

FREEHOLDER MEETING OF JANUARY 8, 2020 AT 6:00PM
FREEHOLDER MEETING ROOM
REGULAR BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR at 6:00 PM

2. ROLL CALL Freeholder Fantasia, Freeholder Fasano, Freeholder Director Petillo

Freeholder Hertzberg was tardy only participated via telephone conference. Freeholder Yardley was absent.

3. MOMENT OF SILENCE AND SALUTE TO THE FLAG

4. PUBLIC STATEMENT

"Pursuant to the Open Public Meetings Act, Chapter 231, P.L. 1975 Adequate Notice as defined by Section 3D of Chapter 231, P.L. 1975, has been made by regular mail, such notice being submitted on January 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

Freeholder Petillo amended the Agenda to add a Proclamation and Public Session comments will remain at 3 minutes.

MOTION to approve Agenda as amended was made by Freeholder Petillo
Seconded by Freeholder Fasano
(Voice vote)- All in favor

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

Proclamation for 2020 Distinguished Service Award was presented to Dawn Metzger by Sussex County Council of Service Agencies at a luncheon. **039-2020**

Freeholder Petillo commented that Ms. Metzger is the Executive Director of the Samaritan Inn and has served since 2009. The Inn is a non-profit organization that meets the needs of homeless families and individuals in Sussex County. Thanks to Ms. Metzger's efforts, the Samaritan Inn this past year was awarded the Impact 100 Grant which provided funds to purchase a third building in Newton. Freeholder Petillo thanked Ms. Metzger for her commitment and dedication to helping the homeless in our area.

MOTION to approve the Proclamation made by Freeholder Fantasia
Seconded by Freeholder Fasano
(Voice Vote)- All in favor

7. PUBLIC HEARINGS – None

8. PUBLIC SESSION FROM THE FLOOR

Comments are limited to 3 minutes or less and must only address issues regarding agenda items. Please state your name, and print your name and municipality on the sign in sheet.

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

No comments.

MOTION to close the floor for public comment made by Freeholder Fantasia
Seconded by Freeholder Fasano
(Voice Vote)-All in favor

9. FREEHOLDERS' COMMENTS

Freeholder Fasano extended prayers to our Troops abroad; one of them being his brother and he thanked the Board for their hospitality as he makes his way in as a new Freeholder.

Freeholder Fantasia was been informed that Freeholder Hertzberg is delayed at work and likely not able to attend tonight's meeting.

Freeholder Fantasia reported that she received a very comprehensive fourth quarter report from the Arts and Heritage Council which indicated the Council was very active at the closing of the year. The Council's first meeting of the New Year will be on January 20 and they are planning their 5th Annual Exposure Photography exhibits.

From the Sheriff's Department, Sussex and Wantage have signed on for the 911 dispatch services.

County CFO Treasurer Elke Yetter sent the Freeholders the financial reports for the month ending November 20th. The report indicates that the Sheriff Department's revenue is a bit lower due to the decrease in foreclosures which is a positive and the County Clerk's year-end report closed with a surplus and this should help us with our budget planning.

In closing, the National Hour of Code is working its way throughout the Country. Franklin Borough is promoting Girls Who Code. The Franklin Branch Library will be hosting two separate clubs for computer coding. Grades 3 to 5 and Grades 6-12. These two clubs will work together to create a website to help Sussex County. Freeholder Fantasia reported that employment opportunities in the computer science and research field are projected to grow by 16% in the next decade.

Freeholder Petillo attended the signing for the McGuire Building purchase by Sussex County Community College. She congratulated SCCC and was happy to see they were able to get through the environmental issues. The building will be used for technical education and they are on the cusp of something that is going to expand.

Freeholder Petillo reported that on December 31, 2019 an email was sent out notifying Human Service that New Jersey 211, (a state agency) will be taking over the duties of providing after hours emergency shelter services across the state of New Jersey. The State quickly found out that they could not handle the workload and it was a disaster. Under the direction of Human Service Administrator Carol Novrit, she was able to convince the State to return this level of care back to her and resume the good working relationship with Samaritan Inn. Freeholder Petillo congratulated Carol on this tremendous accomplishment. Not many can convince the State of New Jersey to turn things around just by a phone call. If anyone needs shelter, the number to call is 973-940-8869.

Freeholder Petillo congratulated the County's Registered and Environmental Health Specialist at the Division of Health for their excellent response to our county-wide power outage that occurred in December. The staff personally contacted and identified food establishments to provide them with a uniform guidance message for power outage food safety procedures.

Flu shots are still available.

Lately, she spoke on the Champions for Charity. This Charity involves local high schools to host a friendly, competitive competition to collect the most food. The food is then delivered to the County's food pantry and provided to those families in need. Sussex County Technical School and High Point High School collected the most food.

Before proceeding discussion ensued that Freeholder Hertzberg's vote would be required for Approval of Minutes and December Bills List. Freeholder Hertzberg was contacted by phone to which he then began his participation in the meeting. Therefore, the Agenda Order was modified to proceed with Minutes and Financials.

10. APPROVAL OF CONSENT AGENDA –None

Freeholder Hertzberg joins the meeting via phone connection.

11. APPROVAL OF MINUTES

MOTION to approve the minutes from Regular December 18th meeting made by Freeholder Fantasia

Seconded by Freeholder Hertzberg

Discussion – None

(Voice Vote) – Freeholder Fantasia, Hertzberg and Petillo voted in the affirmative. Freeholder Fasano abstained.

Regular Meeting – December 18, 2019

Reorganizational meeting – January 2, 2020

MOTION to approve the Reorganization meeting of January 2, 2020 made by Freeholder Fantasia

Seconded by Freehold Fasano

Discussion – None

(Voice Vote) – All Members voted in the affirmative

12. APPOINTMENTS AND/OR RESIGNATIONS – None

13. FINANCIAL - Due to Freeholder Hertzberg's limited availability, the Freeholders considered the Financials at this time.

A. RESOLUTION RE: 040-2020

PAYMENT OF BILLS LIST

December 26, 2019

MOTION to approve Bill List from December 26, 2019 made by Freeholder Fantasia

Seconded by Freeholder Hertzberg

(Roll call vote)

Freeholder Fantasia	Yes
Freeholder Fasano	Abstain
Freeholder Hertzberg	Yes
Freeholder Director Petillo	Yes

B. RESOLUTION RE: 041-2020
PAYMENT OF BILLS LIST
January 8, 2020

MOTION to approve Bill List from January 8, 2020 made by Freeholder Fantasia
Seconded by Freeholder Fasano

(Roll call vote)

Freeholder Fantasia	Yes
Freeholder Fasano	Yes
Freeholder Hertzberg	Yes
Freeholder Director Petillo	Yes

Freeholder Hertzberg adjourns from the meeting.

14. RESOLUTIONS

A. RESOLUTION RE: 042-2020

AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF MORRIS PROVIDING FOR MEDICAL EXAMINER SERVICES BY THE COUNTY OF MORRIS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 52:17B-83, 40A:65-1 ET SEQ. AND N.J.S.A. 40A:11-10 ET SEQ. FOR THE TERM OF JANUARY 1, 2020 UNTIL DECEMBER 31, 2021 IN AN AMOUNT NOT TO EXCEED \$224,567.88 IN 2020 AND NOT TO EXCEED \$231,304.92 IN 2021

B. RESOLUTION RE: 043-2020

AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ONE (1) 2020 DUMP BODY, TANDEM, PLOW AND SPREADER FOR THE DIVISION OF PUBLIC WORKS FROM TONY SANCHEZ, LTD IN THE AMOUNT OF \$67,875.00

MOTION to adopt said Resolutions A and B made by Freeholder Fasano
Seconded by Freeholder Fasano

Freeholder Fasano posed a question regarding 13 A.

(Roll Call vote)

Freeholder Fantasia	Yes
Freeholder Fasano	Yes
Freeholder Director Petillo	Yes

15. AWARDS OF CONTRACT/CHANGE ORDERS/BID

A. RESOLUTION RE: 044-2020

AWARD OF CONTRACT FOR THE SUPPLY AND DELIVERY OF PREMARK VIZIGRIP PAVEMENT MARKINGS BY ENNIS FLINT OR EQUAL TO ENNIS-FLINT INC FROM JANUARY 1, 2020 UNTIL DECEMBER 31, 2020

B. RESOLUTION RE: 045-2020

AWARD OF CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR ACTUARIAL SERVICES TO DANZIGER & MARKHOFF LLP FROM FEBRUARY 25, 2020 TO DECEMBER 31, 2020 IN THE AMOUNT OF \$5,750.00

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 Contracts A and B made by Freeholder Fantasia
Seconded by Freeholder Fasano

(Roll Call Vote)

Freeholder Fantasia	Yes
Freeholder Fasano	Yes
Freeholder Director Petillo	Yes

16. PERSONNEL

RESOLUTION RE: 046-2020

AUTHORIZING PERSONNEL AGENDA OF January 8, 2020

MOTION to adopt the Personnel Agenda made by Freeholder Fantasia
Seconded by Freeholder Fasano

(Roll Call vote)

Freeholder Fantasia	Yes
Freeholder Fasano	Yes
Freeholder Director Petillo	Yes

17. **ADMINISTRATIVE REPORT**

Mr. Poff reported that work continues with the development of 2020 operating and capital budgets. The Budget Subcommittee will be meeting with the Freeholders within the next two weeks. Mr. Poff also recognized the employees in Public Works as well as the office of Bridge and Traffic Safety, Fleet and Facilities for their hard work and effort dealing with the winter storms. While dealing with department staffing level issues, the employees have done a remarkable job in keeping our roads clear of snow and ice.

18. **COUNTY COUNSEL REPORT – No Report.**

19. **UNFINISHED BUSINESS**

Freeholder Fantasia inquired what is the best way to communicate with the County College Search Committee. Mr. Poff responded that he can accept and forward correspondence to the Committee and speak with the Committee Chairperson.

20. **NEW BUSINESS**

21. **PUBLIC SESSION FROM THE FLOOR**

Everyone is asked to keep their comments to 3 minutes. Please state your name and print name and municipality on sign in sheet.

MOTION to open the floor for public comment made by Freeholder Fantasia
Seconded by Freeholder Fasano
(Voice vote)- All 3 voted in the affirmative

Dominick Portelli, Lafayette spoke regarding the request that Freeholders declare Sussex County a Second Amendment County and provided a sample resolution for review and consideration.

She said the Board has received a number of Resolutions on this topic and they did not want to move forward until Mr. Fasano joined the Board.

Freeholder Fantasia stated she brought this topic up at the Reorganization meeting and she feels New Jersey residents have been requesting conceal and carry laws but she feels we are heading in the opposite direction which in turn seems to make the environment in New Jersey extremely hostile to legal gun ownership. She said she has been watching Virginia very closely and in her opinion what is happening there is a travesty and is in direct conflict with the Second Amendment.

She wishes this Board has a pack full vote in Trenton but she feels it is the duty of this Board to support our District 24 legislators. She said what Dominick said is exactly how she feels and she hopes moving forward the state will have a resurgence of demanding respect for our rights under the Second Amendment.

Freeholder Petillo stated now that the Board has reorganized they will be having discussions on the different Resolutions and getting something to the public soon.

No further public came forward.

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

22. **REMINDERS**

Please refer to the County Website www.sussex.nj.us for meeting dates and times.

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

RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 10:4-12 ET SEQ.

WHEREAS, the subject matter(s) about to be discussed may be excluded from the public portion of the meeting by Resolution of the Board of Chosen Freeholders as an exception to the "Open Public Meetings Act" pursuant to N.J.S.A. 10:4-12 (b); and

WHEREAS, it appears necessary for the Board of Chosen Freeholders to discuss such matter(s) in Executive Session.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex, in accordance with the provisions of N.J.S.A. 10:4-12(b) and N.J.S.A. 10:4-13 that the Board at this time enter into an Executive Session from which the public shall be excluded; and

BE IT FURTHER RESOLVED, that the general nature of the subject(s) to be discussed relate to the following item(s) authorized by N.J.S.A. 10:4-12(b) as designated below:

- _____ (1) **Matters Required by Law to be Confidential:**
- _____ (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:**
- _____ (3) **Matters Involving Individual Privacy:**
- _____ (4) **Matters Relating to Collective Bargaining Agreements:**
- _____ (5) **Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds:**
- _____ (6) **Matters Relating to Public Safety and Property:**
- X (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege;**

- **Brodhecker, Thomas (2) vs. County of Sussex, Sheriff’s Department**
- **Adult Protective Services**

- _____ (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 may take formal action after returning from Executive Session e.

MOTION made at 6:30 PM to adopt the Executive Session Resolution and enter into Executive Session by Freeholder Fantasia
 Seconded by Freeholder Fasano
(Voice vote)- All Members present voted in the affirmative

MOTION made at 8:00 PM to adjourn from Executive Session and return to Regular Business by Freeholder Fasano
 Seconded by Freeholder Fantasia
(Voice vote)- All Members present voted in the affirmative.

MOTION to accept our Insurance Carrier’s recommendation to settle Thomas Brodhecker v County and others, Superior Court Docket No. L-556-17

Roll Call vote
 Freeholder Fantasia Yes
 Freeholder Fasano Yes
 Freeholder Director Petillo Yes

24. ADJOURNMENT

MOTION to adjourn the meeting made by Freeholder Fasano
 Seconded by Freeholder Fantasia
 (Voice vote)- All Members present voted in the affirmative

Time is 8:03 PM

DATED: January 8, 2020

Respectively submitted,

Teri Lyons
 Clerk to the Board