

APRIL 22, 2020
4:30 PM
SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS

Freeholder Petillo read the below into the record.

Due to public health issues arising from the coronavirus, the Sussex County Board of Chosen Freeholders are meeting today Wednesday, April 22 at 4:30PM remotely via a conference call. The Public is invited to listen and will have an opportunity to make comments, by calling 973-310-7191. Also due to the health crisis the Board of Freeholders will not schedule travel meetings at this time and will reconsider perhaps in the future.

Due to technical difficulties, approximately the first 4 minutes of the telephone recording was trimmed, after which the actual meeting was started.

Item

1. CALL TO ORDER BY DIRECTOR 6:04 PM

2. ROLL CALL: Freeholder Fantasia, Freeholder Fasano, Freeholder Hertzberg, Freeholder Director Petillo; Freeholder Yardley

Also present: Greg Poff County Administrator, Kevin Kelly County Counsel and Teri Lyons Clerk to the Board

3. MOMENT OF SILENCE AND SALUTE TO THE FLAG – Freeholder Petillo asked for the public to keep in their prayers Undersheriff John Tomasula and for all the precious lives lost in this pandemic.

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 April 8, 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."

Prior to a Motion Freeholder Petillo noted that SCMUA has requested that Resolution 14A be pulled this evening for they will reevaluate this expansion at their May meeting.

5. APPROVAL OF AGENDA

MOTION to approve the Agenda as amended Freeholder Fantasia

SECOND: Freeholder Hertzberg

(Voice vote) all voted in the Affirmative

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

PROCLAMATION

1. Recognizing Eagle Scout Christopher Beckert - Freeholder Fasano read this into the record. **186-2020**
2. May is Older Americans Month-Freeholder- Freeholder Yardley read this into the record. **187-2020**
3. Recognizing Julia Duane Quinlan for her 40 years of serving Sussex County- Freeholder Fantasia read this into the record. **188-2020**

MOTION to adopt the Proclamations made by Freeholder Fantasia

SECOND – Freeholder Hertzberg

(Voice Vote)- All voted in the Affirmative.

7. PUBLIC HEARINGS

A. FINAL ADOPTION- ORDINANCE 20-02

BOND ORDINANCE PROVIDING FOR VARIOUS 2020 CAPITAL IMPROVEMENTS, BY AND IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$14,811,465 THEREFOR (INCLUDING GRANTS IN THE AMOUNT OF \$5,971,768) AND AUTHORIZING \$7,705,000 BONDS OR NOTES OF THE COUNTY TO

FINANCE PART OF THE COSTS THEREOF

Freeholder Director Petillo "At our regular meeting held on April 8, 2020, we introduced for first reading the following Ordinance which was advertised in the New Jersey Herald issue of April 12, 2020, together with a Notice of Public Hearing stating it would be held at this meeting at 4:30 PM:

Freeholder Petillo read this into the record: We are asking callers who want to make a comment to first state their name and municipality. Then the clerk will create a roster and she will go back and call each person in the order received. Comments are limited to 3 minutes or less.

MOTION that the Public Hearing be opened by Freeholder Fantasia

SECOND- by Freeholder Hertzberg

(Voice vote)- All voted in the Affirmative

Is anyone present to be heard regarding this Resolution? None

MOTION that the Public Hearing be closed made by Freeholder Fantasia

SECOND- Freeholder Fasano

(Voice vote)- All voted in the Affirmative

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 made by Freeholder Hertzberg

SECOND- Freeholder Fantasia

(Roll Call vote)-

Freeholder Fantasia Yes

Freeholder Fasano Yes

Freeholder Hertzberg Yes

Freeholder Petillo Yes

Freeholder Yardley

(Freeholder Yardley had a technical glitch and could not hear)

B. FINAL ADOPTION- ORDINANCE 20-03

BOND ORDINANCE PROVIDING FOR CAPITAL IMPROVEMENTS TO THE SUSSEX COUNTY TECHNICAL SCHOOL, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$895,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$895,000 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING OF SUCH APPROPRIATION

Freeholder Director Petillo "At our regular meeting held on April 8, 2020, we introduced for first reading the following Ordinance which was advertised in the New Jersey Herald issue of April 12, 2020, together with a Notice of Public Hearing stating it would be held at this meeting at 4:30 PM:

MOTION that the Public Hearing be opened by Freeholder Fantasia

SECOND- Freeholder Hertzberg

(Voice vote)- all voted in the Affirmative

Is anyone present to be heard regarding this Resolution?-None

MOTION that the Public Hearing be closed by Freeholder Fantasia

SECOND- Freeholder Fasano

(Voice vote)- All voted in the Affirmative

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 made by Freeholder Fasano

SECOND – Freeholder Yardley

(Roll Call vote)

Freeholder Fantasia Yes

Freeholder Fasano Yes

Freeholder Hertzberg Yes

Freeholder Petillo Yes

Freeholder Yardley Yes

C. FINAL ADOPTION- ORDINANCE 20-04

BOND ORDINANCE PROVIDING FOR THE UNDERTAKING OF 2020 CAPITAL IMPROVEMENTS AT AND FOR CERTAIN FACILITIES OF SUSSEX COUNTY COMMUNITY COLLEGE, LOCATED WITHIN THE COUNTY OF SUSSEX,

STATE OF NEW JERSEY; APPROPRIATING \$2,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,800,000 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING SUCH APPROPRIATION, THE PRINCIPAL OF AND INTEREST ON THE AGGREGATE PRINCIPAL AMOUNT OF WHICH WILL BE ENTITLED TO STATE AID, PURSUANT TO CHAPTER 12 OF THE LAWS OF NEW JERSEY OF 1971

Freeholder Director Petillo "At our regular meeting held on April 8, 2020, we introduced for first reading the following Ordinance which was advertised in the New Jersey Herald issue of April 12, 2020, together with a Notice of Public Hearing stating it would be held at this meeting at 4:30 PM:

MOTION that the Public Hearing be opened by Freeholder Fantasia

SECOND – by Freeholder Fasano

(Voice vote)- All voted in the Affirmative

Is anyone present to be heard regarding this Resolution?

Michelle Van Allen, Hardyston Township– Requested an explanation of the Improvements. Listening was CFO/Treasurer Yetter who provided the list of Improvements. Ms. Van Allen then inquired about school enrollment and the effect from the pandemic. Freeholder Fantasia said based on her last meeting with College Officials, student enrollment remains stable and with the new 2020-2021 Football Program it is anticipated to draw more students. Currently students are attending classes remotely.

MOTION that the Public Hearing be closed Freeholder Fantasia

SECOND- Freeholder Hertzberg

(Voice vote)- all voted in the Affirmative

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 made by Freeholder Fantasia

SECOND – Freeholder Yardley

(Roll Call vote)

Freeholder Fantasia Yes

Freeholder Fasano Yes

Freeholder Hertzberg Yes

Freeholder Petillo Yes

Freeholder Yardley Yes

D. FINAL ADOPTION- ORDINANCE 20-05

BOND ORDINANCE PROVIDING FOR THE UNDERTAKING OF A PORTION OF THE 2020 ROAD RESURFACING PROGRAM, BY AND IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, REAPPROPRIATING EXCESS BOND PROCEEDS IN THE AMOUNT OF \$2,330,321.56 TO PROVIDE FOR THE COST THEREOF

Freeholder Director Petillo "At our regular meeting held on March 25, 2020, we introduced for first reading the following Ordinance which was advertised in the New Jersey Herald issue of April 12, 2020, together with a Notice of Public Hearing stating it would be held at this meeting at 4:30 PM:

MOTION that the Public Hearing be opened by Freeholder Fantasia

SECOND Freeholder Hertzberg

(Voice vote)- all voted in the Affirmative

Is anyone present to be heard regarding this Resolution? - None

MOTION that the Public Hearing be closed by Freeholder Fantasia

SECOND- Freeholder Hertzberg

(Voice vote) all voted in the Affirmative

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 made by Freeholder Fantasia

SECOND – Freeholder Hertzberg

(Roll Call vote) all OK

Freeholder Fantasia Yes

Freeholder Fasano Yes

Freeholder Hertzberg Yes

Freeholder Petillo Yes

Freeholder Yardley Yes

9. PUBLIC SESSION FROM THE FLOOR

Before we open the hearing, we ask callers wanting to make a comment to first state their name and municipality. The Clerk will create a Roster and she will call each in the order received. Comments are limited to 3 minutes or less and must only address issues regarding agenda items.

MOTION to open the floor for public comment by Freeholder Fantasia

SECOND- Freeholder Fantasia

(Voice Vote) all voted in the Affirmative

Linda Giani, Andover Township requested an explanation of Resolution 14 B: Use of Storm Recovery Trust Fund For Coronavirus Mitigation. CFO/Treasurer Yetter answered saying these are expenses that the County has and will incur relating to COVID19. The State of New Jersey has allowed local governments to use Storm Recovery Trust Fund for these expenses. The details would be governed by OEM and Public Health Nursing. We do not have specific details as to what those funds will be used for only that we can use the funds for COVID19 expenses. Ms. Giani inquired could it pay for a County Testing Site? Freeholder Director Petillo interjected that the funds could but the issue for a Test Site is not money; it is lack of resources, which is why we formed a regional test site with Morris County. Currently the County continues in open discussion with Providers and is optimistic for a County Site.

MOTION to close the floor for public comment Freeholder Fantasia

SECOND- Freeholder Hertzberg

(Voice Vote) – All voted in the Affirmative

10. FREEHOLDERS' COMMENTS

Comments from Freeholder Fasano

He thanked everyone who has joined us virtually. As we all know this has been a very trying time for everyone in Sussex County. The tragic loss of life at Andover Subacute and Rehabilitation Center is nothing less than heartbreaking. His prayers and condolences are with the families of those impacted. Sussex County is committed to keeping the residents safe. He has been made aware of some of the involvement Sussex County's Division of Health had at this facility which included reporting an outbreak of this virus within the facility to the State Department of Health in last March. He was also made aware of multiple deliveries of supplies to this facility by the Sussex County Sheriff's Office of Emergency Management. Our Governor has asserted that now is the time to clean up these systemic problems in these facilities and he agrees with him 100%. He also wants to make sure that we figure out why pleas of help went unanswered and that we can prevent a tragedy such as this from ever happening again.

He continued by saying COVID-19 remains an ongoing battle in Sussex County as it is throughout the entire state. Sussex County has 735 confirmed cases of COVID-19 and 64 confirmed deaths. He believes now the focus will be on testing. Last week Sussex County announced a true partnership with Morris County, which opened the testing site at The County College of Morris to Sussex County residents who have a prescription from a doctor or medical provider. Even though there are testing sites within the state our concentration is getting a site in Sussex County. We are gathering supplies and necessary resources to make this happen. He thanked the Sussex County Chamber of Commerce and the tremendous help they have been with endless amounts of information they are sending out every day. In collaboration with The Sussex County Economic Development Partnership they have created an important survey for Sussex County businesses to gauge how our local businesses are being impacted by COVID-19. The survey is short and easy and is available until Monday, April 27th at 5 PM. He has asked the Freeholder Director to share the results of that study. To get in touch with the Chamber you can email them at mail@sussexcountychamber.org.

He expressed his deepest appreciation for the service of Sussex County Undersheriff John Tomsula who lost his battle with cancer last week. Freeholder Fasano was part of a drive-by salute for the Undersheriff that put rush hour traffic on route 80 to shame. He said on that day, hope was delivered one quarantined socially-distanced car at a time.

He also thanked our healthcare workers, emergency responders and those that continue to keep this county running safely. We will get this through this and it will be together.

Comments from Freeholder Yardley

His heart goes out to all who have passed away from this virus.

He referenced Eric Obernauer's Andover Subacute article in the New Jersey Herald and how this article opened the doors for more transparency in the State of New Jersey. He feels there was a benefit to the article. The State of New Jersey should be ashamed of itself for not addressing some of the issues years ago. One of the problems is the system in place used by Health Departments cannot not deviate from the State plan. There are new rules being put in place as a result of what recently has happened and hopes this will be a benefit to everyone that has a family member residing in a nursing home

New Jersey Association of Counties has just announced round 2 of additional funding for those Counties that did not receive federal funding during the first go around. We need to send letters to our Federal representatives asking them to support this new Bill.

He said like many people, he is at home and hoping to get through this and hopes we are all safe and have an opportunity to get outside and get some exercise.

Comments from Freeholder Hertzberg

He began by addressing the Andover Subacute and Rehabilitation Center and said he wants to make sure the record is clear in that the County called asking for this facility to be addressed well before things got out of control. The County asked for the state's help before all the deaths starting taking place. The deaths are from people we knew and loved. The system they had obviously did not work and now we need to move forward by protecting the patients and the healthcare workers who are still there. We will work with our Assemblymen and Senator to make sure we have legal ways to protect these people. He personally received a call from a worried and scared resident at 10:00 PM on Saturday and he thanked his colleagues, Freeholders, County Administrator Poff, Senator Oroho, and Andover Township Police Chief Danielson for jumping into action late at night to address this situation.

Thanked SCMUA for tabling their current plan while they access their current situation. He thanked them for their diligence and this doesn't change the fact that we need to expand their capacity but until we see what the future holds they will reevaluate things.

He said we had an Economic Development Partnership Board meeting this week online. There was a lot of discussion on state and federal aid and how to get an adequate amount of funding now.

Thanked all the people helping all over our community. From people donating money to hospitals, to people donating supplies, to restaurants servicing take-out orders. It has been amazing. He gave a special thanks to Mt. Creek who is using their 8-person finance department to help local business apply for small business loans.

The Economic Development Partnership has been compiling a lot of data that will hopefully help local businesses.

We need to focus our attention on the public's health but we will also need to focus our attention on the economy and getting it back up and running.

Comments from Freeholder Fantasia

The County is providing a revised format for its Press Release COVID19 positive cases. As of now the daily statistics are taken from the CDC reporting surveillance system. Statistics will be gathered at the same time each day. This is a living document that changes every time a case hits. This is the same format that the state of New Jersey uses. I have been assured that the epidemiologist is working with the County in preparing more visuals such as graphs and charts to be shared with the public. Public Health Nursing has created a team to investigate the number of Sussex County residents who have recovered from COVID19. As of today, the team is contacting each resident who tested positive and they are being surveyed and asked information designed to see if they have recovered. This will be an ongoing process. We have Sussex County testing site at Morris County Community College and we are continuing to work on getting our own testing site. Spoke with Sheriff Strada this morning and from an OEM standpoint his pieces are in order for the Test Site. The County is in discussions with medical providers because this is multi-pronged and we are currently in discussions with Atlantic Health. The largest number of Sussex County residents that visited the CCCM Site for testing on any given day has been 38.

Next, Freeholder Fantasia shared PPE data that was provided to her by Sheriff Strada in regards to the Andover Subacute. The County's first delivery was April 1st. As of today, the total number of N95 masks that have been delivered to Subacute I and II has been 4,420. There have been 15,750 standard surgical masks delivered to the facility. Face shields 425, gloves 10,000 were delivered, 68 pairs of goggles, 20 gowns and 4 large jumbo size bottles of hand sanitizer and 400 of the standard size bottles and 100 pairs of shoe covers. In addition there are other facilities in County that we have provided PPE. The facility counts and quantities were then shared.

Have received multiple phone calls from constituents and others trying to get information from the State regarding loved ones residing at the Subacute. Freeholder Fantasia is appalled by the lack of response from the State of New Jersey. Our County Health department has been relentless in reporting the information and intervening as much as we could. There is a recent news story that the City of Camden has taken a much more aggressive approach dealing with LTCO in their County and the local health department is grabbing the reins because they also saw the writing on the wall that people are dying and they need immediate assistance. Freeholder Fantasia requested County Counsel to contact Camden to understand what they are doing and how it can be applied here. In closing Freeholder Fantasia thanked everybody in the County. It takes an army to go in when you know people are suffering and they are not being heard or helped and then proceeded to go on the record and saying "she has had enough of the State – it is absolutely unacceptable."

Thank you to our medical reserve corp volunteers that are an intertrial part of Sussex County COVID19 response. Their dedication and keeping the community safe is much appreciated. If you are interested in becoming a volunteer, please visit the county's website at www.sussex.nj.us to register.

The Sussex County Hunger Coalition and the Sussex County Human Advisory Council have created a food distribution service for those that need food pantry home delivery. NORWESCAP's Pathways 2 Prosperities is offering food delivery services every Tuesday for those that cannot drive. To sign up for the delivery services, please call 973-862-6680. Our website also has an update list of the food pantry services.

She thanked Tammie Horsfield for doing an outstanding job to keep the business community informed. The COVID19 State of Affairs briefing with the Sussex County Chamber of Commerce is able to give information to that group. The last call that she was asked to participate in there were over 150 people on that call. It was a way that all the businesses could speak together and share some of their concerns and hear from our federal representatives, state and county as well. Each week a different Freeholder has been present on the call.

Have been fielding calls from individuals regarding their unemployment benefits. The state has received an additional 500 laptop computers which were provide to workers to enable them to work from home to help process the overwhelming number of unemployment claims. For those having a hard time getting results you can reach your District 24 Legislative office. Senator Oroho has been very helpful.

There was also a grant program that has come out today. It is the NJEDA Entrepreneur Guarantee Program. This is a \$5million program that encourages investments by encouraging private sector investors to provide additional working capital loans to New Jersey based businesses. The NJEDA will guarantee up to 80% of the total investment amount not to exceed \$200,000. You can look at Governor Murphy's economic plan for more information on this or visit NJEDA's website. The US Chamber of Commerce released a program that was short lived. It was the Chamber of Commerce Save Small Business Fund. It was a grant to offer short term relief for small employers in the US. She just wanted to thank Tammie Horsfield again for putting all this information out.

It is very important we complete our Census form. Understandably the census is not in the forefront of our minds but it is very important and as a County we need to be pushing this out. Urban communities and counties are emphasizing the Census and we need to do the same.

Today, in addition to all of the others, she really wants to thank the road department. They are considered essential. The need to keep our roads functioning and repair never stops. Our road department never stops working hard. They are a wonderful bunch of human beings.

Comments from Freeholder Petillo

When the Governor called the state of emergency because of the Coronavirus- everything changed. Information came flowing in and updates followed. Everyday there were new challenges and we reacted according to what was around us. When you are dealing with life and death every moment is precious because every life is precious. This health emergency has changed our lives and helped us reevaluate our priorities. We appreciate our family and friends and we are exercising our faith together. We are a kind and compassionate community and we will make it through together.

She offers hers condolences that lives have been shattered by the loss of loved ones. She offers her prayers for those that are ill and her hope for anyone that is feeling fearful or anxious. The County is working hard on your behalf and we are here to help you. If you have questions, or need food or counseling please do not hesitate to call our hot line at 973-579-9488 from 9AM to 4PM, Monday through Friday. If you are in need of substance abuse help you can contact Center for Prevention at 844-722-5357, you can call this line 24/7. Narcan kits are still available at no cost.

Our Public Health Nursing conducts investigations of each positive case. They call the positive individual to confirm the demographics, physical address and age. They investigate their symptoms including the date of the onset. Verify close contacts and provide them with New Jersey Department of Health medical guidance regarding COVID19. They insure they have contacted there health care provider and give them information on what to expect on worsening symptoms and to encourage them to seek medical care immediately if there symptoms worsen. They also ask if the person need any support care such as access to food and if they have a family member or neighbor that can assist them. The nurses follow up with all close contacts to provide guidance for self-quarantine, answer their questions and provide NJ Department of Health guidelines on symptoms and when to contact their medical provider. They also work with medical care providers providing NJ Department of Health guidance. Public health nurses do not advise the long-term health care facilities. They do provide guidance from the State Department of Health for the long-term care facilities. All this data is entered into the communicable disease reporting surveillance system. Nurses speak with family members and residents to answer questions. This is in additional to daily work of the public health nurses.

The County has hired an epidemiologist who began working last week. She oversees the COVID19 investigative activities, provides consultation and advises to health care providers, infection control and others. She is also responsibility for the organization of all data into the New Jersey Communicable Disease Reporting Surveillance System such as COVID19. Our public health nurses are kind and compassionate. She shared a story about one of the nurses who provided compassion to a son whose father was just put on a ventilator. The nurse provided all the information the son needed in this daunting time. The father eventually came off the ventilator and is in rehab now.

She has been receiving reports from the Newton Medical's new President, Bob Adams. She read his most recent report. "Overall COVID19 cases in Atlantic Health Hospitals have leveled off and we are seeing decreases in COVID admissions. At Newton Medical Center 50% of the hospital's census is COVID 19 patients and the surge in critical care that they have experienced in the past 6 weeks is beginning to level off. Currently there are 52 COVID19 patients in the hospital. That is down from the peak on April 15 of 68. We have transitioned over 75 COVID patients to home. We are extremely grateful for the overwhelming support and donations for the hospital. Your appreciation for us and your support inspires us every day. We will be transitioning back to performing more urgent outpatient and surgical procedures as the COVID 19 in our hospital

continues to decrease. We continue to coordinate with the post-acute long-term facilities in our region who are managing large outbreaks of the virus in their facility.” She thanked Bob Adams and his staff for the amazing work they are doing.

We were receiving reports from people inside, from families from the Andover Subacute Rehabilitation Center and it took time to get the attention of the State. Our Division of Health was calling, sending emails to complaints on their complaint site and trying to get the attention of the Ombudsman whose job is to protect seniors in long-term care facilities. They have now responded and have sent in their surveying team and CMS team which are reps from Medicare and Medicare services. As we know this facility is regulated by the state of New Jersey and it was the state of New Jersey that dealt with the owner of the facility. From the reports they had that we heard on the conference calls they felt the staffing was appropriate however, on April 20th things changed. The State Servicers have been out to Andover and 20 other LTC facilities to inspect and assess their compliance with state and federal regulations and guidelines. The Andover Subacute Rehabilitation Facility is required now by the State of New Jersey to hire a consulting administrator, a consulting nurse and an infection control professional. They must also cease having new admissions as well as provide a progress report by the end of the day on Monday, April 20th on the selection on the 4 mentioned positions to be approved by the New Jersey of Health.

She spoke with someone at OEM today and they told her that the state is sending the state police PPE equipment that is marked specifically and set aside for the Andover facility. This is the beginning of the changes that the state has asked for from the owner of that facility.

It is important for the public to understand that the County does not have the authority or jurisdiction over the Andover facility. It is regulated and controlled and overseen by the State of New Jersey. We all felt helpless and will continue to support what we can support at that facility. Her heart goes out to all at that facility.

11. APPROVAL OF CONSENT AGENDA – None

12. APPROVAL OF MINUTES

MOTION to approve the minutes Regular Meeting – April 8, 2020- Freeholder Fantasia
SECOND- Freeholder Hertzberg
(Voice Vote) – All voted in the affirmative

13. APPOINTMENTS AND/OR RESIGNATIONS – None

14. RESOLUTIONS

A. RESOLUTION RE: Pulled

APPROVAL AND CONSENT OF THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS PURSUANT TO THE 1987 COUNTY AGREEMENT OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY’S LANDFILL EXPANSION PROJECT AND THE ISSUANCE BY THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY OF SOLID WASTE REVENUE BONDS OR PROJECT NOTES (LANDFILL EXPANSION PROJECT) AND AUTHORIZING CERTAIN COUNTY OFFICERS AND OFFICIALS TO EXECUTE VARIOUS DOCUMENTS IN CONNECTION THEREWITH

B. RESOLUTION RE: 189-2020

USE OF STORM RECOVERY TRUST FUND FOR CORONAVIRUS MITIGATION

C. RESOLUTION RE: 190-2020

AUTHORIZATION TO ENTER INTO AGREEMENT FOR LEASE OF AN ANTENNA SITE TOWER BETWEEN AMERICAN TOWERS LLC AND THE COUNTY OF SUSSEX FOR AN INITIAL TERM OF TEN (10) YEARS FROM DATE OF AGREEMENT AWARD IN AN AMOUNT NOT TO EXCEED \$40,180.00 FOR YEAR ONE

MOTION to adopt said Resolutions B-C by Freeholder Fantasia

SECOND- Freeholder Yardley

(Roll Call vote)

Freeholder Fantasia Yes

Freeholder Fasano Yes

Freeholder Hertzberg Yes

Freeholder Petillo Yes

Freeholder Yardley Yes

15. AWARDS OF CONTRACT/CHANGE ORDERS/BID

A. RESOLUTION RE: 191-2020

AWARD OF CONTRACT FOR MISCELLANEOUS BUILDING TRADE SERVICES (MASONRY) TO BE PERFORMED IN AND AROUND VARIOUS SUSSEX COUNTY BUILDINGS TO TONY’S CONCRETE CONSTRUCTION COMPANY INC. FROM MAY 1, 2020 UNTIL APRIL 30, 2021 IN AN AMOUNT NOT TO EXCEED \$500,000.00

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 the Contract by Freeholder Fantasia

SECOND- Freeholder Hertzberg

(Roll call vote)-

- Freeholder Fantasia Yes
- Freeholder Fasano Yes
- Freeholder Hertzberg Yes
- Freeholder Petillo Yes
- Freeholder Yardley Yes

16. FINANCIAL

- A. RESOLUTION RE:192-2020**
PAYMENT OF BILLS LIST
April 22, 2020

MOTION to approve the Resolution by Freeholder Fantasia

SECOND – Freeholder Hertzberg

(Roll call vote)-

- Freeholder Fantasia Yes
- Freeholder Fasano Yes
- Freeholder Hertzberg Yes
- Freeholder Petillo Yes
- Freeholder Yardley Yes

17. PERSONNEL

- RESOLUTION RE: 193-2020**
AUTHORIZING PERSONNEL AGENDA OF April 22, 2020

MOTION to adopt the Personnel Agenda by Freeholder Fantasia

SECOND- Freeholder Hertzberg

(Roll Call vote)- All OK

- Freeholder Fantasia Yes
- Freeholder Fasano Yes
- Freeholder Hertzberg Yes
- Freeholder Petillo Yes
- Freeholder Yardley Yes

18. ADMINISTRATIVE REPORT

Mr. Poff continues to work with the County’s Emergency Preparedness Team and Office of Emergency Management. He recently secured an agreement between Morris County and Sussex Counties to open up testing for Sussex County residents at the Morris County site. He has been working on a plan that will allow Sussex County to activate its own testing facility and more information will become available in the following days.

Through the Office of Emergency Management our County continues to work with contracted vendors and adding vendors to secure necessary PPE equipment and other equipment necessary for our agencies and first responders. The State Office of Emergency Management currently monitors and supports the PPE needs for local hospitals and long-term care facilities based upon the number of confirmed COVID cases. The County also continues to accept PPE donations and anyone who is interested in donating may contact the county at 973-579-0380 Ext. 227.

As previously mentioned we have a number of partners who have been collaborating for a safe and efficient delivery system of food for those in need in Sussex County. A list of up-to-date food pantry services can be found on the County’s website www.sussex.nj.us. NORWESCAP’s Pathways 2 Prosperity and the Sparta Ecumenical Food Pantry are offering food delivery services. We have been working with our Social Services group ensuring that the Governor’s Executive Orders are being enforced particularly as it pertains to water, electric and gas utilities and making sure they have suspended shutoff to those who may have difficulty making their payments. After the public health emergency has ended individuals who need assistance can reach out to Sussex County Social Services’ division at 973-383-3600.

He was very pleased to hear Freeholder Petillo’s comments shared by Atlantic Health Care Systems. Atlantic Health made a very similar presentation to our weekly call that we have with all the County’s municipal mayors. He was very pleased to hear that the apex of infections particularly at Newton Medical Center has turned into a plateau. They will continue to hold weekly phone calls with the mayors, administrators and clerks to keep

them informed with developments. The most recent call was yesterday and the next call will be next week.

19. COUNTY COUNSEL REPORT

Mr. Kelly reported that the Litigation Matter for Executive Session can be pulled. There have been no updates from the Attorney's involved.

20. UNFINISHED BUSINESS- None

21. NEW BUSINESS - None

22. PUBLIC SESSION FROM THE FLOOR

Freeholder Petillo stated:

Before we open the public session, we ask callers wanting to make a comment to first state their name and municipality. The Clerk will create a Roster and she will call each in the order received. Everyone is asked to keep their comments to 3 minutes.

MOTION to open the floor for public comment Freeholder Fantasia

SECOND- Freeholder Fasano

(Voice vote) – All voted in the Affirmative

John Mannion, Montague faulted the Freeholders for placing most of the blame for the Andover Subacute on the State Department of Health rather than with some of the County's own officials. People were not informed, kept in the dark and said this was a purposeful cover-up.

Christy Levin, Hardyson Township thanked the Freeholders for this opportunity. Recently her Uncle passed away while at the care of the Andover Sub Acute Rehabilitation. Now is not the time to point fingers, but to take a leadership role and what can be done in the future in terms of prevention on the county level.

Jackie Espinoza JCP&L thanked the Freeholders for this opportunity and gave a shout out to Company Line Workers. During the pandemic and recent storms, line workers continue to serve JCP&L customers. April 18th was Line Worker Appreciate Day.

Michael (would not give his last name in fear of retaliation), Newton calling from Florida, but his sister resides in Newton. Their Mother is a patient at the Andover Subacute. The Subacute failed to keep family members informed forcing us to rely on the newspaper. Doctors are conducting virtual visits which open questions about what are their billing activities. There is plenty of blame to go around, but Doctors must return to the facility for the proper care of their patients.

Irene Buckley, Green Township asked Mr. Kelly if he had received a message from her. Mr. Kelly said he did not get a message. She asked Freeholder Yardley if he had received a response from Vice-President Pence regarding the letter that he had read at the last meeting. Freeholder Yardley has not heard back. She asked if there is testing for asymptomatic individuals. Freeholder Petillo said no. She then wanted to know how many deaths in Green Township; Health Officer McDonald responded that numbers were fluctuating due to time release test information from the State and the County. Also, some test counts went to Green but were later pulled and placed in the accurate municipality. Issue is that Green Township zip code crosses into these other municipalities.

She asked Jackie Espinoza if the \$4.50 fee that is charged when you use your credit card be waived. Ms. Espinoza was no longer on the call, but Freeholder Hertzberg sent Ms. Espinoza and responded that the fee is imposed by the credit card company. Ms. Buckley feels the fee is excessive. Ms. Lyons then provided Ms. Buckley with Ms. Espinoza's office telephone number.

Lauren Cholera, Sparta thanked the Freeholders for their informative and compassion comments but feels County needs to exercise more local control. Inquired if Governor Murphy's Office has responded to the Freeholders letter regarding reopening municipal and county parks. There has been no response. Ms. Cholera is very concerned about recovery and applauded the County's efforts for testing.

Freeholder Petillo stated that as a Government agency we have to follow the Governor's Executive Orders but we do advocate for all of the people for all of these issues. In addition Freeholder Petillo further commented about recent funding that Sussex and 3 other Counties did not receive for the State followed HUD guidelines that we and the three Counties do not quality.

Freeholder Hertzberg stated that New York is being proactive with the antibody testing. He thinks this will be a big part in getting our economy restarted.

Freeholder Fantasia stated that in Freeholder Fasano's report he did mention that asymptomatic testing was happening. However, she just got information that the Governor said that the State first needs to retain a waiver from the Federal Government before we are permitted to test asymptomatic patients. She wanted to explain why we said no so in the time that Freeholder Fasano gave his report to now it has been changed but we have to wait for the waiver.

Freeholder Petillo said things change quickly. Please keep informed by calling our hotline.

Zoe Heath, Vernon wanted to know if the County can write letters to the State about park closures have you written to the State regarding the situation at the Andover Subacute? If this is public information why was the public not informed?

Freeholder Petillo responded the Department of Health was notified on March 29th of the first confirmed case. On April 2nd there was a death. It was at that point the County's Department of Health starting writing and calling the State of New Jersey.

Freeholder Fantasia interjected and said when we are elected we are elected to represent all of our constituents who come to us with multiple facets of what they feel is important to them. There are five of us and these issues don't sit in a silo. Most of us have day jobs and most of us work way into the night to be able to address each and every issue. Just to be clear, one letter was written by me and approved by the Freeholders to simply ask the Governor to reconsider his decision about the parks. This in no way took away from the time and efforts of the Andover Subacute situation.

Ms. Heath was adamant the Freeholders did not make the information public.

Freeholder Hertzberg said there was a lot of information going back and forth but until the State confirmed what we were hearing was true we could not get involved. Once we knew the accusations we were receiving were true then we could get involved at a County level.

Doreen Edwards, Vernon people are very distracted these days with fear and worry and this is indicative on the roadways. Perhaps Freeholders could launch a safe driver campaign to remind drivers to stay focus and adhere to speed limits. Ms. Edwards also reminded the Freeholder that May is Lyme Awareness Month.

Sonia Ganwald, Sparta her mother is a patient at the Andover Subacute and became very sad, angry and worrisome by the news of the Subacute. She recently contacted both State and County Officials and Freeholder Hertzberg was especially helpful. The State Plan calls for three new Doctors, but how does this help the workers? Her mother is in isolation. How could the State issue a License to this Owner, who has been cited for violations in the past? She feels this is a huge problem in the State of new Jersey. Freeholder Hertzberg concurred and hopes that the Attorney General will conduct as aggressive investigation and answer this question.

Michelle Van Allen, Hardyston made a statement thanking all essential workers serving during this pandemic. She made a comment about Freeholder Fantasia and Yardley's negative comments regarding the State of New Jersey. Now is not the time to be pointing fingers. Blame is first with President Trump.

Freeholder Hertzberg said we are not pointing fingers, it does not matter if Democrat or Republican. We are holding those responsible to be accountable. Freeholder Fantasia said you can call it finger pointing, but I call it accountability. Freeholder Fantasia reported that Camden County has experienced similar frustration with the long term care facilities in their County and took aggressive measures to conduct County inspections. It is our job to hold State's feet to the fire when our County is being overlooked.

Freeholder Yardley said this facility is inspected by the State and he has requested copies of the inspection reports. The State never reported any deficiencies to the County.

Freeholder Petillo thanked all the callers. She appreciates all of their comments. She did say that the Governor did tell them that the Attorney General will be doing a full investigation and his exact words were "wherever the blame falls is where it will fall" and that was said on National television.

MOTION to close the floor for public comment and return to regular business made by Freeholder Hertzberg
SECOND- Freeholder Fasano
(Voice vote)- All voted in the Affirmative {Time is 7:01 PM}

23. **REMINDERS**

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

Freeholder Petillo made the following statement:

The County is transparent and releases information to the public as soon as it is confirmed. Tonight we are having an Executive Session to discuss matters concerning COVID19 Update and status report. The Open Public Meetings Act requires that all matter relating to Public Safety and Property and Matters Required by Law to be Confidential must be discussed in Executive Session.

EXECUTIVE SESSION – (Closed Session) – This was pulled.

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:

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

COVID19 Update

 (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:**

COVID19 Update

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

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

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

BE IT FURTHER RESOLVED that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Sussex County Board of Chosen Freeholders or provided by law that the public interest will no longer be served by such confidentiality; and

BE IT FURTHER RESOLVED that upon completion of the business, for which the Board has entered into the Executive Session, the Board shall **NOT** reconvene and resume its meeting open to the public.

BE IT FURTHER RESOLVED that the Board expects not to take formal action after Executive Session and will adjourn the meeting in Executive Session.

Freeholder Petillo thanked everyone for being on this conference call and speaking openly to all.

MOTION to adopt the Executive Session Resolution and enter into Executive Session made by Freeholder Fasano

SECOND- Freeholder Hertzberg
(Voice vote)- All voted in the Affirmative

24. ADJOURNMENT

MOTION to adjourn from Executive Session and the meeting was Freeholder Fasano

SECOND- Freeholder Hertzberg
(Voice vote)- All voted in the Affirmative

Time is 10:03 PM.

Dated: April 22, 2020

Respectively submitted,

Teri Lyons, Clerk
Board of Chosen Freeholders