

FREEHOLDER MEETING OF FEBRUARY 19, 2020 AT 7:00PM
REGULAR BUSINESS
FREEHOLDER MEETING ROOM

Item

1. CALL TO ORDER BY DIRECTOR Petillo at 7PM

- 2. ROLL CALL** Freeholder Fantasia, Freeholder Fasano, Freeholder Hertzberg,
Freeholder Director Petillo, Freeholder Yardley

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

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 February 6, 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 made by Freeholder Hertzberg
Seconded by Freeholder Fantasia
(Voice vote)- All voted in the affirmative

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. PROCLAMATIONS

1. The Chinkchewunska Chapter National Society Daughters of the American Revolution.
Sandy Mitchell- Community Service Award **084-2020**
Patte Fratto- Historic Preservation Medal **085-2020**
Wendy Wyman- History Award **086-2020**
Nathaniel Sajdak-Conservation Award **087-2020**
Frank Gonzalez- Ramsey Cooper Memorial Award **088-2020**

These Proclamations will be presented at the Chapter luncheon on Saturday, February 29th by Freeholder Director Petillo.

2. Proclamation recognizing David Magrini as Eagle Scout **089-2020**
3. Proclamation recognizing Evan Rizzo as Eagle Scout **090-2020**
4. Proclamation recognizing Kevin Kapuscinski as Eagle Scout **091-2020**

Eagle Scout Proclamations will be presented at the Court of Honor Ceremonies.

5. Certificate of Recognition to Helen Kaposi on her 105th birthday, presented to Linda Esposito, Owner from the Heart Elder Care. **092-2020**

Freeholder Director Petillo said this is a very special occasion and we want to wish Ms. Kaposi a very happy 105th birthday. Ms. Kaposi is the oldest client of From The Heart Elder Care and the Staff adores her. She was born on February 28 1915 and lived most of her life in Hamburg. A recent NJ Herald newspaper article reported that the Staff was hoping Ms.

Kaposi could receive 105 birthday cards. Ms. Esposito reported Ms Kaposi has received more than 2,000 cards and is overwhelmed by the response. Freeholder Fantasia then presented Ms. Esposito with hundreds of cards from students at her school of employment along with cards from County Staff. Ms. Esposito was very grateful and said Ms. Kaposi has been reading each and every card she has received and will enjoy this new addition to her birthday card collection.

Proclamation recognizing February as Career and Technical Education Month, presented by Freeholder Yardley to SCTHS Supt and Principal Gus Modla. **093-2020**

MOTION to adopt the Proclamations made by Freeholder Fantasia
Seconded by Freeholder Hertzberg
(Voice Vote)- All voted in the affirmative

B. PRESENTATION

1. County Administrator Greg Poff, Statewide Insurance Fund Safety Award

Mr. Poff presented a \$300 Safety Award check to the Board. At the Statewide Insurance Funds' annual Reorganization, Christine Conklin, Sussex County's Employee Service Director was recognized for her efforts of expanding to our front line supervisors their participation in safety programs for our workers. This \$300 will be purchase additional personal protection equipment. In addition, the County was awarded the Insurance Fund's 2019 Safety Grant. The Award requirements focused on cyber security. In order for the County to be eligible, over 60% of the staff had to be trained in cyber securities. There were five webinars distributed to our workforce and by the deadline 80% of our workforce completed their training in cyber securities. As a result of this the County received \$23,600. These funds will be for the purchase of a security appliance to enhance our security at the County. Mr. Poff took this opportunity to let the public know as well as the Board that we not only take the safety of our workers seriously but also the integrity of our information technology infrastructure.

2. Department of Community Affairs' - Sussex-Morris Counties Contracted Service Inmate Housing Analysis

Rick Richarddella and Phil Gonzalez from New Jersey Department of Community Affairs presented report analysis relating to the County's inmate contracted services. The purpose of the presentation is to provide an impartial and comprehensive review of the principals of contracted services. Mr. Richarddella reported that the sharing of these services is becoming more popular. Sharing these services provides fiscally responsible outcomes and sound operational practices. He complimented the Sussex County Sheriff, the Freeholders and the County Administrator for being proactive. If the County stayed utilizing your jail facility it would have cost more than seventy million dollars over years to bring the facility to meet compliance standards. To essentially close your jail was not an easy decision, but a very important one that will have positive financial impact for many years. Power point presentation indicated the saving projections for the next years. The first five years is \$7.3 million, ten years \$14 million and in 25 years it will be \$36.5million dollars savings to the citizens of Sussex County and that is just from the healthcare and pension plans.

In conclusion the Board was presented with a a letter from Governor Murphy congratulating the County for entering into this shared service agreement and thanked them for their leadership.

6. 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.

Freeholder Petillo asked for everyone to give each other the opportunity to speak their minds.

MOTION to open the floor for public comment made by Freeholder Hertzberg
Seconded by Freeholder Fantasia
(Voice Vote)- All voted in the affirmative

Mr. Hayden, Frankford, thanked the Freeholders for their support in the 2A matter. Stated what the 2A resolution will do and not do. This resolution does show solidarity to those that own firearms. He thanked the Freeholders for standing up and protecting his rights.

Frank Palletto, Mahwah, commended the Freeholder Board for upholding the Bill of Rights this evening. He said what started as an attack on the 2A has morphed onto an attack on the first amendment on freedom of speech, assembly; the right to live by one's own conscience and practice faith. He thanked this Board and the public who have spoken on this Amendment and the Bill of Rights.

Parker Space, Beemerville, thanked the Board for putting up the Resolution for vote tonight. He said the Freeholders are standing up for the law abiding citizens of the State of New Jersey.

John Rocco, thanked the Freeholder Board, is a 32 year gun owner and a member of the Johnsonburg Gun Club in Warren County, NJ. He strongly supports the Second Amendment and hopes the Freeholders will vote yes on the Resolution.

Austin Neary, Green Township thanked the Freeholders for the dedication they put into their jobs. He is pro Second Amendment. He is an investment advisor, a gun owner and belongs to two ranges. He is also a national gun safety range officer. He looked at recent studies from Q Research, the CDC, Governor Murphy's task force as well as the FBI. In this research there is a concept called Comparative Advantage. There is another component that breaks down gun violence by demographics and also where we see the violence. It also looks at New Jersey and how many homicides, how many gun related deaths were done through self-defense, police orientated and suicide. His research revealed that in New Jersey in 2017 there were 478 firearm deaths, 352 were homicides yet the number of opioid overdoses were 2,685. He said while it is serious to look at the gun related laws it is also serious to look at what the other situations are. The research also looks at the type of guns are used and not all black guns are bad guns. He understands that the Freeholders have to answer to other people that may not have the same opinion.

Jocelyn (audio or sign in sheet not clear for her last name), Frankford stated that in 2005 15% of women owned firearms and now it is 23%. She happens to be one of them and is very proud to own a firearm and able to protect her family and animals. She refuses to be a victim. She feels confident and safe with her firearms and feels New Jersey should recognize the Second Amendment so more women can own firearms and protect their families.

Wendy Gaetner, Wantage is a legal firearms owner. She feels firearms are the great equalizer and as a woman she appreciates that she can defend herself if she needs to. She thanked the Board for putting the Resolution forth.

Dominick Portelli, Lafayette, has been attending town and County meetings to shine light on how the State of New Jersey has been infringing on the rights of their citizens. He said the state has been passing laws to make law abiding citizens criminals at the flick of a pen. He said we care about gun law safety.

Kristy Lavin, Hardyston feels this version of the Resolution sounds different from the others she has read. This one has an emphasis on protecting law abiding citizens which is reasonable and she feels this version leaves room for understanding extended to those of us who work in prevention in protecting Sussex County citizens from non-law abiding citizens. She said we can have rights that protect our rights and citizens at the same time. She thanked the Board for allowing her the time to express her thoughts.

Robert (the audio and sign in sheet are not clear on his last name), Vernon wants to know who determines what is unreasonable. He said it should be up to the courts to determine it. Then he said the press states that Sussex County will be a sanctuary state for guns. He doesn't know where all this comes from and then he questions do we really do this stuff. The Board said absolutely. He thanked the Board for removing the Red Flag information in the Resolution. He said he lost friends who have committed suicide with a firearm and his daughter's college classmate, member of her wedding party who daughter was killed by her 10 year brother. He said what we need

is control. If you want to own a gun you need to be a diligent gun owner. His other comment was every illegal gun started out as a legal gun.

Alainna Cornman, Sparta is a very new firearms owner. She went target shooting with her cousin and it was something they could do together. She said since then, she has been looking up rules. Her background is in education and currently a stay at home mother and recognizes the ability to bear arms. She said it is one of the special things of being an American and she supports the resolution.

John Park, Netcong does agree that some of it is out of control and some of it is our responsibility however considering New Jersey is one of America's most if not the most stringent in terms of gun control. He said if you rent you need to let your landlord know if you are a gun owner. He said the previous speak left off on an interesting note for him how the 2nd Amendment is an integral part to being an American. His parents had a pretty wide camera to pick where they would move to from South Korea. They could have moved to the United Kingdom, Poland, Nigeria but they picked California/ New York. He said he can't think of another country with our tier of development, tier of economics that has our particular firearms culture. He was recently in Texas and he felt it was like being in another county that happened to speak his language. His father says he feels that way whenever he goes back to South Korea because he has become so Americanized that home doesn't feel like home anymore. He said Texas felt like home to him and New Jersey feels like a foreign country now. He is very glad to hear about the 2nd Amendment. He has plans to move to PA. He said to the people in audience I hope you don't feel as homeless as I do.

Sally Gibson, Fredon is fine with the resolution and is pleased that is it general. She said you comprised and she supports it. She is here to bear witness to the Sussex County people who see no reason for this resolution. She does see this movement as political. She mentioned what Parker Space said about the all the municipalities are 2nd Amendment towns and she says what is the point and in her mind the point is to create fear and separate people. She said the last time she was there she could feel the rage. She has been thinking about it a lot since that meeting. It's not reading the different opinions it is the rage. She said she doesn't want to take away anyone gun; she is for hunting but regulations of guns is a problem. There are so many shootings upon shootings and her shock of hearing another one has become way too tolerably. She said rifles for hunters are not the problem. Assault weapons should only be used by the military and hand guns are the problem and in her opinion are the problem. She feels the town's resolutions are only dividing us. She has always been a liberal and has lived her for 40+ years. She said at the last meeting she befriended a couple and found they had some common ground. She would like to set up a discussion group at the main library and she extended her idea to the audience. She provided her email to anyone interested.

Barbara Holstein, Montague a mom of a marine. Her daughter took an oath to protect and serve her county and our freedom on January 3, 2020. As a single mom of her 18 years she taught her safe use of firearms and hunting. She received excellent marksmanship in boot camp. Out of 13 or so of our Sussex County residents that have gone onto boot camp she was the only one to obtain this level. She believes it is because she has been taught to be around firearms since she could sneeze. She feels our County needs to send a message to our governor and others who thinks making more laws and making our law abiding gun owners and criminals isn't going to stop the crime in our state. She said Chicago is a testament. She said show our County support by supporting the 2nd Amendment Resolution.

Linda Neary, Green Township has been shooting since she was 10 years old with her dad who taught her how to shoot. After her dad passed her husband reintroduced it to her and now she has learned about gun safety and the rules. She appreciates her support on this if they chose to vote that way and for the ability for her to express that. She said you have a difficult decision but she hopes they will consider it.

Michael Corso, Pastor of Sophia Inclusive Community, Stillwater stated at the last Freeholder meeting he gave information on the Red Flag laws and he does appreciate the fact that the Freeholders took the time to consider them and not include them in the resolution. He does wonder if the Founding Fathers knew about the technology that would be in existence in the 1990 and into the 2000 and now is 2020 with rapid fire weaponry if they would consider the 2nd Amendment to be in stone the way it is in our constitution right now. He says he thinks about this a lot. Sometimes things have to change, things can't be written in stone. Ideals can be written in stone but concepts and pragmatic ideas have to change. With technology advances the ideals and concepts also have to change. The technology that we have before us today with assault weapons and all the rapid fire weaponry in

people's possession along with the rage in people hearts and minds is something we as a community need to think about. He thanked the Board for their time tonight.

Freeholder Fantasia clarified people's comments about thanking us for removing the Red Flag part; she said it never existed originally. She said went it comes times for her comments she will touch on it. But just to be clear it was never added or removed, we did not have a resolution to being with.

Jon Connolly, Newton said he gave a lot of thought about making a statement and he wanted to congratulate everyone in the room for demonstrating their right to free speech. He said whether it is the 2nd Amendment, he feels there is something sacred about our Constitution and Bill of Rights. What he likes about this conformation is that it is principle based. The principles are critical for our democratic republican rights. Without them we would be in real trouble. He said in times of difficulty, times of anger, rage or disagreement we always need to be on guard of the threat for those who will abuse power. When you push against power three things are offered by the Constitution. The ballot boxes, if voting doesn't get us what we need then we have the soap box and then sometimes we need the bullet box. He said this resolution will probably not affect anything but the point is to keep this conservation about the essential principals that preserve the democratic republic. The technology can be used by those who have power and that is a problem for all of us and the issue of the countries who do not have a weapons' policy like ours and those are not free societies. We have more guns than any other country and we are still freer. For Mr. Connolly it is about all of our rights and what this stands for for our Country.

Lou Signorino, West Milford, was a councilman for West Milford for three terms and Council President three terms. One of his proudest moments was when West Milford was the first in New Jersey to pass a sanctuary law abiding citizen 2nd Amendment sanctuary township resolution. He said it is great thing that you have your own resolution you would like to pass. He said it is symbolic but it should reaffirm what we already know. Our inalienable rights are not up for negotiations. It is your right. This resolution is symbolic in a way that for those that may disagree are here to also protect your right to change your mind. Because if you do change your mind and one it is gone it is way too late. He said as you can see when certain people get into power they will jump at any chance to take it away from you. He said he is very proud as an Americans when he see other Americans practicing their rights and free speech to proclaim that we do have these inalienable rights and then is what makes us American and we are will to stand up for it. He thanked the Freeholders for standing up for us.

Ed Ramm, Hampton, thanked the Freeholders for their support and he hopes they vote yes. He said he had heard a lot of talk on assault weapons and this is a term that is made up. But on the on other hand our Founding Fathers had muskets and that was their assault weapons at the time and the reason why they say arms is because they knew technology would change and they wanted us to have the same advantage as those who were against us and that is the whole reason for the 2nd Amendment.

Robert Scorick, West Milford, 32 year law enforcement recent retired veteran. Along with law enforcement he was also a defensive firearms instructor for over 25 years in the State of New Jersey and a law enforcement agency across North America and all the branches of the military. He had the honor of getting people to be responsible fire arms owners and operators. He used this analogy when he would start his classes and he said he would use it tonight because sometimes it is not always what we know but what we don't know. He told a story to the Freeholders as an example.

MOTION to close the floor for public comment at 8:25 PM made by Freeholder Hertzberg
Seconded by Freeholder Fantasia
(Voice Vote)- All vote in the Affirmative

Freeholder Petillo said she is not only concerned for her Second Amendment rights but also concerned about her freedom of speech and her ability to practice her religion. She feels this way because of the things she hears from our Representatives. She thinks this Resolution is a symbolic gesture to show our concern. She also stated that the public here tonight is an amazing group of people and she enjoyed listening to everyone.

8. **RESOLUTION RE: 094-2020**
RESOLUTION DECLARING THE COUNTY OF SUSSEX A SECOND
AMENDMENT/LAWFUL GUN OWNER COUNTY

MOTION to move the above Resolution made by Freeholder Hertzberg
Seconded by Freeholder Fantasia

Mr. Kelly read the Resolution.

Freeholder Petillo said there were two cases referenced. In 2008 in the Heller case the United States Supreme ruled that the Second Amendment guarantees an individual the right to possess firearms independent of service in a state militia and to use firearms for judicially lawful purposes including self-defense within the home. The other case in 2010 is the McDonald case. The United States Supreme Court ruled that the Second Amendment to the US Constitution guarantees the right of the people to keep and bear arms when it applies to the state and local governments as well as the federal government.

Freeholder Fantasia thanked the dozens of residents who have reached out to the Freeholder Board via email or letter. Nobody in this room wants firearms in the hands of criminals and violent offenders. Nor do we want them in the hands of individuals who suffer from mental illness or substance abuse issues. She is a mother and a middle school principal and she wants safe schools and neighborhoods. She said the Second Amendment is crystal clear. It is the Bill of Rights. There is a belief that by creating vague, open-ended, restrictive and convoluted state legislation we will somehow reduce criminal use of firearms. And this could not be further from the truth. Our Governor was quoted that hearing the will of the people is a waste of time. Advocating for the rights and freedom of our constituents is never a waste of her time. She doesn't believe the Governor of Virginia believes this is a waste of time any longer due to the individuals in this room who traveled hundreds of miles to support the 2A community and voice their opinions. She said this is very similar to when this Board challenged the illegal Immigrant Trust Directive and we were told our ballot initiated had no teeth. But the Federal Government heard our voices and is now challenging in court the unlawful directives placed on our law enforcement communities by this Governor and the Attorney General.

She said NJ has roughly forty proposed bills in relation to 2A pending. Some are in direct response to clarify prior unclear legislation. Governor Murphy is a fan of common sense gun laws. She asked the questions Is it common sense for legislators to reduce magazine capacity to ten rounds or less, in essence classifying legal owners of fairly standard 15 round magazines felons, with jail terms and excessive fines? Is it common sense to enact exorbitant costs on hunters and sportsmen and the economically disadvantage with proposed discriminatory fees.

She said what we need is an educated legislature and an educated populace. Also the Extreme Risk Protective Order, New Jersey's red-flag law is flawed because it allows authorities to act on the standard of "good cause" instead of "probable cause" which is the state and federal constitutional standard for arrests and stops, searches and seizures in the United States.

She said to date, Sussex County has 12 temporary orders granted and 6 final orders granted since the law has been enacted.

She is sick of the lack of common sense this Governor's administration prides itself on. She would like to see the Murphy administration shift this energy to curtailing not only criminal possession but also criminal use of firearms tracking guns that are passed around the community and used in criminal enterprise. These are the guns that are ravaging the state instead of seeking out the lawful, responsible, and educated gun owners.

She said this community promotes safety, education, and responsibility, and we have to get away from the noise and the extremism. She said this community will always have her voice, and her support and she supports the 2nd Amendment resolution. She will always welcome civilized discourse on the topic with the end goal of preserving safety and guaranteeing our freedoms.

Freeholder Fasano said Sussex County has different reputations and tonight's reputation is respect. He appreciates everyone who has come to the microphone to speak showing support for or against this. He took an oath to protect the rights of the US Constitution and the individual rights and protection that is guarantee to our residents. He believes the rights to bear arms because it is fundamental is essential for maintain liberty as are the rights of free speech, free press, freedom of religion and other protections. He does not believe that preventing criminals and unfit elements of our society from obtaining firearm should come at the expense of the law abiding citizen keeping their individual right to protect themselves particularly in the County in which not every municipality has their own police department and it has been brought to his attention by many county residents who are

concerned with their protection. He said he is ready to vote on the resolution.

Freeholder Hertzberg complimented Dawn’s speech. He said it was very well researched and thought out as usual. He said he never held a gun until range day at his academy as a border patrol agent and he needed to learn in order to have a job. It wasn’t until he had his first shoot out that he realized how important it was to know how to work the gun in order to stay alive. He spent a lot of time learning how to use the gun. To him it was just one of his tools. He would put is wallet, his keys, his gun in his pocket it was just the way it was. He said a lot of people think about it as an evil scary thing because this is how it is portrayed. It is not if you treat it that way. It must be treated with respect. He said the people at the gun ranges are the most respected people you will ever meet. It is what we see on the news that is distorting people’s thoughts about guns. We need to get past that in order to protect ourselves and families.

He said New Jersey says you should not have a weapon for generalized fear. That is why I qualify to carry my gun. It is not my right or duty but if I am somewhere with my family and there is an active shooter and I don’t have my gun I would feel horrible that I did not protect my family. He said he does not trust the people in Trenton to make common sense gun laws. New Jersey is still the only state that does recognize the federal law that allows the entire law enforcement to carry weapons. All the Amendments are there for a reason and he took an oath to protect the citizens of Sussex County and for them to protect themselves.

Freeholder Yardley said the problem is the criminal elements in New Jersey, New York the major cities. It is not the average person. We are so fearful. The average person has the correct training and permits.

Freeholder Petillo thanked everyone who has attended our meetings to express their opinions and concerns about the Freeholder’s Resolution declaring the County of Sussex a Second Amendment/Lawful Gun Owner County. She said we all know that issue has been debated since 1789. But everything changed in 2008 with the US Supreme Court landmark Heller decision that held the Second Amendment meant that individuals had an inherent right to own guns for lawful purposes. That monumental ruling clearly stated that individuals had the right to defend themselves. She said the rhetoric coming out of Trenton & Washington is alarming and gives us great concern. We need to be vigilant because regulations that infringe on our guaranteed rights will deprive individuals the opportunity to protect themselves and to protect their families.

She said it is the law-abiding citizen that actually follows the gun laws. It is the law-abiding citizens that we are addressing in our resolution when we declare Sussex County a Second Amendment/Lawful Gun Owner County. The Lawful Gun Owner that is referred to is an individual who follows the laws. The Law abiding individual’s rights are guaranteed and protected under the 2nd Amendment of the US Constitution. She said it is time for we the people to speak up and be heard. She took an oath to support the US Constitution which includes the Second Amendment and that is why tonight she is supporting the Freeholder’s Resolution.

On Roll Call

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

Freeholder Petillo stated that we took all of your concerns into consideration when we wrote this Resolution and we said that it is symbolic but it is time that we have to say that we want to protect our 2nd Amendments rights. She said if at any time we feel that our rights are being taken away we will be here writing another resolution.

9. PUBLIC HEARINGS

A. FINAL ADOPTION- RESOLUTION-095-2020

Freeholder Director Petillo "At our regular meeting held on February 5, 2020, we introduced for first reading the following Resolution which was advertised in the New Jersey Herald issue of February 9, 2020, together with a Notice of Public Hearing stating it would be held at this meeting at 7:00 PM:

AUTHORIZING CAP TO LIMIT COUNTY BUDGET
APPROPRIATION INCREASE IN CY 2020 COUNTY
BUDGET TO 3.5% OVER THE PREVIOUS YEAR'S FINAL
APPROPRIATIONS SUBJECT TO CERTAIN EXCEPTIONS
AND TO ESTABLISH AN APPROPRIATION CAP BANK

MOTION that the Public Hearing be opened made by Freeholder Hertzberg
Seconded by Freeholder Fantasia
(Voice vote)-All voted in the Affirmative

Is anyone present to be heard regarding this Resolution? No comments

MOTION that the Public Hearing be closed made by Freeholder Hertzberg
Seconded by Freeholder Fantasia
(Voice vote)-All voted in the Affirmative

MOTION that this Resolution be finally adopted and authorize the Clerk to advertise this Resolution as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center made by Freeholder Fasano
Seconded by Freeholder Fantasia

Freeholder Fasano stated that he wanted to make sure that it is clear that this resolution is just a financial tool that is needed in case of an emergency and we are not going in that direction. **(Roll Call vote)**

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

10. FREEHOLDERS' COMMENTS

Freeholder Fasano stated that he asked Dr. Connolly to remain for the other issue to be voted upon this evening is a Proclamation recognizing February as Career and Technical Education month. He said he visited Sussex Technical School, which was a great visit. He said there was an article written by the Herald covering a project that he had walked in on where the students were making new welcome signs for the Town of Andover. It is real world stuff being taught to the students. There was a marking team, a carpentry team; there was communication with the Town. He said when he was in the classroom the phone rang and it was another town asking to do the same thing.

He also had the opportunity to meet with Dr. Connolly at the College. He stated to Dr. Connolly and Gus Modla that the collaboration between the two academic institutions particularly when it comes to complimenting each other's technical education. He feels it will be prevalent in the County. He feels the County can be a hub to technical education and that is a big part to the work the Dr. Connolly and Mr. Modla are doing. He thanked them for recognizing technical education as a tremendous asset for public education in this County.

Freeholder Hertzberg had no comments tonight.

Freeholder Yardley stated that the Technical School will have its 12th Annual Game of Life. It will be April 1st from 7:30 AM to 2:30 PM. It is centered on a game that engages students to educate themselves about community health and human resources available to the students and their families. There are 48 agencies in the County that will participate.

He brought to the Board's attention the training he went to on Narcan. It said it was an interesting program. It was a very diverse group of people ranging in all ages. He said it was a little sad because it is

a sign of our times. He recommended they go to one of these meetings. They go through the history of the opioid problem. One of problems was when the doctors tightened up the rules for giving out narcotics; people went to look for other things. He said an interesting fact is when you bring the person back, that person doesn't realize they were out and there is a process they teach you.

Freeholder Fantasia said to piggy back off of what Freeholder Yardley said, there is new legislation in schools to identify individuals who can administer insulin, who know how to use a difibulator and now with this new legislation there will be training for individuals to administer Narcan in the schools. Every school is required to have someone assigned because of employees.

Freeholder Hertzberg asked if schools are required to have Narcan on hand.

Freeholder Fantasia said guidance is coming from the state regarding that issue. The State is still developing what that will look like for schools. It will not be implemented for this school year. She also met with the Arts and Heritage Council which was a mandatory meeting to ensure they received their state funding.

Update from the Sheriff's department, the mold remediation in the building continues as of today. She deferred to Greg to comment.

She attended the Franklin Fire Department Installation dinner. She said the youngest Fire Chief is Kyle Conklin who is 25 years old and is the first fire chief in Franklin's history who is that young. Fireman of Year was past chief Freddy Babcock.

She also attended the Sussex County Chamber of Commerce Business to Breakfast meeting where Karen Ann Quinlan Hospice gave an amazing presentation on the history of their organization, there purpose in the County and what their latest fund raiser is. She said the breakfast was sponsored by Thor Labs and there were some new members. There were probably over 200 people in attendance.

Information from Ogdensburg from a Councilwoman relating to the incidence of the farm that just had the seizure of the animals, the individual was asking if our prosecutor's office was impacted at all having to absorb some of the animals. Were they looking for assistance with fostering some of the animals while they figure things out and while it is happening and is there any way for her individual town to get an allowance? She told the Councilwoman she would speak to the County Administrator since some of the animal humane duties lie within the prosecutor's office.

Mr. Poff stated he anticipates speaking with the Prosecutor tomorrow and he will mention this to him.

Freeholder Petillo said that the Coronavirus is in the forefront but the Division of Health reminds everyone that the current risk is the flu. The flu is high right now. Currently there are 29 Coronavirus cases in the United States. There are no deaths in the United States. The CDC reports that the immediate risk is low to resident of the United States.

She said there have been 11 opioid overdose fatalities in the month of January in Sussex County. She reminded people that Sussex County has programs to assist anyone who does not have insurance and has the need for drug, alcohol recovery services. She provided the following number for those services 973-579-0559 ext. 1383.

11. **APPROVAL OF CONSENT AGENDA**

A. RESOLUTION RE: 096-2020

AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE CONTRACT #20ALUN WITH THE STATE OF NEW JERSEY DEPARTMENT OF CHILDREN AND FAMILIES AND THE SUSSEX COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE PROVISION OF THE HUMAN SERVICES ADVISORY COUNCIL FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020 FOR A TOTAL AMOUNT OF \$79,862.00

- B. RESOLUTION RE: 097-2020**
AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE MODIFICATION #4 TO INCREASE THE SOCIAL SERVICES FOR THE HOMELESS CONTRACT #SH19019 WITH THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF FAMILY DEVELOPMENT IN THE AMOUNT OF \$2,000.00 FOR THE PROVISION OF HOMELESSNESS AND HOMELESSNESS PREVENTION SERVICES FOR THE CONTRACT TERM OF JANUARY 1, 2019 TO DECEMBER 31, 2020 FOR A TOTAL CONTRACTED AMOUNT OF \$401,400.00

- C. RESOLUTION RE: 098-2020**
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 VCS-19-17 FOR THE PERIOD OF SEPTEMBER 1, 2019 THROUGH AUGUST 31, 2020 IN THE AMOUNT OF \$80,000.00 FEDERAL SHARE AND \$20,000.00 CASH MATCH, FOR A PROJECT TOTAL OF \$100,000.00

- D. RESOLUTION RE: 099-2020**
APPROVING GRANT APPLICATION FOR FFY 2018 ADDRESSING THE TRAINING NEEDS OF JUVENILE PROSECUTORS GRANT PROGRAM, WITH THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL, IN THE AMOUNT OF \$6,656.00 FOR THE PERIOD JANUARY 1, 2020 THROUGH JUNE 30, 2021

- E. RESOLUTION RE: 100-2020**
AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICE AGREEMENT WITH THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY (SCMUA) FOR SERVICES PROVIDED BY THE SUSSEX COUNTY SHERIFF'S SLAP/SWAP PROGRAMS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ.

- F. RESOLUTION RE: 101-2020**
AUTHORIZING THE ISSUANCE OF PURCHASE ORDERS IN COMPLIANCE WITH N.J.S.A. 19:44A-20.4 ET SEQ. FOR VARIOUS SERVICES, THAT EXCEED \$17,500.00, AS STATED BELOW FOR 2020 FISCAL YEAR

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 – F made by Freeholder Hertzberg
 Seconded by Freeholder Yardley
(Roll call vote)

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

12. APPROVAL OF MINUTES

MOTION to approve the minutes from the regular meeting of February 5, 2020 by Freeholder Fantasia
Seconded by Freeholder Yardley
All 4 voted in the affirmative

Freeholder Hertzberg abstained

Regular Meeting – February 5, 2020
(Voice Vote)

MOTION to approve the minutes from the executive session on February 5, 2020 by Freeholder Yardley
Seconded by Freeholder Fantasia
All voted in the affirmative
Freeholder Hertzberg called in for this meeting.

Executive Session- February 5, 2020
(Voice Vote)

13. APPOINTMENTS AND/OR RESIGNATIONS

- A. RESOLUTION RE: 102-2020**
APPOINTMENT OF ROSE-MARIE DELEON AS CONSUMER TO THE SUSSEX COUNTY MENTAL HEALTH BOARD; SAID TERM TO BEGIN IMMEDIATELY AND EXPIRE JUNE 30, 2022
- B. RESOLUTION RE: 103-2020**
REAPPOINTMENT OF PETER ANDRUSKIEWICZ AS CHAIRMAN, GEZA CSIPAN AS VICE-CHAIRMAN AND MICHELLE MEZGER AS SECRETARY TO THE SUSSEX COUNTY CONSTRUCTION BOARD OF APPEALS
- C. RESOLUTION RE: 104-2020**
REAPPOINTMENT OF VALERIE STECCATO AS QUALIFIED PURCHASING AGENT IN AND FOR THE COUNTY OF SUSSEX FOR A TERM OF THREE (3) YEARS, PURSUANT TO N.J.S.A. 40A:9-30
- D. RESOLUTION RE: 105-2020**
ACKNOWLEDGING THE COUNTY ADMINISTRATOR'S APPOINTMENT OF KATHARINE PEPE TO THE SUSSEX COUNTY COMMUNITY COLLEGE SEARCH COMMITTEE
- E. RESOLUTION RE: 106-2020**
APPOINTMENT OF THOMAS E. DIGBY AS A MEMBER OF THE SUSSEX COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES, SAID TERM TO EXPIRE OCTOBER 31, 2023

MOTION to adopt said Appointments A-E made by Freeholder Yardley
Seconded by Freeholder Fasano

Freeholder Fantasia stated she is glad to see we are appointing a member to the search committee and also appointing someone to the Board of Trustees. This leaves us with one vacancy and we are seeking someone with a more technical background in the trades.

(Roll Call Vote)

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

14. **RESOLUTIONS**

- A. **RESOLUTION RE: 107-2020**
AUTHORIZATION TO PROVIDE FOR HVAC MAINTENANCE SERVICE AND REPAIRS FOR VARIOUS COUNTY OWNED BUILDINGS TO AIR MAINTENANCE SOLUTIONS, LLC. IN THE AMOUNT OF \$131,342.00
- B. **RESOLUTION RE: 108-2020**
AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF VMWARE LICENSES FOR THE OFFICE OF INFORMATION MANAGEMENT FROM SOFTWARE HOUSE INTERNATIONAL IN THE AMOUNT OF \$41,187.62
- C. **RESOLUTION RE: 109-2020**
AUTHORIZING THE PURCHASE OF ANNUAL SYSTEM MAINTENANCE AND SUPPORT SERVICES FOR THE COUNTY OF SUSSEX'S ONBASE ENTERPRISE DOCUMENT MANAGEMENT SYSTEM TO CONTINUUM VOICE AND DATA SYSTEMS FROM APRIL 1, 2020 THROUGH MARCH 31, 2021 IN THE AMOUNT OF \$62,387.20
- D. **RESOLUTION RE: 110-2020**
AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ONE (1) 2020 OR NEWER FORD E450 TRANSIT BUS BY THE SUSSEX COUNTY OFFICE OF FLEET MANAGEMENT FOR USE BY SUSSEX COUNTY OFFICE OF TRANSIT FROM SHEPARD BROS INC IN THE AMOUNT OF \$73,987.00
- E. **RESOLUTION RE: NOT ACTED UPON**
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.
- F. **RESOLUTION RE: 111-2020**
IN SUPPORT OF NEW JERSEY LEGISLATION WHICH CONCERNS VEGETATION MANAGEMENT (S434/A260 – "VEGETATION MANAGEMENT RESPONSE ACT"), URGING LEGISLATORS TO PASS THE BILLS FOR VEGETATION MANAGEMENT RELATED TO ELECTRIC UTILITY INFRASTRUCTURE

MOTION to adopt said Resolutions A-F by Freeholder Hertzberg
 Seconded by Freeholder Fantasia
(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: 112-2020

AWARD OF CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR ARBITRAGE REBATE CONSULTANT IN COMPLIANCE WITH SECTION 148(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED AND SUPPLEMENTED, TO INTEGRITY PUBLIC FINANCE CONSULTING, LLC FROM MARCH 8, 2020 UNTIL MARCH 7, 2021 IN THE AMOUNT NOT TO EXCEED \$10,000.00

B. RESOLUTION RE: 113-2020

AWARD OF CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR PUBLIC SAFETY VHF SIMULCAST PAGING AND DISPATCH PROJECT FOR THE OFFICE OF THE SHERIFF TO PIERCON SOLUTIONS LLC FROM FEBRUARY 27, 2020 THROUGH FEBRUARY 26, 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-B by Freeholder Fantasia
Seconded by 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: 114-2020

PAYMENT OF BILLS LIST
FEBRUARY 12, 2020

MOTION to approve Bill List by Freeholder Hertzberg
Seconded by Freeholder Fantasia

(Roll call vote)

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

B. RESOLUTION RE: 115-2020

TRANSFER OF 2019 APPROPRIATION RESERVES

MOTION to approve the Resolution by Freeholder Hertzberg
Seconded by Freeholder Fantasia

(Roll call vote)

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

C. INTRODUCTION FOR FIRST READING- ORDINANCE 20-01

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 to adopt this Ordinance on first reading and authorize the Clerk to advertise this Ordinance 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 will be held on March 11, 2020 at 6:00 p.m. prior to final adoption of this Ordinance by Freeholder Hertzberg

Seconded by Freeholder Fantasia

(Roll Call Vote)

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

17. PERSONNEL – No items for this meeting

18. ADMINISTRATIVE REPORT

Mr. Poff stated as the Board is aware and the two members of the public that were here last night that most of his time as been spent in finalizing the proposed budget for the County. He appreciates the Freeholders attention and consideration as they worked through the budget workshop session last night. We are working to have the budget prepared for introduction at the first meeting in March. He acknowledged the Division of Local Government services, the local assistance’s Bureau for their presentation tonight and the Board’s ability willingness to have the presentation done a little bit after the fact and he also extended thanks to the Sheriff and his office for the work that was done in bringing that contract services agreement together.

19. COUNTY COUNSEL REPORT

Mr. Kelly said his report is the memo that he sent to the Board and he encourages any of them to meet with him at any time.

20. UNFINISHED BUSINESS

21. NEW BUSINESS

22. 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 made by Freeholder Fantasia
Seconded by Freehold Fasano
(Voice vote)- All voted in the affirmative**

No public comment.

**MOTION to close the floor for public comment and return to regular business made by Freeholder Hertzberg
Seconded by Freeholder Fantasia
(Voice vote)- All voted in the affirmative**

23. REMINDERS

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

24. EXECUTIVE SESSION – (Closed Session) - None

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:**
- _____ (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 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.

25. ADJOURNMENT

MOTION to adjourn the meeting made by Freeholder Hertzberg
Seconded by Freeholder Yardley
(Voice vote)- All voted in the affirmative

DATED: February 19, 2020

Respectively submitted

**Teri Lyons
Clerk**