

# ATLANTIC COUNTY BOARD OF CHOSEN FREEHOLDERS

Stillwater Building

201 Shore Road, Northfield, New Jersey 08225

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## Minutes of Meeting

February 18, 2020

### 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., Standard Time, on the above-mentioned date, in the Stillwater Building located at 201 Shore Road, Northfield, NJ.

### OPEN PUBLIC MEETING STATEMENT

Statement of Open Public Meeting Compliance: Pursuant to the Open Public Meetings Act, Chairman Formica announced that adequate notice of this meeting, as required by said Act, has been published in *The Press of Atlantic City*, and mailed to *The Current*, *The Daily Journal*, *The Hammonton Gazette* and *The Hammonton News*; 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, MOMENT OF SILENCE AND FLAG SALUTE

A moment of silence was held for Mr. Bob Quigley, an icon in New Jersey horseracing and the father-in-law of Patricia Quigley. 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: Bennett, Bertino, Coursey, Dase (arrived at 4:06 pm), Fitzpatrick, Gatto, Kern, Risley and Formica. ABSENT: None.

A quorum was present.

### MINUTES OF MEETING January 14, 2020

Freeholder Kern moved and Freeholder Gatto seconded a motion to adopt and dispense with the reading of the January 14, 2020 minutes.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSTAIN: Coursey. ABSENT: Dase.

### ORDINANCE NO. 1 FIRST READING Ordinance amending the Atlantic County Water Quality Management Plan concerning an increase of the Buena Borough Municipal Utilities Authority Waste Water Treatment Plant effluent discharge

Freeholder Bertino moved and Freeholder Gatto seconded a motion to introduce on first reading Ordinance No. 1-2020 amending the Atlantic County Water Quality Management Plan concerning an increase of the Buena Borough Municipal Utilities Authority Waste Water Treatment Plant effluent discharge from 400,000 gallons per day to 600,000 gallons per day.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSENT: Dase.

### RESOLUTION NO. 67 Grant application and acceptance of Per Capita State Library Aid Funds

Freeholder Bennett moved and Freeholder Gatto seconded a motion to authorize a grant application and acceptance of Per Capita State Library Aid Funds from the New Jersey Department of Education, State Library in the amount not to exceed \$84,425.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSENT: Dase.

**RESOLUTION NO. 68  
Grant application and  
acceptance for the E-Rate  
Program**

Freeholder Kern moved and Freeholder Bennett seconded a motion to authorize a grant application and acceptance from the Schools and Library Division of the Universal Service Administrative Company for the E-Rate Program for total funding of approximately \$156,600.00 for telecommunication services for the period from July 1, 2020 through June 30, 2021.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSENT: Dase

**RESOLUTION NO. 69  
Grant application and  
acceptance for the 2019  
Recycling Enhancement  
Act Tax Fund  
Entitlement Program**

Freeholder Kern moved and Freeholder Gatto seconded a motion to authorize a grant application and acceptance from the Department of Environmental Protection for the 2019 Recycling Enhancement Act Tax Fund Entitlement program in the amount not to exceed \$222,146.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSENT: Dase.

**RESOLUTION NO. 70  
Grant for the electrical  
components associated  
with the Dorset Avenue  
Bridge**

Freeholder Risley moved and Freeholder Bertino seconded a motion to authorize a grant acceptance from the State of New Jersey, Office of Emergency Management through the Hazard Mitigation Grant program for the electrical components associated with the Dorset Avenue Bridge for funding in the amount of \$16,496.00, subject to a County in-kind match of \$1,833.00, for a total amount not to exceed \$18,329.00, for the period commencing April 25, 2016 and terminating September 25, 2020.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSENT: Dase.

**RESOLUTION NO. 71  
Amending Resolution No.  
698 (12-10-19)  
professional services  
agreement for the 2019  
On-Call Engineering and  
Inspection Services Pool**

Freeholder Kern moved and Freeholder Bennett seconded a motion to authorize amending Resolution No. 698 adopted on December 10, 2019 professional services agreements with various consultants to add Mott Associates to the 2019 On-Call Engineering and Inspection Services Pool extension at no additional cost.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSENT: Dase.

**RESOLUTION NO. 72  
Professional services  
contracts to provide  
substance abuse services  
for the 12 hour and 48  
hour Intoxicated Driver  
Resource Center (IDRC)**

Freeholder Bennett moved and Freeholder Gatto seconded a motion to enter into professional services contracts with various counselors and nurses to provide substance abuse services for the 12 hour and 48 hour Intoxicated Driver Resource Center (IDRC) for a total compensation to be paid to all counselors and nurses not exceeding \$36,450.00.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSTAIN: Dase.

**RESOLUTION NO. 73**  
**Professional services**  
**agreement for the**  
**provision of library goods**  
**and services**

Freeholder Bertino moved and Freeholder Gatto seconded a motion to enter into a professional services agreement with various vendors for the provision of library goods and services for the total aggregate sum not to exceed \$778,100.00 during the period commencing March 1, 2020 and terminating February 28, 2021.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSTAIN: Dase.

**RESOLUTION NO. 74**  
**Renewal competitive**  
**contract for the planning**  
**and submission of a**  
**Continuum of Care**  
**Grant Application**

Freeholder Bennett moved and Freeholder Kern seconded a motion enter into a renewal competitive contract with Monarch Housing Associates for the planning and submission of a Continuum of Care Grant Application in an amount not to exceed \$40,000.00, for the term commencing January 1, 2020 and terminating December 31, 2020.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 75**  
**Renewal bid contracts to**  
**furnish and deliver**  
**uniforms to the Atlantic**  
**County Sheriff's Office**  
**and Office of Emergency**  
**Management**

Freeholder Risley moved and Freeholder Gatto seconded a motion to enter into renewal contracts with Action Uniform Co., LLC and Municipal Emergency Services, Inc., to furnish and deliver uniforms to the Atlantic County Sheriff's Office and Office of Emergency Management for total sum not to exceed \$61,200.00 for the term commencing January 1, 2020 and terminated December 31, 2020 to do work and or supply the materials as set forth in the contracts.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 76**  
**Renewal bid contract to**  
**furnish and deliver**  
**uniforms for the**  
**members of the Atlantic**  
**County Justice Facility**

Freeholder Bertino moved and Freeholder Gatto seconded a motion to enter into a renewal contract with Action Uniform Co., LLC to furnish and deliver uniforms for the members of the Atlantic County Justice Facility for the total sum not to exceed \$34,160.00 for the term commencing January 1, 2020 and terminating December 31, 2020, to do the work and or supply the materials as set forth in the contract.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 77**  
**Bid contract to provide**  
**parking lot**  
**improvements at**  
**Harborfields Youth**  
**Detention Center**

Freeholder Bennett moved and Freeholder Gatto seconded a motion to enter into a contract with Command Co., Inc., to provide parking lot improvements at Harborfields Youth Detention Center for the total sum not to exceed \$197,224.75 for the period commencing from notice of award and terminating June 30, 2020, to do the work and/or supply the materials as set forth in the contract.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 78  
Bid contract to provide  
preventative maintenance  
and repairs on the food  
service equipment**

Freeholder Gatto moved and Freeholder Bertino seconded a motion to enter into a contract with Able Mechanical, Inc., to provide preventative maintenance and repairs on the food service equipment for the total sum not to exceed \$133,440.00 for a two year period commencing February 1, 2020 and terminating January 31, 2022 to do the work and/or supply the materials as set forth in the contract.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 79  
Renewal lease agreement  
for use of County owned  
premises located at 25  
Dolphin Avenue,  
Northfield**

Freeholder Risley moved and Freeholder Dase seconded a motion to enter into a renewal lease agreement with Contact Cape-Atlantic, Inc. for use of County owned premises located at 25 Dolphin Avenue, Northfield in an amount not to exceed \$1.00 for the term commencing November 1, 2019 and terminating October 31, 2020.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 80  
Lease agreement for the  
Hope One Mobile  
Outreach Project**

Freeholder Gatto moved and Freeholder Fitzpatrick seconded a motion to enter into a lease agreement with Hope One Atlantic, LLC for the Hope One Mobile Outreach Project for the amount of ten dollars (\$10.00) per year, during the period commencing January 1, 2020 and terminating December 31, 2021.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 81  
Amending Resolution No.  
696 (12-10-19) approving  
the professional service  
contract for engineering  
design services, as written  
and executed by the  
parties**

Freeholder Dase moved and Freeholder Gatto seconded a motion to amend Resolution No. 696 adopt on December 10, 2019 approving the professional service contract with Michael Baker International for engineering design services for the replacement of Necote Creek Bridge (PR-07), Old New York Road (CR 610) in Port Republic, as written and executed by the parties on January 17, 2020 to change the term date to December 31, 2020.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 82  
Authorizing the  
acquisition of Right of  
Way Easements for the  
widening of Westcoat  
Road (CR 685) in the  
Township of Egg Harbor**

Freeholder Bennett moved and Freeholder Gatto seconded a motion to authorize the acquisition of Right of Way Easements for the widening of Westcoat Road (CR 685) from the Atlantic City Municipal Utilities Authority across part of Lot 1 and Block 191, in the City of Absecon and from Westcoat Realty, LLC across part of Block 602, Lot 4, in the Township of Egg Harbor.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 83  
Acceptance of  
Deeds/Easements from  
various grantors in  
accordance with Atlantic  
County Planning  
Standards**

Freeholder Kern moved and Freeholder Gatto seconded a motion to authorize acceptance of Deeds/Easements from various grantors in accordance with Atlantic County Planning Standards.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 84**  
Authorize the designation  
of the lead agency for  
regional economic  
development

**WITHDRAWN:** Designating the Atlantic County Economic Alliance as the lead agency for regional economic development in Atlantic County.

**RESOLUTION NO. 85**  
Authorizing an equitable  
sharing agreement and  
certification for the Asset  
Forfeiture Program with  
the U.S. Department of  
Justice

Freeholder Bennett moved and Freeholder Gatto seconded a motion to enter into an equitable sharing agreement and certification for the Asset Forfeiture Program with the U.S. Department of Justice and related forms for the period commencing January 1, 2020 and terminating December 31, 2020.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 86**  
Memorandum of  
agreement between the  
County of Atlantic and  
Teamsters Local 331  
White Collar/Blue  
Collar/Public Safety

Freeholder Bennett moved and Freeholder Gatto seconded a motion to approve an agreement between the County of Atlantic and Teamsters Local 331 White Collar/Blue Collar/Public Safety and authorizing a formal written collective bargaining agreement incorporating the terms of the memorandum of agreement for a three (3) year period commencing January 1, 2020 through and including December 31, 2022.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None. ABSTAIN: Bertino.

**RESOLUTION NO. 87**  
Amending Resolution No.  
725 (12/10/19) employer  
participation agreement  
under the Growing  
Apprenticeships in  
Nontraditional Sectors  
(GAINS) grant  
apprenticeship program

Freeholder Gatto moved and Freeholder Bertino seconded a motion to amend Resolution No. 725 adopted December 10, 2019 authorizing an employer participation agreement under the Growing Apprenticeships in Nontraditional Sectors (GAINS) Grant Apprenticeship Program with Ideal Tech Center, in an amount not to exceed \$94,012.00, for the period commencing November 1, 2019 and terminating June 30, 2020.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None

**RESOLUTION NO. 88**  
Amending Resolution No.  
726 (12/10/19) employer  
participation agreement  
under the GAINS Grant  
Apprenticeship

Freeholder Gatto moved and Freeholder Kern seconded motion to amend Resolution No. 726 adopted on December 10, 2019 authorizing an employer participation agreement under the GAINS Grant Apprenticeship Program with Jobs 4 Americans, Inc., in an amount not to exceed \$94,012.00, for the period commencing November 1, 2019 and terminating June 30, 2020.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**RESOLUTION NO. 89**  
Amending Resolution No.  
727 (12/10/19) employer  
participation agreement  
under the GAINS Grant  
Apprenticeship Program

Freeholder Gatto moved and Freeholder Kern seconded a motion to amend Resolution No. 727 adopted on December 10, 2019 authorizing an employer participation agreement under the GAINS Grant Apprenticeship Program with Ideal Experiential Learning in an amount not to exceed \$94,012.00, for the period commencing November 1, 2019 and terminating June 30, 2020.

The above-mentioned motion was adopted by the following roll call: AYES: Bennett, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Risley and Formica. NAYS: None.

**REPORTS OF SPECIAL COMMITTEES OF THE BOARD**

There were no reports of special committees.

**UNFINISHED BUSINESS**

There was no unfinished business.

**NEW BUSINESS**

There was no new business.

**WRITTEN COMMUNICATIONS AND PETITIONS**

Written communications were received by this office for the period of January 22, 2020 to February 18, 2020.

Freeholder Gatto thanked constituents for sending correspondence and resolutions.

Chairman Formica referenced correspondence from County Executive Levinson inquiring why the NJ Dept. of Transportation is not funding road improvements on Westcoat Road. Freeholder Bertino stated that this funding was previously approved and included in the County's budget. Freeholder Dase questioned why the State is not providing road signs for the location of the NJ Memorial Park in Absecon. Freeholder Gatto stated the Dam Committee needs to be meeting in person.

**PUBLIC COMMENTS**

Chairman Formica opened the meeting to the public at 4:21 p.m.

Markus King, President of Atlantic and Teamsters Local 331, thanked the Board for adopting Resolution No. 86, the union's contract. He noted that county employees are the least paid in the State.

Steve Young, President of the National Action Network, asked who is the Chair of the Jail Committee. The National Action Network would like to meet with the Committee regarding an inmate who has a health issue.

Melissa Tomlinson, NJ Education Association, extended an invitation to the Board to attend the Annual Legislator's Luncheon on March 26, 2020.

Tim Kresicher, former Ventnor Mayor, recommended the Board institute an open session prior to the meeting for non-agenda items. He also asked about lumping the resolutions together and voting by consent.

Melissa Tomlinson (no municipality stated), expressed that a resolution including the word sanctuary sends the wrong message.

Tom Seledine (no municipality stated) his problem with the word sanctuary and gun. No reason to make a gun sanctuary county.

Roger Dodge, resident of Absecon, stated this is about the Second Amendment and our rights. He begged the Board to pass the resolution.

Sharon Eaton, resident of Ventnor, expressed her opposition to the Second Amendment gun sanctuary. She also thanked the Freeholders for delaying the vote on the resolution and permitting comments.

Adam Hood, resident of Atlantic County for 24 years, stated the word gun sanctuary is a term for law-abiding gun owners. Guns are bad in the wrong hands like gangs and criminals.

Kristine Piper, resident of Egg Harbor City, is a concerned citizen who

hopes the Board votes no on this resolution.

Betty Raynak, resident of Egg Harbor Twp., stated this is an exercise in futility. This resolution serves no purpose.

Celeste Fernandez, resident of Pleasantville, stated this is about safety. The background check is necessary, as is the Red Flag law.

Dominick Branka, resident of Egg Harbor Twp., stated the resolution provides citizens the right to own guns and looking at the gun laws coming down from Trenton.

William Cunningham, resident of Vineland, spoke about the Second and Tenth Amendments. He stated it sounds like you are pushing a local resolution pre-empting a State law. This resolution is not necessary.

James Casus, resident of Egg Harbor Twp., stated the Red Flag laws remove the gun not the abuser. The law is unconstitutional

Janet Younghine, resident of Cape May County and Co-lead of the Cape May County Moms Demand Action, stated many have asked that she speak on their behalf. She read a prepared statement.

Sonny (Indiscernible), resident of Egg Harbor Twp., stated NJ laws infringe on the Second Amendment. Assault is an action, there is no such thing as an assault weapon. You lose your gun rights little by little.

Diane Faulk, resident of Mays Landing, stated in the past year there were 255 mass shootings. Sanctuary is a place that you should be able to live in peace. The Second amendment resolution is meaningless and she is opposed to the resolution.

Jean Meaker, resident of Egg Harbor Twp., stated that the group is seeking sanctuary or refuge from gun laws. She cited the number of deaths that were not caused by guns.

Nadine Flynn, resident of Egg Harbor Twp. and a veteran, stated the resolution does not add any additional legal rights or takes any rights away. It is a grey area which will be marketed by each side.

Kolbey Tibbons, resident of Egg Harbor City and veteran, stated the resolution is ridiculous and time-consuming accomplishing nothing. The word sanctuary is synonymous with calm and peace. Gun does not fit in the sentence.

Sandy Hickerson, resident of Absecon, thanked the Board for considering this resolution. We're law-abiding citizens, not militia not white supremacist. Firearm safety is a must. The word sanctuary is not in the resolution.

John Fish, resident of Absecon, stated one item that has not come up is that these 44 new laws will have zero effect on crimes and suicides.

Dan Myers, resident of Somers Point, asked questions seeking clarification regarding the current gun laws or future laws. He expressed his opposition to the resolution.

Diane Bectal, resident of Margate, asked where does this rest with your legal department. She stated she is personally opposed to it but appreciated the opportunity to speak.

Eileen Toland, resident of Northfield, asked why is this happening here and why aren't these people going to Trenton. People are thinking that because a town passes this resolution that you can carry a gun.

No name or resident announced, stated imagine the crowd where the boy was shot. What if everyone was armed.

David Nataro, resident of Northfield, stated we are here to support the Constitution, the Second Amendment. The mass hysteria is coming from the post on FaceBook.

Janet Younghine, resident of Cape May County, clarified the cost of insurance to possess a gun.

Eileen Toland, resident of Northfield, expressed the person that stated we are the militia is what scares everyone.

Sandra Russo, resident of Northfield, stated if the Las Vegas shooter had a knife and not a gun it would have been different.

There being no further comments, Chairman Formica closed the public portion at 5:20 p.m.

**GOOD OF THE ORDER** There was no good of the order.

**ADJOURNMENT** Chairman Formica entertained a motion to adjourn the meeting. Freeholder Gatto moved and Freeholder Risley seconded a motion to adjourn the Freeholder meeting. The motion was unanimously passed. The meeting was adjourned at 5:34 p.m.

Submitted by,

Sonya G. Harris  
Clerk of the Board