

**ATLANTIC COUNTY BOARD OF CHOSEN FREEHOLDERS  
STILLWATER BUILDING  
201 SHORE ROAD  
NORTHFIELD, NEW JERSEY**

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**Minutes of Meeting  
July 3, 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 4:03 p.m., Daylight Savings Time, on the above mentioned date, at the Stillwater Building, 201 Shore Road, Northfield, 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 of Atlantic City, the Mainland Journal, posted on the bulletin boards at the County Office Building, 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: Garrett, Giordano, Marino, McDevitt, Risley and Formica. ABSENT: Bertino, Dase and Sutton.

**MINUTES OF MEETING  
JUNE 5, 2012**

Freeholder Garrett moved and Freeholder Giordano seconded a motion to adopt and dispense with the reading of the June 5, 2012, minutes.

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

**BOND ORDINANCE NO. 4-  
2012 – FINAL READING  
PROVIDING FOR  
CAPITAL PROJECTS FOR  
FISCAL YEAR 2013 BY  
AND FOR THE ATLANTIC  
CAPE COMMUNITY  
COLLEGE**

Freeholder Garrett moved and Freeholder Giordano seconded a motion to adopt on final reading Bond Ordinance No. 4-2012, providing for the undertaking of capital projects for Fiscal Year 2013 by and for the Atlantic Cape Community College, located within the County of Atlantic, State of New Jersey; appropriating \$1,500,000 therefor and authorizing the issuance of \$1,500,00 bonds or notes of the County of Atlantic, State of New Jersey, for financing such appropriation, the principal of and interest on the aggregate principal amount of which will be entitled to State aid, pursuant to chapter 12 of the Laws of New Jersey of 1971.

Chairman Formica opened the meeting to the Public at 4:05 p.m. for comments. There being none, Chairman Formica closed the Public portion at 4:05 p.m.

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

**ORDINANCE NO. 9A-2012-  
FIRST READING  
AN ORDINANCE  
ESTABLISHING A NEW  
BASE SALARY**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to introduce on first reading Ordinance No. 9A-2012, establishing a new base salary for the positions of the County Tax Administrator and the Atlantic County Superintendent of Elections from a base salary of \$62,000.00 to \$75,000.00.

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

**ORDINANCE NO. 10-2012  
FINAL READING  
ESTABLISHING NO-  
PASSING ZONES**

Freeholder Giordano moved and Freeholder Risley seconded a motion to adopt on final reading Ordinance No. 10-2012 establishing No Passing Zones along Duerer Street (Rt. 561) in the City of Egg Harbor and the Townships of Mullica and Galloway, Old Tilton Road (CR 687) in the City of Pleasantville, and the Township of Egg Harbor, and Eleventh Avenue (CR 669) in the Township of Weymouth and the City of Estell Manor, Atlantic County.

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

**ORDINANCE NO. 11-2012  
FINAL READING  
AUTHORIZING  
EXECUTION OF AN  
INDEMNIFICATION  
AGREEMENT  
CONCERNING  
PINELANDS PARK  
SANITARY LANDFILL**

Freeholder Marino moved and Freeholder Giordano seconded a motion to adopt on final reading Ordinance No. 11-2012 authorizing execution of an Indemnification Agreement with Newco Waste Systems of New Jersey, Inc., its parent company, and the Atlantic County Utilities Authority (ACUA) concerning Pinelands Park Sanitary Landfill, located in Egg Harbor Township.

Chairman Formica opened the meeting to the Public at 4:08 p.m. for comments.

Egg Harbor Township Administrator Peter Miller and Egg Harbor Township Committeeman John Carman requested that the Board not take any action on this Ordinance. They requested to have a dialogue between Atlantic County Utilities Authority (ACUA), Egg Harbor Township and the Freeholders. ACUA President Rick Dovey answered all of the concerns of Egg Harbor Township representatives Miller and Carman.

There being no further comments, Chairman Formica closed the public portion at 5:10 p.m.

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

**ORDINANCE NO. 12-2012  
FIRST READING  
REGULATING THE  
TOWING AND STORAGE  
OF MOTOR VEHICLES**

Freeholder Giordano moved and Freeholder Marino seconded a motion to introduce on first reading Ordinance No. 12-2012 regulating the towing and storage of motor vehicles.

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

**RESOLUTION NO. 360  
COLLECTIVE  
NEGOTIATIONS  
AGREEMENT**

Freeholder Marino moved and Freeholder Giordano seconded a motion to approve the terms of the Memorandum of Agreement and authorize a collective negotiations agreement with PBA #77 incorporating the terms of the Memorandum of Agreement for a four (4) year period, commencing January 1, 2011, and terminating December 31, 2014, for Sergeants employed by the Atlantic County Prosecutor's Office.

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

**RESOLUTION NO. 361  
COLLECTIVE  
NEGOTIATIONS  
AGREEMENT**

Freeholder Marino moved and Freeholder Garrett seconded a motion to approve the terms of the memorandum of Agreement and authorize a collective negotiations agreement with PBA #77 incorporating the terms of the annexed Memorandum of Agreement, for a three (3) year period commencing January 1, 2011, and terminating December 31, 2013, for Captains and Lieutenants employed by the Atlantic County Prosecutor's Office.

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

**RESOLUTION NO. 362  
AMENDING  
RESOLUTIONS TO ADD  
ADDITIONAL VENDORS  
FOR THE PERSONAL  
ASSISTANT SERVICES  
PROGRAM (PASP)**

Freeholder Giordano moved and Freeholder Marino seconded a motion amending Resolution No. 72, adopted February 7, 2012, and Resolution No. 101, adopted February 28, 2012, to add additional vendors for multi-vendor agreements for the Personal Assistant Services Program (PASP), for a one-year period commencing January 1, 2012, for a total aggregate amount for all contracts not to exceed \$300,900.00.

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

**RESOLUTION NO. 363  
INTERGOVERNMENTAL  
AGREEMENT TO  
PROVIDE LABORATORY  
TESTING SERVICES**

Freeholder Giordano moved and Freeholder Marino seconded a motion to approve a contract with the Atlantic County Utilities Authority to provide laboratory testing services for the calendar year 2012 for an amount not to exceed \$40,000.00.

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

**RESOLUTION NO. 364  
AGREEMENT FOR  
LABORATORY SERVICES  
TO MEADOWVIEW  
NURSING HOME  
RESIDENTS**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to approve an agreement with Laboratory Outreach Solutions, LLC to provide laboratory and phlebotomy services to Meadowview residents, for the period commencing July 1, 2012, and terminating June 30, 2013, for an amount not to exceed \$11,700.00.

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

**RESOLUTION NO. 365  
AMENDING  
RESOLUTIONS FOR THE  
COUNTY MUNICIPAL  
OPEN SPACE FINANCIAL  
ASSISTANCE PROGRAM**

Freeholder Giordano moved and Freeholder Marino seconded a motion to amend Resolution No. 594, adopted October 28, 2008, Resolution No. 630, adopted November 23, 2010 and Resolution No. 148, adopted March 20, 2012, regarding the County Municipal Open Space Financial Assistance Program, and authorize an amendatory agreement with the City of Port Republic to add Block 31, Lots 2.01, 2.02 and 2.03, and to extend the time for completion of the acquisition to October 28, 2013.

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

**RESOLUTION NO. 366  
AMENDING  
RESOLUTION FOR AN  
INNOVATIONS GRANT  
PROGRAM**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to amend Resolution No. 604, adopted December 6, 2011, and Resolution No. 163, adopted March 27, 2012, regarding an amended agreement with Youth Advocate Programs, Inc., for an Innovations Grant Program, and

authorize an amended contract for provision of a Teen Employment Program/Youth Advocate program, from January 1, 2012, until December 31, 2012, for \$59,000.00 in addition to the previously amounts awarded, for a total amount not to exceed \$131,022.00.

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

**RESOLUTION NO. 367  
COMPETITIVE  
CONTRACT FOR  
PHYSICAL,  
OCCUPATIONAL AND  
SPEECH THERAPY  
SERVICES FOR  
MEADOWVIEW  
NURSING HOME  
RESIDENTS**

Freeholder Marino moved and Freeholder Garrett seconded a motion to authorize a contract with Rehab Professional Services Inc., for the provision of rehabilitative therapy services for the residents of Meadowview Nursing Home, for the period commencing July 1, 2012, and terminating June 30, 2013, for an amount not to exceed \$420,000.00.

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

**RESOLUTION NO. 368  
BID CONTRACT FOR  
REMOVAL AND  
REPLACEMENT OF  
CONCRETE**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to authorize a bid contract with Stone Concrete, Inc., for removal and replacement of concrete at the Atlantic County Justice Facility entrance, for the total sum not to exceed \$58,500.00.

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

**RESOLUTION NO. 369  
CHANGE ORDER NO. 1  
CONTRACT WITH THE  
COMMUNITY FOOD  
BANK OF NEW JERSEY**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to approve Change Order #1 to Contract #K.12.93 with the Community FoodBank of New Jersey for additional funding for the FoodBank through the Social Service Homeless Grant, for extra work in the amount of \$9,000.00, for a total amendatory contract amount of \$66,000.00.

The above-mentioned motion was adopted by the following roll call: AYES: Garrett, Giordano, McDevitt, Marino, Risley

and Formica. NAYS: None. ABSTENTIONS: None.  
ABSENT: Bertino, Dase and Sutton.

**RESOLUTION NO. 370  
SUBMISSION OF THE  
ATLANTIC COUNTY FY  
2012 ANNUAL ACTION  
PLAN**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to authorize the submission of the FY 2012 Annual Action Plan for the HUD CDBG Urban County Program and the HOME Investment Partnership Program to the US Department of Housing & Urban Development, in accordance with all pertinent terms, conditions and requirements.

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

**RESOLUTION NO. 371  
GRANT ACCEPTANCE OF  
INNOVATIONS FUNDING  
FOR THE ATLANTIC  
COUNTY YOUTH  
SERVICES COMMISSION**

Freeholder Garrett moved and Freeholder Giordano seconded a motion to accept Innovations funding from the New Jersey Juvenile Justice Commission for the Juvenile Detention Alternatives Initiative, for a one-year period from January 1, 2013, through December 31, 2013, for an amount not to exceed \$120,000.00.

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

**RESOLUTION NO. 372  
SUPPORT AND CONSENT  
TO THE TOWNSHIP OF  
HAMILTON ORDINANCE  
TO ESTABLISH A NO-  
PARKING ZONE**

Freeholder Giordano moved and Freeholder Marino seconded a motion to support and consent to the Township of Hamilton Ordinance #1727-2012 to prohibit parking on a portion of Leipzig Avenue in the vicinity of the Hamilton Township Recreation Field.

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

**RESOLUTION NO. 373  
RIGHT OF WAY USE  
AGREEMENT TO  
PROVIDE  
TELECOMMUNICATIONS  
SERVICES  
TABLED**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to authorize a Right of Way Use Agreement with AboveNet Communications, Inc., for permission to construct or erect, service and maintain poles, conduit or wire or other fixtures within the jurisdiction of the County.

Freeholder Marino moved and Freeholder Giordano seconded a motion to table Resolution No. 373-2012.

The above-mentioned motion was adopted by the following

roll call: AYES: Garrett, Giordano, McDevitt, Marino, Risley and Formica. NAYS: None. ABSTENTIONS: None. ABSENT: Bertino, Dase and Sutton.

**RESOLUTION NO. 374  
AUTHORIZING SALE OF  
OBSOLETE ITEMS AND  
EQUIPMENT BY ONLINE  
AUCTION**

Freeholder Giordano moved and Freeholder Marino seconded a motion authorizing the sale of obsolete computer equipment by online auction, to be conducted by GovDeals between July 1, 2012, at 9:00 a.m., and August 15, 2012, at 6:00 p.m.

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

**MOTION TO COMBINE  
AND ADOPT CHAPTER  
159 RESOLUTION NOS.  
375, 376 AND 377**

Freeholder Giordano moved and Freeholder Marino seconded a motion to combine and adopt Chapter 159 Resolution Nos. 375, 376 and 377.

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

**RESOLUTION NO. 375  
CHAPTER 159**

Insert in the budget of the year 2012 revenue from the State of New Jersey, Department of Transportation, under the caption of County Aid program FY 12, the sum of \$3,164,000.00.

**RESOLUTION NO. 376  
CHAPTER 159**

Insert in the budget of the year 2012 revenue from the State of New Jersey, Department of Law & Public Safety, Division of Criminal Justice, under the caption of Jail-Based Reentry Strategies 11-12, the sum of \$125,000.00.

**RESOLUTION NO. 377  
CHAPTER 159**

Insert in the budget of the year 2012 revenue from the State of New Jersey, Department of Environmental Protection, under the caption Wastewater Management Plan CY2009, the sum of \$40,000.00.

**RESOLUTOIN NO. 378  
REAPPOINTMENT TO  
THE MENTAL HEALTH  
ADVISORY BOARD**

Freeholder Giordano moved and Freeholder Marino seconded a motion to reappoint Pastor Frank P. Brown to the Atlantic County Mental Health Advisory Board for a term to expire June 30, 2015.

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

**MOTION TO COMBINE  
AND ADOPT  
RESOLUTION NOS. 379  
AND 380**

Freeholder McDevitt moved and Freeholder Giordano seconded a motion to combine and adopt Resolution Nos. 379 and 390 authorizing consent for roadway solicitation events.

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

ABSENT: Bertino, Dase and Sutton.

**RESOLUTION NO. 379  
AUTHORIZING CONSENT  
FOR A ROADWAY  
SOLICITATION EVENT**

Authorizing consent for a roadway solicitation event by the Pleasantville Junior Jokers Youth Football at the intersection of Delilah Road (CR 646) and Main Street (CR 585) on Saturday, August 4, 2012, 9:00 a.m. to 2:00 p.m.

**RESOLUTION NO. 380  
AUTHORIZING CONSENT  
FOR A ROADWAY  
SOLICITATION EVENT**

Authorizing consent for a roadway solicitation event by the Weymouth Volunteer Fire Company on County Route 559 on Friday July 27 and Friday, August 24, 2012, 9:00 a.m. to 6:00 p.m.

**MOTION TO ADD  
RESOLUTION NO. 381**

Freeholder McDevitt moved and Freeholder Marino seconded a motion to add Resolution No. 381-2012, authorizing consent for roadway solicitation event.

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

**RESOLUTION NO. 381  
AUTHORIZING CONSENT  
FOR ROADWAY  
SOLICITATION**

Freeholder Giordano moved and Freeholder Garrett seconded a motion authorizing consent for a roadway solicitation event by the Dorothy Volunteer Fire Company, Inc., at the intersection of Millville-Mays Landing Road (CR 552) and Tuckahoe Road (CR 557) on Saturday, July 7 and Sunday, July 8, 2012, rain dates July 14 and 15, 8:00 a.m. to 8:00 p.m.

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

**REPORTS OF SPECIAL  
COMMITTEES OF THE  
BOARD**

Freeholder Giordano reported that the future site of the 911Central Dispatch Center will be located at Stockton State College.

Freeholder Risley emphasized the need for a central 911 dispatch center, considering the recent storm.

**UNFINISHED BUSINESS**

There was no unfinished business.



**NEW BUSINESS**

There was no new business.

**PUBLIC COMMENTS**

Chairman Formica opened the meeting to the public at 5:05 p.m. There being no comments, Chairman Formica closed the public portion at 5:05 p.m.

**GOOD OF THE ORDER**

Emergency Management Coordinator Vince Jones gave an update on the progress of recovering from the recent storm.

Freeholder Marino commended Emergency Management Coordinator Vince Jones on the excellent job he and his department did with the recent storm.

**ADJOURNMENT**

Chairman Formica entertained a motion to adjourn the meeting. Freeholder Marino moved and Freeholder Garrett seconded a motion to adjourn the Freeholder meeting. The motion was unanimously passed. The meeting was adjourned at 5:06 p.m.

**Submitted by,**

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