

FREEHOLDER MEETING OF MARCH 11, 2020 AT 6:00PM
REGULAR BUSINESS
FREEHOLDER MEETING ROOM

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 January 3, 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**
 - A. **PRESENTATION**
5 minute video entitled, "Get the facts on coronavirus"
 - B. **PROCLAMATIONS**
 1. Recognizing Girl Scout Week March 8- March 14, 2020
 2. Take Down Tobacco 'National Day of Action'
 3. Certificate of Recognition to Mary Ann Warner
 4. MS Awareness Week March 8-12, 2020
 5. March is National Nutrition Month

7. **PUBLIC HEARINGS**

A. **FINAL ADOPTION- ORDINANCE 20-01**

Freeholder Director Petillo "At our regular meeting held on February 19, 2020, we introduced for first reading the following Ordinance which was advertised in the New Jersey Herald issue of February 21, 2020, together with a Notice of Public Hearing stating it would be held at this meeting at 6:00 PM:

CAPITAL ORDINANCE PROVIDING FOR ROAD AND BRIDGE IMPROVEMENTS, INFORMATION TECHNOLOGY IMPROVEMENTS, GENERAL CAPITAL IMPROVEMENTS AND ACQUISITION OF NON-PASSENGER VEHICLES AND EQUIPMENT FOR VARIOUS COUNTY-OWNED FACILITIES, IN AND FOR THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; AND APPROPRIATING \$2,505,951 THEREFOR (\$932,792 FROM THE COUNTY'S CAPITAL IMPROVEMENT FUND AND \$1,573,159 FROM A GRANT, OR GRANTS, RECEIVED OR EXPECTED TO BE RECEIVED FROM THE NEW JERSEY DEPARTMENT OF TRANSPORTATION) TO PAY FOR THE COST THEREOF

MOTION that the Public Hearing be opened. (Voice vote)

Is anyone present to be heard regarding this Resolution?

MOTION that the Public Hearing be closed. (Voice vote)

MOTION that this Ordinance be finally adopted and authorize the Clerk to advertise this Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center. **(Roll Call vote)**

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 print your name and municipality on the sign in sheet.

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:

AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AMENDED PROFESSIONAL SERVICES AGREEMENT WITH AHS HOSPITAL CORPORATION/NEWTON MEDICAL CENTER FOR MEDICAL DIAGNOSTIC SERVICES TO MEET THE NEEDS OF THE NEW JERSEY CANCER EDUCATION AND EARLY DETECTION GRANT # DCHS20CED020 FOR THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020 IN ESTIMATED AMOUNT OF \$45,000.00

B. 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 #2020-05139-0173-00 THROUGH THE NJ DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF \$2,791.00 FOR THE PERIOD OF OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020

C. 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 #2020-05134-0194-00 THROUGH THE NJ DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF \$1,860.00 FOR THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020

D. RESOLUTION RE:

AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO APPROVE A BUDGET AMENDMENT FOR THE ENHANCED IMPLEMENTATION OF THE NJ COMPREHENSIVE CANCER CONTROL PLAN THROUGH COORDINATED CANCER AND CHRONIC DISEASE ACTIVITIES PROJECT # DCHS20CCC008 ISSUED BY THE NJ DEPARTMENT OF HEALTH, DIVISION OF COMMUNITY HEALTH SERVICES TO ACCEPT ADDITIONAL FUNDING IN THE AMOUNT OF \$6,000.00 BRINGING THE TOTAL FUNDING TO \$136,410.00 FOR THE GRANT PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020

E. RESOLUTION RE:

AUTHORIZATION FOR THE BOARD OF CHOSEN FREEHOLDERS TO APPLY FOR AND ACCEPT FUNDS FROM THE MEDICATION ASSISTED TREATMENT (MAT) INITIATIVE THROUGH THE STATE DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES FOR THE PERIOD JANUARY 1, 2020 THROUGH JUNE 30, 2020 IN THE AMOUNT OF \$72,448.00 FOR SOCIAL SERVICES AND TRAINING PROGRAMS IN SUPPORT OF TREATMENT OF INMATES WITH OPIOID USE DISORDER

F. RESOLUTION RE:

AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE CONTRACT #20AVWN WITH THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF DISABILITY SERVICES AND THE SUSSEX COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF COMMUNITY AND YOUTH SERVICE FOR THE PROVISION OF THE PERSONAL

ASSISTANCE SERVICES PROGRAM (PASP) FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020 FOR A TOTAL AMOUNT OF \$15,894.00

- G. RESOLUTION RE:**
AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO AMEND AGREEMENT WITH NJ TRANSIT FOR A TRANSIT ON DEMAND PILOT PROGRAM UTILIZING A TRANSPORTATION NETWORKING COMPANY (TNC) TO EXTEND THE CONTRACT PERIOD FROM NOVEMBER 1, 2018 THROUGH DECEMBER 31, 2020 IN THE AMOUNT OF \$40,000.00

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 A - G
(Roll call vote)

11. APPROVAL OF MINUTES

MOTION to approve the minutes

Special Meeting Budget Workshop
February 18, 2020
(Voice Vote)
Regular Meeting – February 19, 2020
(Voice Vote)

12. APPOINTMENTS AND/OR RESIGNATIONS

- A. RESOLUTION RE:**
APPOINTMENT OF CONCETTO FORMICA AS A FULL MEMBER TO THE PLANNING BOARD TO FULFULL THE UNEXPIRED TERM OF DAN FLYNN; SAID TERM TO BEGIN IMMEDIATELY AND EXPIRE ON DECEMBER 31, 2021

13. RESOLUTIONS

- A. RESOLUTION RE:**
AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH RIKER, DANZIG, SCHERER, HYLAND & PERRETTI, LLP FOR THE PROVISION OF TRANSACTIONAL AND LITIGATION COUNSEL SERVICES FROM MARCH 11, 2020 THROUGH MARCH 10, 2021 IN AN AMOUNT NOT TO EXCEED \$85,000.00
- B. RESOLUTION RE:**
AUTHORIZING A FORM OF MUTUAL AID AND ASSISTANCE AGREEMENT WITH THE MUNICIPALITIES IN SUSSEX COUNTY TO EXPIRE DECEMBER 31, 2023
- C. RESOLUTION RE:**
AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS IN COMPLIANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ. FOR VARIOUS BID EXEMPT SERVICES

AS STATED BELOW FOR 2020 FISCAL YEAR

- D. **RESOLUTION RE:**
PROVIDING TEMPORARY CLOSURE OF CR 613 IN THE TOWNSHIP OF SPARTA FOR THE ANNUAL GIRLS ON THE RUN NEW JERSEY NORTH 5K RACE
- E. **RESOLUTION RE:**
PROVIDING TEMPORARY CLOSURE OF THE EASTBOUND LANE OF CR 607 ON THE RIVER STYX BRIDGE IN HOPATCONG BOROUGH FOR THE HOPATCONG VETERANS BOAT TOUR
- F. **RESOLUTION RE:**
PROVIDING TEMPORARY CLOSURE OF CR 607 IN HOPATCONG BOROUGH FOR THE HOPATCONG ANNUAL HALLOWEEN PARADE
- G. **RESOLUTION RE:**
PROVIDING TEMPORARY CLOSURE OF CR 607 IN HOPATCONG BOROUGH FOR THE HOPATCONG ANNUAL MEMORIAL DAY PARADE
- H. **RESOLUTION RE:**
AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR A PERMANENT 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.
- I. **RESOLUTION RE:**
AUTHORIZING THE ACQUISITION OF EASEMENTS FOR THE REHABILITATION OF BRIDGE C-18, ROSEVILLE ROAD OVER WOLF LAKE INLET, BYRAM TOWNSHIP

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

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

- A. **RESOLUTION RE:**
AWARD OF CONTRACT EXTENSION FOR BITUMINOUS CONCRETE, AGGREGATES AND BROKEN STONE FOR THE COUNTY OF SUSSEX DIVISION OF PUBLIC WORKS TO VARIOUS VENDORS FROM MARCH 27, 2020 THROUGH MARCH 26, 2021
- B. **RESOLUTION RE:**
AWARD OF CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR PROFESSIONAL TEST SERVICES TO VARIOUS VENDORS FROM APRIL 1, 2020 THROUGH MARCH 31, 2021

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 Contracts A and B
(Roll call vote)

15. **FINANCIAL**

- A. **RESOLUTION RE:**
 PAYMENT OF BILLS LIST
 FEBRUARY 26, 2020

MOTION to approve the Bill List of February 26, 2020
(Roll call vote)

- B. **RESOLUTION RE:**
 PAYMENT OF BILLS LIST
 MARCH 11, 2020

MOTION to approve the Bill List of March 11, 2020
(Roll call vote)

- C. **RESOLUTION RE:**
 GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE U.S.
 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S (EEOC)
 "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND
 CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF
 THE CIVIL RIGHTS ACT OF 1964"

- D. **RESOLUTION RE:**
 AUTHORIZING THE UTILIZATION OF \$3,500,000.00 FROM THE
 ACCOUNT ENTITLED "RESERVE FOR SALE OF COUNTY ASSETS –
 HOMESTEAD" IN THE 2020 BUDGET

MOTION to approve Resolutions C & D
(Roll call vote)

- E. **INTRODUCTION OF 2020 COUNTY BUDGET FOR FIRST READING**

Freeholder Director Petillo: "The 2020 Sussex County Budget is being introduced for First Reading at this time and awaits approval by the Board. The 2020 Sussex County Budget Revenues and Appropriations Summary will be advertised in the New Jersey Herald issue of March 13, 2020.

**RESOLUTION RE: APPROVAL OF THE 2020 COUNTY BUDGET AS
PRESENTED FOR VOTE**

MOTION to introduce this Resolution on first reading. **(Roll call vote)**

MOTION to authorize the Clerk to advertise the Budget Revenues and Appropriations Summary 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 on the Budget and Tax Resolution will be held in the Freeholder Meeting Room, County Administrative Center, One Spring Street, Newton, New Jersey on Wednesday, April 8, 2020 at 6:00 P.M., at which time and place objections to said Budget and Tax Resolution for the year 2020 may be presented by taxpayers or other interested persons." **(Voice vote)**

- F. **RESOLUTION RE:**
APPROVAL OF 2020 LIBRARY BUDGET AND CERTIFICATION OF 2020 LIBRARY TAX LEVY

- G. **RESOLUTION RE:**
APPROVAL OF THE 2020 COUNTY FARMLAND RESERVATION, RECREATION AND OPEN SPACE TRUST FUND LEVY

- H. **RESOLUTION RE:**
AUTHORIZING SUBMISSION OF THE PUBLIC LIBRARY STATISTICAL REPORT FOR 2019 BY THE SUSSEX COUNTY DIVISION OF LIBRARY SERVICES

MOTION to approve Resolutions F-H
(Roll call vote)

16. **PERSONNEL**

RESOLUTION RE:
AUTHORIZING PERSONNEL AGENDA OF March 11, 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 print name and municipality on sign in sheet.

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:**

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

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

- **McDowell et al. v. Grewal, et al.**
- **Strada v. Sussex County Freeholders, et al.**
- **Mt. Creek Bankruptcy**

_____ (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)