1. CALL TO ORDER BY DIRECTOR HERB YARDLEY at 5:30PM

2. ROLL CALL

   Freeholder Graham, Freeholder Petillo and Freeholder Director Yardley

   Absent: Freeholder Fantasia and Freeholder Hertzberg

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 May 20, 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

   County Counsel has requested that Mt Creek, et al, Opioid Litigation and Roseff v County of Sussex be added to the later Executive Session Resolution.

   MOTION to approve the Agenda as amended made by Freeholder Graham
   Seconded Freeholder Petillo
   (Voice vote)-All in favor

   Three items were added to Executive Session Mt. Creek, et al, Opioid Litigation and Roseff vs. County, if necessary.

6. EXECUTIVE SESSION – (Closed Session)

   RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT 241-2019 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;
     • Labor/grievance negotiations: CWA 1032 non-supervisory, supervisory, social services, PBA 378 corrections
     • Contact negotiations: Engineering and Planning Department regarding Fredon Township, Town of Newton, Federal Highway Administration
     • Mt. Creek, et al
     • Opioid Litigation
     • Roseff v County of 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 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 at 5:45 PM by Freeholder Graham

Seconded Freeholder Petillo

(Voice vote)- All in favor

Note: Freeholder Fantasia arrived during Executive Session.

MOTION to adjourn from Executive Session and return to Regular Business at 7:10PM by Freeholder Petillo

Seconded by Freeholder Fantasia

(Voice vote)-All in favor

7. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

A. Proclamations

1. Recognizing Restoration to Deckertown – Union Cemetery- This will be presented at a later date by Freeholder Director Yardley. 242-2019

2. World No Tobacco Day- Tracy Storms-Mazzucco, Center for Prevention along with the Youth Tobacco Action Group received the Proclamation from Freeholder Graham. 243-2019

3. Eagle Scout Recognition- Jacob Vernoski – Proclamation was mailed to Scout Vernoski. 244-2019

MOTION to adopt the Proclamations made by Freeholder Petillo

Seconded by Freeholder Graham

(Voice Vote)-All in favor

Freeholder Graham took a minute to recognize the Deckertown-Union Cemetery and the volunteerism of Edward Vanderberg and his son Daniel. Sadly, Mr. Vanderberg passed away this past Friday. It is unfortunate that we do this at this time, but for those who know the Vanderbergs, know their love and commitment to this project. Mr. Vanderberg was a fine gentleman.

Certificates of Recognition

1. Sussex County 2019 Teacher of the Year – Jennifer Caputo 245-2019


Ms. Caputo did not hear her name announced. Freeholder Yardley later agreed to make this presentation to Ms. Caputo at the Helen Morgan School in Sparta. Ms. Walsh did not attend due to tonight’s stormy weather. Ms. Walsh will attend a future Freeholder meeting.

8. PUBLIC HEARINGS

9. PUBLIC SESSION FROM THE FLOOR

Comments are limited to 5 minutes or less and must only address issues regarding agenda items. Please state your name, and print your name and municipality on the sign in sheet.

MOTION to open the floor for public comment made by Freeholder Petillo at 7:20 PM

Seconded by Freeholder Fantasia

(Voice vote)- All in favor

Ed Sabo, Stillwater Township. He said the timing tonight with the World No Tobacco Day could not be any better. About six months ago he attended a Freeholder meeting and asked the Board to go on the record against the legalization of marijuana. He thanked the Board for passing such a Resolution. Also at that same time he presented to the Freeholders an advertisement from the Wall Street Journal for the Juul tobacco product. The ad markets the Company’s e-cigarettes. There are studies that such products are gateways for kids to marijuana use. He was curious what this full-page ad in the Journal cost and decided to contact the Wall Street Journal. This full-page ad in the Wall Street Journal, national ad, and black and white is $277,000. In color it would be $355,000. For the New York area which they would call a local area in black and white would be $60,000 and in color $90,000. Since this past Fall Mr. Sabo has clipped 66 individual full page ad for this product, total cost $ 3,960,000 for this Marketplace. There is a huge amount of money going into this industry. The main reason for his visit this evening was again to thank the Board for passing a Resolution opposing legalizing marijuana; the other was to address the turmoil with the Sheriff and the Board on whether or not the Sanctuary State question is published on the November Ballot. Mr. Sabo supports voting and will support whatever the Board or Sheriff decide to do.

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

Seconded by Freeholder Fantasia

(Voice vote)-All in favor
10. FREEHOLDERS’ COMMENTS
Due to the length of the meeting, the Freeholders were asked to keep their comments short. The Freeholder felt it important to express their concerns about the Sanctuary State Resolutions in light of State Attorney General’s letter against the Ballot Question. Comments relating to this topic are available on the County Website. Click on meeting date and select video or audio.

11. APPROVAL OF CONSENT AGENDA
A. RESOLUTION RE: 247-2019
AUTHORIZATION FOR THE FREEHOLDER DIRECTOR AND CLERK OF THE BOARD TO EXECUTE A CONTRACT EXTENSION BETWEEN THE COUNTY OF SUSSEX DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF COMMUNITY AND YOUTH SERVICES AND THE SUSSEX COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF SOCIAL SERVICES FOR THE PROVISION OF TRANSPORTATION BLOCK GRANT SERVICES/TANF TRANSPORTATION SERVICES FOR THE PERIOD OF JANUARY 1, 2019 TO DECEMBER 31, 2019 FOR A TOTAL AMOUNT OF $16,071.00

B. RESOLUTION RE: 248-2019
AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ROADWAY TRAFFIC STRIPING AND PAYMENT MARKINGS FOR THE SUSSEX COUNTY DEPARTMENT OF ENGINEERING AND PLANNING FROM DENVILLE LINE PAINTING, INC IN THE ESTIMATED AMOUNT OF $570,000.00 FOR THE 2019 SEASON

C. RESOLUTION RE: 249-2019
AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ANNUAL TECHNICAL SUPPORT AND HOSTING FEE SERVICES FOR THE COUNTY OF SUSSEX’S OFFICE OF TRANSIT FROM ROUTEMATCH SOFTWARE INC, IN THE AMOUNT OF $19,585.89

D. RESOLUTION RE: 250-2019
AUTHORIZATION TO PROVIDE FOR THE ANNUAL SYSTEM MAINTENANCE AND MOBILITY MANAGEMENT CONSULTING SERVICES FOR THE COUNTY OF SUSSEX’S OFFICE OF TRANSIT FROM ROUTEMATCH SOFTWARE, INC FROM MARCH 28, 2019 THROUGH MARCH 27, 2020 IN THE AMOUNT OF $41,400.00

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 Graham requested that B be voted upon separately due to his son employment with Denville Line Painting.

MOTION to approve the Consent Agenda Resolutions A, C, & D made by Freeholder Petillo
Seconded by Freeholder Graham- All in favor

MOTION to approve Resolution B made by Freeholder Petillo
Seconded by Freeholder Fantasia

(Roll call vote)
Freeholder Fantasia  Yes
Freeholder Graham  Abstain
Freeholder Petillo  Yes
Freeholder Director Yardley  Yes

12. APPROVAL OF MINUTES
MOTION to approve the minutes made by Freeholder Petillo
Seconded by Freeholder Petillo
Voice Vote- All in favor

Regular Meeting- May 15, 2019

MOTION to approve the Executive Session minutes made by Freeholder Petillo
Seconded by Freeholder Graham
(Voice Vote)- All in favor

13. APPOINTMENTS AND/OR RESIGNATIONS- None
14. RESOLUTIONS

A. RESOLUTION RE: 251-2019
PROVIDING TEMPORARY SOUTHBOUND LANE CLOSURE OF CR 565 IN FRANKFORD TOWNSHIP FOR THE O.S.C.A.R. ANIMAL RESCUE 5K-9 RACE EVENT

B. RESOLUTION RE: 252-2019
PROVIDING TEMPORARY CLOSURE OF CR 517 IN OGDENSBURG BOROUGH FOR THE SUSSEX COUNTY HABITAT FOR HUMANITY 5K RACE

C. RESOLUTION RE: 253-2019
PROVIDING TEMPORARY CLOSURE OF CR 630 IN BRANCHVILLE BOROUGH FOR THE BRANCHVILLE HOSE COMPANY NO. 1 BLOCK PARTY/COMMUNITY DAY

D. RESOLUTION RE: 254-2019
AMENDMENT TO THE SUSSEX COUNTY DISTRICT SOLID WASTE MANAGEMENT PLAN BY ADMINISTRATIVE ACTION TO ALLOW TRANSFER OF GENERAL APPROVAL TO OPERATE A RECYCLING CENTER FOR CLASS B MATERIALS AT 506 HOUSES CORNER ROAD, SPARTA TOWNSHIP (BLOCK 16005, LOT 6) FROM GRINNELL RECYCLING, INC. TO RELIABLE WOOD PRODUCTS, LLC

E. RESOLUTION RE: 255-2019
AUTHORIZING ACQUISITION OF A RETAINING WALL EASEMENT ON A PORTION OF PRIVATE PROPERTY OWNED BY CAROL LEE MUGELE, SITUATED ALONG COUNTY ROUTE 620, SPARTA TOWNSHIP, IDENTIFIED ON THE TAX MAPS OF THE TOWNSHIP AS BLOCK 31002, LOT 3

MOTION to adopt the resolutions A-E made by Freeholder Graham
Seconded by Freeholder Fantasia
(Voice Vote) - All in favor

15. AWARDS OF CONTRACT/CHANGE ORDERS/BID

A. RESOLUTION RE: 256-2019
AWARD OF CONTRACT EXTENSION FOR MAINTENANCE OF ALL ELEVATORS NOT AWARDED FOR ELEVATOR MODERNIZATION AT VARIOUS SUSSEX COUNTY LOCATIONS TO STANDARD ELEVATOR CORPORATION FROM JUNE 13, 2019 THROUGH JUNE 12, 2020 IN AN AMOUNT NOT TO EXCEED $32,900.00

B. RESOLUTION RE: 257-2019
AWARD OF CONTRACT EXTENSION FOR DRAINAGE PIPE AND TUBING FOR THE COUNTY OF SUSSEX FROM VARIOUS VENDORS FROM JUNE 15, 2019 THROUGH JUNE 14, 2020

C. RESOLUTION RE: 258-2019
AWARD OF CONTRACT FOR THE SUPPLY AND DELIVERY OF TRAFFIC SIGNAL AND ELECTRICAL EQUIPMENT FOR THE COUNTY OF SUSSEX FROM VARIOUS VENDORS FOR PERIOD MAY 29, 2019 THROUGH MAY 28, 2020

D. RESOLUTION RE: 259-2019
AWARDING A CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR THE ADVERTISING ON THE SUSSEX COUNTY SKYLANDS RIDE TRANSPORTATION VEHICLES TO GATEWAY OUTDOOR ADVERTISING FOR PERIOD MAY 29, 2019 THROUGH MAY 28, 2020

E. RESOLUTION RE: 260-2019
AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT BETWEEN THE COUNTY OF SUSSEX AND STANDARD ELEVATOR CORPORATION FOR THE MODERNIZATION OF CERTAIN SUSSEX COUNTY ELEVATORS

F. RESOLUTION RE: 261-2019
AWARD OF CONTRACT FOR THE PURCHASE OF BEAM GUIDE RAIL PARTS, END TERMINALS AND CRASH CUSHIONS FOR THE COUNTY OF SUSSEX TO BOTH CHEMUNG SUPPLY CORP AND ROAD SAFETY SYSTEMS LLC FOR PERIOD MAY 29, 2019 THROUGH MAY 28, 2020 FOR INITIAL AMOUNT OF $93,450.00

G. RESOLUTION RE: 262-2019
AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF LARVICIDING PRODUCTS FOR THE COUNTY OF SUSSEX OFFICE OF MOSQUITO CONTROL FROM ADAPCO INC IN THE AMOUNT OF $65,000.00

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. If any Freeholder would like to remove an item to be considered separately, please do so now.

MOTION to adopt the Contracts A-G made by Freeholder Freeholder Petillo
Seconded by Freeholder Graham
(Roll Call Vote)

Freeholder Fantasia  Yes
Freeholder Graham  Yes
Freeholder Petillo  Yes
Freeholder Director Yardley  Yes
16. **FINANCIAL**

**A. RESOLUTION RE: 263-2019**

PAYMENT OF BILLS LIST

May 29, 2019

**MOTION** to approve Bill List made by Freeholder Fantasia
Seconded by Freeholder Graham

(Roll call vote)

<table>
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<tr>
<td>Freeholder Fantasia</td>
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<td>Freeholder Petillo</td>
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<td>Freeholder Director Yardley</td>
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17. **PERSONNEL**

**RESOLUTION RE: 264-2019**

AUTHORIZING PERSONNEL AGENDA OF May 29, 2019

**MOTION** to adopt the Personnel Agenda made by Freeholder Fantasia
Seconded by Freeholder Graham

Mr. Poff said both of the requests are made with the recommendation of the Surrogate one for advancement and one from the County Engineer for the Department of Engineering. Both of these were reflected in the 2019 budget.

(On Roll Call)

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<th>Freeholder</th>
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<td>Freeholder Director Yardley</td>
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18. **ADMINISTRATIVE REPORT**

Mr. Poff reported that the County received its rating for the debt it is about to sell for both long term bonding as well as our short term notes. Our ratings were confirmed by Standard & Poors at AA1 for our long term bonding which is the highest rating that Sussex County would expect given a variety of economic factors including the diversity of our tax base. For short term financing were received an SP1 rating, which is the highest rating that Standard and Poor’s would grant for the type of debt the County is looking to sell.

19. **COUNTY COUNSEL REPORT**

Mr. Kelly said with regard to the extension request he is going to give for the Sanctuary State Resolution, it is predicated on the fact that he can coordinate with Council for the Clerk.

He said he doesn’t think it is necessary to go into another Executive Session unless the Board has questions for him. Freeholder Yardley said he does have a question to raise in Executive Session.

20. **UNFINISHED BUSINESS**

None

21. **NEW BUSINESS**

None

22. **PUBLIC SESSION FROM THE FLOOR**

Everyone is asked to keep their comments to 5 minutes. Please state your name and print name and municipality on sign in sheet.

**MOTION** to open the floor for public comment at 8:10 PM by Freeholder Petillo
Seconded by Freeholder Graham

(Voice vote)-All in favor

Note: Freeholder Hertzberg arrived at 8:10PM

Ray Ann Gerow, Newton, employed by the County as a Social Worker is also a cashier at Pet Smart. Ms. Gerow has cancer. While receiving her chemo treatments she continues to go to work every day and endures some horrific work conditions during her visits to client’s homes. Imposing the recent policy regarding FMLA, she felt that her job has been threatened and felt imitated.

Doreen Edwards, Vernon, inquired if the Freeholders have joined the Opioid Litigation and if other Counties have taken similar action regarding a Sanctuary State Ballot Question. Freeholder Director Yardley answered that the County has joined the Opioid Class Action Suit and Sussex County is the first and only County to address Sanctuary State. Optimistic other Counties will follow.

Mr. Getter, Wantage, stated that his Letter to the Editor regarding Sanctuary State was published today in the New Jersey Herald. Under our Constitution, both the Attorney General and Governor Murphy are in violation of our State Constitution.

Mr. Getter indicated that his next remarks will exceed the standard 5 minute time allotment for public comment.
Back in April when he was calculating the proposed tax increases for 2018, he ran into a number of minor problems and one was a serious problem. He reached out to a couple of people on how to precede. Last Thursday, he received a phone call and was advised to go public with the information he had found. He referred to a phrase, “Cook the Books”. Who cooked Sussex County books so that the County could steal $582,696 from the Sussex County tax payers? When he first released information on this year’s property taxes increases he noted that he did not include Sussex County Library’s Open Space Tax. He said the problems he found with the Open Space Tax resolution have been resolved. On the 2019 County Library Tax resolution he says the County has approved the tax of $2,277,284.00. On the 2019 County Library Tax Resolution he knows the Board approved the tax of $4,930,866. Therefore for 2019 $3,046,718 or 7.32 percent tax increase. Obviously this is a substantial tax increase. Then he referred to 2018 abstract ratable for Sussex County. He then found that the County Library tax’s portion was $5,576,263.00 not the $4,930,866 that was approved by the Freeholders, why not? He wants to know that since this $645,397 came from the County Library Tax and the County Tax the total amount was $645,397. This overpayment had been refused to us taxpayers in 2015. He then noted that the next column was entitled violation of the 2014 County Library Taxes and that total amount was $4,930,866 the same amount that was approved in the 2018 County Library Tax Resolution. Who cooked Sussex County’s books and why? He said this information was to 2018 abstract ratable to give the illusion that this $645,397 was being refunded to us taxpayers. Thereby the County could steal this $645,397 from us taxpayers, but since this $645,397 was added to the $4,930,866 that was approved by the Freeholders and not subtracted from it not even one penny was in fact refunded to us taxpayers. Therefore false information was entered in to the 2018 abstract ratable and would appear that it was a knowing and intentional act of fraud. Then he went on to talk about the falsification of government records.

He said on August 20, 2014, the Tax Administrator Melissa Rockwell sent a letter to each of the Mayors informing them that errors had been made in calculating the County Library and County Health Taxes that created over charges. He said the 2015 preliminary tax bills were based on one half of the 2014 tax bills; therefore there was an overcharge in the County Library tax and the County Health tax a total of $582,696.00. These overcharges were paid in the first and second quarters of 2015. He said this problem could have been simply solved in the fourth quarter of 2014. He said the Sussex County Board of taxation apparently refused to spend the money to issue corrected tax bills of 2014/ preliminary 2015 tax bills.

Freeholder Yardley asked Mr. Gettler what his purpose was by giving them this information going back to 2014.

Mr. Gettler said he saying this information is giving the illusion that this money was paid back to the tax payers; it was never paid back.

Freeholder Yardley said we will have our Finance Department take a look at this. He would like to have the documents he presented to be reviewed by County Professionals.

Mr. Gettler said in closing, he would like the 2015 overcharge be refunded to the Sussex County tax payers. He is requesting immediately that this current Freeholder Board request a formal criminal investigation to determine who cooked Sussex County’s books. The criminal investigation should include every County official who might have been involved in soliciting for or planning for the cooking of the books or who had knowledge of the books being cooked and who failed to go public to stop it.

Christina Marc, Franklin, CWA Local 1032 Branch, President wanted to take a moment to talk about what Ray Ann Gerow mentioned and bring up a specific concern about the County’s recent FMLA policy changes which have caused employees to feel threatened and intimidated. Employees now have to provide information about their diagnosis and health conditions to the County. On April 30, she and her staff representatives met with the Director of Employee Services to discuss FMLA in relation to a Settlement Agreement that the County of Sussex entered with the Department of Labor. This Agreement resulted in the new policy.

The Union’s concern about this new policy as that it contradicts certain provisions in the collective bargaining agreement. Also, there is the concern that this new policy is being implemented and employees are being trained before a formal policy has been written. The Board of Chosen Freeholders are the policy makers for the County so the Union questions how a new policy that has not been written is being implemented? Ms. Marc submitted an OPRA request for a copy of the executed agreement for it was not provided at the April 30 meeting. The documents she received via OPRA were signed by the County Administrator on May 13, 2019 and by the Department of Labor on May 17, 2019. In this agreement, it obligates that the Freeholder Board will approve this new policy by June 30, 2019. Ms. Marc questioned if this new Policy has been reviewed and approved by the Board because by her understanding everything has not even been brought up for discussion. In closing Ms. Marc’s asked the Freeholders reviewing this policy and approving implementation or is special labor counsel and Administration becoming the new policy makers for the County?

Courtney Lockburner, Hampton, hopes by speaking to the Freeholders it will continue her employment with the County. Ms. Lockburner held her former position for nine months and enjoyed learning all that she could to perform her duties efficiently which included mail, printing, filing for the Employee Services Department, Audits and large projects like reorganizing the Employee Services filing room. At this time, she has been out of work for two weeks. She has applied for the permanent position but has not received a call back.

Yesterday, she came aware that the position was reposted so this morning she completed and submitted a new job application. She now feels that she is pleading for her position with the County to no avail. Ms. Lockburner feels her former Supervisor, the Director of Employee Services is clearly unwilling to hire her because she asked questions and stood up for herself when she realized everything going on wasn’t right. As a result Ms. Lockburner filed grievances against her Supervisor. Ms. Lockburner was refused personal time, vacation time requests were ignored and took a cut in pay when she was promoted to full-time Temporary. Regardless of this grief, Ms. Lockburner wants to be hired. To Ms. Lockburner the job was a perfect fit. Ms. Lockburner communicated via email to the Board of Chosen Freeholders and provided each with references and recommendations from coworkers, department heads and elected officials. Ms. Lockburner feels she is not deserving of this retaliation and the loss of her job. Tonight she is asking the Freeholders for their help and support to get back to work and thanked them for their time.

David Hammer-Hodges, County Staff Representative for CWA 1032 reminded the Board of his comments at a recent Freeholder meeting when he spoke about an employee who had had been retained in a temporary position greater than the contract period of six months for nine months. This employee is Courtney Lockburner.

A number of grievances were filed and Ms. Lockburner was subsequently informed that her position was no longer needed. The Union has since filed a retaliation grievance. The deadline for that grievance has come and gone with no response from the County. We have not heard on any of the grievances, which is a contractual obligation. In Mr. Hammer-Hodges opinion it seems like an effort to create an anti-union atmosphere.

Freeholder Yardley interjected by saying he is sorry that they feel that way.

Mr. Hamer-Hodges continued that the Union has had to deal with reinterpretations of County policy or contract lingo that have been both contradictive and incorrect resulting in rapid increases of costs to labor attorneys.
It appears Labor Counsel Costs have almost tripled compared to the labor cost expenditures before the changeover in Administration.

Mr. Hammer-Hodges feels this is being done to bully the Union.

Mr. Hammer-Hodges proceeded with an example of a recent arbitration decision to the Union’s favor. Over a year ago, the Union recognized an issue on how longevity was being calculated to Union Member. It was clearly a policy that both conflicted with the contract and one that had adverse effects on mothers because it impacted how longevity was accrued if you took a leave of absence and most leaves of absence were taken by mothers-to-be. This matter ended up in arbitration. He said he brings this up because they are in the middle of trying to bargain on important issues collaboratively with the County and they feel there is an anti-union atmosphere that seems to be radiating from the Administrator and through the Employee Services’ Director.

The Union implores the Freeholders to take a closer look on how the County employees are being handled by the Administrator and the Director of Employee Services.

**MOTION** to close the floor for public comment and return to regular business made by Freeholder Graham Seconded by Freeholder Petillo (Voice vote)- All in favor

**23. REMINDERS**

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<td>June 3/3PM</td>
<td>Development Review</td>
<td>FMR</td>
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<td>June 3/4PM</td>
<td>Planning Board</td>
<td>FMR</td>
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<td>June 6/12PM</td>
<td>Senior Services Advisory</td>
<td>Sparta Senior Center</td>
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<td>June 6/7:30PM</td>
<td>Policy Advisory Committee</td>
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<td>June 11/7PM</td>
<td>Solid Waste Advisory</td>
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<td>June 12/7PM</td>
<td>Regular Freeholder Meeting</td>
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**EXECUTIVE SESSION – (Closed Session)**

**RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC IN 265-2019 ACCORDING 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:
  - Mountain Creek Bankruptcy
  - Opioid Litigation Update
  - Roseff vs. County of Sussex
  - Labor/grievance negotiations: CWA 1032 non-supervisory, supervisory, social services, PBA 378 corrections
  - Contact negotiations: Engineering and Planning Department regarding Fredon Township, Town of Newton, Federal Highway Administration
- (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 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 at 8:20 PM by Freeholder Petillo
Seconded Freeholder Fantasia
(Voice vote)- All in favor

MOTION to adjourn from Executive Session and return to Regular Business at 9:15 PM by Freeholder Hertzberg
Seconded Freeholder Fantasia
(Voice vote)- All in favor

24. ADJOURNMENT

MOTION to adjourn the meeting by Freeholder Petillo
Seconded Freeholder Fantasia
(Voice vote)

DATED: May 29, 2019

Respectively submitted,

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Teri Lyons
Clerk to the Board