

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 NOVEMBER 10, 2020 AT 6:00PM
REGULAR BUSINESS
VIA CONFERENCE CALL
MINUTES

Item

1. CALL TO ORDER BY DIRECTOR

- 2. ROLL CALL:** Freeholder Fantasia, Freeholder Fasano, Freeholder Hertzberg, Freeholder 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 and email, such notice being submitted on January 2, 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 Director Petillo stated that the Board recently received a letter from New Jersey Legislative District 24 in reference to the Reproductive Freedom Act. Based on the Legislators concerns a resolution was prepared for consideration tonight. Later in the meeting Agenda at Item #20 this letter and the resolution will be read into the record. Followed by Freeholder and public comments before taking a vote on the resolution.

MOTION to approve the Agenda: Freeholder Fantasia

Second: Freeholder Yardley

Discussion- None

(Voice vote) All voted in the affirmative

6. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

PROCLAMATION – Recognizing Great American Smokeout on November 19, 2020. This resolution was read by Freeholder Fasano and received by Tracy Storms-Mazzucco from the Center for Prevention. Freeholder Petillo thanked Tracy for her work and in return Tracy thanked the Board for the recognition and tonight's Proclamation. **434-2020**

MOTION to adopt the Proclamation: Freeholder Fantasia

Second: Freeholder Yardley

Discussion: None

(Voice Vote) All voted in the affirmative

7. PUBLIC HEARINGS - NONE

8. PUBLIC SESSION FROM THE FLOOR Time is 6:08 PM

This Public Session is for questions or 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 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 Hertzberg

Discussion: None

(Voice Vote) All voted in the affirmative

No comments.

MOTION to close the floor for public comment: Freeholder Fantasia

Second: Freeholder Yardley

Discussion: None

(Voice Vote) All voted in the affirmative

9. FREEHOLDERS' COMMENTS

Comments by Freeholder Fasano

Freeholder Fasano expressed his gratitude and appreciation to all the Poll Workers, Board of Elections personnel and our Sussex County Clerk's office for all of their continued efforts with the past election. He thanked our military veterans for their service and sacrifice and said it was cool it be part of our 2020 Salute to Military Veterans. This video can be seen on the County website.

Turning to the subject of COVID, he mentioned at home testing kits are now available to all Sussex County residents over the age of 18 at no charge. This program will be extremely crucial in the upcoming months and additional information can be found on the County's website. Freeholder Fasano also reminded everyone that our local businesses need your support. Our collaborative interactive business map which is on the County's website as well, was developed by the County in partnership with Sussex County Chamber of Commerce and the Sussex County Economic Development Partnership. I

In conclusion, he announced that thanks to a grant received by Sussex County Skylands Ride through New Jersey Transit; Sussex County will now be adding the services of a Transportation Networking Company pilot program in partnership with TransOptions. This will enable TransOptions to arrange and secure transportation for Sussex County residents at no cost to them by utilizing ride share services such as Lyft and Uber. This grant covers the total cost of the ride for the passengers and is expected to start this Monday, November 16 and extends to the end of the year with the possibility of extending into next year. Sussex County residents can call the main office number for Skylands Rides to book a trip. The number is 973-579-0480. This is an important step into the 21st century for Sussex County's transportation infrastructure. More information is online about this.

Comments by Freeholder Hertzberg

Freeholder Hertzberg stated at the recent NJTPA meeting, funding was approved to Skylands Ride to purchase new vehicles so services can expand. In addition, there was some funding for roadwork that was allocated by the State; but there is continued ongoing work to allocate funds in order for rail service to return to Sussex County. In conclusion Freeholder Hertzberg recognized Veterans' Day and how proud he is of the Sparta Salute Committee who was instrumental for the Lights and Banners in throughout Sparta depicting photos of Hometown Veterans.

Comments by Freeholder Yardley

Freeholder Yardley thanked all of our Veterans and acknowledged that today marks the 245th anniversary of the Second Continental Congress's resolution to establish the Continental Marines. In conclusion he encouraged all local businesses to complete the Sussex County Chamber of Commerce COVID-19 business survey. This survey will provide the Chamber with valuable information about the County's business community.

Comments by Freeholder Fantasia

Freeholder Fantasia also thanked the Veterans and stated that she is looking forward to her school's annual Veterans recognition program. This year the event is virtual and two local military officers will participate via a Zoom Call with the students regarding their military experience and to answer student questions.

Next, Freeholder Fantasia spoke to the fact that Governor Murphy authorized the release of 2,261 adult prisoners and juvenile offenders because state officials failed to protect inmates in New Jersey prisons from the spread of the coronavirus. Some of these prisoners could get their sentences reduced by 8 months. This does not apply to inmates in federal and county jails. This makes no sense, for the State is releasing COVID positive cases into the public with little support available to these inmates once released.

In closing, Freeholder Fantasia provided an update on Sussex County COVID stats. Thus far 54,262 county residents have received and reported a test for COVID-19. 2,116 tests have been recorded as positive cases. 1,720 positive cases have been classified as recovered. Our recovery rate is at 81%. 198 cases are under investigation and there have also been 198 deaths for a rate of 9%. No deaths in the month of November thus far, there was one death recorded on October 30th and prior to that the last death was August 14th. In nursing homes right now in the Sussex there are 489 positive cases. In the month of November there have been a total of 3 hospitalizations. According to our epidemiologist the COVID trends are linked to individuals under the age of 18, majority of them are presenting as asymptomatic. Most cases have been school related whether it has been school activities or school sports so there have been multiple household clutters as a result. Cases have been popping up in employment areas. At this time the Sussex County Board of Health is not aware of any positive cases related to a political rally that was held at the Sussex County Skylands stadium on October 14th. If anyone has an additional questions for the SC Board of Health they can be reached at 973-579-0370 or email at health@sussex.nj.us.

Comments by Freeholder Petillo

Freeholder Petillo expressed her appreciation to all of the volunteers who helped out with this year's election in the Board of Elections office to count all the paper ballots. She also thanked Jeff Parrott and his staff in the County Clerk's office. She said normally there is a parade at the Fairgrounds for our Veterans but because of COVID it was done virtually. She thanked all Veterans and truly appreciated her freedom. She then moved on to Skylands Ride. They will resume a modified weekday Public Connect schedule on Monday, November 16, 2020. To obtain more information you can call Sussex County Skylands Ride at 973-579-0480. She mentioned there

will be a drive-through Flu Clinic at the Sussex County Fairground on Saturday, November 14, 2020 from 9AM to 10:30 AM. She then gave locations of flu clinics throughout the area for our seniors.

10. APPROVAL OF CONSENT AGENDA

- A. RESOLUTION RE: 435-2020**
TRANSFER OF 2020 CURRENT APPROPRIATIONS
- B. RESOLUTION RE: 436-2020**
RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET OF THE COUNTY OF SUSSEX RELATING TO AMENDMENT #1 TO THE SFY21 COMPREHENSIVE CANCER CONTROL GRANT AWARD #DCHS21CCC009 FROM THE NJ DEPARTMENT OF HEALTH FOR A TOTAL ADDITIONAL AMOUNT OF \$99,570.00 FOR THE PERIOD OF JULY 1, 2020 TO JUNE 30, 2021
- C. RESOLUTION RE: 437-2020**
RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE NEWTON MEDICAL CENTER COMMUNITY ADVISORY BOARD GRANT TO THE SUSSEX COUNTY PROSECUTOR'S OFFICE PROVIDING \$3,490.00 FOR THE NARCAN ADMINISTRATION PROGRAM
- D. RESOLUTION RE: 438-2020**
RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE 2020/21 PUBLIC HEALTH EMERGENCY PREPAREDNESS GRANT AWARD #PHLP21LNC019 IN THE AMOUNT OF \$602,128.00 FOR THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021
- E. RESOLUTION RE: 439-2020**
APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE PROGRAM ADMINISTERED BY THE DEPARTMENT OF LAW AND PUBLIC SAFETY: FEDERAL FISCAL YEAR (FFY) 2020 OVERDOSE DATA TO ACTION – OPERATION HELPING HAND PROGRAM, UNDER THE SUBAWARD NO. FYOHH-19-2020, FOR THE PERIOD OF SEPTEMBER 1, 2020 THROUGH AUGUST 31, 2021, IN THE AMOUNT OF \$47,619.00
- F. RESOLUTION RE: 440-2020**
RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2020 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE FFY2020 OVERDOSE DATA TO ACTION – OPERATION HELPING HAND GRANT PROGRAM AWARD #FYOHH-19-2020 FROM THE NJ DEPARTMENT OF LAW & PUBLIC SAFETY FOR IN THE AMOUNT OF \$47,619.00 FOR THE PERIOD OF SEPTEMBER 1, 2020 TO AUGUST 31, 2021
- G. RESOLUTION RE: 441-2020**
AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT # 2, ATTACHMENT "A", INCREASING THE AGREEMENT BY \$7,178.00 WITH CATHOLIC FAMILY & COMMUNITY SERVICES FOR THE PROVISION OF WEEKDAY AND WEEKEND HOME DELIVERED MEALS FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020 FOR A TOTAL AMOUNT OF \$223,261.00
- H. RESOLUTION RE: 442-2020**
AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT # 2, ATTACHMENT "A", INCREASING THE AGREEMENT BY \$2,315.00 WITH RES-CARE NEW JERSEY, INC. D/B/A ALL WAYS CARING HOME CARE FOR THE PROVISION OF CERTIFIED HOME HEALTH AIDE SERVICES FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020 FOR A TOTAL AMOUNT OF \$104,456.00
- I. RESOLUTION RE: 443-2020**
AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT # 2, ATTACHMENT "A", WITH NO ADDITIONAL FUNDING WITH NEWTON MEDICAL CENTER FOR THE PROVISION OF FOOD SERVICE FOR THE CONGREGATE NUTRITION PROGRAM FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020 FOR A TOTAL AMOUNT OF \$109,306.00
- J. RESOLUTION RE: 444-2020**
AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE THE MODIFICATION OF AN AGREEMENT # 2, ATTACHMENT "A", INCREASING THE AGREEMENT BY \$3,400.00 WITH NEWTON MEDICAL CENTER FOR THE PROVISION OF FOOD SERVICE FOR THE WEEKDAY AND WEEKEND HOME DELIVERED MEAL PROGRAM FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020 FOR A TOTAL AMOUNT OF \$179,748.00

- K. RESOLUTION RE: 445-2020**
AUTHORIZATION FOR THE FILING OF THE 2021 NEW JERSEY SENIOR CITIZENS AND DISABLED RESIDENTS TRANSPORTATION ASSISTANCE PROGRAM (SCDR TAP) CY 2021 (JANUARY 1, 2021 – DECEMBER 31, 2021) AND THE FTA NON-URBANIZED AREA FORMULA PROGRAM (SECTION 5311) TO THE NEW JERSEY TRANSIT CORPORATION AND THE DEPARTMENT OF TRANSPORTATION OF THE UNITED STATES OF AMERICA FOR CY 2021 (JANUARY 1, 2021 – DECEMBER 31, 2021) IN THE AMOUNT OF \$1,641,748.89

- L. RESOLUTION RE: 446-2020**
AUTHORIZATION FOR THE FREEHOLDER DIRECTOR TO EXECUTE THE LETTER OF GRANT AWARD FROM THE NJ DEPARTMENT OF HEALTH, OFFICE OF LOCAL PUBLIC HEALTH TO PROVIDE \$100,000.00 IN FUNDING TO THE SUSSEX COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES FOR THE SUSSEX COUNTY OVERDOSE FATALITY REVIEW TEAM FOR THE PERIOD OF OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021

- M. RESOLUTION RE: 447-2020**
AUTHORIZATION FOR THE SUSSEX COUNTY BOARD OF CHOSEN FREEHOLDERS TO ACCEPT THE 2020 COUNTY-WIDE HUMAN SERVICES NEEDS ASSESSMENT AND TO PERMIT ITS UTILIZATION BY THE SUSSEX COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES AND THE HUMAN SERVICES ADVISORY COUNCIL

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 Resolutions A-M: Freeholder Fantasia

Second: Freeholder Yardley

Discussion - None

(Roll call vote)

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

11. APPROVAL OF MINUTES

Regular Meeting – October 28, 2020
Executive Session Minutes – October 28, 2020

MOTION to approve the minutes from the Regular Meeting and Executive Session- Freeholder Fantasia

Second- Freeholder Yardley

Discussion- None

(Voice Vote)- All OK but Freeholder Hertzberg abstained because he was absent from the meeting.

12. APPOINTMENTS AND/OR RESIGNATIONS - None

13. RESOLUTIONS

- A. RESOLUTION RE: 448-2020**
PRELIMINARY ADOPTION OF THE SITE SPECIFIC AMENDMENT TO THE SUSSEX COUNTY WASTEWATER MANAGEMENT PLAN FOR JCM INVESTORS 1012, LLC, ALSO KNOWN AS “MILLY’S COURT,” BLOCK 2701, LOT 2 IN THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX AND STATE OF NEW JERSEY

- B. RESOLUTION RE: 449-2020**
AUTHORIZATION TO GRANT TO THE APPLICANT ELIZABETHTOWN GAS COMPANY A CONDITIONAL WAIVER FROM COUNTY POLICY FOR ROAD OPENINGS FOR WINTER WORK WITHIN COUNTY ROUTE 613 AND CR 605

- C. RESOLUTION RE: 450-2020**
RESOLUTION CONSENTING TO THE “SPARTA HIGH SCHOOL ATHLETIC COMPLEX” SUSSEX COUNTY WATER QUALITY MANAGEMENT PLAN (WQM) PLAN AMENDMENT

- D. RESOLUTION RE: 451-2020**
SUPPORT OF TOWN OF NEWTON’S GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION “TRANSPORTATION ALTERNATIVES SET-ASIDE GRANT PROGRAM” FOR A STREETScape PROJECT LOCATED ALONG A PORTION OF SPARTA AVENUE, A.K.A. COUNTY ROUTE 616

- E. RESOLUTION RE: 452-2020**

PROVIDING TEMPORARY CLOSURE OF CR 645 IN SANDYSTON TOWNSHIP FOR THE SANDYSTON TOWNSHIP RECREATION COMMITTEE'S ANNUAL GOBBLE HOBBLE 5K EVENT SUBJECT TO COMPLIANCE WITH APPLICABLE COVID-19 PUBLIC GATHERING RULES, REGULATION AND RESTRICTIONS

F. RESOLUTION RE: 453-2020

APPROVAL OF THE FISCAL YEAR (FY) 2021 ANNUAL TRANSPORTATION PROGRAM (ATP) STATE AID PROJECT POOL FOR THE COUNTY OF SUSSEX AND AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND BOARD CLERK TO EXECUTE AN AGREEMENT FOR STATE AID TO COUNTIES UNDER THE NEW JERSEY TRANSPORTATION TRUST FUND AUTHORITY ACT IN THE AMOUNT OF \$5,107,912.00 FOR FY 2021

Freeholder Fantasia requested that Resolution A be voted upon separately for she has a conflict and will have to abstain.

MOTION to remove Resolution A and vote upon separately: Freeholder Fasano

Second: Freeholder Hertzberg

Voice Vote – All present voted in the Affirmative

MOTION to adopt Resolution A: Freeholder Yardley

Second: Freeholder Hertzberg

Discussion - None

(Roll Call Vote)

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

MOTION to adopt said Resolutions B-F: Freeholder Fantasia

Second: Freeholder Yardley

Discussion - None

(Roll Call vote)

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

14. AWARDS OF CONTRACT/CHANGE ORDERS/BID

A. RESOLUTION RE: 454-2020

AWARD OF CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR PROFESSIONAL SERVICES FOR ALL LABOR AND EMPLOYMENT MATTERS TO TRIMBOLI & PRUSINOWSKI FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

B. RESOLUTION RE: 455-2020

AWARD OF CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR PROFESSIONAL AUDITING SERVICES TO NISIVOCCIA LLP FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021 IN THE AMOUNT OF \$268,035.00

C. RESOLUTION RE: 456-2020

AWARD OF CONTRACT EXTENSION THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR PROFESSIONAL LEGAL SERVICES IN THE ISSUANCE OF BONDS, NOTES AND RELATED MATTERS TO ARCHER & GREINER, P.C. FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

D. RESOLUTION RE: 457-2020

AWARD OF CONTRACT FOR SUPPLY AND DELIVERY OF NON-OEM AUTOMOTIVE AND LIGHT DUTY TRUCK PARTS TO NORTH EAST PARTS GROUP, LLC FROM NOVEMBER 10, 2020 THROUGH NOVEMBER 09, 2021

E. RESOLUTION RE: 458-2020

AWARDING A CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR A NJ LICENSED PROFESSIONAL ENGINEER FOR CIVIL, MECHANICAL, ELECTRICAL, PLUMBING, SANITARY DESIGN AND RELATED PLANNING SERVICES FOR WASTEWATER SYSTEM TO BOSWELL ENGINEERING, INC. FROM NOVEMBER 10, 2020 THROUGH NOVEMBER 9, 2021

F. RESOLUTION RE: 459-2020

AWARD OF A CONTRACT FOR THE SUPPLY AND DELIVERY OF CALMAG 100 LIQUID MELTING AGENT OIL STABILIZER, OR EQUAL FOR THE DIVISION OF PUBLIC WORKS FROM REED SYSTEMS, LTD FROM NOVEMBER 10, 2020 THROUGH NOVEMBER 9, 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-F: Freeholder Fantasia

Second: Freeholder Yardley

Discussion- None

(Roll call vote)

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

15. FINANCIAL

A. RESOLUTION RE: 460-2020

PAYMENT OF BILLS LIST

November 10, 2020

MOTION to approve the Bills List: Freeholder Fantasia

Second: Freeholder Fasano

Discussion- None

(Roll Call vote)

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

B. INTRODUCTION FOR FIRST READING- ORDINANCE 20-06

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

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 November 24, 2020 at 9:00 a.m. prior to final adoption of this Ordinance: Freeholder Fantasia

Second: Freeholder Hertzberg

Discussion – Freeholder Fantasia requested County Administrator Poff to explain the purpose for tonight's Ordinance. Mr. Poff reported that due to the pandemic, the State withheld Chapter 12 funds and therefore the previous Ordinance acted upon earlier this year was canceled. Chapter 12 funds are now available and we need to proceed with the Ordinance. It is not known if Chapter 12 Funds will be available in 2021.

Freeholder Fantasia shared as a member of the Board of School Estimate in 2019 one of the capital improvement projects is the HVAC system and the ventilation system at the Public Safety and Training Academy and other campus buildings. These improvements have real importance specifically with indoor air quality being so important.

(Roll Call Vote)

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

16. PERSONNEL

RESOLUTION RE: 461-2020

AUTHORIZING PERSONNEL AGENDA OF November 10, 2020

MOTION to adopt the Personnel Agenda: Freeholder Fantasia

Second: Freeholder Yardley

Discussion- None

(Roll Call vote)

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

17. ADMINISTRATIVE REPORT

Mr. Poff reported that the State's approval for the first phase of the Library Construction Bond Grant program for the County's expansion to the Dennis Library located in Newton. This approval has been recommended to the State Legislature for final approval and we await the release of those funds. Mr. Poff thanked the Board for their support of that grant application.

As for COVID testing, the County is aware of the increased need in testing which was shared by the County's Epidemiologist and the Division of Health COVID coordinator. The County continues to take a proactive approach toward testing.

Lastly he acknowledged and thanked all our Veterans and his favorite Veteran is his grandfather Vance Harvey Poff. Currently age 94, his Grandfather is a WWII veteran and recipient of two Purple Hearts.

18. COUNTY COUNSEL REPORT – No Report

19. UNFINISHED BUSINESS- None

20. NEW BUSINESS

- State Legislative Matters

Freeholder Director Petillo read into the record the letter from our District 24 Legislatures dated November 10 , 2020.in opposition to S-3030 A-4848, "New Jersey Reproductive Freedom Act". A copy of the letter is attached.

RESOLUTION RE: 462-2020

RESOLUTION TO OPPOSE PRO-AGORTION/PRO SEX TRAFFICKING S-3030/A-4848

Freeholder Fantasia read the Resolution into record.

Freeholder Petillo opened up to the Freeholders for their comments.

Comments from Freeholder Fasano

Thanked Senator Oroho and District 24 for their letter and updating us on this radical and bad legislation working its way through New Jersey's legislature. He said this bill allows abortions up to birth, tax payer funded abortions are covered for everyone regardless if you are from the state, it will grant immunity from prosecution for infants who are born alive and left to die, it destroys New Jersey Safe Haven Protection Act, it pays no mind to liberty and conscious, it brings real concerns for experts in human trafficking and prohibits the future adoptions of all laws, rules, regulations, ordinances, resolutions, policies and standards that conflict with the provisions of this Bill. It is outrageous and overreaching and he supports the efforts to oppose it.

Comments from Freeholder Hertzberg

It is crazy that this legislation would be pushed. It is egregious. He has spoken to many democrats and he has yet to find one that agrees with any part of this Bill. He is glad and thankful for District 24 for opposing this and bringing it to light.

Comments from Freeholder Yardley

Thanked Senator Oroho and Assemblymen Space and Wirth for making us aware of this Bill. Agrees with Freeholders Fasano and Hertzberg. It is an egregious Bill. When he tried explaining this legislation to some of his friends they just couldn't believe that in particular a child's life could be terminated at nine months. He is against this vote and will appropriately vote on the Resolution.

Comments from Freeholder Fantasia

The egregious nature of this being shoved through legislation is just incredible to her but for the basis of context she addressed some of the points in the letter from District 24. The State has a website dedicated to the New Jersey Safe Haven Protection Act and she found some information from that website that she shared. Since the inception of the Safe Haven Protection Act, 76 babies have been safely surrendered. The United States is one of seven countries that allow on-demand abortions passed 20 weeks. New Jersey consistently presents so many inequities around reproduction and therefore she absolutely cannot support this Bill and agrees with District 24.

Comments from Freeholder Petillo

She referenced a book entitled "Won by Love". It is about a woman named Norma McCorvey who is also known as Jane Roe of the infamous Roe vs. Wade abortion decision. In the book she made an interesting comment. She said, "Even though I allowed my name to go on the affidavit that resulted in the dismantling of every state's laws restricting abortion, I was never very comfortable with the act of abortion itself." In fact she never had an abortion she gave her baby up for adoption. So, the Supreme Court's decision on Roe vs. Wade wasn't even relevant to her. However her name on the affidavit set in motion the abortion debate that continues to erupt and divide across the United States of America. Freeholder Petillo said this Reproductive Freedom Act is shocking and a disturbing Bill. The language in this Bill will render the NJ Safe Have In fact Protection Act obsolete. She said the Reproductive Freedom Act to expand abortion is the most radical, egregious Abortion Bill that our legislatures have ever been asked to consider in New Jersey. She said once again the government wants to raise our children and take away parental rights. She said it is disheartening that our state is even considering a Bill that is so horrific. She is grateful for Senator Steve Oroho and District 24 for taking a stand and speaking out on behalf of the unborn.

MOTION to open the Public Session: Freeholder Fantasia

Second: Freeholder Yardley

Voice vote: All present voted in the Affirmative

Public Comments were recognized:

Randy Obitz, Hopatcong

Tracy Boyle, Hopatcong

Gail Obitz, Hopatcong

Valerie Lehnert, Stanhope

Randy Obitz, Hopatcong stated not only is abortion morally wrong but if you look at it from a financial standpoint, it is killing off our future. He suggested putting more money into adoption agencies in lieu of abortions.

Tracy Boyle, Hopatcong she thanked the Board for acknowledging our Veterans. She said it was extremely emotional to hear the information on this proposed Bill. It brought tears to her eyes. She is against abortion and feels it is murder. She said we are paying these taxes and should have a right to know where our money is going. She is onboard with opposition of this and whatever she can do she will help.

Gail Obitz, Hopatcong said God is not happy with abortions. He is a creator and not wanting to see his creations killed. She said many years ago there was not this option available if it were a lot of us would be here today. She believes in adoption and feels it is an alternative to abortions. Doesn't believe her tax dollars should go to killing innocent babies.

Valerie Lehnert, Stanhope she reiterated everything that everyone else said. She said the Bill is horrific and she cannot believe anybody in their right mind would try to put something like this through and pass it. It seems evil. It blows her mind that anyone in the state of New Jersey would have thoughts like this and perform what they would call an abortion. She feels it opens the doors for so many other things. She said our taxes would be blood money if we allow this to go through.

All the callers thanked the Board for their opportunity to talk.

Freeholder Petillo thanked all the callers for their comments.

MOTION to close the Public Session: Freeholder Hertzberg

Second: Freeholder Fantasia

Discussion - None

Voice Vote: All voted in the Affirmative

MOTION to adopt the Resolution as read into the record: Freeholder Fantasia

Second: Freeholder Yardley

Discussion - None

(Roll Call vote)

Freeholder Fantasia Yes

Freeholder Fasano Yes

Freeholder Hertzberg Yes

Freeholder Petillo Yes

Freeholder Yardley Yes

21. **PUBLIC SESSION FROM THE FLOOR**

This Public Session is for general questions or comments. 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 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

Discussion - None

(Voice vote) All present voted in the Affirmative

No comments.

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

Second: Freeholder Hertzberg

Discussion –None

(Voice vote) All voted in the Affirmative

22. **REMINDERS**

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

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

Prior to reading the Resolution, County Administrator Poff requested an additional item for Executive Session – Item # 6 – Emergency Preparedness COVID Plan

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:**
• **Emergency Preparedness COVID Plan**

_____ (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege;**
• **Various Appointments**

_____ (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 adjourn from Executive Session; and

BE IT FURTHER RESOLVED that the Board expects not to take formal action after Executive Session and will adjourn the meeting at the conclusion of Executive Session.

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

Second: Freeholder Yardley

Discussion - None
(Voice vote)- All voted in the Affirmative

24. ADJOURNMENT – from Executive Session

DATED: November 10, 2020

Respectively submitted,

Teri Lyons, Clerk