



interfering with the operation of the Sheriff's Office. The Defendant Mikas hung up on him.

7. On September 7, 2016, Plaintiff received an email from Summit Risk Services requesting a video from the interior of the correctional facility.

8. Plaintiff conferred with John Williams, County Counsel, who told him to release it.

9. Again, Plaintiff asked for conflict counsel so he could be advised as to whether it had to be released or not.

10. On September 21, 2016 Plaintiff sent an email to Defendant Mikas asking why he was interfering in the operations of the Sheriff's Department and Plaintiff received no answer.

11. On September 21, 2016, Plaintiff was denied payment of \$50 which he had spent in obtaining an ad for a Ginny's House fundraiser.

12. In June of 2016, Plaintiff received an email from Wantage Township inquiring about dispatch services.

13. On June 24, 2016, Assistant Treasurer Jones indicated that she would have a price for charges to Wantage.

14. However, Plaintiff did not get the pricing until September 22, 2016.

15. On December 14, 2016, Defendant Graham called Plaintiff to discuss the issue of Wantage dispatch.

16. Plaintiff informed Defendant Graham that they could have had Wantage but that Wantage went with Vernon.

17. Defendant Graham told Plaintiff that he held up on giving the pricing because he didn't want the political fallout from Vernon.

18. In not getting the Wantage dispatch, the County lost approximately \$200,000.

19. On December 15, 2016, Plaintiff sent a retainer agreement for conflict counsel to County Counsel John Williams.

20. Plaintiff received no response from Williams until March 3, 2017 at which time Williams told Plaintiff it was denied because he didn't follow proper procedure.

21. Plaintiff then requested what he had to do in order to follow proper procedures to obtain conflict counsel. Williams never responded.

22. In 2016, Plaintiff had \$8,250 for conflict counsel.

23. The money was in the budget when he made the request for conflict counsel.

24. In 2017, the Defendant Freeholders removed all monies for conflict counsel from the budget which was the only item removed from the budget.

25. On April 21, 2017, Plaintiff met with Williams and advised him that he thought Freeholder Graham's conduct in connection with the Wantage dispatching service may have been criminal in nature and that he needed conflict counsel to discuss it.

26. Williams demanded that Plaintiff tell him what the potential crime was and when Plaintiff refused to tell him, Williams got mad and left.

27. On April 19, 2017 and May 5, 2017, Plaintiff met with the new County Administrator, Gregory V. Poff II, to discuss Plaintiff's need for conflict counsel.

28. Plaintiff informed Poff that the Freeholders and the Treasurer were interfering with the operations of the Sheriff's Office.

29. On June 22, 2017, there was a meeting of the Republican County Committee at Sussex County Vocational Technical High School.

30. Plaintiff spoke about the interference that was taking place by the Freeholders and how they were interfering with the operations of the Sheriff's Office.

31. Even though two of the Freeholders in attendance were supposed to speak, Defendant Lazzaro and Petillo, never did.

32. On August 22, 2017, Plaintiff had breakfast with Freeholder Petillo to discuss the

details of the problems he was having in the Sheriff's Office and with the Treasurer.

33. Freeholder Petillo was the liaison to the Sheriff's Office.

34. Freeholder Petillo listened, said she would get back to the Plaintiff but never did.

35. On September 11, 2017, the Sussex County Mosquito Control Commission was spraying in the area of Frankford Township and Branchville.

36. When the Freeholders were questioned as to why they didn't use the emergency 911 system to notify persons in the area of the spraying that the spraying was going to take place, the Freeholder Board falsely stated that there was a problem with the reverse 911 system. They stated further that the problem was technical issues in the Sheriff's Office.

37. Blaming it on the Sheriff's Office was untrue and a letter went out to various agencies throughout the county on September 18th indicating that the problem was a technical issue in the Sheriff's Office.

38. On September 18, 2017, Plaintiff came to work and met with Undersheriff Schanstra who told him that he received a phone call from the Prosecutor's Office requesting information concerning an assault in the correctional facility.

39. The request by the Prosecutor's Office arose out of the fact that the Prosecutor talked to Freeholders Lazzaro and Graham at Sussex County Day which was September 17th and asked the Prosecutor to investigate the assault in the jail.

40. On September 21, 2017, the County Administrator inquired of Plaintiff as to the facts concerning the Woodruff assault in the correctional facility.

41. County Administrator Poff told Plaintiff that he had questions on behalf of the Freeholders about the problem at the jail.

42. This was four days after they referred the matter to the Prosecutor.

43. At that time, Plaintiff told County Administrator Poff that the Freeholders were

harassing him, interfering with the operations of his office and he definitely needed the help of conflict counsel.

44. County Administrator Poff told Plaintiff that John Williams was supposed to tell him the proper procedure to obtain conflict counsel.

45. When Plaintiff informed County Administrator Poff that John Williams had not provided that information, he was surprised.

46. On October 11, 2017, Plaintiff asked for a raise for the confidential assistant IT person, Mark Rozak.

47. There was money in the budget to be used for that purpose but the Freeholders voted against it and consequently, the Sheriff's Office lost the IT person in whom it had great confidence.

48. The Freeholders then ordered that the husband of Mary Jones, who is the Assistant Treasurer, be the IT person at the Sheriff's Office.

49. That person's salary was \$5,000 more than Mark Rozak.

50. The Freeholders reclassified the position from Confidential Assistant to IT Support Person.

51. On October 11, 2017, Freeholder Rose sponsored a resolution authorizing the release of Executive Session minutes involving litigation in the Woodruff case.

52. The release of Executive Session minutes is highly irregular and Freeholder Crabb publically indicated at the Freeholder meeting that what was being done was political retaliation.

53. At the meeting on October 11, 2017, John Williams answered questions and advised the Freeholder Board that in fact he had represented Woodruff at some time in the past.

54. Then, Williams was conflicted out of that case.

55. Williams had already declared that he had a conflict of interest yet he was advising the Board as to the confidential minutes of the Executive Committee.

56. The Freeholders made sure that the Executive Session minutes were released to the press on the day before Thanksgiving of 2017.

57. On October 16, 2017, Plaintiff delivered to Administrator Poff a letter complaining about the hostile work environment that the Freeholders were creating and how it needed to be corrected.

58. In response to Plaintiff's written complaint, Administrator Poff indicated there would be an investigation.

59. Within the last ten days, the Plaintiff has been notified by the County Administrator that the investigation ordered by the Freeholders concerning the Plaintiff's complaints about interference found that the complaints were unsubstantiated. That conclusion was not only erroneous but politically motivated.

60. At the 2018 reorganization meeting, a newly elected Freeholder by the name of Yardley who seemed anxious to deal with the problems that the Sheriff was having, asked to be the liaison to the Sheriff's Department.

61. Instead, the Freeholder Board appointed Defendant Graham who was a significant part of the problem.

62. Eventually, Leo conflicted out of the investigation and it was turned over to Debra Shannon, Esq.

63. To date, the investigation has not reached its conclusion.

64. Even though he was required to meet with the investigator, Debra Shannon, the Plaintiff still lacks conflict counsel.

65. During 2017, Plaintiff wanted to promote an investigator to the position of Undersheriff, which position was needed and pursuant to statute, Plaintiff was authorized to make such a promotion.

66. Defendant Freeholders held a hearing, gave a RICE notice to the person to be promoted and such an inquisition by the Freeholder Board constituted interference in the operations of the Sheriff's Office.

67. There are funds in the budget for the operations of the Sheriff's Office and the Sheriff's Department orders four cars each year.

68. These cars were ordered in 2017 for 2018.

69. Three of the cars were for the operation of the Sheriff's Office and they were delivered on time.

70. The fourth car was to be a replacement for the Sheriff's car and that has, to this date, not arrived and has not been paid for by the Treasurer.

71. During the storms of March 2018, Plaintiff was stationed at the Emergent Operations Office where 911 calls are taken and emergency dispatch is conducted.

72. During the period of the first Nor'easter, the County 911 dispatch took in 981 calls and made 500 dispatches for emergency services.

73. Not one call was lost nor was any required dispatch not made.

74. On Sunday, March 4, 2018, Freeholder George Graham appeared at the Emergency Operations Center and indicated to the Plaintiff that they did a good job but they could have done better.

75. When Plaintiff inquired as to Graham's meaning of that statement, Graham said he received calls yet he could not substantiate any one call.

**FIRST COUNT**

1. Plaintiff repeats each and every allegation as if set forth at length herein.
2. The actions of the Defendants described herein constitute interference in the operation of the Sheriff's Office which interference is prohibited by statute.

**WHEREFORE**, Plaintiff demands judgment against Defendants for compensatory damages, punitive damages, cost of suit, counsel fees and such other relief as the Court deems just and equitable.

**SECOND COUNT**

1. Plaintiff repeats each and every allegation as if set forth at length herein.
2. The conduct of the Defendants herein have created a hostile work environment against the Plaintiff which resulted in the Defendants' interference with the operation of the Sheriff's Office.

**WHEREFORE**, Plaintiff demands judgment against Defendants for compensatory damages, punitive damages, cost of suit, counsel fees and such other relief as the Court deems just and equitable.

**THIRD COUNT**

1. Plaintiff repeats each and every allegation as if set forth at length herein.
2. The interference in the lawful operation of the Sheriff's Office is in retaliation for the Sheriff having reported the illegal activities of the Defendants.
3. The actions by the Defendants constitutes a violation of the Conscientious Employee Protection Act (CEPA; N.J.S.A. 34:19-1, et. seq.).

**WHEREFORE**, Plaintiff demands judgment against Defendants for compensatory damages, punitive damages, cost of suit, counsel fees and such other relief as the Court deems just and equitable.

**CERTIFICATION OF NO OTHER ACTIONS**

I certify to the best of my knowledge and belief that the dispute is not the subject of any other action pending in any other court or a pending arbitration proceeding.

Also, to the best of my knowledge and belief no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this complaint, I know of no other parties that should be made a part of this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

**TRIAL COUNSEL DESIGNATION**

Pursuant to Rule 4:25-4, George T. Daggett, Esq. has been designated as trial counsel on behalf of Plaintiff in the above-captioned matter.

**JURY DEMAND**

The Plaintiff demands trial by a jury on all of the triable issues of this complaint, pursuant to New Jersey Court *Rules* 1:8-2(b) and 4:35-1(a).

Dated: April 24, 2018

LAW OFFICES OF GEORGE T. DAGGETT  
Attorney(s) for Plaintiff

By: George T. Daggett  
GEORGE T. T DAGGETT