

ATLANTIC COUNTY BOARD OF CHOSEN FREEHOLDERS
Mays Landing Government Complex (Old Historic Courthouse)
5909 Main Street, Mays Landing, New Jersey

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Minutes of Meeting
February 23, 2010

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 Standard Time, on the above-mentioned date at the Mays Landing Government Complex (Old Historic Courthouse), 5909 Main Street, Mays Landing, New Jersey.

OPEN PUBLIC MEETING STATEMENT

Statement of Open Public Meeting Compliance: Pursuant to the Open Public Meetings 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 McDevitt followed by the flag salute led by Chairman Curcio.

ROLL CALL

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

MINUTES OF MEETING JANUARY 26, 2010

Freeholder Giordano moved and Freeholder Cooper seconded a motion to adopt and dispense with the reading of the January 26, 2010 minutes.

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

PRESENTATION

Joshua Carmen from the Atlantic County Institute of Technology was presented the NJAC Foundation and Wal*Mart Foundation Green Internship Program Award.

ORDINANCE NO. 5 - 2010 FINAL READING DESIGNATING THE INTERSECTION OF SPRUCE AVENUE (CR 684) AND WEST JERSEY AVENUE IN EGG HARBOR TOWNSHIP AS AN ALL-WAY STOP INTERSECTION

Freeholder Sutton moved and Freeholder Giordano seconded a motion to adopt on final reading Ordinance No. 5 of 2010 designating the Intersection of Spruce Avenue (CR 684) with West Jersey Avenue in the Township of Egg Harbor as an all-way stop intersection.

Chairman Curcio opened the meeting to the public for their input on Ordinance No. 5 of 2010 at 4:15 p.m. Being none, Chairman Curcio closed the public portion at 4:15 p.m.

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

ORDINANCE NO. 6 - 2010 FINAL READING ACQUISITION OF A PARCEL OF REAL PROPERTY IN GALLOWAY TOWNSHIP BY MEANS OF AGREEMENT OR BY CONDEMNATION

Freeholder Giordano moved and Freeholder Dase seconded a motion to adopt on final reading Ordinance No. 6 of 2010 authorizing acquisition of a parcel of real property located at the intersection of Jimmie Leeds Road and Sixth Avenue in Galloway Township, Atlantic County, New Jersey by means of agreement or by condemnation pursuant to N.J.S.A. 40A:12-1 et seq., and N.J.S.A. 20:3-1 et seq., said parcel of property being P/O Block 981.01, Lot 21 on the tax map of Galloway Township for an amount not to exceed \$131,750.00.

Chairman Curcio opened the meeting to the public for their input on Ordinance No. 6 of 2010 at 4:17 p.m. Being none, Chairman Curcio closed the public portion at 4:17 p.m.

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

**ORDINANCE NO. 7 OF 2010
FIRST READING
AMENDING THE ATLANTIC
COUNTY SOLID WASTE
MANAGEMENT PLAN TO
AUTHORIZE SOLID WASTE
FLOW CONTROL**

Freeholder Sutton moved and Freeholder Formica seconded a motion to introduce on first reading Ordinance No. 7 of 2010, amending the Atlantic County Solid Waste Management Plan to authorize solid waste flow control.

Freeholder Giordano moved and Freeholder Sutton seconded a motion to suspend the rules and open the meeting to the public on first reading. The motion was unanimously passed.

Chairman Curcio opened the meeting to the public for their input on Ordinance No.7 of 2010 at 4:18 p.m.

Mayor Venezia of Estell Manor questioned why Ordinance No. 7 of 2010 had to be introduced at today's meeting when the ACUA hadn't received confirmation of debt service from the State. When will the ACUA receive confirmation? Rick Dovey stated that the confirmation of the debt service from the State would be next month.

Deborah Kinsley of Mays Landing expressed that the County should wait until they receive more information from the State.

Dr. Phil Guenther spoke in favor of Ordinance No. 7 of 2010. Under the proposed fees, if Ordinance is not successful, Brigantine would see a decrease in tipping fees.

John Downy of Estell Manor stated that the Sunset clause should be revisited in three years. It is unreasonable to ask the ACUA to lock in rates.

Being no further comments, Chairman Curcio closed the public portion at 4:27 p.m.

FREEHOLDER COMMENTS

Freeholder McDevitt asked what would happen if the bond defaults? He also recommended that the Sunset clause be checked in three years to see if it is cost effective. There is a concern regarding private haulers' rates. Freeholder McDevitt requested to see each town's contract with the ACUA.

Freeholder Schroeder brought up two issues concerning notification to 16 towns regarding lower rates and the sunset provision. He is also in favor of the Sunset clause.

Freeholder Dase expressed some concerns about amendments.

Freeholder Sutton is in favor of this ordinance being passed.

Freeholder Cooper stated more public input is needed.

Freeholder McDevitt is more comfortable with this ordinance if it includes amendments.

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

**RESOLUTION NO. 84
AUTHORIZING
ADDITIONAL
APPROPRIATIONS TO THE
2010 TEMPORARY BUDGET**

Freeholder Giordano moved and Freeholder Formica seconded a motion to authorize additional appropriations pursuant to N.J.S.A. 40A:4-20 in the amount of \$47,617,523.79.

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

**RESOLUTION NO. 85
AMENDING RESOLUTION
NO. 324 (6/17/08) REGARDING
A PROFESSIONAL SERVICES
CONTRACT FOR
ENGINEERING SERVICES
FOR IMPROVEMENTS AT
FIRE AND MILL ROADS IN
EGG HARBOR TOWNSHIP**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to amend Resolution No. 324 adopted on June 17, 2008 regarding a professional services contract for engineering services for improvements at Fire and Mill Roads in Egg Harbor Township extending the contract expiration date to June 1, 2010 at no additional costs.

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

**RESOLUTION NO. 86
AMENDING RESOLUTION
NO. 64 (2/10/09) REGARDING
PROFESSIONAL SERVICES
CONTRACTS FOR
ALCOHOLISM TREATMENT
SERVICES**

Freeholder Cooper moved and Freeholder Garrett seconded a motion to amend Resolution No. 64 adopted on February 10, 2009 regarding professional services contracts with AtlantiCare Behavioral Health for alcoholism treatment services transferring funds in the amount of \$5,837.00 from OASIS (Intensive OP, Adolescent) to Health Adult Outpatient at no additional costs.

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

**RESOLUTION NO. 87
AGREEMENT FOR
TOBACCO CONTROL
PROGRAM**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to enter into an agreement with the City of Vineland for a tobacco control program at no cost to the County.

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

**RESOLUTION NO. 88
AGREEMENT FOR
COLLEGE INTERNS TO
ATLANTIC COUNTY**

Freeholder Schroeder moved and Freeholder Cooper seconded a motion to enter into an agreement with Rowan University for the provision of College interns to Atlantic County at no cost to the County.

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

**RESOLUTION NO. 89
AUTHORIZING AN
EMERGENCY CONTRACT
FOR ROCK SALT**

Freeholder Sutton moved and Freeholder Cooper seconded a motion to award an emergency contract to Oceanport Industries, Inc. for rock salt for an amount not to exceed \$226,300.00.

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

**RESOLUTION NO. 90
MULTI-VENDOR
AGREEMENTS FOR RESPITE
CARE PROGRAMS**

Freeholder Sutton moved and Freeholder Garrett seconded a motion to award multi-vendor contracts Respite Care Programs for an amount not to exceed \$525,468.00 for all contracts.

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

**RESOLUTION NO. 91
BID CONTRACT FOR HVAC
RENOVATIONS TO THE
MEADOWVIEW NURSING
HOME**

Freeholder Sutton moved and Freeholder Giordano seconded a motion to award a bid contract to Peterson Service Company, Inc. for HVAC renovations to the Meadowview Nursing Home for an amount not to exceed \$1,125,049.00.

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

**RESOLUTION NO. 92
BID CONTRACT AND
CHANGE ORDER NO. 1 WITH
DELTA LINE
CONSTRUCTION COMPANY
FOR FLASHING BEACONS
AT THREE LOCATIONS**

Freeholder Schroeder moved and Freeholder Formica seconded a motion award a bid contract and Change Order No. 1 to Delta Line Construction Company for Flashing Beacons at three locations for an amount not to exceed \$76,333.40 and to execute Change Order No. 1 for a reduction in work in the amount of \$20,588.00 for an amendatory contract amount not to exceed \$55,745.00.

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

**RESOLUTION NO. 93
BID CONTRACT FOR
FURNISHING AND
DELIVERY OF
JANITORIAL/CUSTODIAL
SUPPLIES**

Freeholder Giordano moved and Freeholder Formica seconded a motion to award bid contracts to various vendors to furnish and deliver janitorial/custodial supplies for an amount not to exceed \$324,099.41 for all contracts.

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

**RESOLUTION NO. 94
BID CONTRACT FOR
PROVIDING KITCHEN AND
CATERING SUPPLIES FOR
THE DEPARTMENT OF
HUMAN SERVICES**

Freeholder Formica moved and Freeholder Giordano seconded a motion to award bid contracts to various vendors to provide kitchen and catering supplies for the Department of Human Services for an amount not to exceed \$80,118.64 for all contracts.

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

**RESOLUTION NO. 95
BID CONTRACT FOR
MEDICAL REQUIREMENTS**

Freeholder Giordano moved and Freeholder Formica seconded a motion to award bid contracts to various vendors for medical requirements for an amount not to exceed \$218,570.78 for all contracts.

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

**RESOLUTION NO. 96
CHANGE ORDER NO. 1 AND
FINAL TO CONTRACT FOR
PLEASANT MILLS ROAD,
SECTION 3 RESURFACING**

Freeholder Giordano moved and Freeholder Sutton seconded a motion to award Change Order No. 1 and Final to contract with Asphalt Paving Systems for Pleasant Mills Road, Section 3 resurfacing for a net decrease of \$20,624.98 and for a total amendatory contact amount not to exceed \$554,211.78.

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

**RESOLUTION NO. 97
CHANGE ORDER NO. 1 AND
FINAL TO CONTRACT FOR
ROADWAY IMPROVEMENTS
FOR TILTON ROAD,**

Freeholder Giordano moved and Freeholder Cooper seconded a motion to award Change Order No. 1 and Final to contract with Arawak Paving Co., Inc. for roadway improvements for Tilton Road, Section 7 for a net reduction of \$314,986.00 and a total amendatory contract amount not to exceed \$1,182,814.43.

SECTION 7

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

MOTION TO COMBINE AND ADOPT RESOLUTIONS NO. 98 TO 100

Freeholder Cooper moved and Freeholder McDevitt seconded a motion to combine and adopt Resolutions No. 98 to 100.

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

**RESOLUTIN NO. 98
GRANT ACCEPTANCE FOR FUNDS TO SUPPORT THE ATLANTIC COUNTY MEDICAL RESERVE CORPS**

Grant acceptance from the National Association of County and City Health Officers for funds to support the Atlantic County Medical Reserve Corps for funding in the amount of \$5,000.00.

**RESOLUTION NO. 99
GRANT APPLICATION FOR FUNDS FOR TWO PUBLIC ACCESS COMPUTERS**

Grant application to the American Library Association for the American Dream Starts at Your Library for funding in the amount of \$5,000.00 for two public access computers.

**RESOLUTION NO. 100
GRANT APPLICATION FOR HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS PROGRAM FUNDS**

Grant application to the New Jersey Department of Law and Public Safety, Division of State Police, for the Hazardous Materials Emergency Preparedness Program funds in the amount of \$18,150.00.

**RESOLUTION NO. 101
GRANT APPLICATION FOR PER CAPITA STATE LIBRARY AID FUNDS**

Freeholder Giordano moved and Freeholder Dase seconded a motion to apply for a grant from the New Jersey Department of Education, State Library for Per Capita State Library Aid funds in the amount of \$130,000.00.

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

**RESOLUTION NO. 102
INTERGOVERNMENTAL AGREEMENT FOR A TRANSFER OF LAND BETWEEN THE COUNTY OF ATLANTIC AND THE CITY OF NORTHFIELD**

Freeholder Giordano moved and Freeholder Dase seconded a motion to enter into an intergovernmental agreement for a transfer of land between the County of Atlantic and the City of Northfield.

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

**RESOLUTION NO. 103
SALE OF SURPLUS VEHICLES, HEAVY EQUIPMENT, SCRAP METAL AND SPENT RANGE CASINGS BY ONLINE AUCTION**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to authorize the sale of surplus vehicles, heavy equipment, scrap metal and spent range casings by online auction.

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

**RESOLUTION NO. 104
APPOINTMENT OF FREEHOLDERS TO SERVE ON VARIOUS ATLANTIC COUNTY ADVISORY BOARDS/COMMISSIONS/**

Freeholder Cooper moved and Freeholder Dase seconded a motion to appoint Freeholders to serve on various Atlantic County Advisory Boards/Commissions/Councils.

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

COUNCILS

Sutton and Curcio. NAYS: None. ABSTENTIONS: None.

RESOLUTION NO. 105 APPOINTMENT TO THE ATLANTIC COUNTY ADVISORY COMMISSION ON WOMEN

Freeholder Giordano moved and Freeholder Cooper seconded a motion to appoint Deborah M. Figart to the Atlantic County Advisory Commission on Women for a term to expire on February 28, 2011.

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

RESOLUTION NO. 106 CALLING FOR ACTION BY THE GOVERNOR AND LEGISLATURE REGARDING ACCESS BY NON- GOVERNMENT EMPLOYEES TO STATE PENSION BENEFITS

Freeholder Sutton moved and Freeholder Formica seconded a motion to pass a resolution calling for action by the Governor and Legislature regarding access by non-government employees to State pension benefits. (Sponsor: Freeholder McDevitt).

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

RESOLUTION NO. 107 REQUESTING THE COUNTY EXECUTIVE TO REDUCE THE COST OF EMPLOYEE HEALTH BENEFITS PROVIDED BY ATLANTIC COUNTY

Freeholder Sutton moved and Freeholder Dase seconded a motion to request the County Executive to implement measures to reduce the cost of employee health benefits provided by Atlantic County.

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

RESOLUTION NO. 108 AMENDING RESOLUTION NO. 3 (1/5/10) AND NO. 83 (2/9/10) CHANGING THE LOCATIONS OF VARIOUS REGULAR MEETINGS AND INFORMING THE NEWSPAPERS PUBLIC PORTION

Freeholder Giordano moved and Freeholder Sutton seconded a motion to amend Resolutions No. 3 of 2010 and 83 of 2010 adopted on January 1, 2010 and February 9, 2010 respectively, changing the locations of various regular meetings and informing the newspapers.

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

Chairman Curcio opened the public portion at 5:44 p.m.

Mayor Joe Venezia of Estell Manor commended the Board of Freeholders regarding Ordinance No. 7 of 2010. Estell Manor would like to know that they have a commitment. He questioned the use of money to renovate the historic jail. There are alternate uses for the old jail that are revenue generating. Mayor Venezia requested a resolution by the Board urging that casino money stay in Atlantic City for the next two years.

There were no further comments and Chairman Curcio closed the public portion at 5:49 p.m.

FREEHOLDER COMMENTS

Freeholder Sutton spoke regarding Sharon Zheng's tenth anniversary. Freeholder Cooper echoed Freeholder Sutton's comments regarding Sharon Zheng.

Freeholder Cooper spoke about attending the Panamesian parade.

Chairman Curcio thanked Atlantic Cape Community College, Dr. Mora and the Atlantic County Utilities Authority.

WRITTEN CORRESPONDENCE

Written correspondence was received by this office for the period of February 10, 2010 to February 23, 2010.

ADJOURNMENT

Chairman Curcio requested a motion to adjourn the Freeholder meeting. Freeholder Formica moved and Freeholder Cooper seconded a motion to adjourn the Freeholder meeting. The motion was unanimously passed. The meeting was adjourned at 6 p.m.

Submitted by,

Sonya G. Harris
Clerk to the Board