

REGULAR MEETING MINUTES
WEDNESDAY, JULY 11, 2018
7:00 PM
FREEHOLDER MEETING ROOM

Item

1. **CALL TO ORDER BY DIRECTOR** – Called to Order by Freeholder Director Rose.
2. **ROLL CALL**: Members present: Freeholder Director Rose, Deputy Freeholder Petillo, Freeholder: Lazzaro, Graham and Yardley. Also present: County Counsel Kelly and Clerk to the Board of Freeholder Lyons. Absent – County Administrator Poff
3. **MOMENT OF SILENCE AND SALUTE TO THE FLAG** – Led by Freeholder Director Rose
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 June 13, 2018 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 Agenda: Freeholder Petillo
Second: Freeholder Lazzaro
Voice Vote: All Members present voted in the affirmative.
6. **PROCLAMATIONS/CERTIFICATES/PRESENTATIONS**
None this evening.
7. **PUBLIC HEARINGS**
None this evening.
8. **PUBLIC SESSION FROM THE FLOOR**

Please Note: Everyone is asked to keep their comments to 5 minutes or less and only address issues regarding agenda items followed by a 3 minute response time from the Freeholder Board. Please state your name, and print your name and municipality on the sign in sheet.

Time is 7:05 PM
Motion to Open Pubic Session: Freeholder Lazzaro
Second: Freeholder Petillo
Voice Vote: All Members present voted in the affirmative.

No Public Comments.

Motion to Closed Public Session: Freeholder Petillo
Second: Freeholder Lazzaro
Voice Vote: All Members present voted in the affirmative.
Time is 7:05 PM

9. **FREEHOLDERS' COMMENTS**

Freeholder Yardley: Recently had tour of Newton Hospital Emergency Room and was impressed with facility and Staff.

Freeholder Lazzaro: Updates from the North Jersey Transit Authority of Federal Funds allocated for Sussex County:
\$1.9 million for ADA Compliance on Federal Projects
\$11 million for Route 15 Corridor in Jefferson, Lafayette and Sparta for Rock Fall Mitigation
\$3 million plus for Route 15 Bridge over Paulinskill [a Delaware River Tributary]
\$10.4 million for section of Route 23 through Hardyston
\$6 million for repaving Pleasant Valley Road to Maple Grange Road
\$4 million for Rock Fall Mitigation in Andover

The Greenway Project between Philipsburg to Jersey City is ongoing.

Sussex County continues with its annual Road Improvement Projects, so please drive with Caution when entering Work Zone.

Freeholder Graham: Thanked fellow Freeholder and Staff for condolences expressed for the Passing of his Mother and welcomed Mr. Kelly as new County Counsel.

Freeholder Petillo: Likewise welcomed Mr. Kelly and reported that she recently attended Franklin Day in the Borough and participated in the Ribbon Cutting at Franklin Pond. The event was lovely and the Pond beautification improvements will be enjoyed by future generations.

In addition, Freeholder Petillo attended Project Self Sufficiency Celebration of Literary Graduation and on August 4 Hopatcong will host a Kids Fest Municipal Alliance Event in conjunction with local houses of worship in Hopatcong.

Freeholder Director Rose: Welcomed Mr. Kelly and thanked former County Counsel John Williams for his years of service.

Time is 7:15 PM.

10. APPROVAL OF CONSENT AGENDA

A. RESOLUTION RE: 346-2018

AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF RADIO SYSTEM UPGRADES AT VARIOUS LOCATIONS FROM MOTOROLA SOLUTIONS, INC FOR THE OFFICE OF THE SUSSEX COUNTY SHERIFF, DIVISION OF EMERGENCY MANAGEMENT IN THE AMOUNT OF \$229,850.00

B. RESOLUTION RE: TABLED

AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ADDITIONAL WORKSTATIONS AND RELATED INSTALLATION AND PROGRAMMING AT THE 911 CENTER FROM MOTOROLA SOLUTIONS, INC FOR THE OFFICE OF THE SUSSEX COUNTY SHERIFF, DIVISION OF EMERGENCY MANAGEMENT IN THE AMOUNT OF \$64,506.00

C. RESOLUTION RE: 347-2018

AUTHORIZATION TO PROVIDE FOR THE PURCHASE AND INSTALLATIOOF ONE (1) NEW AND UNUSED DUMP BODY WITH HYDRAULIC PUMP AND CONTROLS, SPREADERS, PLOW AND WING PLOWS FROM TONY SANCHEZ, LTD FOR THE COUNTY OF SUSSEX IN THE AMOUNT OF \$84,500.00 FROM DATE OF CONTRACT AWARD UNTIL DELIVERY AND ACCEPTANCE

D. RESOLUTION RE: 348-2018

AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF REPLACEMENT TELEPHONE SERVERS AND EQUIPMENT FOR THE COUNTY OF SUSSEX FROM ASPIRE TECHNOLOGY PARTNERS, LLC IN THE AMOUNT OF \$115,482.00

E. RESOLUTION RE: 349-2018

AUTHORIZATION TO PARTICIPATE IN AN AGREEMENT FOR ELECTRICITY GENERATION SUPPLY SERVICE UNDER THE PASSAIC COUNTY ENERGY COOPERATIVE PRICING SYSTEM (#184PCECPS) TO VARIOUS BUILDINGS WITHIN SUSSEX COUNTY BEGINNING UPON THE FIRST METER READ OF DECEMBER 2018 AND CONTINUING FOR A PERIOD NOT TO EXCEED TWENTY FOUR (24) MONTHS

F. RESOLUTION RE: 350-2018

AUTHORIZATION FOR THE PRINTING CENTER TO PROVIDE FOR THE SERVICES OF PRINTING ELECTION BALLOTS FOR THE SUSSEX COUNTY CLERK'S OFFICE IN AN AMOUNT NOT TO EXCEED \$58,000.00

G. RESOLUTION RE: 351-2018

RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2018 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE 2018 AREA PLAN CONTRACT GRANT DOAS18AAA003, MODIFICATION #1 WITH THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING SERVICES IN THE AMOUNT OF \$103,508.00 FOR THE PROVISION OF FEDERAL FINANCIAL PARTICIPATION (FFP) FUNDS FOR THE PERIOD OF JANUARY 1, 2018 TO DECEMBER 31, 2018

H. RESOLUTION RE: 352-2018

RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2018 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE FY2019 NEW JERSEY LIBRARIES CAREER CONNECTIONS GRANT MODIFICATION FOR UNIFORM CAREER GUIDANCE AND JOB SEARCH ASSISTANCE SERVICES AWARD GRANT IN THE AMOUNT OF \$36,000.00 FOR PERIOD JUNE 1, 2018 THROUGH JUNE 30, 2019

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. Could I have a motion to approve the Consent Agenda.

Prior to vote Freeholder Graham requested there be discussion regarding Resolution B.

Motion to Approve Resolutions A-H, with the exception of Resolution B.

Second: Freeholder Yardley

Discussion - None

Roll Call:

Graham: - Aye

Lazzaro: - Aye

Petillo:- Aye

Rose:- Aye

Yardley:- Aye

Motion to Approve Resolution B: Freeholder Petillo

Second: Freeholder Yardley

Discussion:

Freeholder Graham stated we need to address the benefits the County is receiving from the Center.

It is time for a broad discussion and a Citizen Committee which would be formulated consisting of Stakeholders, Members of the Sheriff Department, and a Freeholder to examine the cost analysis. It seems more often than not that the Center costs do not reap much benefit.

As a Stanhope taxpayer I'm taxed three times for 911 service:

- 1- Stanhope receives service from Sparta Township and this cost is funded by municipal taxes.
- 2- Telephone companies impose taxes on land and cell service, but we don't collect all that the County is entitled to.
- 3- I pay for County 911 service in County Tax Bill.

Likewise he wants State Legislative District # 24 Representatives to answer why we are not getting our fair share of telephonic taxes collected. Sussex County has only collected \$60,000 in the past ten years but millions of dollars have been collected for 911 and the Counties are not receiving this money for 911.

Recap:

- 1- Wants a Public Hearing on the 911 Center.
- 2- Establish a Committee to conduct cost benefit analysis and formulate three year projections.
- 3- Call out to District # 24 Legislators for assistance to collect the money we are owed for 911 paid via telephone billing.

Freeholder Lazzaro commented that at the last meeting he continued to emphasize the shortfalls of the 911 Fund allocations and called out to the Press to give attention to this subject. This has been talked about for 1.5 years and there has been no press coverage.

Motion to Table Resolution B to August 8, 2018: - Freeholder Graham

Second: Freeholder Lazzaro

Discussion: Freeholder Petillo indicated this was addressed during the 2018 Capital Budget meetings, but if people are not comfortable to take action this evening then the matter should be tabled.

Roll Call:

Graham: - Aye

Lazzaro: - Aye

Petillo:- Aye

Rose:- Aye

Yardley:- Aye

11. APPROVAL OF MINUTES

Regular Meeting- June 27, 2018

Motion: Freeholder Lazzaro

Second: Freeholder Petillo

Roll Call:

Graham: - Abstain

Lazzaro: - Aye

Petillo:- Aye

Rose:- Aye

Yardley:- Aye

Executive Session – June 27, 2018

Motion: Freeholder Petillo

Second: Freeholder Yardley

Roll Call:

Graham: - Abstain

Lazzaro: - Aye

Petillo:- Aye

Rose:- Aye

Yardley:- Aye

12. APPOINTMENTS AND/OR RESIGNATIONS

RESOLUTION RE: 353-2018

REAPPOINTMENT OF RACHEL HELT, JERILYN DOHERTY, GARY KRAEMER AND MARILEE SMITH AS MEMBERS OF THE SUSSEX COUNTY MENTAL HEALTH BOARD FOR A TERM OF THREE (3) YEARS BEGINNING JULY 1, 2018 AND EXPIRING JUNE 30, 2021

Motion: Freeholder Graham

Second: Freeholder Lazzaro

Discussion: Freeholder thanked and acknowledged the hard work performed by this Committee and is very appreciative of all the Volunteers.

Roll Call Vote:

Graham-Aye

Lazzaro-Aye

Petillo-Aye

Rose-Aye

Yardley-Aye

13. **RESOLUTIONS**

A. RESOLUTION RE: 354- 2018

AUTHORIZATION FOR ELIZABETHTOWN GAS COMPANY, A PUBLIC UTILITY COMPANY TO IMPLEMENT TEMPORARY TRAFFIC CONTROL MEASURES, UNDER THE DIRECTION OF THE COUNTY ENGINEER, INCLUDING THE CLOSURE OF A SECTION OF CR 517 AS DEFINED WITHIN PLANS ENTITLED "GAS MAIN EXTENSION 5 LENAPE ROAD (COUNTY ROUTE 517) BOROUGH OF ANDOVER COUNTY OF SUSSEX NEW JERSEY" DATED APRIL 16, 2018, REVISED TO APRIL 30, 2018. PREPARED BY MATTHEW J. BEKSEL, P.E., SUBURBAN CONSULTING ENGINEERS FOR ELIZABETHTOWN GAS COMPANY

B. RESOLUTION RE: 355-2018

SUPPORT OF BOROUGH OF HOPATCONG'S GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR FUNDING THROUGH THE TRANSPORTATION ENHANCEMENT GRANT PROGRAM

C. RESOLUTION RE: 356-2018

REJECTION OF BIDS FOR THE AWARD OF CONTRACT FOR SUSSEX COUNTY HISTORIC COURTHOUSE EXTERIOR RENOVATIONS

Motion: Freeholder Lazzaro

Second: Freeholder Yardley

Voice Vote: All Members present voted in the affirmative.

14. **AWARDS OF CONTRACT/CHANGEORDERS/BID**

A. RESOLUTION RE: 357-2018

AWARDING A CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR ENGINEERING SERVICES FOR COUNTY BRIDGE REHABILITATION AND REPLACEMENT PROJECTS TO VARIOUS VENDORS FROM JULY 11, 2018 UNTIL DECEMBER 31, 2018

B. RESOLUTION RE: 358-2018

AWARD OF CONTRACT FOR FIRE ALARM INSTALLATION, REPAIR, SERVICE AND MONITORING SERVICES FOR THE COUNTY OF SUSSEX TO FIRE AND SECURITY TECHNOLOGIES (FAST) FROM DATE OF CONTRACT AWARD UNTIL JULY 10, 2019

Motion: Freeholder Petillo

Second: Freeholder Lazzaro

Roll Call vote:

Graham-Aye

Lazzaro-Aye

Petillo-Aye

Rose-Aye

Yardley-Aye

15. **FINANCIAL**

A. RESOLUTION RE: 359-2018

PAYMENT OF BILLS Bill List A (Freeholder Director Rose to Abstain)

Motion: Freeholder Petillo

Second: Freeholder Graham

Roll Call Vote:

Graham-Aye

Lazzaro-Aye

Petillo-Aye

Rose-Abstained

Yardley-Aye

B. RESOLUTION RE: 360-2018

PAYMENT OF BILLS Bill List

Motion: Freeholder Petillo

Second: Freeholder Graham

Roll Call Vote:

Graham-Aye

Lazzaro-Aye

Petillo-Aye

Rose-Aye

Yardley-Aye

16. **PERSONNEL AGENDA**

1. Office of County Clerk; request for individual salary adjustment for Deputy County Clerk position; to \$81,000; (A.Rosa)

2. Office of County Clerk; request for individual salary adjustment for Deputy County Clerk position; to \$71,000; (S. Talmadge)
3. Office of County Clerk; request for individual salary adjustment for Confidential Assistant position; to \$55,650; (J. Dente)
4. Office of the Prosecutor; request for individual salary adjustment for Victim Witness Coordinator position; to \$63,799; (C. Zydel)
5. Office of the Prosecutor; request for individual salary adjustment for Victim Witness Advocate position; to \$51,335; (L. Santaita)
6. County Adjuster; as designated by Board of Chosen Freeholders; \$30,420; (R. Peterson)

Motion: Freeholder Petillo
Second: Freeholder Lazzaro
Discussion:

Freeholder Graham indicated that there was strong discussion in the last Primary Election regarding a list of people whose salaries were adjusted and this is called Breakage. The County is a victim of Breakage. When a person of a higher salary leaves and a new employee is hired at less pay the salary difference (Delta) is distributed to other Department Members.

Freeholder Graham continued: it is time the County takes a stand against Breakage. This is the only way to control Salaries. Tonight it is the County Clerk's Office; formerly it was Prosecutor and Sheriff Department. This was part of these Department Budgets, but I want this practice to end. I will not interfere tonight for these adjustments were pre-approved a long time ago and it falls within the prevue of this particular Department, but we need to stop this practice and need to take a stand in 2019.

Freeholder Director Rose noted that in the past these Breakage changes were done. This is nothing new to 2018. But it was never before listed under the Personnel Agenda. As a measure of Transparency this Board lists Personnel actions on Meeting Agendas, as the Personnel Agenda. Would the Board like to schedule this discussion at a future meeting or create a sub-committee to address the subject?

Freeholder Lazzaro said something as to be done ASAP. In the case of this Department it is permitted within its prevue, but the practice itself should be brought to a halt before the 2019 Budget.

Freeholder Yardley commented that the Department has the right to do this and we are going to say they cannot in the future? Freeholder Lazzaro said what we want is that the excess Breakage money remain in the Budget and is not distributed.

Freeholder Graham indicated we need to change our Policy now and see how this is addressed in the Administrative Code or State Statute.

Freeholder Yardley asked that County Counsel advise if statutorily this can be done or are these Departments exempt? Another issue Freeholder Yardley has is an issue with Confidential Assistants getting substantial raises and this Board not having any controls in place for this practice. If we are going to address Breakage then we need to be consistent and address similar personnel actions. This is not a reflection of the people who work here, but if we are looking to have a Policy we need to be consistent.

Freeholder Director Rose noted that Freeholder Lazzaro suggested this be addressed at the time of the Budget, but these Breakage adjustments typically occur when there is a Retirement and we may not know who is retiring at Budget time. So we really need to have Policy in place as soon as possible.

County Counsel was asked to report at a future meeting regarding Breakage and the concerns expressed by Freeholder Yardley concerning Confidential Assistants.

In closing Freeholder Director Rose defined that Confidential Assistant is a Civil Service title and it is capped at a number of individuals who are non-classified.

Freeholder Yardley says the problem with the title Confidential Assistant is that there will be some Assistants who work on one responsibility and others that work on a multitude of responsibilities. Typically these people work in close relations with Department and Division Heads hence the title Confidential Assistant. Therefore there is inequity in the compensation. Freeholder Director Rose noted there is no salary range for this Title so these salaries range from \$50K to \$100K. Freeholder Yardley said it should be based on knowledge.

Freeholder Director reported that the new County Adjuster will bring a savings to the Budget for the former Adjuster was an Attorney. The new Adjuster will continue to serve in current post within the Department and assume the duties of Adjuster. If an Attorney is needed for Court, it will be provided via County Counsel's Office.

Voice Vote: All Members present voted in the affirmative.

17. **ADMINISTRATIVE REPORT**

None

18. COUNTY COUNSEL

Mr. Kelly thanked the Board of Chosen Freeholders for this opportunity. This past week he has received a warm welcome by Staff and still getting acclimated. The Office is changing significantly from Full Time to Part Time. That will be the task in hand to get the right people in the right places as soon as we can. The Office covers almost 40 subject areas of Law. With the ability to hire part time people you have the ability to get the best lawyers. It gives us flexibility and shop for services and pay for what we need. Later tonight in Executive Session there will be discussion regarding Office Restructuring.

19. UNFINISHED BUSINESS

None

20. NEW BUSINESS

None

21. PUBLIC SESSION FROM THE FLOOR

Please Note: Everyone is asked to keep their comments to 5 minutes or less followed by a 3 minute response time from the Freeholder Board. Please state your name and print name and municipality on sign in sheet. Time: 8:05 PM

Motion to Open Public Session: Freeholder Petillo
Second: Freeholder Graham
Voice Vote: All Members present voted in the Affirmative.

Edward Szabo, Stillwater

Wanted to discuss what he perceives is a huge health issue that the Board will likely have to address in the near future if Governor Murphy is successful in his campaign to legalize marijuana use.

Mr. Szabo has been researching the topic, expressed his many concerns and compiled a collection of articles which he copied and distributed to the Freeholders. In addition, this same information has been provided to various school boards.

Freeholder Lazzaro said Mr. Szabo is right. Today's marijuana is more potent than that produced years ago and today it is marketed to young people and it is all about money.

That is why it will be approved in New Jersey. In closing Mr. Szabo complimented the Board on their discussion tonight regarding 911 and Breakage.

Jean Murphy, Vernon

Best of Luck to Mr. Kelly. As a Vernon resident, I found the subject of Breakage very disturbing. As a Member of the Vernon Council, Ms. Murphy would appreciate that the Vernon Town Administrator be notified when this 911 Committee is formulated and that someone from Vernon be considered for this committee.

Jacky Stapel, Hardyston

Have comments regarding Mr. Szabo previous comments concerning marijuana. As a MS patient and having other family members suffering with health concerns she is very familiar with medical marijuana. New Jersey has one of the worst medical marijuana programs in the Country and proceeded to inform how medical patients are working within the current difficult regulations.

Regarding the 911 Center Ms. Stapel reported of a personal experience years ago where the County 911 system failed to send a timely response. At one time, Ms. Stapel reported that she was disconnected by the 911 Center. Granted this was years ago and I understood there have been improvements. Also, at the time of this 911 call, there was an auto accident in the County and crews had been dispatched to the accident scene.

Freeholder Lazzaro reported that he works in the 911 system [as an EMT] and the Center does a very good job. Freeholder Lazzaro reported how calls are received and forwarded to EMS personnel. Delays can be attributed to Volunteer response. In general the system works very well and commends the people that work there. I'm not bashing the 911 System, there are other issues that go beyond the quality of work that they do. Freeholder Lazzaro thanked Ms Staples for her remarks.

Freeholder Yardley commented regarding previous Board action on the 911 Work Station Resolution and the Personnel Agenda. Both these subjects were in the 2018 Budget but we deferred one and proceeded with the other. In the future he will reevaluate such concerns and regardless if an item is in the Budget he might not want to precede with approval this process can't be both ways.

Kevin [last name illegible and inaudible], address written as 40 Conger

Comments tonight are regarding Freeholder Lazzaro's "Wacko Lifestyle" comments from weeks ago. Tonight will address the subject of alternative lifestyles from a historical perspective. For years those living an alternative lifestyle lived in fear and had to hide. Has family members and friends who had to hide their lifestyle and lived in the closet for years. They were preached that this lifestyle was wrong and as a result were denied rights that included marriage, child care and health care.

I'm not here to address the Freedom of Speech issue but as a Freeholder you represent all your Constituents no matter what is their lifestyle. Everyone you represent should be represented fairly and equally. You should be able to be who you. So my question to you, if these lifestyle rights should change and turn against these people would you stand up and fight for them and their rights despite your anger, because if you did it would go a very long way.

Freeholder Lazzaro's response.

I don't feel that I have to explain every word that I say or everything I said because people are unable to interpret or understand what I say. If you misunderstand my words that is not my problem. I don't have to combat that. I represent people. I have no idea who here in this room is what, but if someone comes up to me asking if I can help them I say yes, not who are you, what are you and what to you do.

To reference to the word that everyone is talking about it has to do with pictures of people standing on a float in New York City, dressed in feathers, leather and half naked running down the streets in front of children. Inappropriate signs regarding Lubricants. I was raised in a family to respect other people and not put up with this kind of behavior. I turn my children's eyes away from that. They should not be exposed to that. That is what I consider a wacko lifestyle.

What you do on your time and in your place is entirely up to you. You come to me and ask for help I have never turned any one down. You walk in my shoes just one mile and then you can say something. But don't criticize me for protecting people. Those people who came here were set up and came here for one reason and that is to attack me. I'm not putting up with it and I'm not taking it. I said nothing about them or their lifestyles. I made a general comment and it was interpreted the way they wanted to interpret it and the way they wanted it delivered back to me. I will not be intimidated and I stand on my principals and beliefs.

I have never said no to anyone and you know nothing about me, my family and where my shoes have walked. In the 60's I was tending to those dying and lifted them out of the streets and saved their lives and I never cared if they were gay or straight. That is where I was. I don't know where you were so don't come after me now because of one word; I don't accept it.

Glenn Hull, Sandyston

Here tonight to provide you a Sussex County history lesson regarding Old Mine Road. If one reviews ancient road returns there is no mention of Old Mine Road. There is no mention in the three river townships of Montague, Sandyston & Walpak. It is all called River Road systems. The Delaware Mine Road came to Sandyston between 1927 - 1929.

The US Department of Interior completed a Study 1996- 1997 [three volume Study] and it confirms that the Dutch never built an Old Mine Road. The name is based on a misconception/fable of copper mining. Because of this misconception, this fable became about by 1900 Historians.

Mr Hull's Sons reside on what is called Old Mine Road. However, if you read the road returns it states that George Smith at his own expense built this road in 1900 and this shall be a road for the first time. There was no road prior to this construction. So the road where his sons reside [Old Mine Road] is false. So the road that the Dutch built in the 1600's is not the road in front of his sons' homes.

This fact is documented and Sandyston Township surveyors are not mentioned in the document and the Township never signed it. Mr Hull suggests that the County look into the history of Old Mine Road, because it did not happen in Sandyston Township until 1927. The road length from Montague to the Dingman Bridge was known as the Delaware Mine Road and when the County transferred the road to the National Park System it was still referred to as Delaware Mine Road.

This concludes Mr. Hull's remarks.

Freeholder Director Rose questioned Mr Hull regarding the July 2, 2018 letter the Freeholders received from County Clerk Jeffrey Parrot and attached to this letter is Civil Action Order 09-cv-0130.

[United States of America v Matthew Hull, Michele Hull and Aaron Hull] on page two of the Order it indicates that the Parties agreed upon the previously-disputed portion of Old Mine Road and further attached is a Transcript of Hearing Settlement Conference where your sons are on record agreeing to settle the claims. What happened between this and present day?

Mr. Hull responded if you read page seven of the Transcript on January 4, 2013, the Judge ordered that a survey be completed within thirty days and a decision to be made on that survey after thirty days and a Consent Decree to be decided after that. The survey never happened within 30 days and government asked for another 30 day so the Consent Decree never happened.

Later on June 19, 2013, my sons went into a hearing and they objected to the criminality of what took place June 17, 2008 when Sandyston sold the property to the government and their Civil rights were violated.

After January13 Consent hearing the Court closed the case because the survey could not be produced. It took over a year for a Survey to be produced and it came to his sons with no signature or seal. In February 2014 his sons said they would make any decision on a survey with no signature or seal. It took until 2015 for a signed and sealed survey to be delivered and at this time the case was still closed. In the meantime his sons had an Engineer Report prepared which was acknowledged by the US Attorney and later wrote a Declaration that his sons did not object.

In 2017 to open this case, a Park Ranger filed a Declaration that his sons had blocked the road and put rocks on Government Property. August 26 {corrected April 26} 2018 there was a hearing which his sons had no knowledge of and Judge made a decision based on there were no objections from Mr Hull's sons. Mr. Hull indicated that his sons had submitted a twenty two point objections on August 11 {April} Hearing took place April 26 the Judge wrapped it up and because the Hulls were not present and made no objections it closed.

Motion to Close Public Session: Freeholder Lazzaro

Second: Freeholder: Petillo

Voice Vote: Voice Vote: All Members present voted in the Affirmative

22. EXECUTIVE SESSION – Time is 8:29 PM

**RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT
361-2018 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:**
- (7) **Matters Relating to Litigation, Negotiations and the Attorney Client Privilege;**
 - County Counsel Office Restructuring
- _____ (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 adjourn the meeting.

Motion to enter Executive Session: Freeholder Lazzaro
Second: Freeholder Petillo
Voice Vote: All Members present voted in the affirmative.

23. REMINDERS

<u>DATE/TIME</u>	<u>MEETING</u>	<u>LOCATION</u>
July 12 7:30 PM	Water Quality	FMR
July 12 1:00 PM	UCC	FMR
July 18 12:30	Youth Services	FMR
July 18 7:00 PM	Lake Musconetcong PB	Netcong
July 19 3:30PM	LACADA	FMR
July 25 7:00 PM	Regular Freeholder Meeting	FMR

24. ADJOURNMENT – Time is 8:55 PM

Vote to Adjourn is contained in the Executive Session Minutes.

Respectfully submitted,

Teresa Lyons, Clerk
Board of Chosen Freeholders