

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

FREEHOLDER MEETING OF MAY 27, 2020 AT 4:30PM
CONFERENCE CALL
REGULAR BUSINESS

Item

1. CALL TO ORDER BY DIRECTOR

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

Also on the line was 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 May 19, 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

Prior to taking action on the approval of the Agenda Freeholder Director Petillo said she has received requests that Resolution 14 H be removed from tonight's Agenda and reconsidered at a later meeting date.

MOTION to remove Resolution 14H: Freeholder Yardley
Second: Freeholder Fantasia
Voice Vote: All Members present voted in the affirmative.

MOTION to approve the Agenda as amended: Freeholder Fantasia
Second: Freeholder Yardley
Discussion: None
(Voice vote) All Members present voted in the affirmative.

The Clerk read the Executive Session Resolution into the Record.

6. EXECUTIVE SESSION – (Closed Session)

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

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

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

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

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

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

_____ (2) **Matters Where the Release of Information Would Impair the Right to Receive Funds:**

_____ (3) **Matters Involving Individual Privacy:**

_____ (4) **Matters Relating to Collective Bargaining Agreements:**

_____ (5) **Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds:**

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

- **Potential Litigation**

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

- **Potential Litigation**

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

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

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

BE IT FURTHER RESOLVED that upon completion of the business, for which the Board has entered into the Executive Session, the Board shall reconvene and resume its meeting open to the public.

Freeholder Director Petillo announced to callers the Executive Session will be for one hour. Callers can either remain on the line or call back later. If this Executive Session requires additional time, it will resume before adjourning the meeting. The Board will not take any action after later Executive Session.

Time is 4:34 PM

MOTION to adopt the Executive Session Resolution and enter into Executive Session: Freeholder Fantasia

SECOND: Freeholder Hertzberg

(Voice vote) All Members present voted in the affirmative.

MOTION to adjourn from Executive Session and return to Regular Business: Freeholder Fantasia

SECOND: Freeholder Yardley

(Voice vote) All Members present voted in the affirmative.

Time is 5:36 PM

7. **PROCLAMATIONS/CERTIFICATES/PRESENTATIONS- NONE**

8. **PUBLIC HEARINGS – NONE**

9. **PUBLIC SESSION FROM THE FLOOR**

This Public Session is for questions and comments pertaining to Agenda Items only. Before we open this Session, we ask callers wanting to make a comment to first state your name and municipality. The Clerk will create a Roster and will call each in the order received. Comments are limited to 3 minutes or less.

MOTION to open the floor for public comment: Freeholder Fantasia

Second: Freeholder Yardley

(Voice Vote) All Members present voted in the affirmative.

There were no public comments.

MOTION to close the floor for public comment: Freeholder Fantasia

Second: Freeholder Hertzberg

(Voice Vote) All Members present voted in the affirmative.

10. **FREEHOLDERS' COMMENTS**

Comments from Freeholder Fasano

Freeholder Fasano thanked all the men and women who have made it possible for us to live freely in this country as we celebrated Memorial Day this past Monday. He then said Andover Subacute has become the poster child of a very serious issue with New Jersey's long-term care facilities. He is appreciative of Senator Oroho and our legislative leadership for taking the steps necessary to call for legislative hearings into the thousands of deaths at these long-term care facilities. Meanwhile Sussex County continues to see a leveling-off of positive COVID-19 counts. Our numbers are more on track with Warren and Hunterdon Counties. Those counties along with

Sussex County have formed a coalition to develop a regional strategy for the re-opening of our businesses, with the Governor's approval first. His ending remarks reflected upon his frustration in continuing to report that Sussex County has received zero dollars from state and federal aid to help in the frontline fight against COVID-19. It makes no sense no matter how hard the spin is from state and federal representation as to why any county in New Jersey would be excluded from aid to combat this virus. That concludes his remarks.

Comments from Freeholder Hertzberg

Freeholder Hertzberg reflected on Memorial Day and thanked all Veterans. He spoke on the debt that is occurring daily as businesses continue to remain closed. Freeholder Hertzberg feels we would have been in a much better position to stabilize the economy if New Jersey was in better financial shape before facing this crisis. The drop in COVID cases makes a case for getting these businesses to reopen safely. That needs to be our focus now and this concludes his remarks.

Comments from Freeholder Yardley

Freeholder Yardley echoed Freeholders Fasano and Hertzberg sentiments with regards to Memorial Day. In his neighborhood Taps was played by one of his neighbors; it was a very nice gesture. He read from a news article entitled, Republican Senators to Sweeney: Senator Must Act to Prevent Greater Loss of Life at NJ's Long-Term Care Facilities. (SenateNJ.com) Freeholder Yardley also reported that Catholic Charities is open and Sussex County Veterans who are behind in rent can be eligible for immediate services without eviction notices. The hotline number to call for assistance is 855-767-8387. Also Franklin food pantry is open. In closing he said he will be sending a letter to Senate President Sweeney for assistance with funding for COVID-19. To date all COVID costs have continue to be paid out of the County budget. That concludes his remarks.

Comments from Freeholder Fantasia

Freeholder Fantasia thanked all involved with Memorial Day celebrations. Thoughts and prayers go out to all who lost loved ones fighting for our freedom. She participated in a Chamber of Commerce conference call last week and spoke about county updates. Freeholder Fantasia thanked Chamber President Tammie Horsfield for her endless work in trying to get county businesses to reopen. Freeholder Fantasia's big message is to the State regarding funding and her frustration with zero dollars received in Sussex County. One size does not fit all and that needs to be applied to getting county based business to reopen. Sussex County has aligned with Warren and Hunterdon Counties with the hopes the Governor will listen to us. The Governor did mention there will be a cut in education funding. Post-secondary schools such as our Community College will have no funds coming its way. The college had some projects planned but they will have to be canceled with no funding. Next, Freeholder Fantasia spoke on contact tracing and how the County Department of Health handles this situation. In light of the funding issues, Sussex County will be applying for a significant amount of grants such as NJ CARES Grant for Transit. This is 100% federal reimbursement for eligible expenses. Our county is applying for \$1,737,398.00 for salaries, on-the-bus operators, administrative staff and transit fuel preventive maintenance and bus repairs, cost of rental of tablets for buses and to purchase PPE and cleaning supplies. We are also applying for substance abuse grants, which will support the Sussex County Overdose and Fatality Review Team as well as other groups. Closing comments referenced other Grant application and this concluded her remarks.

Comments from Freeholder Petillo

Freeholder Petillo thanked all of the municipalities that were able to find a way to have Memorial Day service. It is important to remember the sacrifices our military made to protect our freedom. In Hopatcong their fallen hero Sgt. Michael D. Kirspel Jr. was killed in action on October 27, 2010. She said the Hopatcong community loves him, misses him and will never forget him. She moved on to the COVID-19 testing in Sussex County and said it has been very successful. 213 residents have been tested as of today. Next, Freeholder Petillo gave statistics for COVID-19 positive and negative cases and deaths. For individuals who do not have transportation or are undocumented they can visit Zufall Health Clinic in Newton. Other test locations in the County include CVS in Byram on Rt. 206, and CVS in Sparta by the movie theatre. For more details you can call 973-426-0466 for Byram and Sparta is 973-726-3422. Senior Services is pleased to announce the Senior Farmers Market and Nutrition program provided to individuals who are age 60 plus and meet the financial eligibility. All eligible senior citizens are encouraged to participate in this program. For additional information you can call 973-579-0555 ext. 1221 or seniorservices@sussex.nj.us. That concludes her remarks.

11. APPROVAL OF CONSENT AGENDA

A. RESOLUTION RE: 226-2020

AUTHORIZATION FOR THE COUNTY OF SUSSEX SHERIFF'S OFFICE TO APPLY FOR A FY2020 LOCAL EFFICIENCY ACHIEVEMENT PROGRAM (LEAP) IMPLEMENTATION GRANT FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF LOCAL GOVERNMENT SERVICES IN THE AMOUNT OF \$124,165.89 FOR IMPLEMENTING THE AGREEMENT BETWEEN THE COUNTIES OF MORRIS AND SUSSEX, AND THEIR RESPECTIVE SHERIFF'S OFFICES, FOR HOUSING OF SUSSEX COUNTY INMATES

B. RESOLUTION RE: 227-2020

AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO ACCEPT SUBAWARD #JAG 1-19TF-17 WITH THE OFFICE OF THE ATTORNEY GENERAL, NJ DEPARTMENT OF LAW & PUBLIC SAFETY, FOR THE FY17 EDWARD BYRNE MEMORIAL

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 and B: Freeholder Fantasia

SECOND: Freeholder Fasano

DISCUSSION - None

(Roll call vote) Freeholder Fantasia – Aye

Freeholder Fasano – Aye

Freeholder Hertzberg- Aye

Freeholder Petillo – Aye

Freeholder Yardley - Aye

12. APPROVAL OF MINUTES

MOTION to approve the minutes of Special Meeting – May 6, 2020, Regular Meeting May 13, 2020 and Executive Session May 13, 2020: Freeholder Fantasia

SECOND: Freeholder Yardley

DISCUSSION - None

(VOICE VOTE) All Members present voted in the affirmative.

13. APPOINTMENTS AND/OR RESIGNATIONS – None

14. RESOLUTIONS

A. RESOLUTION RE: 228-2020

AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND THE CLERK OF THE BOARD OF CHOSEN FREEHOLDERS TO EXECUTE THE SALARY REIMBURSEMENT AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND RUTGERS COOPERATIVE EXTENSION, RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY, FOR THE PROVISION OF EDUCATIONAL SERVICES IN THE AREAS OF AGRICULTURE, HOME ECONOMICS AND 4-H DEVELOPMENT FOR CALENDAR YEAR 2020

B. RESOLUTION RE: 229-2020

AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ONE (1) NEW CURRENT MODEL YEAR RAM 5500 OR EQUAL TRUCK CAB-CHASSIS FROM BEYER CHRYSLER DODGE JEEP RAM FOR THE COUNTY OF SUSSEX, OFFICE OF FLEET MANAGEMENT IN THE AMOUNT OF \$47,656.00

C. RESOLUTION RE: 230-2020

AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF FOUR (4) VEHICLES FROM BEYER FORD AND BEYER OF MORRISTOWN FOR THE OFFICE OF THE SUSSEX COUNTY SHERIFF IN THE AMOUNT OF \$131,133.23

D. RESOLUTION RE: 231-2020

AUTHORIZING THE BOARD OF CHOSEN FREEHOLDERS TO SUBMIT A GRANT APPLICATION IN ACCORDANCE WITH THE NEW JERSEY LIBRARY CONSTRUCTION BOND ACT, P.L. 2017, C. 149

E. RESOLUTION RE: 232-2020

INTENT TO ACQUIRE PROPERTY FOR PUBLIC LIBRARY USE AND DEDICATION OF PROPERTY TO PUBLIC LIBRARY USE FOR A PERIOD OF NOT LESS THAN 20 YEARS

F. RESOLUTION RE: 233-2020

INTENT TO PROVIDE MATCHING FUNDS IF THE COUNTY OF SUSSEX RECEIVES A NEW JERSEY LIBRARY CONSTRUCTION BOND ACT GRANT

G. RESOLUTION RE: 234-2020

SOLID WASTE MANAGEMENT PLAN ADMINISTRATIVE ACTION FOR CAVALIER ENVIRONMENTAL COMPLIANCE SERVICES, INC. ("CECS"), 482 HOUSES CORNER ROAD, SPARTA, NJ TO OPERATE TIRE RECYCLING OPERATION UNDER RESEARCH, DEVELOPMENT & DEMONSTRATION PROJECT EXEMPTION, N.J.A.C. 7:26-1.7(f)

H. RESOLUTION RE: NO ACTION TAKEN

RESOLUTION IN SUPPORT OF PROPOSAL TO INITIATE LEGISLATIVE HEARINGS

INTO THE THOUSANDS OF DEATHS AT NEW JERSEY'S LONG TERM CARE FACILITIES (Title Only) –NO ACTION TAKEN

MOTION to adopt said Resolutions A – G: Freeholder Fantasia

SECOND: Freeholder Hertzberg

DISCUSSION – None

(Roll Call vote) Freeholder Fantasia – Aye

Freeholder Fasano – Aye

Freeholder Hertzberg- Aye

Freeholder Petillo – Aye

Freeholder Yardley – Aye

15. AWARDS OF CONTRACT/CHANGE ORDERS/BID

A. RESOLUTION RE: 235-2020

AWARDING A CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR PROFESSIONAL LEGAL SERVICES FOR ALL LABOR AND EMPLOYMENT MATTERS FOR THE COUNTY OF SUSSEX TO TRIMBOLI & PRUSINOWSKI FROM DATE OF CONTRACT AWARD UNTIL DECEMBER 31, 2020

B. RESOLUTION RE: 236-2020

AWARD OF CONTRACT EXTENSION FOR MISCELLANEOUS BUILDING TRADE SERVICES (CARPENTRY) TO BE PERFORMED IN AN AROUND VARIOUS SUSSEX COUNTY BUILDINGS TO GL GROUP INC. FROM MAY 1, 2020 UNTIL APRIL 30, 2021 WITH THE MAXIMUM CONTRACT AMOUNT OF \$100,000.00

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 Contracts A and B: Freeholder Fantasia

SECOND: Freeholder Yardley

DISCUSSION - None

(Roll call vote) Freeholder Fantasia – Aye

Freeholder Fasano – Aye

Freeholder Hertzberg- Aye

Freeholder Petillo – Aye

Freeholder Yardley - Aye

16. FINANCIAL

A. RESOLUTION RE: 237-2020

PAYMENT OF BILLS LIST

May 27, 2020

MOTION to approve the Bills List: Freeholder Fantasia

SECOND: Freeholder Hertzberg

DISCUSSION- None

(Roll call vote) Freeholder Fantasia – Aye

Freeholder Fasano – Aye

Freeholder Hertzberg- Aye

Freeholder Petillo – Aye

Freeholder Yardley – Aye

17. PERSONNEL

RESOLUTION RE: 238-2020

AUTHORIZING PERSONNEL AGENDA OF May 27, 2020

MOTION to adopt the Personnel Agenda: Freeholder Fantasia

SECOND: Freeholder Hertzberg

DISCUSSION - None

(Roll Call vote) Freeholder Fantasia – Aye

Freeholder Fasano – Aye

Freeholder Hertzberg- Aye

Freeholder Petillo – Aye

Freeholder Yardley - Aye

18. ADMINISTRATIVE REPORT

Mr. Poff said his report would be brief. Last Friday he and CFO Elke Yetter participated in a Bond Rating call and Mr. Poff is pleased to report that S&P gave the County a 1+ Rating for short term notes and AA+ rating for existing Bonds. The 1+ rating for short term notes is the highest rating S&P will issue and he thanked and complimented Ms. Yetter and her Staff for their hard work. Next, Mr. Poff reported of the ongoing Regional Network of Sussex, Hunterdon and Warre Counties working together to structure an economic reopening plan to be submitted to Governor Murphy. The State's approach that a "one size fits all" economic plan needs to be reconsidered and focused on regions not statewide. He also reported that earlier this week Governor Murphy announced that the

New

Jersey Department of Education and the Secretary of Higher Education will issue updated guidance on school districts, colleges and universities to hold modified in-person graduation ceremonies beginning on July 6th. That concludes his report.

19. **COUNTY COUNSEL REPORT** - None

20. **UNFINISHED BUSINESS**- None

21. **NEW BUSINESS** – None

22. **PUBLIC SESSION FROM THE FLOOR**

This Session is for questions and comments not pertaining to an Agenda Item. We ask callers wanting to make a comment to first state your name and municipality. The Clerk will create a Roster and 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 Yardley

(Voice vote) All members present voted in the Affirmative.

No callers on the line.

MOTION to close the floor for public comment and return to regular business: Freeholder Fantasia

SECOND Freeholder Hertzberg

(Voice vote) All members present voted in the Affirmative.

23. **REMINDERS**

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

24. **Continuation of Executive Session**

MOTION to enter into Executive Session: Freeholder Fantasia

SECOND: Freeholder Fasano

Voice Vote: All Members present voted in the affirmative.

Freeholder Director Petillo said the Board will take no action after Executive Session. Time is 6:15 PM

25. **ADJOURNMENT**

MOTION to adjourn the meeting: Freeholder Fantasia

SECOND: Freeholder Yardley

(Voice vote): All Member present voted in the affirmative.

Time is 7:03 PM

DATED: May 27, 2020

Respectively submitted,

Teri Lyons
Clerk