I live in. But it won't be police, and it certainly won't be politicians that abolish hate and prejudice. It will be mothers and fathers teaching their children. It will be the lessons that our kids get in the home that changes the world. Please stop looking to the government to be some magic answer it can never be. Our country was founded on the principles of Freedom and equality for all. A nation for the people and by the people. The responsibility to change our world is all of ours. It's up to us to have those uncomfortable conversations, and not hide from adversity, but meet it head on.

I was proud to see people peacefully protesting at the Newton Green over the weekend. I was proud that our community was an example of assembling peacefully for a cause should be done. God bless Sussex county and god bless America. Thank you.....

Joshua L Hertzberg
Freeholder
Sussex County Board of Chosen Freeholders
Tel: (973) 579-0240
Email: jhertzberg@sussex.nj.us