

1. Notice And Meeting Materials

Documents:

[4-22-2020 TELECONFERENCE CALL NOTICE \(PDF\).PDF](#)
[4-22-2020 CHANGE OF MEETING START TIME \(PDF\).PDF](#)
[4-22-2020 FREEHOLDER MEETING AGENDA \(PDF\).PDF](#)
[4-22-2020 FANTASIA LETTER TO GOVERNOR MURPHY \(PDF\).PDF](#)
[4-22-2020 YARDLEY LETTER TO VP \(PDF\).PDF](#)
[4-22-2020 NOTE ABOUT AUDIO \(PDF\).PDF](#)

In accordance Executive Order #107 and New Jersey Department of Community Affairs remote public meetings guidelines this Freeholder meeting will be a remote public meeting by telephone conference call only. There will be no on-site meeting. The Public is invited to listen and will have an opportunity to make comments by calling 973-310-7191.



SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS
Sussex County Administrative Center
One Spring Street
Newton, New Jersey 07860
PRESS RELEASE

County of Sussex

Posted April 8, 2020

**BOARD OF CHOSEN FREEHOLDERS
SUSSEX COUNTY, NEW JERSEY
CHANGE OF MEETING START TIME**

NOTICE IS HEREBY GIVEN in accordance with the Open Public Meetings Act, the Board of Chosen Freeholders Regular April 22, 2020 meeting will commence at 4:30 PM at the Sussex County Administrative Center, 1 Spring Street, Newton, New Jersey. Pursuant to COVID Government Guidelines, this meeting will be conducted via a conference call platform. To participate in this meeting, dial 973-310-7191.

Teresa Lyons, Clerk
Board of Chosen Freeholders
Sussex County, New Jersey

Due to public health issues arising from the coronavirus, the Sussex County Board of Freeholders will "meet" on Wednesday, April 22 at 4:30PM and will address county government business remotely via a conference call. The Public is invited to listen and will have an opportunity to make comments, by calling 973-310-7191.

FREEHOLDER MEETING OF APRIL 22, 2020 AT 4:30PM
FREEHOLDER MEETING ROOM
REGULAR BUSINESS

Item

1. **CALL TO ORDER BY DIRECTOR**
2. **ROLL CALL**
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 April 8, 2020 from the Administrative Center of the County of Sussex, located at One Spring Street, Newton, New Jersey to the following:

New Jersey Herald WSUS Radio
New Jersey Sunday Herald WNNJ Radio
Star Ledger

and is also posted on the bulletin board maintained in the Administrative Center for public announcements and has been submitted to the Sussex County Clerk in compliance with said Act."

5. **APPROVAL OF AGENDA**

MOTION to approve the Agenda:
(Voice vote)

6. **PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**

PROCLAMATION

1. Recognizing Eagle Scout Christopher Beckert
2. May is Older Americans Month

3. Recognizing Julia Duane Quinlan for her 40 years of serving Sussex County

MOTION to adopt the Proclamations
(Voice Vote)

7. **PUBLIC HEARINGS**

A. **FINAL ADOPTION- ORDINANCE 20-02**

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

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

MOTION that the Public Hearing be opened. (Voice vote)

Is anyone present to be heard regarding this Resolution?

MOTION that the Public Hearing be closed. (Voice vote)

MOTION that this Ordinance be finally adopted and authorize the Clerk to advertise this Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center. **(Roll Call vote)**

B. **FINAL ADOPTION- ORDINANCE 20-03**

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

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

MOTION that the Public Hearing be opened. (Voice vote)

Is anyone present to be heard regarding this Resolution?

MOTION that the Public Hearing be closed. (Voice vote)

MOTION that this Ordinance be finally adopted and authorize the Clerk to advertise this Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center. **(Roll Call vote)**

C. FINAL ADOPTION- ORDINANCE 20-04

BOND ORDINANCE PROVIDING FOR THE UNDERTAKING OF 2020 CAPITAL IMPROVEMENTS AT AND FOR CERTAIN FACILITIES OF SUSSEX COUNTY COMMUNITY COLLEGE, LOCATED WITHIN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$2,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,800,000 BONDS OR NOTES OF THE COUNTY OF SUSSEX, STATE OF NEW JERSEY, FOR FINANCING SUCH APPROPRIATION, THE PRINCIPAL OF AND INTEREST ON THE AGGREGATE PRINCIPAL AMOUNT OF WHICH WILL BE ENTITLED TO STATE AID, PURSUANT TO CHAPTER 12 OF THE LAWS OF NEW JERSEY OF 1971

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

MOTION that the Public Hearing be opened. (Voice vote)

Is anyone present to be heard regarding this Resolution?

MOTION that the Public Hearing be closed. (Voice vote)

MOTION that this Ordinance be finally adopted and authorize the Clerk to advertise this Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center. **(Roll Call vote)**

D. FINAL ADOPTION- ORDINANCE 20-05

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

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

MOTION that the Public Hearing be opened. (Voice vote)

Is anyone present to be heard regarding this Resolution?

MOTION that the Public Hearing be closed. (Voice vote)

MOTION that this Ordinance be finally adopted and authorize the Clerk to advertise this Ordinance as finally adopted, and also post same on the bulletin board in the lobby of the County Administrative Center. **(Roll Call vote)**

9. 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
(Voice Vote)

MOTION to close the floor for public comment
(Voice Vote)

10. FREEHOLDERS' COMMENTS

11. APPROVAL OF CONSENT AGENDA – None

12. APPROVAL OF MINUTES

MOTION to approve the minutes

Regular Meeting – April 8, 2020
(Voice Vote)

13. APPOINTMENTS AND/OR RESIGNATIONS – None

14. RESOLUTIONS

A. RESOLUTION RE:

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

B. RESOLUTION RE:

USE OF STORM RECOVERY TRUST FUND FOR CORONAVIRUS

MITIGATION

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

MOTION to adopt said Resolutions A-C
(Roll Call vote)

15. AWARDS OF CONTRACT/CHANGE ORDERS/BID

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

The Board of Chosen Freeholders of the County of Sussex has reviewed the Award of Contract/Change Orders/Bids consisting of various proposed Resolutions and determined that adoption of the said Resolutions is in and will further the public interest.

MOTION to approve the Contract
(Roll call vote)

16. FINANCIAL

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

MOTION to approve the Resolution
(Roll call vote)

17. PERSONNEL

- RESOLUTION RE:**
AUTHORIZING PERSONNEL AGENDA OF April 22, 2020 **(Greg)**
Title Only

MOTION to adopt the Personnel Agenda

(Roll Call vote)

- 18. **ADMINISTRATIVE REPORT**
- 19. **COUNTY COUNSEL REPORT**
- 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:
(Voice vote)

MOTION to close the floor for public comment and return to regular business:
(Voice vote)

- 23. **REMINDERS**

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

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:

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

COVID19 Update

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

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

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

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

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

COVID19 Update

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

Strada vs. County Sussex

_____ (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.

MOTION to adopt the Executive Session Resolution and enter into Executive Session
(Voice vote)

MOTION to adjourn from Executive Session and return to Regular Business
(Voice vote)

24. ADJOURNMENT

MOTION to adjourn the meeting:
(Voice vote)



SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS

Sussex County Administrative Center
One Spring Street
Newton, New Jersey 07860
Tel. 973-579-0210
FAX 973-383-1124
EMAIL dfantasia@sussex.nj.us

Freeholder Deputy Director Dawn Fantasia

County of Sussex

April 9, 2020

Governor Phil Murphy
Office of Governor
PO Box 001
Trenton, NJ 08625

Dear Governor Murphy,

The County of Sussex is home to Allamuchy Mountain State Park, High Point State Park, Hopatcong State Park, Kittatinny Valley State Park, Stokes State Forest, Swartswood State Park, and Waywayanda State Park. Under Executive Order 118, residents are now prohibited access to each of these recreation areas.

As you have repeatedly stated, we are asking much of each and every resident in the State, and we must all be committed to “flattening the curve”. I fully appreciate and respect the State’s aggressive efforts to contain the spread of COVID-19, which requires much sacrifice and discipline to protect our most vulnerable populations. However, I believe Executive Order 118 will have the unintended consequence of forcing a greater concentration of people from wide open, rural spaces into smaller, residential areas. By limiting access to outdoor spaces such as parks, forests, and trails, and instead encouraging people to return to neighborhoods, you are in essence condensing the population and exponentially increasing the likelihood of close encounters between individuals.

This is a high-stress time, with many pushed to the brink, whether a student trying to acclimate to a new “school” environment through distance learning, an educator trying to navigate this new world of instruction, a parent who is working from home and/or trying to help a child with school work, an essential employee and/or healthcare worker/first responder working long hours in the face of danger, or a retiree who is concerned about their health due to age and preexisting medical conditions. Economically speaking, this health crisis is nothing short of devastating. Additionally, many people live alone, and distancing can be mentally crippling and no doubt causes further grief, loneliness, and anxiety.

Under the recommended social distancing guidelines, outdoor activities are healthy, safe, and an integral part of maintaining a healthy lifestyle and mental well-being. There must exist the ability to expend energy in the ample outdoor spaces we are fortunate to have in Sussex County. With Spring break approaching for the 1.3 million students across the State, restriction of outdoor open spaces will only compound anxiety. Being a middle school principal in Bergen County, the hardest-hit County in the State of NJ, I am also witness to the struggles experienced by our school families, and I firmly believe an outlet is absolutely necessary for maintaining mental health and emotional well-being.

This unprecedented health crisis has certainly forced us all to make tough decisions, but I believe Executive Order 118 will in essence do more harm than good to the residents of Sussex County and the State of New Jersey by further concentrating the population into smaller areas. I respectfully request that you reexamine your decision to close State and County parks with the full understanding that social distancing guidelines must be maintained. Let’s work together, and listen to one another in order to strike a healthy balance that supports the safety of us all.

I am supported by my fellow freeholders in this request. We appreciate your time and consideration in reviewing this matter for the well-being of our residents.

Respectfully,

A handwritten signature in cursive script that reads "Dawn Fantasia".

Dawn Fantasia
Deputy Director, Sussex County Board of Chosen Freeholders

Sylvia Petillo, Director, Sussex County Board of Chosen Freeholders
Anthony Fasano, Freeholder
Joshua Hertzberg, Freeholder
Herbert Yardley, Freeholder



SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS

Sussex County Administrative Center
One Spring Street
Newton, New Jersey 07860
Tel. 973-579-0210
FAX 973-383-1124
EMAIL hjyardley@sussex.nj.us

Freeholder Herb Yardley

County of Sussex

April 6, 2020

Hon. Mike Pence
Office of the Vice President of the United States
1 Observatory Circle,
U.S. Naval Observatory,
Washington, D.C. 20392

Dear Vice President Pence:

I am a member of the Sussex County Board of Chosen Freeholders in Sussex County, New Jersey. In case you don't know what that is, a Freeholder is an elected position similar to a County Commissioner in most states. I am currently finishing my first term, having served the county prior to this as the Health Officer/Administrator of the Sussex County Division of Health. Before retiring, I was employed as a public health management professional for nearly 40 years.

Last week, United States Senators Robert Menendez and Cory Booker put out a press release which they titled, *Menendez, Booker Announce First Wave of Federal Funding for NJ from the COVID-19 Emergency Stimulus Package. Over \$82M in grants to assist communities on the frontlines of the coronavirus outbreak.* You can read the full press release here:

<https://www.menendez.senate.gov/news-and-events/press/menendez-booker-announce-first-wave-of-federal-funding-for-nj-from-the-covid-19-emergency-stimulus-package>

Four of New Jersey's 21 counties received no aid. Not a penny. Together, those four counties have as many COVID-19 cases/deaths as New Mexico, and more than 12 entire *states*.

Sussex County, my county, was one of those four counties. According to the release by our United States Senators, we are getting none of the money to *assist communities on the frontlines of the coronavirus outbreak*.

Sussex County is a commuter county. Seventy percent of our people work outside of the county. Many commute to New York City. New York City is the epicenter of this world pandemic. No money? Not a penny?

Congressman Josh Gottheimer, who represents the majority of municipalities in Sussex County, has attempted to explain this with letters and press releases. As I understand it, Congress used a pre-pandemic, Obama-era aid formula to determine the funding allocation. I understand that this was part of the compromise reached with Speaker Nancy Pelosi. According to Congressman Gottheimer, throughout the country there are other counties in the same predicament as we are. It has been suggested that these counties are in more "Republican areas", although why politics would be a consideration in allocating resources to fight a pandemic is beyond me.

As such, I am appealing to you Mr. Vice President, as the head of the Coronavirus Task Force, to please cut through the bureaucracy and formulas and just consider the facts: We are a hard-hit New York City commuter county. Our rural population is just as vulnerable to the devastation of this virus, and time is of the essence.

I am joined below by my fellow freeholders in this request for your assistance. Any guidance and relief you may provide would be greatly appreciated.

Thank you,



Herb Yardley,
Member, Sussex County Board of Chosen Freeholders

Sylvia Petillo,
Freeholder Director
Dawn Fantasia
Freeholder Deputy Director
Josh Hertzberg
Freeholder
Anthony Fasano
Freeholder

The April 22, 2020 meeting of the Sussex County Board of Chosen Freeholders, held by audioconference, experienced technical difficulties during the first four minutes. The posted meeting audio was trimmed to reflect the actual successful start of the meeting.

The link below contains the entire teleconference recording including the technical difficulties at the beginning.

Untrimmed meeting audio:

<http://www.sussex.nj.us/documents/freeholders/audio/april-22-2020-audio-untrimmed.mp3>