

EMERGENCY FREEHOLDER MEETING OF MARCH 20, 2020 AT 10:00 AM  
FREEHOLDER MEETING ROOM

**Item**

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

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

**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 – Led by Freeholder Director Petillo**

4. **PUBLIC STATEMENT** Read by Freeholder Director Petillo

"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 March 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**

**MOTION** to approve the Agenda made by Freeholder Fantasia  
Seconded by Freeholder Hertzberg  
(Voice vote)- All Members present voted in the affirmative.

6. **PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**  
NONE

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

No Comments.

**MOTION** to close the floor for public comment made by Freeholder Yardley  
Seconded by Freeholder Hertzberg  
(Voice Vote)- All Members present voted in the affirmative.

9. **FREEHOLDERS' COMMENTS**

Freeholders Fantasia and Yardley questioned if Administrator's Comments were imperative or if Executive Session could be entertained this time. Mr. Poff requested that he be permitted. It highlights County efforts to date.

10. **APPROVAL OF CONSENT AGENDA**  
NONE

11. **APPROVAL OF MINUTES**  
NONE

12. **APPOINTMENTS AND/OR RESIGNATIONS**  
NONE

13. **RESOLUTIONS**  
NONE

14. **AWARDS OF CONTRACT/CHANGE ORDERS/BID**  
NONE

15. **FINANCIAL**  
NONE

16. **PERSONNEL**  
**NONE**

17. **ADMINISTRATIVE REPORT – COVID 19 UPDATE**

Past two weeks he has been working closely with the County’s Emergency Preparedness Team; who have been collaborating for more than six weeks regarding virus preparedness. The team has daily conference calls with Health Officer and other County Leaders. This team consists of trained and dedicated personnel. Mr. Poff thanked department heads present today so we can address the County’s contingency plan for departments and personnel.

Emergency Management Office conducts weekly phone conference with all 24 Mayors. EMO has established this pandemic as a Level 2 Emergency.

Mr. Poff provided Sussex County Virus counts which are provided daily to the Press and pertinent COVID19 information is posted daily to the County Web Site. Hot Lines have or will soon be activated for callers. Mr. Poff concluded his report noting highlights from Governor Murphy’s recent daily press briefings and Executive Orders.

18. **COUNTY COUNSEL REPORT**  
**NONE**

19. **UNFINISHED BUSINESS**  
**NONE**

20. **NEW BUSINESS**  
**NONE**

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 Fasano  
Seconded by Freeholder Hertzberg  
(Voice vote) – All Members present voted in the affirmative.

No comments.

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

22. **REMINDERS**

Please check the County’s website at [www.sussex.nj.us](http://www.sussex.nj.us) for meeting schedules.

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

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

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

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

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

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

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

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

- \_\_\_\_\_ (3) **Matters Involving Individual Privacy:**
- \_\_\_\_\_ (4) **Matters Relating to Collective Bargaining Agreements:**
- \_\_\_\_\_ (5) **Matters Relating to the Purchase, Lease of Acquisition of Real Property or the Investment of Public Funds:**
- \_\_\_\_\_ (6) **Matters Relating to Public Safety and Property:**
- X   (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege;**
  - **McDowell et al. v. Grewal, et al.**
  - **Strada v. Sussex County Freeholders, et al.**
  - **Mt. Creek Bankruptcy**
- \_\_\_\_\_ (8) **Matters Relating to the Employment Relationship:**
- \_\_\_\_\_ (9) **Matters Relating to the Potential Imposition of a Penalty:**

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

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

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

**Time is 10:35 PM**

**MOTION** to adopt the Executive Session Resolution and enter into Executive Session made by Freeholder Hertzberg  
 Seconded by Freeholder Fantasia  
 (Voice vote)-All Members present voted in the affirmative.

NJ Herald Reporter Bruce Scruton was recognized by Freeholder Director Petillo. Mr. Scruton expressed objection for the Executive Session Topic. County Counsel Kelly answered Mr. Scruton's concerns.

**24. ADJOURNMENT**

Meeting was adjourned from Executive Session at 1:01 PM

Respectively submitted,

Teri Lyons, Clerk  
 Board of Chosen Freeholders