

REGULAR FREEHOLDER MEETING OF JANUARY 9, 2019  
7:00PM  
FREEHOLDER MEETING ROOM

**Item**

1. **CALL TO ORDER BY DIRECTOR YARDLEY 7:00PM**

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

Freeholder Graham Absent.

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 January 6, 2019 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 by Freeholder Petillo; seconded by Freeholder Fantasia and passed unanimously.

6. **PROCLAMATIONS/CERTIFICATES/PRESENTATIONS - None**

7. **PUBLIC HEARINGS - None**

8. **PUBLIC SESSION FROM THE FLOOR**

**Comments are limited to 5 minutes or less and must 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.**

**MOTION** to open the floor for public comment at 7:02 PM by Freeholder Petillo; seconded Freeholder Hertzberg  
**(Voice Vote)**

All Members present voted in the affirmative.

No comments from the public

**MOTION** to close the floor for public comment and return to regular business made by Freeholder Hertzberg; seconded by Freeholder Petillo

**(Voice Vote)**

All Members present voted in the affirmative.

9. **FREEHOLDERS' COMMENTS**

Freeholder Petillo along with Freeholder Yardley attended Florence L. Meyer's "Flossie" 100<sup>th</sup> Birthday and presented her with a Proclamation. They enjoyed listening to her secrets to a happy and long life. The County is experiencing a Flu epidemic and the County is offering flu shots at the Office of Public Nursing from 2 PM to 4 PM in February.

Freeholder Hertzberg recognized January 11, 2019 is National Human Trafficking Awareness Day which was created by President Obama in 2010 and the month of January is National Slavery and Human Trafficking Prevention month. It is an important time to recognize this topic given the Country focus on immigration and our Nation's Borders. Thanked District 24 legislatures for sponsoring Human and Trafficking Exploitation Prevention Act in New Jersey. In conclusion, Freeholder Hertzberg stated that today is Law Enforcement Appreciation Day. This should be appreciated by all.

Freeholder Fantasia mentioned that she and Freeholder Hertzberg met with Administrator Poff on Monday to review some of the County's procedures and soon will schedule their formal Freeholder Orientation. Also reported that she prepared a draft plan for Municipal Liaisons per her remarks at the Reorganization Meeting and will send this to the County Administrator for review and further discussion.

In closing, Freeholder Fantasia stated she received a telephone call from Tick Squad Member, Doreen Edwards. Ms. Edwards indicated there are Agricultural students at our Community College who are very interested in jumping in and doing an Education Partnership on tick-borne illnesses. We can anticipate hearing from them in the future.

Freeholder Yardley thanked the Board for their support. Liaison Assignments requests are due Monday, January 14<sup>th</sup>. Freeholder Yardley expects all Liaisons to report routinely on their Boards and Committees at Freeholder Meetings to help us as a Board to get a well-rounded perspective of what is going on in each of the Departments. Also this year will begin monthly Operations presentations by Departments Heads and Staff to further educate and help us on how we address County projects and concerns. In closing acknowledged Law Enforcement Appreciation Day and National Human Trafficking Awareness Day. While maintaining Continuing Education Credits, he has listened and scene the horrors of Human Trafficking. The innocent and most vulnerable are abused,

**10. APPROVAL OF CONSENT AGENDA**

**A. RESOLUTION RE: 020-2019**

AUTHORIZATION TO SUBMIT AN APPLICATION FOR HAZARD MITIGATION GRANT FUNDS TO THE STATE OF NEW JERSEY, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF STATE POLICE, FOR AN AMOUNT OF \$166,667.00, TO BE USED FOR HIRING A QUALIFIED CONSULTANT TO COMPLETE A FIVE YEAR UPDATE TO THE CURRENT SUSSEX COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

**B. RESOLUTION RE: 021-2019**

AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF MORRIS PROVIDING FOR MEDICAL EXAMINER SERVICES BY THE COUNTY OF MORRIS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 52:17B-83, 40A:65-1 ET SEQ. AND N.J.S.A. 40A:11-10 ET SEQ. FOR THE TERM OF JANUARY 1, 2019 UNTIL DECEMBER 31, 2019 IN THE AMOUNT OF \$218,027.07

**C. RESOLUTION RE: 022-2019**

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE COUNTY OF MORRIS FOR THE HOUSING OF SUSSEX COUNTY JUVENILE DETAINEES IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.40A:65-1 ET SEQ. AND N.J.S.A. 40:A:11-10 ET SEQ.

**D. RESOLUTION RE: 023-2019**

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE COUNTY OF SUSSEX AND THE COUNTY OF MORRIS FOR THE HOUSING OF SUSSEX COUNTY YOUTH SHELTER PLACEMENTS IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A.40A:65-1 ET SEQ. AND N.J.S.A. 40: A:11-10 ET SEQ.

**E. RESOLUTION RE: 024-2019**

AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO AN AGREEMENT WITH ELECTION SYSTEMS & SOFTWARE LLC FOR ELECTION RELATED SERVICES FOR A TWO YEAR TERM COMMENCING RETROACTIVE FROM JANUARY 1, 2018 TO DECEMBER 31, 2019

**F. RESOLUTION RE: 025-2019**

AWARDING A CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR SUSSEX COUNTY SPECIAL COUNSEL FOR LEGAL SERVICES TO VARIOUS VENDORS FROM JANUARY 1, 2019 UNTIL DECEMBER 31, 2019 IN THE AMOUNT NOT TO EXCEED \$340,500.00

**G. RESOLUTION RE: 026-2019**

AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH GARY KRAEMER, ESQ. OF KRAEMER AND CORAZZA, ATTORNEYS AT LAW FOR THE PROVISION OF LEGAL REPRESENTATION FOR THE SUSSEX COUNTY CLERK (\$12,000.00) AND FOR OTHER ELECTION RELATED MATTERS (\$5,000.00) PURSUANT TO N.J.S.A. 40A:11-5(1)(a)(i) IN A TOTAL AMOUNT NOT TO EXCEED \$17,000.00 FROM JANUARY 1, 2019 TO DECEMBER 31, 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.**

Freeholder Fantasia would Resolution B and F to be considered separately.

**MOTION** to approve the Consent Agenda to approve Resolutions A, C-E, and G by Freeholder Petillo; seconded by Freeholder Fantasia

**On Roll call the vote was:**

Freeholder Fantasia	Yes
Freeholder Hertzberg	Yes
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**Discussion:**

Freeholder Fantasia referenced Resolution B and said that she is aware of incidents where there were delays with the Medical Examiner response. She understands the County has a shared service with Morris County but in one case, the wait was close to 9 hours. She wants to know if going forward this could be looked into further. She is listening to our Residents, believes it is justified to look into further.

Freeholder Yardley asked if this could be held and addressed at the next meeting.

Mr. Poff said as the Resolution indicates the County is mandated to maintain an Office of the Medical Examiner. Unless there is any objection, it would be in the County’s best interest to consider this. He also suggested that they all have a conversation with the Prosecutor’s office who deals with this directly. Mr. Poff has already had conversations with the Prosecutor and recently Morris County had a change in personnel with the Medical Examiner.

Freeholder Fantasia referenced Resolution F. She understands the portfolio of attorneys has diversified. She would like to know how the amount of \$340,500 was derived at. She would like to look at passed years to see what the legal expenses have been and would like a complete list of the attorneys, their specialties and their hourly rates. She said this number seems arbitrary not knowing the background.

Freeholder Yardley stated that the number is not arbitrary, but he does understand her concerns and asked that unless this prevents a crisis he would like to move this to the next meeting.

County Counsel Kelly said a delay would cause a crisis. There are people on this list who have matters pending from last year. Mr. Kelly said as we changed from Professional Services Agreements format to Competitive Contracting Process which was put in place last year, it does envision attorneys to continue to work here that already work here.

Freeholder Yardley emphasized there are a series of attorney functions that comprise this amount

Mr. Poff indicated that the hourly rate of compensation for each attorney is \$150.00 and functional areas that the Director and Counsel have mentioned include the Office of the County Clerk, Board of Elections, Sheriff, Engineering and Planning. There are also transactional items that comprise mostly a variety of contracts that the County enters into. There is Special Counsel for record’s request, representation for the County Adjustor’s office, and a variety of legal services that tend to the Human Services department including representation in child support hearings. This is what comprises that number for special counsel. It is based on estimates that were prepared as part of the Board’s desire to reconstitute or reconfigure the way legal services would be provided within the County which was based on a presentation that was given to the Board back in April of 2018.

**MOTION** to approve Resolution B made by Freeholder Petillo; seconded by Freeholder Fantasia

**On Roll call the vote was:**

Freeholder Fantasia	Yes
Freeholder Hertzberg	Yes
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**MOTION** to approved Resolution F made by Freeholder Fantasia; seconded by Freeholder Hertzberg

**On Roll Call the vote was:**

Freeholder Fantasia	Abstain
Freeholder Hertzberg	Yes
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**11. APPROVAL OF MINUTES**

**MOTION** to approve the minutes

Regular Meeting- December 19, 2018  
**(Voice Vote)**

Executive Session – December 19, 2018  
**(Voice Vote)**

Freeholder Yardley suggested that these Minutes be considered at the next meeting, when Freeholder Graham is present.

**12. APPOINTMENTS AND/OR RESIGNATIONS**

**A. RESOLUTION RE: 027-2019**

REAPPOINTMENT OF DONALD R. PLOETNER, II, MIKE DOLAN AND STEPHEN SKELLENGER AS MEMBERS OF THE SUSSEX COUNTY OPEN SPACE ADVISORY COMMITTEE FOR TERMS OF THREE (3) YEARS EACH. SAID TERM TO BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2021

- B. RESOLUTION RE: 028-2019**  
REAPPOINTMENT OF RICHARD GOTTEMOLLER AS A MEMBER-AT-LARGE OF THE SUSSEX COUNTY WATER QUALITY MANAGEMENT POLICY ADVISORY COMMITTEE FOR A TERM OF THREE (3) YEARS. TERM TO EXPIRE ON DECEMBER 31, 2021
- C. RESOLUTION RE: 029-2019**  
REAPPOINTMENT OF LAURA DICKER AS A MEMBER OF THE SUSSEX COUNTY DISABILITY SERVICES ADVISORY COUNCIL FOR A TERM OF THREE (3) YEARS. TERM TO BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2021
- D. RESOLUTION RE: 030-2019**  
REAPPOINTMENT OF RHONDA IWANSKI, MARY DOLAN, MICHAEL VANCE AND RICHARD LECHER AS MEMBERS OF THE SUSSEX COUNTY HUMAN SERVICES ADVISORY COUNCIL FOR TERMS OF THREE (3) YEARS EACH. TERMS TO BEGIN IMMEDIATELY AND EXPIRE ON DECEMBER 31, 2021
- E. RESOLUTION RE: 031-2019**  
REAPPOINTMENT OF RACHEL HELT AND VANCE MULHOLLAND AS MEMBERS OF THE SUSSEX COUNTY LOCAL ADVISORY COMMITTEE ON ALCOHOLISM AND DRUG ABUSE (LACADA) FOR TERMS OF THREE (3) YEARS EACH EFFECTIVE JANUARY 1, 2019 THROUGH DECEMBER 31, 2021
- F. RESOLUTION RE: 032-2019**  
REAPPOINTMENT OF LOUIS AVENATTI, LOUISE IMPERIALE, NANCY HESS, HERMAN TERPSTRA AND CAROL LAFRADA AS MEMBERS OF THE SUSSEX COUNTY SENIOR SERVICES ADVISORY COUNCIL FOR TERMS OF THREE (3) YEARS EACH. SAID TERMS TO EXPIRE DECEMBER 31, 2021
- G. RESOLUTION RE: 033-2019**  
REAPPOINTMENT OF INGRID VACA-BULLARO, LPC, CINDY EVERITT, LCSW, LORRAINE HENTZ, AS MEMBERS OF THE SUSSEX COUNTY TRANSIT CITIZENS ADVISORY COMMITTEE; SAID TERM TO EXPIRE DECEMBER 31, 2021
- H. RESOLUTION RE: 034-2019**  
REAPPOINTMENT OF JENNIFER COLVILLE, DEBBIE WEST, DEBORAH BERRY-TOON, ELEANOR PLUTTO AND INGRID VACA-BULLARO AS MEMBERS OF THE SUSSEX COUNTY YOUTH SERVICES COMMISSION FOR A TERM BEGIN IMMEDIATELY AND EXPIRE DECEMBER 31, 2019
- I. RESOLUTION RE: 035-2019**  
REAPPOINTMENT OF A MEMBER OF THE BOARD OF COMMISSIONERS OF THE SUSSEX COUNTY MUNICIPAL UTILITIES AUTHORITY FOR A FIVE (5) YEAR TERM TO BE EFFECTIVE FEBRUARY 1, 2019 AND EXPIRE JANUARY 31, 2023

**MOTION** made by Freeholder Petillo accept the Appointments; seconded by Freeholder Fantasia

**Discussion:**

Freeholder Fantasia referenced Resolution I and stated that the name of the person does not appear in the title. She asked Freeholder Director Yardley to elaborate.

Freeholder Yardley stated that most of these are reappointments are to existing Boards. They have been long term members serving these Boards and are known to him and Board members for their service.

Andrea Coccula's name did not appear in the Resolution title, but is contained in the body of the Resolution.

**On Roll Call the Vote was:**

Freeholder Fantasia	Yes
Freeholder Hertzberg	Yes
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**13. RESOLUTIONS**

- A. RESOLUTION RE: 036-2019**  
RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR LIBRARY DONATION TRUST REQUIRED BY N.J.S.A. 40A:5-29.

**MOTION** to approve the Resolution made by Freeholder Hertzberg; seconded by Freeholder Petillo

**On Roll Call the Vote was:**

Freeholder Fantasia	Yes
Freeholder Hertzberg	Yes
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**B. RESOLUTION RE: 037-2019**

ESTABLISHMENT OF "PROJECT COORDINATOR CONSTRUCTION" AND SALARY RANGE

**MOTION** made to approve the Resolution by Freeholder Petillo; seconded by Freeholder Fantasia

Mr. Poff explained that the Resolution is for a position being established in anticipation of one of the senior members from Facilities Division retiring and provides for succession planning with the appropriate Civil Service title. Previously this Title was not in the correct Union Contract.

**On Roll Call the Vote was:**

Freeholder Fantasia	Yes
Freeholder Hertzberg	Yes
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**C. RESOLUTION RE: 038-2019**

ESTABLISHMENT OF "KEYBOARDING CLERK 3/ PURCHASING ASSISTANT" AND SALARY RANGE

**MOTION** made by Freeholder Fantasia; seconded by Freeholder Petillo

**Discussion**

Mr. Poff stated this is a request of the Facility's Director in changing a Keyboard Clerk's position to a Key Board Clerk/ Purchasing Assistant. It is not a new position; it is a new title which the Facility's Director believes will allow for a more efficient sourcing of materials for the Division of Facilities.

Freeholder Yardley asked if this still goes through the Department of Purchasing.

Mr. Poff said the sourcing of the materials will be in accordance with the Local Public Contracts Law and does not absolve the Facilities' Division from using the requisition process that is established by the Office of Purchasing.

**On Roll Call the Vote was:**

Freeholder Fantasia	Yes
Freeholder Hertzberg	Yes
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**14. AWARDS OF CONTRACT/CHANGE ORDERS/BID- None**

**15. FINANCIAL**

**A. RESOLUTION RE: 039-2019**

PAYMENT OF BILLS  
December 26, 2018

A question was raised by Ms. Lyons to County Counsel if a Motion could be made by the tenured Freeholders, for they constitute a majority of the eligible voting members. Freeholders Fantasia and Hertzberg would abstain. County Counsel concurred.

**MOTION** to approve Bill List made by Freeholder Petillo; seconded by Freeholder Yardley

**On Roll Call the vote was**

Freeholder Fantasia	Abstain
Freeholder Hertzberg	Abstain
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**B. RESOLUTION RE: 040-2019**

PAYMENT OF BILLS List A  
January 9, 2019

**MOTION** to approve Bill List by Freeholder Petillo; seconded by Freeholder Fantasia

**On Roll call the vote was:**

Freeholder Fantasia	Yes
Freeholder Hertzberg	Yes
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**C. RESOLUTION RE: 041-2019**  
 PAYMENT OF BILLS List B  
 January 9, 2019

**On Roll Call the Vote was:**

Freeholder Fantasia	Yes
Freeholder Hertzberg	Yes
Freeholder Petillo	Abstain
Freeholder Director Yardley	Yes

**16. PERSONNEL**

**RESOLUTION RE: 042-2019**  
 AUTHORIZING PERSONNEL AGENDA OF JANUARY 9, 2019

**MOTION** to approve Personnel Agenda made by Freeholder Petillo; seconded by Freeholder Yardley

**Discussion**

Mr. Poff stated the Personnel's Agenda for the Board's benefit is in accordance with the County's Hiring Policy; the County Administrator is permitted to take action concerning personnel that are either equal to or less than whatever the existing position title, number of hours, salary is. Anything that represents a change that is something greater than what the existing conditions is required separate Board approval. Mr. Poff then proceeded to address each item on the Agenda.

**On Roll Call the Vote was:**

Freeholder Fantasia	Yes
Freeholder Hertzberg	Yes
Freeholder Petillo	Yes
Freeholder Director Yardley	Yes

**17. ADMINISTRATIVE REPORT**

Mr. Poff made reported Health and Human Services Director; Carol Novrit has advised that due to the Federal Government shutdown there is a possibility that a number of our Social Services and their Recipients could be negativity impacted. Social Services' Director Joan Brueso has reached out to her contacts at the State to determine what if any stop-gap measures the State may implement so there will not be any interruption in benefits.

**18. COUNTY COUNSEL REPORT**

No report tonight.

**19. UNFINISHED BUSINESS**

**20. NEW BUSINESS**

**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.**

**MOTION** to open the floor for public comment made at 7:35PM by Freeholder Petillo; seconded by Freeholder Hertzberg. Voice Vote: All Members present voted in the affirmative.

Mishelle Downtain, Vernon Township resident and employee brought to the Board's attention, the massive potential environmental disaster going on in Vernon. Between this week and New Year's Day, Sussex County's DPW had to clean the roadway because of the site debris. This activity is affecting the County water and roadways. It's unbelievable this massive mountain of debris can keep rising out of the woods. She requested that the Board help with this situation. There is a petition with 35,000 signatures begging someone to stop this Contractor from dumping and fix the environmental disaster he has created.

Freeholder Hertzberg stated Sparta Township had similar issues with this same Contractor and just recently the Township levied a \$200,000 fine.

Ms. Downtain stated there is always a conflict and the matter keeps getting thrown out of court. Currently there are over 64 summonses against the Contractor and a \$75,000 fine in place. A Judge gave Vernon Township Police the jurisdiction to enforce the stop-work order and block the roads. However, Ms. Downtain heard that another Judge overruled and Police are not to enforce.

Freeholder Hertzberg asked if they could go back to the Vernon court and get a municipal stop-work order and suggested that Vernon's Prosecutor speak with the Sparta Prosecutor.

Freeholder Petillo stated the Board is aware of this problem and has been told this a State issue and the County Health Department cannot enforce.

Ms. Downtain doesn't understand why a State agency would turn their backs on this?

Freeholder Yardley stated that he has been to the Site and it should be addressed through a local dumping ordinance. It is unfortunate that Vernon is getting tied up in the courts, but the Township has to work this out.

Peter Knipe, Frankford Township, spoke about the tick situation. Mr. Knipe has firsthand experience with Ticks and Lyme disease. Both his daughter and her boyfriend contracted Lyme disease. He encouraged the Board to provide more information.

Mr. Knipe also addressed Resolution F. From his experience in the corporate world with dollar amounts like this there were many steps to be completed before approving the sum. He also brought up Resolution I and stated that he feels the name should be in the title.

Freeholder Yardley stated that Resolution I was an anomaly. Names of individuals typically appear in the titles, but noted it was contained in the body of the Resolution.

Freeholder Fantasia stated that sometimes the Board may know the name of who the individual is but for the benefit of public it is good practice to make the public aware as well. Freeholder Yardley agreed and noted that all meeting materials are posted on the web site.

Andrew Pitsker, Vernon Township also spoke about the dumping site. Sussex County Soil Conservation has posted a Stop Work Order sign at the site, but it is not being enforced. This dumping has been going on for 10 years, and the loads are delivered all day every day.

Freeholder Petillo stated you need the support from the State and it is not there. We are sitting here wondering why; she has never seen anything like this. The DEP is usually quick to enforce.

Freeholder Yardley asked County Counsel what laws can the County enforce. County Counsel responded there aren't any laws.

Freeholder Yardley said there are no laws on the County level to go in and help. It is a local government issue. There is some legislation to change that but we cannot arbitrarily go after this Contractor without having the legal reasons to do it, otherwise the County is involved in a law suit.

Mr. Pitsker asked the Freeholders to put pressure on the people who can do something.

Freeholder Hertzberg asked County Counsel since the land is privately owned could Vernon put a lien on the land and take the land over and shut the operation down?

County Counsel said no, but you can enforce the penalties and there are other enforcement actions.

Mr. Kelly clarified the Sussex County Soil Conservation agency is a State agency and we have nothing to do with them other than the fact that they have Sussex County in their name. Zoning seems to be an issue. From the photographs it seems to be commercial activity in a residential zone. In September he wrote a memo to Vernon about enforcing zoning by a specific land use law in the Superior Court. I don't know what happened but we have made efforts to provide that assistance. He asked if Vernon Township has tried to get an injunction in Superior Court for zoning not from Soil Conservation. The simplest way to do this is go down and get an injunction. You cannot do commercial work in residential areas of any kind. It is an automatic statutory injunction. Mr. Kelly provided Mr. Pitsker with a copy of his September letter.

Freeholder Hertzberg suggested maybe someone can coordinate a meeting between Vernon, Sparta and District 24. Andrew Pitsker interjected and suggested getting the Department of Transportation involved.

This concludes the Public Session.

**MOTION** to close the floor for public comment and return to regular business made by Freeholder Petillo; seconded by Freeholder Fantasia

**(Voice Vote)**

All Members present voted in the affirmative.

22. **REMINDERS**

<b><u>Date/Time</u></b>	<b><u>Meeting</u></b>	<b><u>Location</u></b>
Jan. 14 Noon	Disability Services Advisory	Freeholder Meeting Room (FMR)
Jan. 16 9:00 AM	Human Services Advisory	FMR
Jan. 16 12:30 PM	Youth Services Commission	FMR
Jan. 17 3:30 PM	Advisory Comm. on Alcohol	FMR
Jan. 22 7:30 PM	Agriculture Board	FMR
Jan. 23 7:00 PM	Regular Freeholder Meeting	FMR

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

**RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT  
043-2019 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;**  
**Pending Litigation**  
**Contract Negotiations of PBA**
- \_\_\_\_\_ (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 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 made by Freeholder Hertzberg; seconded by Freeholder Petillo  
**(Voice Vote)** All Members present voted in the affirmative.

**MOTION** to adjourn from Executive Session and return to Regular Business made at 9:35 PM by Freeholder Hertzberg; seconded by Freeholder Petillo  
**(Voice Vote)** All Members present voted in the affirmative.

24. **ADJOURNMENT**

**MOTION** to adjourn the meeting at 9:35PM by Freeholder Petillo; seconded by Freeholder Fantasia

**(Voice Vote)**

All Members present voted in the affirmative.

**DATED: JANUARY 9, 2019**

Respectively submitted,

Teri Lyons  
Clerk, Board of Chosen Freeholders