

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

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Minutes of Meeting
March 31, 2009

CALL TO ORDER

A Regular meeting of the Atlantic County Board of Chosen Freeholders was called to order by Chairman James Curcio at 4 p.m., Eastern Daylight Savings Time, on the above-mentioned date at the Stillwater Building in Northfield.

**OPEN PUBLIC MEETING
STATEMENT**

Statement of Open Public Meeting Compliance: Pursuant to the Open Public Meeting Act, Chairman Curcio 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 Rich Dase followed by the flag salute led by Chairman James Curcio.

ROLL CALL

The following roll call was recorded: PRESENT: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Schroeder, Sutton and Curcio. ABSENT: None.

**MINUTES OF MEETING
MARCH 10, 2009**

Freeholder Giordano moved and Freeholder Cooper seconded a motion to adopt and dispense with the reading of the March 10, 2009 minutes.

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

RECOGNITION

The Board presented a resolution acknowledging the Mays Landing Rotary Club and congratulating sponsored exchange student Diana Calinoiu.

**BOND ORDINANCE NO. 2-2009
FINAL READING
APPROPRIATING \$3,870,000.00
FOR VARIOUS CAPITAL
IMPROVEMENTS**

Freeholder Sutton moved and Freeholder Cooper seconded a motion to adopt on final reading Bond Ordinance No. 2 of 2009 providing for various improvements or purposes to be undertaken by the County of Atlantic, New Jersey, and appropriating \$3,870,000.00 therefore from the Capital Improvement Fund of the County.

Chairman Curcio opened the meeting to the Public for their input on Bond Ordinance No. 2, 2009 at 4:10 p.m. Being none, Chairman Curcio closed the public portion at 4: 10 p.m.

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

**ORDINANCE NO. 2-2009
FIRST READING
DESIGNATING THE
INTERSECTION OF
BREWSTER ROAD WITH
WEYMOUTH - MALAGA
ROAD IN BUENA BOROUGH
AS AN ALL-WAY STOP
INTERSECITON**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to introduce on first reading Ordinance No. 2 of 2009 designating the intersection of Brewster Road (CR 672) with Weymouth-Malaga Road (CR 690) in the Borough of Buena as an all-way stop intersection.

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

**RESOLUTION NO. 105
FINAL READING
ADOPTION OF 2009
ATLANTIC COUNTY BUDGET**

Freeholder Russo moved and Freeholder Dase seconded a motion to adopt on final reading the 2009 Atlantic County Budget.

Chairman Curcio opened the meeting for public comment regarding the 2009 Atlantic County Budget at 4:19 p.m.

County Executive Dennis Levinson spoke regarding an adjustment to the budget because of the animal shelter and mosquito unit being moved to Public Health. A member of the public spoke regarding the value of uncompensated items and the shortfalls of anticipated revenue in the 2009 budget. Jane Lugo responded.

There were no further public comments and the public portion was closed at 4:28 p.m.

Chairman Curcio asked for any Freeholders comments regarding the budget.

Freeholder Cooper stated the County must continue to do more with less. Freeholder Cooper stated she would be voting yes.

Freeholder Russo thanked the Administration for the accomplishments regarding the 2009 budget.

Freeholder Schroeder had some concerns about the cost of labor counsel for outside arbitration. The County is losing in these arbitrations. He also expressed concern over the cost of travel expenses for county vehicles. Freeholder Schroeder read a statement into the record as to why he was voting no.

Freeholder Giordano spoke regarding his support for the 2009 budget.

Freeholder McDevitt concurred with Freeholder Giordano. He stated that the County is taking a hard road on the 2009 budget and he is voting in favor of it.

Freeholder Dase questioned which services do we cut when we have to cut the budget? He too will be voting in favor of the budget.

Freeholder Garrett stated that he served on the Budget and Finance Committee and he was voting yes for the 2009 budget.

Freeholder Sutton thanked the employees who agreed to take furlough time in order to avoid layoffs. He is voting yes.

The County Executive asked questions and a lengthy discussion ensued.

Freeholder Schroeder questioned the increases in the Animal Shelter's budget (27%) and the Mosquito Control Unit's budget (21%) after the move to Public Health. The reason for this is the fringe benefits (See Resolution No. 105A).

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

**RESOLUTION NO. 105 A
AMENDMENTS TO 2009
COUNT BUDGET**

Freeholder Russo moved and Freeholder Giordano seconded a motion to adopt the amendments to the 2009 Budget in accordance with N.J.S.A. 40A:4-9.

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

**RESOLUTION NO. 106
FINAL READING**

Freeholder Giordano moved and Freeholder Cooper seconded a motion to adopt on the final reading of the 2009 Atlantic County Public Health Agency Budget.

**ATLANTIC COUNTY PUBLIC
HEALTH AGENCY BUDGET**

Chairman Curcio opened the meeting to the public at 5:24 for comments on the Public Health Budget. Being none, Chairman Curcio closed the public portion at 5:24 p.m.

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

**RESOLUTION NO. 107
FINAL READING OF THE 2009
ATLANTIC COUNTY
LIBRARY BUDGET**

Freeholder Giordano moved and Freeholder Cooper seconded a motion to adopt on the final reading of the 2009 Atlantic County Library Budget.

Chairman Curcio opened the meeting to the public at 5:24 p.m. for their comments regarding the 2009 Library Budget.

Mr. Creed Pogue of 169 Cumberland Avenue in Estell Manor felt that the Library budget was a good budget.

Mr. William Paulin, Director of the Atlantic County Library thanked the Board for their positive comments.

Chairman Curcio closed the public portion at 5:27 p.m.

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

**RESOLUTION NO. 108
FINAL READING TO EXCEED
THE COUNTY BUDGET
APPROPRIATION LIMITS
AND ESTABLISH A 2009 CAP
BANK**

Freeholder Sutton moved and Freeholder Cooper seconded a motion to adopt on final reading a resolution to exceed the County Budget appropriation limits and to establish a 2009 Cap Bank (N.J.S.A. 40A:4-45.14).

Chairman Curcio opened the meeting to the public at 5:27 for their comment regarding Resolution No. 108. Being none, Chairman Curcio closed the public portion at 5:27 p.m.

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

**RESOLUTION NO. 142
(TABLED ON 3/24/09)
SUPPORTING THE JESSICA
LUNSFORD ACT**

Freeholder Dase moved and Freeholder Garrett seconded a motion to remove Resolution No. 142 from the table.

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

Freeholder Giordano moved and Freeholder Sutton seconded a motion to adopt a resolution in support of Senate Bill No. 155 and Assembly Bill No. 3128 regarding the "Jessica Lunsford Act" pending action in the New Jersey Legislature.

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

**RESOLUTION NO. 144
TRANSFER RESOLUTION**

Freeholder Giordano moved and Freeholder Dase seconded a motion to adopt a transfer resolution in accordance with N.J.S. 40A:4-58 transferring funds in the 2008 appropriation of the County of Atlantic.

The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Schroeder, Sutton, and

Curcio. NAYS: None. ABSTENTIONS: None.

**RESOLUTION NO. 145
AMENDING RESOLUTION
NO. 500 (9/25/07) REGARDING
INSTALLATION
MAINTENANCE OF AN
INTEGRATED LIBRARY
SYSTEM**

Freeholder Sutton moved and Freeholder Dase seconded a motion to amend Resolution No. 500 adopted on September 25, 2007 regarding a contract with Sirsi Dynix, Inc. for installation maintenance of a new integrated library system for additional consultation for an amount not to exceed \$9,240.00 and for a total amendatory contract amount not to exceed \$533,585.00.

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

**RESOLUTION NO. 146
SUPPLEMENTAL
CONTRACTS FOR LIBRARY
GOODS AND SERVICES
FROM VARIOUS VENDORS**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to award supplemental contracts to Ebsco Subscription Services and Gaylord Brothers for Library goods and services, supplementing Resolution No. 83 of 2009 for a total aggregate sum not to exceed \$100,000.00.

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

**RESOLUTION NO. 147
PROFESSIONAL SERVICES
CONTRACT FOR SERVICES
AS MEDICAL DIRECTOR**

Freeholder Giordano moved and Freeholder Sutton seconded a motion to award a professional services contract with Dr. Austin Gerber to provide services as Medical Director for Meadowview Nursing Home for an amount not to exceed \$40,000.00.

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

**RESOLUTION NO. 148
FOR LABORATORY AND
PHLEBOTOMY SERVICES TO
MEADOWVIEW NURSING
HOME RESIDENTS**

Freeholder Giordano moved and Freeholder Cooper seconded a motion to award a professional services contract to AtlantiCare Health Services to provide laboratory and phlebotomy services to Meadowview Nursing Home residents for an amount not to exceed \$11,700.00.

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

**RESOLUTION NO. 149
BID CONTRACT FOR
LEASING OF SIXTY GOLF
CARTS**

Freeholder Sutton moved and Freeholder Dase seconded a motion to award a bid contract to Golf Car Specialties, lowest responsible bidder, for leasing 60 golf carts for an amount not to exceed \$119,640.60.

Freeholder Giordano moved and Freeholder Dase moved to suspend rules to allow Mr. Pogue to speak.

Mr. Pogue of Estell Manor questioned which line item does this come out of. Response: Greentree Golf. Mr. Pogue state that last year Greentree lost money.

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

**RESOLUTION NO. 150
BID CONTRACT FOR LAW
ENFORCEMENT UNIFORMS**

Freeholder Giordano moved and Freeholder Dase seconded a motion to award a bid contract for law enforcement uniforms to This and That Uniforms, lowest responsible bidder, for an amount not to exceed \$27,000.00.

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

COMBINE AND ADOPT

Freeholder Garrett moved and Freeholder Cooper seconded a motion to combine

- RESOLUTIONS NO. 151 TO 154** and adopt Resolutions No. 151 to 154.
- The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Schroeder, Sutton, and Curcio. NAYS: None. ABSTENTIONS: None.
- RESOLUTION NO. 151
GRANT APPLICATION FOR
THE HISTORICAL GRANT
PROGRAM** Grant application to the New Jersey State Historical Commission for the Historical Grant Program for funding in the amount of \$10,000.00.
- RESOLUTION NO. 152
GRANT APPLICATION FOR A
VICTIM ASSISTANCE GRANT** Grant application to the New Jersey Division of Criminal Justice, Office of Victim Witness Advocacy for a Victim Assistance Grant for funding in the amount of \$241,525.00 subject to a County in-kind match of \$60,381.00.
- RESOLUTION NO. 153
GRANT APPLICATION FOR
FY 2009 STATE AID** Grant application to the New Jersey Department of Transportation for FY 2009 State Aide for funding in the amount of \$3,164,000.00 for various projects.
- RESOLUTION NO. 154
GRANT APPLICATION FOR
THE NEW FREEDOM
PROGRAM** Grant application to the New Jersey Transit Corporation for a grant under the Federal Transit Act for the New Freedom Program for funding in the amount of \$236,525.00 subject to a County in-kind match of \$59,131.25.
- RESOLUTION NO. 155
GRANT APPLICATION FOR
GREEN ACRES FUNDING** Freeholder Russo moved and Freeholder Cooper seconded a motion to submit a grant application to the New Jersey Department of Environmental Protection for Green Acres Funding for funding in the amount of \$9,600,000.00.
- The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Schroeder, Sutton, and Curcio. NAYS: None. ABSTENTIONS: None.
- RESOLUTION NO. 156
ENDORING THE NEW
JERSEY PINELANDS
BIRDING AND WILDLIFE
TRAILS** Freeholder Giordano moved and Freeholder Schroeder seconded a motion to endorse the New Jersey Pinelands Birding and Wildlife Trails (Sponsor: Freeholder Frank Sutton).
- The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Schroeder, Sutton, and Curcio. NAYS: None. ABSTENTIONS: None.
- RESOLUTION NO. 157
SUPPORTING LEGISLATION
EXEMPTING DISABLED
VETERANS FROM CERTAIN
LICENSE AND PERMIT FEES** Freeholder Giordano moved and Freeholder Cooper seconded a motion to support legislation exempting disabled veterans from certain license and permit fees.
- Freeholder Giordano moved and Freeholder Schroeder seconded a motion to suspend rules to permit Bryan Roscoe to speak.
- The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Schroeder, Sutton, and Curcio. NAYS: None. ABSTENTIONS: None.
- Mr. Bryan Roscoe addressed the Board regarding Resolution No. 157.
- Freeholder Giordano moved and Freeholder Sutton seconded a motion to table Resolution No. 157.
- The above-mentioned motion was adopted by the following roll call: AYES: Cooper, Dase, Garrett, Giordano, McDevitt, Russo, Schroeder, Sutton, and Curcio. NAYS: None. ABSTENTIONS: None.
- RESOLUTION NO. 158** Freeholder Sutton moved and Freeholder Giordano seconded a motion to urge the

**URGING THE ASSEMBLY TO
PASS ASSEMBLY BILL A-3148
TO AMEND THE 2008 LAW
REGARDING THE
COLLECTION OF NON-
RESIDENTIAL
DEVELOPMENT FEES TO
ADDRESS AN INEQUITY**

Assembly to pass Assembly Bill A-3148 to amend the 2008 Law (P.L. 2008, C. 46) regarding the collection of non-residential development fees to address an inequity.

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

**RESOLUTION NO. 159
ACKNOWLEDGING THE
MAYS LANDING ROTARY
CLUB AND
CONGRATULATING
SPONSORED EXCHANGE
STUDENT DIANA CALINOIU**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to adopt a resolution acknowledging the Mays Landing Rotary Club and congratulating sponsored exchange student Diana Calinoiu.

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

PUBLIC PORTION

Chairman Curcio opened the meeting to the public for their comments at 5:53 p.m. Being none, Chairman Curcio closed the public portion at 5:53 p.m.

FREEHOLDERS COMMENTS

Freeholder Schroeder is still getting calls from crew parents. Also there will be a New Jersey Pinelands sub-committee meeting on April 6, 2009 at 9:30 a.m. in Hamilton Township.

**WRITTEN
CORRESPONDENCE**

Written Correspondence was received by this office from March 25 to March 31, 2009.

ADJOURNMENT

Chairman Curcio asked the Board for a motion to adjourn the meeting. Freeholder Giordano moved and Freeholder Cooper seconded a motion to adjourn the Freeholder meeting. The motion was unanimously passed to adjourn the meeting at 5:55 p.m.

Submitted by,

**Sonya G. Harris
Clerk to the Board**