

ATLANTIC COUNTY BOARD OF CHOSEN FREEHOLDERS
COUNTY GOVERNMENT COMPLEX
5909 MAIN STREET
MAYS LANDING, NJ 08330

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Minutes of Meeting
April 24, 2012

CALL TO ORDER

A Regular meeting of the Atlantic County Board of Chosen Freeholders was called to order by Chairman Frank D. Formica at 4 p.m., Daylight Savings Time, on the above mentioned date, at the County Government Complex, 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 Frank D. Formica 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 Garrett, followed by the Flag Salute led by Chairman Formica.

ROLL CALL

The following roll call was recorded: PRESENT: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. ABSENT: Giordano

**MINUTES OF MEETING
APRIL 3, 2012**

Freeholder Sutton moved and Freeholder Bertino seconded a motion to adopt and dispense with the reading of the April 3, 2012, Minutes.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**ORDINANCE NO. 8
FIRST READING
REVISING SPEED
LIMITS ALONG DUERER
STREET (CR 561)**

Freeholder Bertino moved and Freeholder Dase seconded a motion to introduce on first reading Ordinance No. 8-2012 revising speed limits along Duerer Street (CR 561) in the City of Egg Harbor and Townships of Mullica and Galloway.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

***RESOLUTION NO. 172
AMENDING
RESOLUTION NOS. 463-
2011 AND 633-2011
REGARDING AN
AGREEMENT FOR
ADDITIONAL FIRE AND
SECURITY ALARM
SERVICES**

Freeholder Sutton moved and Freeholder Garrett seconded a motion amending Resolution No. 463, adopted on September 6, 2011, and Resolution No. 633, adopted on December 13, 2011, regarding an agreement with Atlantic Coast Alarm, to authorize a third amendatory agreement with Atlantic Coast Alarm for additional fire and security alarm services, from March 1, 2012, to May 31, 2012, for an additional amount not to exceed \$164,499.00, and a total amendatory contract amount not to exceed \$2,507,330.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

***Not in numerical order**

**RESOLUTION NO. 213
RENEWAL AGREEMENT
FOR VECTOR
SURVEILLANCE
COURIER ROUTE
SERVICE**

Freeholder Sutton moved and Freeholder Bertino seconded a motion to authorize a renewal agreement with the New Jersey Department of Environmental Protection, Mosquito Control Commission, for Vector Surveillance Courier Route service for the one-year period commencing July 1, 2011, with reimbursement from the State for related expenses for an amount not to exceed \$9,500.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 214
RENEWAL
PROFESSIONAL
SERVICE AGREEMENTS
WITH VARIOUS
ENGINEERS FOR
CONSTRUCTION
INSPECTION SERVICES**

Freeholder Bertino moved and Freeholder Sutton seconded a motion to amend Resolution No. 17, adopted on January 11, 2011, and Resolution No. 496, adopted on October 4, 2011, and authorize an amendatory agreement with various vendors for construction inspection services, and to extend the term until December 31, 2012, for a total amount not to exceed \$1,100,000.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 215
AGREEMENT FOR THE
PURCHASE OF
ELECTION SOFTWARE
LICENSING AND
TECHNICAL SUPPORT**

Freeholder Garrett moved and Freeholder Sutton seconded a motion authorizing a contract to purchase software licensing and technical support for election software from Dominion Voting Systems for an amount not to exceed \$64,130.59.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 216
AMENDING
RESOLUTION NOS. 318-
2010, 410-2010 AND
RESCINDING
RESOLUTION NO. 35-
2012 CONCERNING
AGREEMENTS FOR
INMATE COUNSELING
SERVICES**

Freeholder Sutton moved and Freeholder Bertino seconded a motion to amend Resolution No. 318, adopted on June 15, 2010, Resolution No. 410, adopted on June 27, 2010, and rescind Resolution No. 35, adopted on January 17, 2012, concerning agreements with Career Opportunity Development, Inc. (CODI), and AtlantiCare Health Services, and exercise an option to renew the agreements for one year from July 1, 2011, until June 30, 2012, for inmate counseling services, and award an aggregate amount of \$122,041.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 217
BID CONTRACT FOR
LEASING OF SIXTY (60)
GOLF CARTS**

Freeholder Sutton moved and Freeholder Garrett seconded a motion authorizing a bid contract with Golf Car Specialties for leasing of sixty (60) golf carts, for a three-year period commencing May 1, 2012, through April 31, 2015, for a total sum not to exceed \$132,660.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 218
BID CONTRACT FOR
THE INSTALLATION OF
EXTERIOR PANELS AND
WINDOWS IN THE
CRONIN DENTAL
CENTER, NORTHFIELD**

Freeholder Sutton moved and Freeholder Dase seconded a motion authorizing a bid contract with M.B. Markland Contracting Co., for the installation of exterior panels and windows in a portion of the Cronin Dental Center, Northfield, New Jersey, for an amount not to exceed \$86,319.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 219
CHANGE ORDER NO. 1
AND FINAL, CONTRACT
FOR RESURFACING OF
PLEASANT MILLS
ROAD, SECTION 4**

Freeholder Garrett moved and Freeholder Bertino seconded a motion approving Change Order No. 1 and final for contract with Asphalt Paving Systems, Inc., for resurfacing of Pleasant Mills Road, Section 4, for a net increase of \$27,632.49, for a total amendatory contract amount of \$1,294,095.49.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 220
CHANGE ORDER NO. 2
AND FINAL, CONTRACT
FOR THE
REHABILITATION OF
THE DORSET AVENUE
BRIDGE**

Freeholder Sutton moved and Freeholder Bertino seconded a motion approving Change Order No. 2 and final for contract with AP Construction, Inc., for the rehabilitation of the Dorset Avenue Bridge, for a net reduction of \$101,344.80, and a total amendatory contract amount of \$3,707,057.50.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 221
CHANGE ORDER NO. 1
AND FINAL, CONTRACT
FOR TEMPORARY
BRIDGE AT WEYMOUTH
ROAD OVER DEEP RUN
IN HAMILTON
TOWNSHIP**

Freeholder Bertino moved and Freeholder Sutton seconded a motion approving Change Order No. 1 and final for contract with IEW Construction Group for a temporary bridge at Weymouth Road over Deep Run in Hamilton Township, for a net reduction of \$31,817.52, and a total amendatory amount \$1,258,475.23.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 222
AMENDING THE
ATLANTIC COUNTY
CONSORTIUM ANNUAL
ACTION PLAN FOR FY
2010**

Freeholder Sutton moved and Freeholder Bertino seconded a motion to amend the County Consortium Annual Action Plan for FY-2010 for the Community Development Block Grant Program, approved by Resolution No. 366, adopted June 29, 2012, to redirect unused funds from the previous allocation to Habitat for Humanity to Caring Residential Services, a certified Community Housing Development Organization (CHDO) as a loan to fund an initial feasibility study for redevelopment of the Union Avenue School in Margate, in the amount of \$10,000.00, at no cost to the County.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 223
LEASE AGREEMENT
FOR OFFICE SPACE
LOCATED IN THE
STILLWATER D
BUILDING,
NORTHFIELD**

Freeholder Sutton moved and Freeholder Dase seconded a motion authorizing a lease agreement with Family Intervention Services for approximately 345 Sq. Ft. of office space in the Stillwater D Building, for a term beginning May 1, 2012, through April 30, 2014, for a cost of one dollar per year (\$1.00).

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO 224
AUTHORIZING AN
EASEMENT
AGREEMENT
CONCERNING REPAIR
AND MAINTENANCE OF
PLEASANT MILLS
ROAD, MULLICA
TOWNSHIP, NEW
JERSEY**

Freeholder Bertino moved and Freeholder Sutton seconded a motion authorizing an Easement Agreement with the Nescochague Lake Association, a New Jersey non-profit corporation, and the Frances H. Blank Disclaimer Trust concerning property identified as Block 701, Lots 20, 21 and 46 on the municipal tax map of Mullica Township, for the purpose of performing improvements necessary to repair and stabilize Pleasant Mills Road, Mullica Township, New Jersey.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 225
LICENSE AND HOLD
HARMLESS
AGREEMENT FOR THE
USE OF FACILITIES AT
LAKE LENAPE PARK
EAST**

Freeholder Garrett moved and Freeholder Dase seconded a motion authorizing a License and Hold Harmless Agreement with Just Sailing, a non-profit entity, to allow it to provide recreational opportunities to the general public at a portion of Lake Lenape East.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 226
AUTHORIZING SALE OF
SURPLUS VEHICLES
AND PERSONAL
PROPERTY BY ONLINE
AUCTION #1**

Freeholder Dase moved and Freeholder Garrett seconded a motion authorizing the sale of surplus vehicles and equipment by an online auction conducted by Auction Liquidation Services between April 24, 2012, and May 31, 2012.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 227
CONTRACT TO
CONDUCT ONLINE
AUCTION SERVICES**

Freeholder Sutton moved and Freeholder Bertino seconded a motion authorizing a contract with Auction Liquidation Services to conduct online auctions for the sale of cooperative surplus vehicles and various other property, for compensation of 1.0% of the commission for an amount not to exceed \$300.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 228
CHAPTER 159**

Freeholder Sutton moved and Freeholder McDevitt seconded a motion to insert into the budget of the year 2012 funds from the State of New Jersey, Department of Health and Senior Services, Division of Aging and Community Services, the sum of \$27,000.00, and the like sum of \$27,000.00 under the caption of State Health Insurance Program (SHIP). 11-12.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 229
REAPPOINTMENTS TO
THE ATLANTIC COUNTY
ADVISORY
COMMISSION ON
WOMEN.**

Freeholder Bertino moved and Freeholder McDevitt seconded a motion approving the reappointment of Joyce A. Hagen and Diane Tucker McKoy to the Atlantic County Advisory Commission on Women for terms to expire on February 28, 2015.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 230
AUTHORIZING
CONSENT FOR A
ROADWAY
SOLICITATION EVENT
IN GALLOWAY
TOWNSHIP**

Freeholder Dase moved and Freeholder Sutton seconded a motion authorizing consent or a roadway solicitation event by the Bayview Volunteer Fire Company, for Saturday, May 5, 2012, from 8:00 a.m. to 5:00 p.m., at the intersection of Pitney Road (CR 534) and Jimmie Leeds Road (CR-561).

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 231
AUTHORIZING
CONSENT FOR A
ROADWAY
SOLICITATION EVENT
IN POMONA**

Freeholder McDevitt moved and Freeholder Dase seconded a motion authorizing consent for roadway solicitation events by the Pomona Volunteer Fire Company No. 3 at the intersection of Pomona (CR-575) and Jimmie Leeds (CR-561) Roads, from 9:00 a.m. to 5:00 p.m. on Saturdays June 2 and September 8, 2012.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 232
AUTHORIZING
CONSENT FOR A
ROADWAY
SOLICITATION EVENT
IN ABSECON**

Freeholder Dase moved and Freeholder Bertino seconded a motion authorizing a consent for a roadway solicitation event by Charles A. Hammell American Legion Post 28 at the intersection of Mill Road (CR 662) and New Jersey Avenue (CR 601), Absecon, New Jersey, on Saturday, June 2, 2012, from 9:00 a.m. to 3:00 p.m.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 233
AMENDING
RESOLUTION 3-2012,
CANCELING THE
REGULAR MEETING OF
MAY 1, 2012**

Freeholder Sutton moved and Freeholder Bertino seconded a motion amending Resolution 3-2012 to cancel the regular meeting of May 1, 2012, and informing the newspapers.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 234
LICENSE AND HOLD
HARMLESS
AGREEMENT FOR
WORK ON VENTNOR
AVENUE, MARGATE**

Freeholder Sutton moved and Freeholder Garrett seconded a motion authorizing a License and Hold Harmless Agreement with 7805 Ventnor Avenue Holdings, LLC, to allow it to install non-standard improvements within the County Right-of-Way on property known as Block 205.02, Lot 5 on the tax map of the City of Margate, New Jersey.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

**RESOLUTION NO. 235
AUTHORIZING CLOSED
SESSION REGARDING
PENDING LITIGATION**

Freeholder Sutton moved and Freeholder Bertino seconded a motion authorizing a closed session regarding pending litigation.

Freeholder Marino offered a friendly amendment to Resolution No. 235 to enter into closed session at the conclusion of the regular open meeting.

The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.

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| REPORTS OF SPECIAL COMMITTEES OF THE BOARD | Freeholder Marino reported on a proclamation he presented to Atlantic County Advisory Commission of Women member Gay Bergman Laubert for her many years of dedicated service. |
| UNFINISHED BUSINESS | There was no unfinished business. |
| NEW BUSINESS | There was no new business. |
| WRITTEN COMMUNICATIONS AND PETITIONS | There was written communications received by this office for the period of April 3 through April 14, 2012. |
| PUBLIC COMMENTS | <p>Chairman Formica opened the meeting to the public at 4:30 p.m.</p> <p>County Administrator Gerald DelRosso disseminated and explained the Atlantic Cape May Workforce Investment Board Schedule of Individual Training Accounts (ITA) Program year 2011.</p> <p>There being no further comments, Chairman Formica closed the public portion at 4:37 p.m.</p> |
| GOOD OF THE ORDER | There were no comments for the good of the order. |
| MOTION TO ENTER CLOSED SESSION | <p>Freeholder Bertino moved and Freeholder Dase seconded a motion to enter closed session at 4:38 p.m. regarding pending litigation.</p> <p>The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.</p> |
| MOTION TO CLOSE EXECUTIVE SESSION | <p>Freeholder Sutton moved and Freeholder Dase seconded a motion to close the executive session at 5:14 p.m. regarding pending litigation.</p> <p>The above-mentioned motion was adopted by the following roll call: AYES: Bertino, Dase, Garrett, Marino, McDevitt, Risley, Sutton and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Giordano.</p> |
| REOPEN PUBLIC COMMENTS PORTION | Chairman Formica reopened the public comments portion at 5:18 p.m. There being no comments, Chairman Formica closed the public portion at 5:18 p.m. |
| ADJOURNMENT | Chairman Formica entertained a motion to adjourn the meeting. Freeholder Sutton moved and Freeholder Bertino seconded a motion to adjourn the Freeholder meeting. The motion was unanimously passed. The meeting was adjourned at 5:18 p.m. |

Submitted by,

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