

ATLANTIC COUNTY BOARD OF CHOSEN FREEHOLDERS
Stillwater Building, 201 Shore Road
Northfield, New Jersey

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Minutes of Meeting
October 28, 2008

CALL TO ORDER

A Regular meeting of the Atlantic County Board of Chosen Freeholders was called to order by Chairman Joseph F. Silipena at 4 p.m., Eastern Standard Time, on the above-mentioned date at the Stillwater Building, Northfield, NJ.

OPEN PUBLIC MEETING STATEMENT

Statement of Open Public Meeting Compliance: Pursuant to the Open Public Meeting Act, Chairman Joseph Silipena announced that adequate notice of this meeting, as required by said Act, has been provided to The Press, the Mainland Journal, posted on the bulletin boards at 1333 Atlantic Avenue, Atlantic City, the Stillwater Building, 201 Shore Road, Northfield and the County Clerk's Office in Mays Landing.

PRAYER AND FLAG SALUTE

The prayer was led by Freeholder Frank Sutton followed by the flag salute led by Freeholder Chairman Joseph Silipena.

ROLL CALL

The following roll call was recorded: PRESENT: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena. ABSENT: Curcio (Arrived 4:23 p.m.).

MINUTES OF MEETING OCTOBER 21, 2008

Freeholder Cooper moved and Freeholder Giordano seconded a motion to dispense with the reading of the October 21, 2008, minutes and approve them as presented.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena. NAYS: None. ABSTENTIONS: None. ABSENT: Curcio.

RESOLUTION NO. 628 MEMORANDUM OF AGREEMENT WITH CWA LOCAL 1040

Freeholder Giordano moved and Freeholder Russo seconded a motion to modify the agenda, placing Resolution No. 628 for consideration first.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None. ABSENT: Curcio.

Freeholder McDevitt moved and Freeholder Sutton seconded a motion to enter into a Memorandum of Agreement with CWA Local 1040 for a four-year period commencing January 1, 2008.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: Dase. ABSENT: Curcio.

RESOLUTION NO. 591 JOINT COOPERATION AGREEMENT REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Freeholder Giordano moved and Freeholder Russo seconded a motion to execute a joint cooperation agreement with the town of Hammonton regarding the Community Development Block Grant Program.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None. ABSENT: Curcio.

**COMBINE AND ADOPT
RESOLUTIONS NO. 592 TO
612**

Freeholder Russo moved and Freeholder Giordano seconded a motion to combine and adopt Resolutions No. 592 to 612.

The above-mentioned motion was adopted by the following roll call:
AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Sutton, and Silipena:
NAYS: Russo (Resolutions No. 599 and 606). ABSTENTIONS: None.
ABSENT: Curcio.

**RESOLUTION NO. 592
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Atlantic City for the implementation of the County Municipal Open Space Partnership Program to acquire approximately 3.02 acres of land known as Block 320, Lots 12, 15, 16, 18, 20, 23 & 24 and Blocks 321, Lots 1, 12, 14, 15, P/O 19, 26 & 27 for an amount not to exceed \$400,000.00.

**RESOLUTION NO. 593
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Brigantine for the implementation of the County Municipal Open Space Partnership Program to acquire approximately 1.24 acres of land known as Block 3602, p/o Lot 27 for an amount not to exceed \$1,950,000.00.

**RESOLUTION NO. 594
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Port Republic for the implementation of the County Municipal Open Space Partnership Program to acquire approximately 2.75 acres of land known as Block 24, Lot 33 for an amount not to exceed \$400,000.00.

**RESOLUTION NO. 595
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Absecon for the implementation of the County Municipal Open Space Partnership program for playground renovations at Pitney and Heritage Parks for an amount not to exceed \$74,587.00.

**RESOLUTION NO. 596
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the Borough of Buena for the implementation of the County Municipal Open Space Partnership Program for the Blackwater Pond Park Path extensions and the North-South Boulevard Bike Path Extension - Buena Borough Bike Path, Phase III for an amount not to exceed \$108,500.00.

**RESOLUTION NO. 597
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Corbin for the implementation of the County Municipal Open Space Partnership Program for the Corbin City Station for an amount not to exceed \$90,000.00.

**RESOLUTION NO. 598
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Egg Harbor for the implementation of the County Municipal Open Space Partnership Program for rehabilitation of the Lafayette Fire House for an amount not to exceed \$162,581.25.

**RESOLUTION NO. 599
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Estell Manor for the implementation of the County Municipal Open Space Partnership Program for the construction of the Estell Manor Soccer Complex for an amount not to exceed \$326,950.00.

**RESOLUTION NO. 600
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Linwood for the implementation of the County Municipal Open Space Partnership Program for the construction of the Belhaven Park Arboretum for an amount not to exceed \$143,749.50.

**RESOLUTION NO. 601
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the Borough of Longport for the implementation of the County Municipal Open Space Partnership Program for reconstruction of recreational facilities at the 33rd Avenue Recreational Complex for an amount not to exceed \$221,779.50.

**RESOLUTION NO. 602
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Margate for the implementation of the County Municipal Open Space Partnership Program for redevelopment of two playgrounds at Decatur Avenue and Liberty Park for an amount not to exceed \$186,105.00.

**RESOLUTION NO. 603
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the Township of Mullica for the implementation of the County Municipal Open Space Partnership Program to construct a concession and restroom building at the Recreation Field for an amount not to exceed \$75,000.00.

**RESOLUTION NO. 604
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Pleasantville for the implementation of the County Municipal Open Space Partnership Program for construction of bulkheads and walkway to protect existing open space for an amount not to exceed \$95,992.50.

**RESOLUTION NO. 605
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Somers Point for the implementation of the County Municipal Open Space Partnership Program for reconstruction of the running track and street hockey courts at Kern Field for an amount not to exceed \$60,780.00.

**RESOLUTION NO. 606
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the Township of Weymouth for the implementation of the County Municipal Open Space Partnership Program for construction of the Dorothy Railroad Station Park for an amount not to exceed \$60,000.00.

**RESOLUTION NO. 607
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the Township of Egg Harbor for the implementation of the County Municipal Open Space Partnership Program for the reconstruction of a new field house and additional parking at Childs-Kirk Park for an amount not to exceed \$400,000.00.

**RESOLUTION NO. 608
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the Township of Galloway for the implementation of the County Municipal Open Space Partnership Program for construction of a multi-use athletic facility for Tartaglio Park for an amount not to exceed \$400,000.00.

**RESOLUTION NO. 609
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the Township of Hamilton for the implementation of the County Municipal Open Space Partnership Program for construction of new football fields and expansion of the parking area at the Liepe Tract Recreation Complex, Phase 3 for an amount not to exceed \$400,000.00.

**RESOLUTION NO. 610
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the Town of Hammonton for the implementation of the County Municipal Open Space Partnership Program for construction of 300 +/- parking spaces, and improvements to vehicular and pedestrian movement and storm water drainage at Hammonton Lake Park for an amount not to exceed \$400,000.00.

**RESOLUTION NO. 611
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Northfield for the implementation of the County Municipal Open Space Partnership Program for reconstruction of the new concession stand/pavillion area with restrooms and storage area at Birch Grove Park for an amount not to exceed \$300,000.00.

**RESOLUTION NO. 612
MUNICIPAL OPEN SPACE
PARTNERSHIP PROGRAM**

Agreement with the City of Ventnor for the implementation of the County Municipal Open Space Partnership Program for reconstruction of the Ventnor Fishing Pier for an amount not to exceed \$200,000.00.

**RESOLUTION NO. 613
AMENDING RESOLUTION
NO. 40 (/1/22/08)
REGARDING THE
COUNTY MUNICIPAL
OPEN SPACE
PARTNERSHIP PROGRAM**

Freeholder Cooper moved and Freeholder Giordano seconded a motion to amend Resolution No. 40 (1/22/08) regarding an agreement with the Township of Egg Harbor extending the term of the contract for acquisition of Block 3104, Lot 43 until November 30, 2009 at no additional cost.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena; NAYS: None. ABSTENTIONS: None. ABSENT: Curcio.

**RESOLUTION NO. 614
AMENDING RESOLUTION
NO. 302 (6/13/06)
REGARDING AN
AGREEMENT FOR THE
COUNTY MUNICIPAL
OPEN SPACE
PARTNERSHIP PROGRAM**

Freeholder Sutton moved and Freeholder Dase seconded a motion to amend Resolution No. 302 (6/13/06) regarding an agreement with the City of Port Republic deleting the acquisition of Block 31, Lot 2 and reallocating \$175,000.00 for acquisition of Block 37, Lot 7 and Block 31, Lot 1 increasing the total amount available for the acquisition to \$425,000.00.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None. ABSENT: Curcio.

**RESOLUTION NO. 615
AMENDING RESOLUTION
NO. 456 (8/22/06)
REGARDING AN
AGREEMENT FOR THE
COUNTY MUNICIPAL
OPEN SPACE
PARTNERSHIP PROGRAM**

Freeholder Cooper moved and Freeholder Russo seconded a motion to amend Resolution No. 456 (8/22/06) amending an agreement with the City of Atlantic City extending the time for completion of the improvements to the Uptown Park until December 31, 2008 at no addition cost.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None. ABSENT: Curcio.

**RESOLUTION NO. 616
AMENDING RESOLUTION
NO. 455 (8/22/06)
REGARDING AN
AGREEMENT FOR THE
COUNTY MUNICIPAL
OPEN SPACE
PARTNERSHIP PROGRAM**

Freeholder Cooper moved and Freeholder Giordano seconded a motion to amend Resolution No. 455(8/22/06), an agreement with the City of Atlantic City extending the time for completion of the improvements to the Altman Field Project until December 31, 2008 at no additional cost.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None. ABSENT: Curcio.

**RESOLUTION NO. 617
AMENDING RESOLUTION
NO. 37 (1/22/08) FOR THE
COUNTY MUNICIPAL
OPEN SPACE
PARTNERSHIP PROGRAM**

Freeholder Sutton moved and Freeholder Cooper seconded a motion to amend Resolution No. 37 (1/22/08) regarding an agreement with the Township of Buena Vista allocating an additional \$95,000.00 in the County Municipal Open Space Tax Funds for the acquisition of approximately 0.7796 acres, Block 4529, Lot 1 for total funding not to exceed \$265,000.00.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None. ABSENT: Curcio.

**RESOLUTION NO. 618
AMENDING RESOLUTION
NO. 542 (10/23/07) FOR THE
COUNTY MUNICIPAL
OPEN SPACE
PARTNERSHIP PROGRAM**

Freeholder Giordano moved and Freeholder Sutton seconded a motion to amend Resolution No. 542 (10/23/07) regarding an agreement with the Borough of Folsom allocating an additional \$69,525.00 for acquisition of Block 1201, Lots 3 and 4 for a total funding not to exceed \$213,600.00.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None. ABSENT: Curcio.

**RESOLUTION NO. 619
AMENDING RESOLUTION
NO. 513 (9/23/08)
REGARDING ON-LINE
AUCTION**

Freeholder Sutton moved and Freeholder Garrett seconded a motion to amend Resolution No. 513 (9/23/08), an amendatory agreement with Auction Liquidation Services to conduct online auctions for the Atlantic County Cooperative for an additional amount not to exceed \$6,000.00 and for a total amendatory contract amount not to exceed \$9,000.00.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, and Sutton: NAYS: Silipena. ABSTENTIONS: None. ABSENT: Curcio.

**RESOLUTION NO. 620
RENEWAL AGREEMENT
FOR DENTAL BENEFITS
FOR COUNTY
EMPLOYEES**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to enter into a renewal agreement with Benecare/Atlantic Southern Dental Foundation to provide dental benefits for eligible employees for a three-year period for amounts not to exceed \$1,492,913.41 (First Year); \$1,545,149.16 (Second Year); and \$1,599,195.60 (Third Year).

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Curcio, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: Dase.

**RESOLUTION NO. 621
RENEWAL AGREEMENT
FOR OPTICAL BENEFITS
FOR COUNTY
EMPLOYEES**

Freeholder Giordano moved and Freeholder Sutton seconded a motion to enter into a renewal agreement with Horizon Eye Care to provide optical benefits to employees of Atlantic County for a three-year period for an annual amount not to exceed \$132,066.00 and for a total three-year contract amount not to exceed \$396,198.20.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Curcio, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena. NAYS: None. ABSTENTIONS: Dase.

**RESOLUTION NO. 622
BID CONTRACT FOR 2008
OR NEWER
REFRIGERATED/HEATED
FOOD DELIVERY
VEHICLE**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to award a bid contract to Northeast Auto Outlet for three (3) 2008 or newer refrigerated/heated food delivery vehicle for an amount not to exceed \$104,706.15 for all three vehicles.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Curcio, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None.

**RESOLUTION NO. 623
APPROVING
PARTICIPATION WITH
THE STATE OF NEW
JERSEY, DIVISION OF
CRIMINAL JUSTICE,
OFFICE OF INSURANCE
FRAUD PROSECUTOR**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to authorize a grant application to the New Jersey Division of Criminal Justice, Office of Insurance Fraud Prosecutor for the County Prosecutor Insurance Fraud Reimbursement Program for funding not to exceed \$154,080.00.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Curcio, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None.

**RESOLUTION NO. 624
AMENDING RESOLUTION
NO. 283 (5/20/08)
REGARDING A SECTION
5311 GRANT FROM NEW
JERSEY TRANSIT**

Freeholder Curcio moved and Freeholder Giordano seconded a motion to amend Resolution No. 283 (5/20/08), authorizing an amendatory agreement with the New Jersey Transit for Section 5311 grant funds for an additional amount not to exceed \$32,661.50 and for a total amendatory grant amount not to exceed \$322,910.00 subject to a total cash match of \$96,910.00 by the County.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Curcio, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None.

**RESOLUTION NO. 625
TIDELANDS LICENSE
AGREEMENT FOR
MAINTENANCE OF
BRIDGE CROSSING OVER
PATCONG CREEK ON
CENTRAL AVENUE IN
CITY OF LINWOOD AND
TOWNSHIP OF EGG
HARBOR**

Freeholder Giordano moved and Freeholder Sutton seconded a motion to accept a Tidelands License from the State of New Jersey, Department of Environmental Protection for maintenance of a bridge crossing over Patcong Creek on Central Avenue (CR 661), in the City of Linwood and the Township of Egg Harbor for a per annum fee of \$360.00 for a seven-year term.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Curcio, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None.

**COMBINE AND ADOPT
RESOLUTIONS NO. 626
AND 627**

Freeholder Giordano moved and Freeholder Curcio seconded a motion to combine and adopt Resolutions No. 626 and 627.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Curcio, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None.

**RESOLUTION NO. 626
CHAPTER 159**

Insertion into the budget of funds received from the South Jersey Transportation Planning Organization for the Sub-regional Transportation Planning Program FY09 for an amount not to exceed \$83,200.00.

**RESOLUTION NO. 627
CHAPTER 159**

Insertion into the budget of funds received from the State of New Jersey, Department of Community Affairs for Peer Grouping 2008 in the amount of \$4,460.00 and for Recreational Opportunities for Individuals with Disabilities 2009 (ROID) in the amount of \$22,300.00.

RESOLUTION NO. 628

Moved on agenda as first item for consideration.

**RESOLUTION NO. 629
IN SUPPORT OF SALES
TAX HOLIDAY
REDUCTION**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to adopt a Resolution in support of the Sales Tax Holiday Reduction sponsored by Freeholder Joseph J. McDevitt.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Curcio, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None.

**RESOLUTION NO. 630
SUPPORTING SENATE
BILL NO. 1830**

Freeholder Sutton moved and Freeholder Cooper seconded a motion to adopted a Resolution in support of Senate Bill No. 1830 which would increase funding of the Senior Citizen and Disabled Resident Transportation Assistance Program sponsored by Freeholder Tom Russo.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Curcio, Dase, Garrett, Giordano, McDevitt, Russo, Sutton, and Silipena: NAYS: None. ABSTENTIONS: None.

PUBLIC PORTION

Freeholder Chairman Silipena opened the meeting to the public at 4:44 p.m.

Ray Schilling (Brigantine resident) questioned if the Freeholders had voted for the \$1 million Municipal Open Space Fund for Brigantine? He requested to observe the pictures of the site distributed to the Freeholders.

James Levins (506 Caverly Drive, Brigantine) commended the Board on voting in favor of the acquisition by the City of Brigantine.

Mr. Raymond Sagnis (Brigantine resident) stated that he understood there is an appeal process for the County Municipal Open Space Partnership Program and he had forwarded an appeal to Ranee Fehr.

Mr. Sagnis was informed the appeal had not been received.

There were no further public comments and Chairman Silipena closed the public portion of the meeting at 4:57 p.m.

**FREEHOLDER
COMMENTS**

Freeholder Chairman Silipena asked if there were any Freeholder comments.

Freeholder Russo stated that any Open Space that can be acquired in the beach communities is a benefit.

Freeholder Dase asked how volunteer fire departments get funds.

Freeholder Chairman Silipena attended the Mayors Association meeting regarding Central Dispatch throughout the entire County.

**WRITTEN
CORRESPONDENCE**

There was written correspondence for the period of October 22, 2008 to October 28, 2008.

ADJOURNMENT

There was no further business. Freeholder Giordano moved and Freeholder Sutton seconded a motion to adjourn the Freeholder Meeting. The motion was unanimously passed. The meeting was adjourned at 5:02 p.m.

Submitted by,

Sonya G. Harris,
Clerk to the Board