FREEHOLDER MEETING OF OCTOBER 9, 2019 AT 6:00PM
FREEHOLDER MEETING ROOM
REGULAR BUSINESS

Item

1. CALL TO ORDER BY DEPUTY DIRECTOR Petillo at 6:00PM

2. ROLL CALL Freeholder Fantasia, Freeholder Graham, Freeholder Hertzberg
Freeholder Deputy Petillo

Absent: Freeholder Director Yardley

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 October 1, 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

Prior to tonight’s approval, Freeholder Deputy Petillo requested that they acknowledge a second Proclamation to Honor Debbie Danielson of the Action Municipal Alliance as 2019 Sussex County Municipal Alliance Volunteer of the year. Ms. Danielson was present for the occasion.

MOTION to approve the Agenda made by Freeholder Hertzberg
Seconded by Freeholder Fantasia
(Voice vote)- All in favor

6. EXECUTIVE SESSION – (Closed Session)

RESOLUTION RE: PROVIDING FOR AN EXECUTIVE (CLOSED) SESSION NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 10:4-12 ET SEQ.

WHEREAS, the subject matter(s) about to be discussed may be excluded from the public portion of the meeting by Resolution of the Board of Chosen Freeholders as an exception to the “Open Public Meetings Act” pursuant to N.J.S.A. 10:4-12 (b); and

WHEREAS, it appears necessary for the Board of Chosen Freeholders to discuss such matter(s) in Executive Session.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Sussex, in accordance with the provisions of N.J.S.A. 10:4-12(b) and N.J.S.A. 10:4-13 that the Board at this time enter into an Executive Session from which the public shall be excluded; and

BE IT FURTHER RESOLVED, that the general nature of the subject(s) to be discussed relate to the following item(s) authorized by N.J.S.A. 10:4-12(b) as designated below:

_____ (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;

• Sussex County Community College Board of Trustee request
• Adult Protective Services
• Shared Services – Sheriff Department
Matters Relating to the Employment Relationship:

• Personnel – Central Services, Engineering and Planning

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 meeting.

MOTION to adopt the Executive Session Resolution and enter into Executive Session made by Freeholder Graham
Seconded by Freeholder Fantasia
(Voice vote)-All in favor

MOTION to adjourn from Executive Session and return to Regular Business made by Freeholder Fantasia
Seconded by Freeholder Graham
(Voice vote)-All in favor

7. PROCLAMATIONS/CERTIFICATES/PRESENTATIONS

PROCLAMATION

Proclamation that Debbie Danielson be recognized at the Sussex County Municipal Alliance Volunteer of the Year, presented by Freeholder Deputy Director Petillo. 428-2019

National Medicine Abuse Awareness Month. Freeholder Fantasia made the presentation to Ashley Brown and Tina Aue from the Center for Prevention. 429-2019

PRESENTATION

Freeholder Deputy Director Petillo shared comments regarding the nationwide Opioid Epidemic and the upcoming County sponsored symposiums on the subject.

Nick Loizzi, Sussex County Alcohol and Drug Abuse Coordinator began his presentation on the Opioid Epidemic in Sussex County with a short video.

Mr. Loizzi reported that the purpose of these symposiums is to spread the word about the alarming statistics of this epidemic and to get the information out there regarding the Treatment Centers that are available here and outside out the County. Three symposiums on three different days at three different times have been planned with the hopes of accommodating everyone’s schedules. At these symposiums the Overdose Fatality Review Team will be introduced. This Team is a new initiative that the Humans Services Department wants to bring to the County. The Team is modeled after an initiative that began in Maryland. The Review Team will examine data surrounding fatal overdoses to try and find gaps in the system, gaps in the delivery of services and gaps in the information to ultimately prevent another death of an overdose.

8. PUBLIC HEARINGS- None

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.

Freeholder Deputy Director Petillo said in order to give everyone a chance to speak; the 5 minute time allocation will be changed to 3 minutes.

MOTION to open the floor for public comment made by Freeholder Graham
Seconded by Freeholder Hertzberg
(Voice Vote)-All in favor

Anthony Riccardi, Stanhope commented on Resolution D listed under the Consent Agenda. The Borough of Stanhope is a walking school district and it is extremely important that this Resolution gets approved tonight. For the last three years there has been one fatal pedestrian death annually in Stanhope. A recent accident took the life of a two year old child.

Mara Modes, Hopatcong had questions on Resolution 14. D. Mr. Poff answered her questions and he advised her to contact the County’s Facilities’ Director Joe Biuso.
James Baldini, Sandyston spoke on the Sussex County Board of Trustee request relating to Mr. Scanlan.

Nina Allen, Hardyston responded to what Mr. Baldini spoke about. She also wanted to remind people that you cannot say these kinds of things and get away with it. It just isn’t right. It doesn’t belong at the National front and it doesn’t belong in Sussex County.

George Malanga, Hopatcong supports Jerry Scanlan. He reminded people that what Mr. Scanlan said were not his words and what he has been through is not fair.

Deborah Kaiser, Newton does not support Jerry Scanlan and what he did in his position at Sussex County Community College.

Kristy Lavin, Hardyston, spoke on the presentation that Mr. Loizzi gave on the Opioid Epidemic. She felt the video was very distributing. It is a very sensitive topic for some and she hopes it isn’t shared at the symposiums. She does not think it will help anyone.

Zoe Heath, Vernon Township spoke on Mr. Scanlan’s situation, free speech and hate speech. Ms. Heath presented a Facebook page that contained comments about people not believing in hate speech. Freeholder Fantasia is listed on this page and perhaps this should be taken into consideration when deciding Mr. Scanlan’s future on the SCCC Board. A copy of the Facebook page was provided to the Clerk to the Board.

Matt Conway, Vernon indicated that he created the Facebook page a couple of weeks ago and Ms. Heath was one of the first people to join it. He also stated that he feels it is time to put an end to the Jerry Scanlan situation.

Freeholder Fantasia commented on the screen shots that Ms. Heath provided to Ms. Lyons. She said she will stand behind all the topics she “liked” as the day is long, such as supporting people who are canvassing for Vernon candidates for public office.

Katie Rotondi, Hampton Township corrected what Mr. Conway said that Zoe Heath is not a member of the Facebook page. Mr. Rotondi also wanted to finish Zoe’s statement since she ran out of time. Ms. Heath became very upset watching tonight’s Opioid Epidemic video. It was insensitive since she lost her Mother last month to a drug overdose.

Freeholder Petillo apologized to the public if anyone that was offended by the video. The Board was not aware a video was being shown this evening.

Martin W., Morristown is proud of what Sussex County stands for and feels the Board has done all the right things.

Rich Schindler, Hopatcong, NJ feels the video is extremely dramatic but should be shown. It is a real eye opener. He is also in support of Jerry Scanlan. He speaks to his character and feels he is a fine gentleman. He hopes the Freeholders will support him.

William Hayden, Frankford, spoke on Mr. Scanlan and he supports Mr. Scanlan.

Dennis Augustus, Hampton Township spoke on hate speech and how powerful our words can be.

Jill Malanga, Hopatcong spoke to Mr. Scanlan’s fine character. She made the point that the words were not his words, it is not who he is and he has apologized for not reading the content before retweeting it.

Santro Verelli, Hardyston spoke on Mr. Scanlan and his support for him.

Kathy Brennan, Hampton agrees with Freedom of Speech, however if you do something that is inappropriate there should be consequences.

Neil Kenny, Green made comments regarding Freedom of Speech.

Ron Allen, Hardyston expressed his thoughts on Hate Speech.

**MOTION** to close the floor for public comment made by Freeholder Graham

**Seconded by Freeholder Hertzberg**

(Voice Vote) – All in favor

10. FREEHOLDERS’ COMMENTS

Comments from Freeholder Hertzberg

He addressed some of tonight’s public comments and feels that Mr. Scanlan has acknowledged his mistakes and has offered his apology. Mr. Scanlan has been punished enough in the Media and Social Media. Tonight we need to put the issue to rest.

Comments from Freeholder Fantasia

Freeholder Fantasia stated she would defer comments regarding Mr. Scanlan until after County Counsel’s report. However, Freeholder Fantasia did comment regarding the Twitter Feed submitted earlier tonight to the Board and the representation made that she did something wrong is ludacris.
Sheriff Strada will be at the next Freeholder meeting in Executive Session to give us updates on the transition of the shared services between our jail facility and Morris County. Any information we are allowed to share with the public we will.

Sussex County Arts and Heritage will host their annual Masquerade Gala this Friday.

Monday, October 14th, Sussex County Library will sponsor “The Big Read 2019”. The event goal is to have patrons read 1000 books in one day.

On Saturday, attended the Columbus Day Parade and was invited to attend a function in the Borough of Haledon to discuss the County’s Ballot Referendum question.

She and Freeholder Hertzberg have been participating in budget meetings in anticipation of the 2020 budget. In one of their budget meetings with the Prosecutor’s office they are asking for a small increase for an unfunded State mandate. Apparently the Prosecutor’s office is now in charge of Animal Control. They are supposed to shelter animals and provide the man power for training. This in turn will cost the County money because the State pushed it back.

While speaking to the County College, they were talking about athletics. The only community college in the State of New Jersey that showed exponential growth was Salem Community College with more than 12% and the only change was they added athletics to their program. The Sussex County Community College has added lacrosse and they are contemplating adding wrestling.

Freeholder Hertzberg interjected that the earlier concerns regarding the traffic issues in Stanhope should be directed to Trans Option, a Board that Freeholder Hertzberg serves as a representative. He suggested that Stanhope Borough reach out and get involved.

Freeholder Graham also commented about his history with Stanhope roads in particular Brooklyn Road. Next he spoke of the Powassan Virus which is a rare illness spread by the bite of an infected tick. Freeholder Graham recognized Carol Novrit to speak further on the topic. Ms. Novrit said tomorrow the federal Center for Disease Control, the New Jersey State Department of Health and the County Health Department will commence a study in certain areas of Frankford and Hampton where the ticks are and to try to better understand the disease and how it is spread. Also what factors make some people become seriously ill from the Virus. There has been one fatality.

Freeholder Graham reminded all of the upcoming Flu and Pneumonia clinics and Women health screening clinics. All dates are available on the County Web Site.

In conclusion, Freeholder Graham shared his thoughts regarding Mr. Scanlan. Mr. Graham has known Mr. Scanlan for more than ten years and knows his character. Personally not too involved in Social Media he too has been attacked in Social Media. Mr. Scanlan made a mistake and owned up to that mistake. We have to consider the Law. Mr. Graham stands behind Mr. Scanlan and his character and will not consider action to remove Mr. Scanlan after he has dedicated serving eight solid years on the College Board of Trustees.

Comments from Freeholder Petillo

Freeholder Petillo spoke of the Lyme disease conference that was held Saturday, October 5. It was extremely informative and recommends people to attend a future conference.

Based on October 3, 2019 data, NJDEP has lifted the advisory on Lake Hopatcong. At this time 87% of the lake has had the advisory lifted.

Thanked the Franklin Fire Department for a wonderful 99th Sussex County Firemen’s Association Inspection Day and Parade. 2020 marks the Parade’s Centennial. The event will be hosted by Hampton Township. Hampton was the original Parade Host back in 1920.

Freeholder Petillo made her comments on Mr. Scanlan. She also said when we are looking at this; we are looking at the rule of law and looking at all the causes you could have to remove both an elected or appointed person and that is how decisions are made by this Board. It is not our opinion or the public’s opinion; it is the rule of law.

In conclusion, Freeholder Fantasia made her comments regarding Mr. Scanlan. In 2014, every K-12 school district in the State of New Jersey K-12 has had to institute a Social Media Policy. The laws that govern county colleges and colleges that accept state funding are very different because adult students are involved. In the absence of such a policy at the Sussex County Community College to ask this Board to act on a statute that is nonexistent puts this Board in a very difficult position. Whether you agree or disagree with what was said; if the College wants to hold stakeholders accountable there should be a policy in place.

11. APPROVAL OF CONSENT AGENDA

A. RESOLUTION RE: 430-2019

AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF REPLACEMENT WORKSTATION COMPUTERS FOR THE SUSSEX COUNTY DIVISION OF SOCIAL SERVICES FROM DELL SOFTWARE, INC. IN THE AMOUNT OF $67,818.68
B. RESOLUTION RE: 431-2019
AUTHORIZATION TO FILE AN APPLICATION TO NEW JERSEY TRANSICORPORATION AND THE U.S. DEPARTMENT OF TRANSPORTATION ON BEHALF OF THE COUNTY OF SUSSEX FOR A SENIOR CITIZENS AND PERSONS WITH DISABILITIES CAPITAL, MOBILITY MANAGEMENT AND OPERATING ASSISTANCE PROGRAM GRANT UNDER SECTION 5310 OF THE FEDERAL TRANSIT ADMINISTRATION FOR $398,281.00 IN OPERATING FUNDS AND MOBILITY MANAGEMENT FUNDS FOR ONE YEAR REPRESENTING FEDERAL FISCAL YEAR 2018 FUNDING FOR THE PERIOD OF JANUARY 1, 2022 THROUGH DECEMBER 31, 2022

C. RESOLUTION RE: 432-2019
AUTHORIZATION FOR THE COUNTY OF SUSSEX TO SUBMIT THE AREA PLAN GRANT AGREEMENT DoA520AA005 WITH THE NEW JERSEY DEPARTMENT OF HUMAN SERVICES, DIVISION OF AGING SERVICES IN THE AMOUNT OF $2,018,798.00 FOR THE PERIOD OF JANUARY 1, 2020 TO DECEMBER 31, 2020 FOR THE DELIVERY OF SOCIAL AND NUTRITIONAL SERVICES FOR OLDER PERSONS UNDER THE OLDER AMERICAN’S ACT

D. RESOLUTION RE: 433-2019
AUTHORIZING THE COUNTY OF SUSSEX TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF STANHOPE FOR THE DESIGN, INSTALLATION AND MAINTENANCE OF A PEDESTRIAN WARNING BEACON SYSTEM ALONG CR 602 +/- MILEPOST 0.64, AT THE INTERSECTION OF CRESTVIEW DRIVE AND GROVE ROAD, IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:65-1 ET SEQ. AND N.J.S.A. 40A:11-1 ET SEQ.

E. RESOLUTION RE: 434-2019
AUTHORIZATION TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE 2019 SUSSEX COUNTY RESURFACING PROGRAM TO GENESIS ENGINEERING LLC IN THE TOTAL AMOUNT OF $86,500.00

F. RESOLUTION RE: 435-2019

G. RESOLUTION RE: 436-2019

H. RESOLUTION RE: 437-2019

I. RESOLUTION RE: 438-2019

J. RESOLUTION RE: 439-2019

K. RESOLUTION RE: 440-2019

L. RESOLUTION RE: 441-2019
M. RESOLUTION RE: 442-2019
RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE 2019 BUDGET OF THE COUNTY OF SUSSEX RELATING TO THE 2019/20 NJ CANCER EDUCATION & EARLY DETECTION (NJCEED) GRANT AWARD #DCHS20CED020 FROM THE NJ DEPARTMENT OF HEALTH FOR A TOTAL AMOUNT OF $165,818.00 FOR THE PERIOD OF JULY 1, 2019 TO JUNE 30, 2020

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 made by Freeholder Graham
Seconded by Freeholder Hertzberg
(Roll call vote)

Freeholder Fantasia   Yes
Freeholder Graham   Yes
Freeholder Hertzberg   Yes
Freeholder Deputy Director Petillo   Yes

12. APPROVAL OF MINUTES

MOTION to approve the minutes

Regular Meeting – September 25, 2019 made by Freeholder Graham
Seconded by Freeholder Hertzberg
(Voice Vote)- All in favor

Executive Session Minutes- September 25, 2019 made by Freeholder Graham
Seconded by Freeholder Hertzberg
(Voice Voice)-all in favor

13. APPOINTMENTS AND/OR RESIGNATIONS

A. RESOLUTION RE: 443-2019
DESIGNATING SUZANNAH GIVONE AS CLERK PRO TEM THROUGH DECEMBER 31, 2019

B. RESOLUTION RE: 444-2019
REAPPOINTMENT OF JOAN SNOOK SMITH, JANE BRODHECKER, AND CHARLOTTE PATTISON AS MEMBERS OF THE SUSSEX COUNTY AGRICULTURE DEVELOPMENT BOARD FOR THREE YEAR TERMS EFFECTIVE IMMEDIATELY AND EXPIRING ON SEPTEMBER 30, 2022

C. RESOLUTION RE: 445-2019
APPOINTMENT OF LAURA GUANCIONE, MA, LPC AND PATRICE REILLY, BA, CPS AS MEMBERS OF THE SUSSEX COUNTY LOCAL ADVISORY COMMITTEE ON ALCOHOLISM AND DRUG ABUSE (LACADA) FOR TERMS EACH EFFECTIVE OCTOBER 9, 2019 THROUGH DECEMBER 31, 2021

MOTION to adopt the Appointments A-C made by Freeholder Graham
Seconded by Freeholder Hertzberg
(Voice Vote)- All in favor

Freeholder Graham expressed his appreciation for those that commit to volunteering on Boards and Committees.

14. RESOLUTIONS

A. RESOLUTION RE: 446-2019
AUTHORIZATION TO SUBMIT AN APPLICATION AND EXECUTE AN AGREEMENT FOR STATE AID UNDER THE NJDOT FY 2020 LOCAL BRIDGES FUND PROGRAM IN THE AMOUNT OF $1,577,001.00

B. RESOLUTION RE: 447-2019
AUTHORIZATION TO CLOSE SUSSEX COUNTY BRIDGE B-10, CARRYING RECREATIONAL ROAD OVER DRY BROOK IN THE BOROUGH OF BRANCHVILLE AND PROVIDE FOR ENFORCEMENT OF THE TEMPORARY BRIDGE CLOSURE

C. RESOLUTION RE: 448-2019
AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF LOG SERVER SECURITY APPLIANCE FOR THE PURPOSE OF DATA PROTECTION COMPLIANCE AND SECURITY FOR THE OFFICE OF INFORMATION MANAGEMENT FROM SOFTWARE HOUSE INTERNATIONAL IN THE AMOUNT OF $129,983.00
D. RESOLUTION RE: 449-2019
AUTHORIZATION TO PROVIDE FOR CONSULTATIVE SERVICES OF A LICENSED SITE REMEDIATION PROFESSIONAL (LSRP) FOR VARIOUS SUSSEX COUNTY ENVIRONMENTAL REMEDIATION PROJECTS IN THE AMOUNT OF $864,235.00

E. RESOLUTION RE: 450-2019
AUTHORIZATION OF THE RETENTION AND COMPENSATION OF JOSHUA D. MACKOFF, LLC IN CONNECTION WITH THE ACQUISITION OF DEVELOPMENT RIGHTS FOR THE ROOF FARM IN STILLWATER TOWNSHIP FOR 2018/2019 COUNTY FUNDING

F. RESOLUTION RE: 451-2019
AUTHORIZATION OF THE RETENTION AND COMPENSATION OF LANDMARK I APPRAISAL, LLC IN CONNECTION WITH THE ACQUISITION OF DEVELOPMENT RIGHTS FOR THE ROOF FARM IN STILLWATER TOWNSHIP FOR 2018/2019 COUNTY FUNDING

MOTION to adopt the Resolutions A-F made by Freeholder Hertzberg
Seconded by Freeholder Graham
(Roll Call vote)
Freeholder Fantasia  Yes
Freeholder Graham  Yes
Freeholder Hertzberg  Yes
Freeholder Deputy Petillo  Yes

15. AWARDS OF CONTRACT/CHANGE ORDERS/BID

A. RESOLUTION RE: 452-2019
AWARDING A CONTRACT THROUGH THE COMPETITIVE CONTRACTING PROCESS FOR 911 CALL CENTER & SHERIFF'S COMMUNICATIONS FOR THE OFFICE OF EMERGENCY MANAGEMENT TO SOLACOM TECHNOLOGIES INC FOR A TWELVE MONTH PERIOD OCTOBER 9, 2019 THROUGH OCTOBER 8, 2020

B. RESOLUTION RE: 453-2019
AWARD OF CONTRACT FOR THE PURCHASE OF ONE (1) 2020 OR CURRENT MODEL YEAR FREIGHTLINER SD108 OR EQUAL TANDEM AXLE TRUCK CHASSIS FROM ROBERT H. HOOVER & SONS INC FOR THE COUNTY OF SUSSEX IN THE AMOUNT OF $111,594.00 FROM DATE OF CONTRACT AWARD UNTIL DELIVERY AND ACCEPTANCE

C. RESOLUTION RE: 454-2019
AUTHORIZATION TO PROVIDE FOR THE PURCHASE OF ONE (1) CURRENT MODEL YEAR FREIGHTLINER SD108 OR EQUAL SINGLE AXLE TRUCK CHASSIS FOR THE SUSSEX COUNTY DIVISION OF PUBLIC WORKS FROM ROBERT H. HOOVER & SONS IN AN AMOUNT OF $95,951.00

D. RESOLUTION RE: 455-2019
AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH MEGAN WARD FROM THE FIRM OF KELLY & WARD LLC TO PROVIDE LEGAL REPRESENTATION AND CONSULTATION FOR THE COUNTY OF SUSSEX FOR THE APPLICATIONS OF THORLABS, INC FROM DATE OF AWARD THROUGH DECEMBER 31, 2019 IN THE ESTIMATED AMOUNT OF $9,000.00

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

MOTION to adopt the Contract A – D made by Freeholder Graham
Seconded by Freeholder Hertzberg
Freeholder Fantasia said she will abstain from Resolution D because she was supposed to have a conversation with Freeholder Yardley on this before he left and they did not get a chance to speak.
(Roll Call Vote)
Freeholder Fantasia  Yes to A-C, abstain from D
Freeholder Graham  Yes
Freeholder Hertzberg  Yes
Freeholder Deputy Petillo  Yes
16. FINANCIAL

A. RESOLUTION RE: 456-2019
PAYMENT OF BILLS LIST
October 9, 2019

MOTION to approve Bill List made by Freeholder Graham
Seconded by Freeholder Hertzberg
(Roll call vote)

Freeholder Fantasia  Yes
Freeholder Graham  Yes
Freeholder Hertzberg  Yes
Freeholder Deputy Petillo  Yes

17. PERSONNEL

RESOLUTION RE: 457-2019
AUTHORIZING PERSONNEL AGENDA OF October 9, 2019

MOTION to adopt the Personnel Agenda made by Freeholder Graham
Seconded by Freeholder Fantasia
(Roll Call vote)

Freeholder Fantasia  Yes
Freeholder Graham  Yes
Freeholder Hertzberg  Yes
Freeholder Deputy Petillo  Yes

18. ADMINISTRATIVE REPORT

Mr. Poff reported that the 2020 budget hearings are underway and thanked Freeholders Fantasia and Hertzberg’s for their participation in the meetings. He is very pleased with all the presentations that have been made from the Departments and has shared with the Freeholders the Departments’ Goals and Objectives that have been bound in a book for each Freeholder to review. Mr. Poff recognized Elke Yetter, Treasurer/CFO and Budget Director, Mary Jones-Schaming for their tremendous work on putting this budget data together.

Freeholder Fantasia thanked Mr. Poff for all the work and the professionalism shown by everyone.

19. COUNTY COUNSEL REPORT

Mr. Kelly reported about the SCCC Board of Trustees request regarding Mr. Gerald Scanlan. In August SCCC College Board of Trustees sent the Board of Chosen Freeholders a Resolution. In the Resolution it says they [SCCC Board of Trustees] want the Freeholders, “to consider exercising its statutory power to remove Gerald A. Scanlan from the Board of Trustees”.

They asked the Freeholder to consider the matter, but the College Board did not take a position on whether to remove or not to remove Mr. Scanlan. The Resolution came to us without a cover letter or any other documents. Mr. Kelly reached out to Counsels for Mr. Scanlan and the College Board for additional information. Mr. Kelly referenced statute NJSA 18A:64-9 and pointed out that it is supposed to be very hard to remove an elected or appointed official who has been elected or appointed according to law. There needs to be very specific legal findings to do it. Mr. Kelly listed some of the findings that could lead to the removal of an elected and or appointed official and made a comparison to the current impeachment on goings in Washington, DC.

Statutory criterion requires two things. The first is Cause. Mr. Kelly read some examples of Cause and they are not explicable in this matter. The second has to relate to the person’s position and there needs to be a connection to the person’s office in particular. The Board Resolution says “Mr. Scanlan in a role apart from his service as a Trustee” and this was a specific finding by the College Board that what he did was not related to his position with the College. In summary, there is nothing that comes close to cause or the second criteria.

Mr. Kelly has advised the Freeholders that there is nothing to pursue. We fulfilled our mandate with respects to the College’s request and his recommendation is that it concludes the matter.

20. UNFINISHED BUSINESS

21. NEW BUSINESS

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.

Freeholder Deputy Director Petillo amended the time to 3 minutes so everyone can have a change to speak.
MOTION to open the floor for public comment made by Freeholder Hertzberg
Seconded by Freeholder Graham
(Voice vote)- All in favor

Bill Gettler, Wantage, spoke on three items. The first item, he thanked the Tick Squad for an excellent presentation this past Saturday. The second item related to C1 Streams. The third item related to Vernon and Mountain Creek’s financial problems. Due to time limitations, Mr. Gettler was told to continue his comments at a future Freeholder meeting date.

Lauren Jones-Rabbitt said she came to the meeting late and wanted to comment on the Scanlan situation.

Freeholder Director Petillo stated that earlier in the meeting she had given her opinion to this matter. Freeholder Petillo said when you come to this Board it is a matter of the Order of the Law and this has to do with Cause. This situation is not based on my opinion or your opinion; there are certain causes under the Law that can allow for removal of someone from an appointed or elected position and it must be done in your position that you hold. This was not done in Mr. Scanlan’s position on the SCCC Board of Trustees; it was done in a political position.

Neil Kenny, Green Township applauded Mr. Kelly’s response.

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

23. REMINDERS

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<thead>
<tr>
<th>Date/Time</th>
<th>Meeting</th>
<th>Location</th>
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<tbody>
<tr>
<td>October 16 12:30PM</td>
<td>SC Youth Services Commission</td>
<td>FMR</td>
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<tr>
<td>October 17 3:30PM</td>
<td>LACADA</td>
<td>FMR</td>
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<tr>
<td>October 21 7:30PM</td>
<td>Agriculture Dev. Board</td>
<td>FMR</td>
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<tr>
<td>October 23 7PM</td>
<td>Regular Freeholder Meeting</td>
<td>FMR</td>
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<tr>
<td>October 23 9AM</td>
<td>SCHSAC</td>
<td>PSS</td>
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<tr>
<td>October 24 7:30PM</td>
<td>Open Space Committee</td>
<td>FMR</td>
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24. ADJOURNMENT

MOTION to adjourn the meeting at 9:13PM by Freeholder Graham
Seconded by Freeholder Hertzberg
(Voice vote)- All in favor

DATED: October 9, 2019

Respectfully Submitted

Teri Lyons, Clerk