

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

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Minutes of Meeting
July 31, 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 4:00 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, New Jersey.

**PRAYER AND
FLAG SALUTE**

The prayer was led by Freeholder Risley, followed by the Flag Salute led by Chairman Formica.

ROLL CALL

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

**MINUTES OF MEETING
JULY 3, 2012**

Freeholder Giordano moved and Freeholder McDevitt seconded a motion to adopt and dispense with the reading of the July 3, 2012, minutes.

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

PRESENTATION

Recognition of Carol Dugan, Ms. New Jersey Senior America.

**ORDINANCE NO. 13
FIRST READING
TO VACATE AND
ABANDON A SIGHT
TRIANGLE EASEMENT**

Freeholder Giordano moved and Freeholder Sutton seconded a motion to introduce on first reading Ordinance No. 13 to vacate and abandon a sight triangle easement across part of Lot 59 in Block 16.01, along Tilton Road in the City of Northfield, New Jersey.

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

**MOTION TO REMOVE
FROM TABLE**

Freeholder Marino moved and Freeholder Giordano seconded a motion to remove from the table Resolution No. 373.

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

***RESOLUTION NO. 373
RIGHT OF WAY USE
AGREEMENT**

***Not in numerical order**

Freeholder Sutton moved and Freeholder Giordano 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, at no cost to the County.

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

**RESOLUTION NO. 413
INTERGOVERNMENTAL
SERVICES AGREEMENT
CONCERNING POLICE
K-9 TRAINING SERVICES**

Freeholder Sutton moved and Freeholder Bertino seconded a motion to authorize an agreement with the City of Atlantic City, whereby the City shall supply and assign one of its certified K-9 instructors to the County, for the purpose of providing K-9 instructional training at the County Police Training Center, for a three (3) year period, commencing July 1, 2012, through June 30, 2015.

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

**RESOLUTION NO. 414
AMENDING
RESOLUTIONS TO
ADMINISTER THE
COUNTY'S 2005 AND 2006
COMMUNITY
DEVELOPMENT BLOCK
GRANT (CDBG**

Freeholder Giordano moved and Freeholder Bertino seconded a motion amending Resolution Nos. 620 and 621, adopted November 15, 2005, and Resolution No. 647, adopted December 7, 2010, and authorizing amendatory agreements with the Atlantic County Improvement Authority extending the term date for the administration of the 2002-2005 CDBG funds until September 1, 2014, and the administration of the 2006 CDBG funds until September 1, 2015, at no additional cost to the County.

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

**RESOLUTION NO. 415
ALTERNATE METHOD
RENEWAL CONTRACT
FOR FORTIS IMAGING
PROPRIETARY
SOFTWARE**

Freeholder Sutton moved and Freeholder Giordano seconded a motion authorizing an alternate method contract renewal with MTS Software Solutions to provide maintenance service for the Fortis Imaging proprietary for the one-year period, commencing June 26, 2012, for an amount not to exceed \$25,730.00.

The above-mentioned motion was adopted by the following

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

**RESOLUTION NO. 416
ALTERNATE METHOD
AGREEMENT FOR
PROPRIETARY
SOFTWARE**

Freeholder Garrett moved and Freeholder Marino seconded a motion authorizing a contract with Visual Computer Solutions, Inc., for maintenance services for proprietary software, which provides employee scheduling and timekeeping, to be used by the Sheriff's Department, Meadowview Nursing Home and the County Justice Facility, for the period commencing September 1, 2012, and terminating August 31, 2013, for an amount not to exceed \$16,514.60.

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

**RESOLUTION NO. 417
AMENDING CONTRACT
FOR AN ON-LINE
CATALOGING SUB-
SYSTEM AND
INTERLIBRARY LOAN
SUB-SYSTEM**

Freeholder Sutton moved and Freeholder Bertino seconded a motion to amend Resolution No. 272, adopted May 31, 2011, and authorize an amendatory contract with OCLC to provide for an on-line cataloging sub-system and interlibrary loan sub-system, for the period commencing July 1, 2011, and terminating June 30, 2012, for an amendatory contract amount of \$35,406.66.

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

**RESOLUTION NO. 418
AUTHORIZING
PURCHASES FROM
STATE CONTRACT
VENDORS.**

Freeholder Giordano moved and Freeholder Bertino seconded a motion to authorize the processing of purchase orders of 2012 with various State contract vendors, in an amount not to exceed that as listed per category; and, further, authorizes the processing of purchase orders from approved General Services Administration (GSA) vendors for reprographic equipment or services, including digital copies.

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

**RESOLUTION NO. 419
AMENDING
RESOLUTION TO
PROVIDE ADDITIONAL
SERVICES FOR FETAL
ALCOHOL SPECTRUM
DISORDERS (FASD)**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to amend Resolution No. 52, adopted on January 24, 2012, and enter into an amendatory professional services contract with ARC of Atlantic County to provide additional services for FASD sessions for an amendatory amount not to exceed \$10,000.00, for a total contract amount not to exceed \$14,000.00.

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

**RESOLUTION NO. 420
RENEWAL CONTRACT
FOR CLINICAL
OBSERVATION AT THE
MEADOWVIEW
NURSING HOME**

Freeholder Sutton moved and Freeholder Giordano seconded a motion authorizing a renewal contract with Cumberland County College with respect to clinical observation by the students at the Meadowview Nursing Home, during the period September 1, 2012, through August 31, 2013, at no cost to the County.

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

**RESOLUTION NO. 421
INTERGOVERNMENTAL
SERVICES AGREEMENT
CONCERNING CONCEPT
DESIGN SERVICES THE
DORSET AVENUE
BRIDGE**

Freeholder Giordano moved and Freeholder Risley seconded a motion authorizing an intergovernmental services agreement with Rowan University to provide for the concept development of the mechanical/electrical rehabilitation of the Dorset Avenue Bridge, beginning on September 1, 2012, and ending May 15, 2013, for a total amount not to exceed \$12,000.00.

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

**RESOLUTION NO. 422
BID CONTRACT TO
FURNISH AND DELIVER
MILK AND DAIRY
PRODUCTS**

Freeholder Giordano moved and Freeholder Sutton seconded a motion authorizing a bid contract with Consolidated Stone Valley Dairies Inc. to provide milk and dairy products to participating members of the Atlantic County Cooperative, for the total sum not to exceed \$84,312.58.

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

**RESOLUTION NO. 423
BID CONTRACT TO
FURNISH AND DELIVER
BREAD AND BAKERY
PRODUCTS TO**

Freeholder Sutton moved and Freeholder Marino seconded a motion authorizing a bid contract with Deluxe Italian Bakery, Pechter's of Southern NJ, LLC and Bimbo Foods, Inc. to provide bread and bakery products to participating members of the Atlantic County Cooperative, for the total sum not to

**PARTICIPATING
MEMBERS OF THE
ATLANTIC COUNTY
COOPERATIVE**

exceed \$1,531.90, \$1,305.76 and \$32,360.50, respectively.

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

**RESOLUTION NO. 424
BID CONTRACT FOR
PARKING LOT
IMPROVEMENTS**

Freeholder Sutton moved and Freeholder Bertino seconded a motion to authorize a bid contract with Asphalt Paving Corp. for parking lot improvements at the Atlantic County Library Branch of Hammonton, for the total sum not to exceed \$52,457.00.

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

**RESOLUTION NO. 425
BID CONTRACT TO
FURNISH AND DELIVER
ROCK SALT**

Freeholder Sutton moved and Freeholder Bertino seconded a motion to authorize a bid contract with Cargill, Inc., - Deicing Technology Business Unit, to furnish and deliver rock salt, for the sum not to exceed \$336,840.00.

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

**RESOLUTION NO. 426
GRANT ACCEPTANCE
FOR THE BODY ARMOR
REPLACEMENT
PROGRAM**

Freeholder Garrett moved and Freeholder Marino seconded a motion to apply for and accept grant funds from the New Jersey Department of Law and Public Safety, Division of Criminal Justice, for the Body Armor Replacement Program, for the period from August 2012 through July 2013, for an estimated amount of \$64,791.00.

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

**RESOLUTION NO. 427
GRANT APPLICATION
FOR THE BULLETPROOF
VEST PARTNERSHIP
GRANT**

Freeholder Giordano moved and Freeholder Sutton seconded a motion to authorize a grant application to the U.S. Department of Justice for a Bulletproof Vest Partnership Grant Program, with a 50% match of \$32,395.20, with the County using State Body Armor funds as the match, for the period commencing July 1, 2012, and terminating June 30, 2015, for funding in an amount not to exceed \$64,791.00,

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

**RESOLUTION NO. 428
AMENDING
RESOLUTION FOR THE
PERSONAL ASSISTANCE
SERVICES PROGRAM
GRANT**

Freeholder Giordano moved and Freeholder Garrett seconded a motion to amend Resolution No. 593, adopted November 22, 2011, regarding a grant from the New Jersey Department of Human Services, for the Personal Assistance Services Program (PASP) to reduce the original amount by \$125,375.00, and submit a revised grant application, for the period commencing January 1, 2012, and terminating December 31, 2012, for funding in an amount not to exceed \$228,625.00.

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

**RESOLUTION NO. 429
GRANT ACCEPTANCE
FOR EDUCATIONAL
SERVICES**

Freeholder Giordano moved and Freeholder Bertino seconded a motion to accept a grant from the New Jersey Juvenile Justice Commission under the State Facilities Education Act, for educational services at Harborfields, for a one-year period from July 1, 2012, through June 30, 2013, in an amount not to exceed \$103,500.00.

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

**RESOLUTION NO. 430
GRANT AWARD FOR
TRANSPORTATION &
TANF INITIATIVE FOR
PARENTS (TIP)**

Freeholder Garrett moved and Freeholder Bertino seconded a motion to accept a grant award from the State Department of Human Services, Division of Family Development, for the Transportation & TANF Initiative for Parents (TIP) Program, administrative costs, for the period commencing July 1, 2011, and ending June 30, 2012, for funds in the amount of \$65,937.00.

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

**MOTION TO COMBINE
AND ADOPT CHAPTER
159 RESOLUTION NOS.
431, 432, 433 AND 434**

Freeholder Giordano moved and Freeholder Marino seconded a motion to combine and adopt Chapter 159 Resolution Nos. 431, 432, 433 and 434.

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

**RESOLUTION NO. 431
CHAPTER 159**

Insert into the budget of the year 2012 revenue from the State of New Jersey, Department of Community Affairs, appropriated under the caption Recreational Opportunities for Individuals with Disabilities 2012 (ROID), with \$2,500.00 representing the County's cash match appropriated under the

caption Peer Grouping, the sum of \$12,500.00.

**RESOLUTION NO. 432
CHAPTER 159**

Insert into the budget of the year 2012 revenue from the State of New Jersey, Department of Law & Public Safety, Juvenile Justice Commission, appropriated under the caption State Facilities Education Act 12-13 (SFEA), the sum of \$103,500.00.

**RESOLUTION NO. 433
CHAPTER 159**

Insert into the budget of the year 2012 revenue from the State of New Jersey, Department of Law & Public Safety, and Division of Criminal Justice, appropriated under the caption Megan's Law 12-13, the sum of \$15,503.00.

**RESOLUTION NO. 434
CHAPTER 159**

Insert into the budget of the year 2012 revenue from the State of New Jersey, Department of Military and Veterans' Affairs, appropriated under the caption Veterans' Transportation FY 12-13, the sum of \$17,000.00.

**RESOLUTION NO. 435
PROFESSIONAL
SERVICES AGREEMENTS
TO PROVIDE
ENVIRONMENTAL
CONSULTING SERVICES**

Freeholder Giordano moved and Freeholder Bertino seconded a motion authorizing professional services agreements with various environmental consultants to provide services as needed for various acquisition projects, for the period commencing August 1, 2012, and terminating July 31, 2013, for an aggregate total for all consultants not to exceed \$160,000.00.

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

**RESOLUTION NO. 436
REAPPOINTMENTS TO
THE ATLANTIC COUNTY
PARKS AND
ENVIRONMENT
ADVISORY COMMISSION**

Freeholder Sutton moved and Freeholder Giordano seconded a motion authorizing the reappointment of Richard H. Colby, Jill Miles and Kenneth G. Sooy to the Atlantic County Parks & Environmental Advisory Commission, for a term to expire on July 1, 2015.

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

**RESOLUTION NO. 437
AUTHORIZING CONSENT
FOR A ROADWAY
SOLICITATION EVENT**

Freeholder Sutton moved and Freeholder Bertino seconded a motion authorizing consent for a roadway solicitation event by Brigantine Professional Fire Fighters IAFF Local 2657, at the intersection of West Brigantine Avenue (CR 87) and 14th Street South, on Sunday, September 2, 2012, 8:00 a.m. to 5:00 p.m.

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

ABSTENTIONS: None. ABSENT: Dase.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

**WRITTEN
COMMUNICATIONS AND
PETITIONS**

There were written communications received by this office for the period July 18 to July 31, 2012.

PUBLIC COMMENTS

Chairman Formica opened the meeting to the public at 4:45 p.m.

Community Action for Protection of ARCH (CAPA) representative Robert Widner of Brigantine stated the current Board of Directors of the Atlantic Riding Center for Health (ARCH) has listed the Egg Harbor Township property for sale. ARCH provides special services to people with various disabilities. CAPA is requesting the current Board not sell the facility and permit a new Board. Mr. Widner is requesting assistance from the Board of Freeholders to keep the facility open.

Adam Marx of Asbury Road, Egg Harbor Township, stated ARCH has not filed the required financials with the State of New Jersey.

The following citizens spoke in favor of not selling ARCH and to keep it running as a therapeutic riding facility:
Betty Morgan, Wildwood; John Ferry, Julian Wea,

Cologne Avenue residents Cynthia and Robert Murray, spoke in favor of lowering the speed limit and establishing a no passing zone.

There being further comments, Chairman Formica closed the public portion at 5:50 p.m.

GOOD OF THE ORDER

There were no comments for the good of the order.

ADJOURNMENT

Chairman Formica entertained a motion to adjourn the meeting. Freeholder Giordano moved and Freeholder McDevitt seconded a motion to adjourn the Freeholder meeting. The motion was unanimously passed. The meeting was adjourned at p.m.

Submitted by,

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