

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CHOSEN
FREEHOLDERS HELD ON TUESDAY, APRIL 10, 2018 AT 7:00 P.M.
IN THE COUNTY ADMINISTRATION BUILDING
4 MOORE ROAD
CAPE MAY COURT HOUSE, NEW JERSEY**

The meeting convened with Director Thornton presiding and the following members answering roll call:

Freeholders Hayes, Morey, Pierson and Thornton (4)

STATEMENT OF DIRECTOR

“This is a notice read pursuant to the requirements of the “Open Public Meetings Act.” At least 48 hours advance notice of this meeting has been provided by posting of the same in writing on the bulletin boards in the County Administration Building, and the County Clerk’s Office and mailing a copy of the notice to the Cape May County Herald and the Atlantic City Press and filing the same with the County Clerk, all being done on Tuesday, January 9, 2018.”

MOMENT OF SILENCE

FLAG SALUTE

**MINUTES – MOTION TO APPROVE MINUTES OF 03/27/18 REGULAR MEETING
FH Hayes moved/ FH Pierson seconded**

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio				X		
Ms. Hayes	X				X	
Mr. Morey	X					
Mr. Pierson	X					X
Mr. Thornton	X					

COMMUNICATIONS: None.

REPORTS:

- 1) **COUNTY ENGINEER:** Dale Foster reported on the current construction status of specific bridge projects. One bridge was closed, three others were open with operation down to a single lane he stated. Townsends Inlet Bridge was in the middle of a three week closure, to replace the railing on the bridge. When this phase was complete, the bridge would begin operating with the northbound lane closed, and traffic being alternated in the southbound lane on the Avalon side of the bridge. The Roosevelt Boulevard Bridge project was moving along, scheduled to be completed by the first week of May. Next week, the entire length of the bridge would be down to one lane for a grinding and grooving phase, after which only cleanup of the work area would be pending. The Great Channel Bridge was having the bridge railing recoated at the south end of Stone Harbor and currently closed to marine traffic. Some priority repair work was also scheduled for that bridge.

For the road projects, Mr. Foster reported a portion of Bayshore Road in Lower Township, off of Fulling Mill Road was currently closed from Weber Avenue to Alabama Avenue. Traffic would be detoured for approximately twelve days for concrete curb and sidewalk replacements. Alabama Avenue to Wilde Avenue would be the next portion of road to close in one direction only, for the benefit of area businesses. Seashore Road, also in Lower Township, had a lot of work done already on the approaches to the canal bridge. Next week, paving would begin on the north side of the canal bridge, up to and beyond the West Cape May Fire Department. In Avalon, on Ocean Drive a contractor was scheduled to come in to mill and base pave from 46th to 34th Street next week. The following week surface course would be put down from 46th to 62nd Street.

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- 2) COUNTY COUNSEL: Jeffrey Lindsay had no report.
- 3) COUNTY TREASURER: Francine Springer called attention to the introduction of Bond Ordinance 1-18, in the total amount of \$88.2 million dollars, on the agenda for authorization by the freeholders. The purpose of the ordinance was to give the County authorization to spend only, over time, as debt service falls off, not borrowing for all the projects at this time, she explained.

FREEHOLDER REPORTS:

- 1) FREEHOLDER MOREY: Mr. Morey's report focused on the merging of the boards of education of the Cape May County Vocational School District and Special Services School District, to serve both districts and populations (Res. 323-18). This came about after 4 years of discussion, including discussion of the Compact School, visits to other districts, and consideration of how to best serve the kids, he stated. Dr. Richard Stepura, former Executive Superintendent of Schools (retired), Bob Bumpus, Acting Executive Superintendent of Schools for Atlantic and Cape May Counties, and Dr. Nancy Hudanich, Technical School Superintendent, made brief remarks regarding the merger and the advantages of consolidation.
- 2) FREEHOLDER PIERSON: Mr. Pierson sat in on a recent Middle Thorofare, Ocean Drive Bridge meeting. The meeting was a very enlightening preliminary analysis of the Ocean Drive Bridges and he encouraged members of the public to attend upcoming sessions too.

He attended the Atlantic Cape Community College (ACCC) Restaurant Gala on March 28, 2018. The fundraiser grossed \$250,000 and was a great event and evening at Harrah's in Atlantic City he informed.

He attended a dedication of a memorial plaque for the new Enlisted Memorial honoring fallen heroes, being erected at the Coast Guard Training Center in Cape May. The plaque was consecrated and donated by the Grand Lodge of New Jersey at the Masonic Cape Island Lodge over the weekend, on Saturday.

Freeholders Hayes and Pierson attended Avalon Chief of Police, William McCormick's retirement party, held at Icona Golden Inn, Avalon on April 8, 2018.

The freeholder informed April was Alcohol Awareness Month, and asked that everyone take it into consideration, realizing there are some associated problems with alcohol use. It was one of the biggest causes of death and loss of life across the country he noted. Easy access for kids was one of the contributing factors for alcoholism and drug abuse both, he added.

- 3) FREEHOLDER HAYES: The freeholder reminded everyone this week was National Library Week. Try to visit your local branch she encouraged, there are so many things to do. She reported the libraries were promoting Food for Fines the entire Month of April. Patrons could have \$1 in fines waived, per qualifying item submitted. All food items collected would benefit Family Success Center in Rio Grande.

She announced April 10th was Equal Pay for Women Day.

Following up on her attendance at the ACCC Criminal Justice Advisory Board meeting, Freeholder Hayes spoke about the Mays Landing Campus and its program for high school graduates to start there, obtain a 2 year degree, then segue (all credits now transfer), right into the Rowan or Stockton University programs through relationships with them. Farleigh Dickinson now offered a Master's Degree Program in Criminal Justice through ACCC too, she stated.

An awards presentation for the 2018 Cape May County Art Show would be held and winners announced on Thursday, April 12, 2018 at 7:00 p.m. at the

MINUTES OF A REGULAR MEETING HELD APRIL 10, 2018 (CONTINUED)

Performing Arts Center in Middle Township. The varied works of art would be on display there, beginning April 9th through April 27th.

She acknowledged a \$1.2 million grant which was secured by Dan Mulraney, Director, Fare Free Transportation to replace the main office building at the airport.

- 4) FREEHOLDER THORNTON: Director Thornton added that Congressman Frank LoBiondo should be recognized for his help in obtaining the grant money for Fare Free Transportation.

RESOLUTIONS:

INTRODUCED BY MR. PIERSON, SECONDED BY MR. MOREY

- 281-18 Resolution appointing certain County employees to their permanent position in their respective offices.(Emergency Management)
(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 282-18 Resolution amending the 2018 Budget for the Victims of Crime Act (No. V-71-15) for the period July 1, 2017 to June 30, 2018 in the amount of \$218,483.00.
(This Resolution amends the 2018 Budget in the amount of \$218,483.00 for funding to be used to provide comprehensive direct services to victims of domestic violence, child abuse, sexual assault and juvenile offenders.)
- 283-18 Resolution granting and amending various Leaves of Absence to County Employees.
(This Resolution authorizes County Employees to be placed on a Leave of Absence in accordance with the County Leave of Absence Policy and the Family Medical Leave Act (FMLA).)
- 284-18 Resolution authorizing application to the Corporation for National and Community Service for the FY18 Retired Senior Volunteer Program in the amount of \$88,749.00.
(This Resolution authorizes application for the FY18 Retired Senior Volunteer Program; Federal Share \$55,023.00, Local \$33,726.00.)
- 285-18 Resolution authorizing 2018 Aerial Dispensing Operations by the Cape May County Department of Mosquito Control.
(This Resolution authorizes aerial dispensing for control of mosquito populations.)
- 286-18 Resolution amending the 2018 Budget for New Jersey Family Planning League in the amount of \$2,893.00.
(This Resolution amends the 2018 Budget in the amount of \$2,893.00 for Family Planning programs.)
- 287-18 Resolution applying to New Jersey Department of Law and Public Safety for FY18 Hazardous Materials Emergency Preparedness Training Grant in the amount of \$23,715.00.
(This Resolution authorizes an application to the State for grant funds to conduct Hazardous Materials Awareness Operations/Confined Space Awareness and Operations training for first responders for the period 9/30/18 to 8/31/19.)
- 288-18 Resolution accepting Grant Award from the Corporation for National and Community Service for the FY18 Retired and Senior Volunteer Program in the amount of \$55,023.00.
(This Resolution accepts a grant award for the FY18 Retired and Senior Volunteer Program for the period 4/1/18 to 3/31/19 in the amount of Federal \$55,023.00 and Local Cash Match \$33,726.00.)

MINUTES OF A REGULAR MEETING HELD APRIL 10, 2018 (CONTINUED)

- 289-18 Resolution designating New Hope Integrated Behavioral Health Care as the provider of the 48 Hour Intoxicated Driver Resource Center for Cape May County residents.
(This Resolution designates New Hope Integrated Behavioral Health Care as the provider of the 48 Hour Intoxicated Driver Resource Center for Cape May County residents.)
- 290-18 Resolution amending the 2018 Budget for the FY18 Retired Senior Volunteer Program in the amount of \$55,023.00.
(This Resolution amends the 2018 Budget in the amount of \$55,023.00, with County matching funds of \$33,726.00, for a total \$88,749.00, funding to be utilized to cover administrative costs and the placement of volunteers within the community to meet specific needs related to health, independent living and transportation.)
- 291-18 Resolution accepting Grant Award from New Jersey Department of Human Services, Division of Mental Health and Addiction Services for the Mental Health Administrators Grant for the period January 1, 2018 to December 31, 2018 in the amount of \$12,000.00.
(This Resolution authorizes acceptance of a grant award from the New Jersey Department of Human Services for the period 01/01/18 to 12/31/18 in the amount of \$12,000.00 with County matching funds of \$4,000.00 to provide funds to support mental health issues.)
- 292-18 Resolution amending the 2018 Budget for the Mental Health Administrators Grant for the period January 1, 2018 to December 31, 2018 in the amount of \$12,000.00.
(This Resolution amends the 2018 Budget in the amount of \$12,000.00, with additional County matching funds of \$4,000.00 to support activities and assist in fulfilling responsibilities related to mental health issues.)
- 293-18 Resolution accepting Grant Award from New Jersey Department of Human Services, Division of Aging Services for the State Health Insurance Program (SHIP) Grant (No: DOAS18SHF020) for the period of April 1, 2018 to March 31, 2019 in the amount of \$35,000.00.
(This Resolution authorizes acceptance of a grant award from the New Jersey Department of Human Services for the period 04/01/18 to 03/31/19 in the amount of \$35,000.00 providing funds to support services offered to Cape May County residents.)
- 294-18 Resolution amending the 2018 Budget for the State Health Insurance Program (SHIP) Grant (No: DOAS18SHF020) for the period April 1, 2018 to March 31, 2019 in the amount of \$35,000.00.
(This Resolution amends the 2018 Budget in the amount of \$35,000.00 for the State Health Insurance Program Grant for the period 04/01/18 to 03/31/19, providing funds to support community-based services offered to Cape May County residents.)
- 295-18 Resolution appointing certain County employees to their permanent position in their respective offices. (Human Services and Crest Haven Nursing Home and Rehabilitation Center)
(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 296-18 Resolution accepting grant award from the New Jersey Family Planning League for grant program funding for the period of January 1, 2018 to December 31, 2018 in the amount of \$284,970.00.
(This Resolution accepts a grant award from the New Jersey Family Planning League in the amount of \$284,970.00.)
- 297-18 Resolution amending the 2018 Budget for the New Jersey Family Planning League Programs for the period January 1, 2018 to December 31, 2018 in the amount of \$284,970.00.
(This Resolution amends the 2018 Budget in the amount of \$284,970.00 for Family Planning Programs.)

MINUTES OF A REGULAR MEETING HELD APRIL 10, 2018 (CONTINUED)

- 298-18 Resolution amending the 2018 Budget for FY2018 New Jersey Family Planning Program Income in the amount of \$25,000.00.
(This Resolution amends the 2018 Budget in the amount of \$25,000.00 which represents funds collected from Family Planning clients.)
- 299-18 Resolution amending the 2018 Budget for the 2018 Area Plan Grant in the amount of \$2,007.00.
(This Resolution amends the 2018 Budget for the Area Plan Grant in the amount of \$2,007.00 to provide funding to further support older adults with services.)
- 300-18 Resolution amending the 2018 Budget for the 2018 Statewide Respite Program Income in the amount of \$3,500.00.
(This Resolution amends the 2018 Budget in the amount of \$3,500.00 which represents funds collected from Statewide Respite clients.)

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio				X		
Ms. Hayes	X					
Mr. Morey	X					X
Mr. Pierson	X				X	
Mr. Thornton	X					

INTRODUCED BY MS. HAYES, SECONDED BY MR. PIERSON

- 301-18 Resolution supplementing the 2018 Salary Resolution and approving appointments and salaries.
(This Resolution authorizes the hiring of new County employees, temporary assignment pay, salary changes or corrections, title changes and promotions of County employees when applicable.)
- 302-18 Resolution awarding Open-End Contracts No. C8-59 to Tony's Villas Produce Market and No. C8-60 to Sysco Philadelphia, LLC to furnish and deliver fresh and frozen produce to various Cape May County Departments.
(This Resolution awards Open-End Contracts No. C8-59 to Tony's Villas Produce Market and Contract No. C8-60 to Sysco Philadelphia, LLC, commencing April 11, 2018 for a term of one year with two one-year options.)
- 303-18 Resolution authorizing Indemnification Agreement with Wildwood Catholic High School for use of County Park East Baseball Field between March 2 and June 19, 2018.
(This Resolution permits use of the baseball field located at County Park East by Wildwood Catholic High School for varsity baseball games and practices.)
- 304-18 Resolution authorizing Indemnification Agreement with The Family Softball Team for use of County Park East on June 23, 2018 for a softball tournament.
(This Resolution grants permission to The Family Softball Team to hold a one day softball tournament on June 23, 2018 at County Park East.)
- 305-18 Resolution amending the 2018 Budget for FY18 Cooperative Marketing Grant in the amount of \$20,000.00.
(This Resolution amends the 2018 Budget in the amount of \$20,000.00 with County matching funds of \$5,000.00, for a total of \$25,000.00, funding to be used to promote tourism opportunities in New Jersey to out-of-state markets.)
- 306-18 Resolution authorizing payment to the Travelers Insurance Company for various claims in the total amount of \$34,867.74.
(This Resolution authorizes payment to the Travelers Insurance Company, Property-Casualty Department for various claims.)
- 307-18 Resolution amending Contract No. 77-16 with Trinity Services Group, Inc. adjusting unit cost per meal at Cape May County Correctional Center.
(This Resolution amends County Contract No. 77-16 with Trinity Services Group, Inc. for the cost per meal for inmates to \$1.65 and cost per meal for staff to \$2.03, effective April 1, 2018 through March 31, 2019.)

MINUTES OF A REGULAR MEETING HELD APRIL 10, 2018 (CONTINUED)

- 308-18 Resolution awarding Contract Nos. C8-56 to Paul J. Baldini, P.A. and C8-58 to Loveland Garrett & Batastini P.A. for Land Use Legal Counsel – General for County of Cape May.
(This Resolution awards Contract Nos. C8-56 to Paul J. Baldini, P.A. and C8-58 to Loveland Garrett & Batastini P.A. for Land Use Legal Counsel on an as-needed basis, commencing April 11, 2018 for a term of one year, with two additional one-year options.)
- 309-18 Resolution authorizing Change Order No. 1 to County Contract No. C7-94 with Waste Management of NJ for additional dumpster location in the amount of \$2,808.00 per annum.
(This Resolution authorizes Change Order No. 1 with Waste Management of NJ for 2 two-yard dumpsters located at the Department of Health.)
- 310-18 Resolution authorizing renewal of flood insurance coverage with American Bankers Insurance Company of Florida in the amount of \$2,192.00 for property located at 4800 Central Avenue, Sea Isle City, New Jersey.
(This Resolution renews Flood Insurance Policy #8705140643 for the term of March 30, 2018 through March 30, 2019.)
- 311-18 Resolution authorizing renewal with Chubb Insurance Company of New Jersey for Employed Lawyers Professional Liability Coverage (Errors and Omissions) in the total amount of \$6,916.25.
(This Resolution authorizes renewal of Employed Lawyers Professional Liability, Errors and Omissions Coverage for the term of March 17, 2018 through March 17, 2019.)
- 312-18 Resolution authorizing renewal with Travelers Property and Casualty Company of America for Commercial Liability Equipment/Boiler Breakdown Coverage for Department of Human Services (formerly Department of Social Services) Building in the amount of \$599.00.
(This Resolution authorizes renewal of Equipment/Boiler Breakdown Coverage for the Department of Human Services Building for the term of January 1, 2018 through January 1, 2019.)
- 313-18 Resolution authorizing renewal with Starr Indemnity & Liability Company for Helicopter Liability and Hull including Non-Owned Drone Coverage in the total amount of \$46,757.87.
(This Resolution authorizes renewal of Helicopter Liability and Hull including Non-Owned Drone Coverage, for the term of April 1, 2018 through April 1, 2019.)
- 314-18 Resolution amending the 2018 Budget for 2018 Senior Citizen and Disabled Transportation Assistance Program Grant for the period January 1, 2018 to December 31, 2018 in the amount of \$350,576.35.
(This Resolution amends the 2018 Budget in the amount of \$332,284.00 with additional carryover funds of \$18,292.35, providing accessible transportation to senior citizens.)
- 315-18 Resolution amending the 2018 Budget for FTA Section 5311 Grant for the period January 1, 2018 to December 31, 2018 in the amount of \$141,627.00.
(This Resolution amends the 2018 Budget in the amount of \$108,332.00 with County matching funds of \$33,295.00 for a total of \$141,627.00, providing funding to support bus transportation service to the general public.)
- 316-18 Resolution amending the 2018 Budget for the Fare Free Transportation Social Services Block Grant (No. TS18005) for the period January 1, 2018 to December 31, 2018 in the amount of \$233,970.00.
(This Resolution amends the 2018 Budget in the amount of \$233,970.00 with County matching funds of \$48,881.00 to provide special initiative transportation services.)

MINUTES OF A REGULAR MEETING HELD APRIL 10, 2018 (CONTINUED)

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio				X		
Ms. Hayes	X				X	
Mr. Morey	X					
Mr. Pierson	X					X
Mr. Thornton	X					

INTRODUCED BY MR. MOREY, SECONDED BY MR. PIERSON

- 317-18 Resolution amending Resolution No. 9-18 appointing certifying officers for 2018.
(This Resolution changes/clarifies certifying officers for departments for auditing purposes.)
- 318-18 Resolution reappointing Maryanne K. Murphy and Carol A. Brand to the Cape May County Bridge Commission.
(This Resolution authorizes the reappointment of Maryanne K. Murphy and Carol A. Brand to the Cape May County Bridge Commission for terms of 3 years.)
- 319-18 Resolution approving the application of Leonard and Elizabeth Verity and authorizing two appraisals of Block 120, Lot 40, 33.37 Acres, Township of Dennis.
(This Resolution authorizes acceptance of an application, a 33.37 acre farm located at 680 Dennisville Road, Dennis Township and further authorizes 2 appraisals to determine development easement value prior to purchase for the Farmland Preservation Program.)
- 320-18 Resolution authorizing acquisition of real estate known as Block 751 Lots 2.02, 2.06 in the Township of Lower for use in connection with the County Road System.
(This Resolution authorizes the acquisition by the County of Cape May of 41.24sqft. portions of County Road 641 pursuant to the County Planning Act 40:27-1, et. seq.)
- 321-18 Resolution authorizing the County of Cape May to enter into an Encroachment Agreement with Wildwood Retail LLC regarding right-of-way along New Jersey Avenue, City of Wildwood.
(This Resolution authorizes a formal agreement between the County of Cape May and the owner of said property to allow for an encroachment into the County right-of-way of New Jersey Avenue, Wildwood.)
- 322-18 Resolution authorizing the County of Cape May to enter into a License and Indemnification Agreement with 100th Street LLC regarding right-of-way along Third Avenue, Borough of Stone Harbor.
(This Resolution authorizes a formal agreement between the County of Cape May and the owner of said property to allow for an encroachment into the County right-of-way of Third Avenue, Stone Harbor.)
- 323-18 Resolution establishing the Board of Education of the Special Services School District and the Vocational School District of the County of Cape May.
(This Resolution establishes the Board of Education of the Special Services School District and the Vocational School District of the County of Cape May.)
- 324-18 Resolution authorizing Modification No. 1 in the amount of \$530,000.00 to Michael Baker International, Inc. for Professional Engineering Services for Rio Grande Avenue (CR661) Entrance Improvements, City of Wildwood.
(This Resolution increases the ceiling amount for additional work to be performed by Michael Baker International, Inc. under their professional engineering services agreement for Rio Grande Avenue (CR661) Entrance Improvements.)
- 325-18 Resolution authorizing Shared Services Agreement with the Township of Lower for Heavy Equipment Fleet Maintenance.
(This Resolution authorizes a shared services agreement with the Township of Lower for the servicing of County-owned heavy equipment.)

MINUTES OF A REGULAR MEETING HELD APRIL 10, 2018 (CONTINUED)

- 326-18 Resolution authorizing Shared Services Agreement with Township of Upper for Heavy Equipment Fleet Maintenance.
(This Resolution authorizes a shared services agreement with the Township of Upper for the services of County-owned heavy equipment.)
- 327-18 Resolution authorizing Shared Services Agreement with the Borough of Avalon for Heavy Equipment Fleet Maintenance.
(This Resolution authorizes a shared services agreement with the Borough of Avalon for the servicing of County-owned heavy equipment.)
- 328-18 Resolution approving contract documents for Improvements to Webster Avenue (CR638) in the Borough of Woodbine and authorizing the Clerk of the Board to advertise for bids for same.
(This Resolution approves contract documents and authorizes advertisement.)
- 329-18 Resolution accepting proposal of Michael Baker International, Inc. in the amount of \$149,900.00 for Professional Bridge Engineering Services for 21st Street and 25th Street Bridges over Avalon Canal Scour/Erosion Damage and Substructure Repairs.
(This Resolution accepts the proposal of Michael Baker International, Inc. in the amount of \$149,900.00 for professional bridge engineering services associated with the 21st Street and 25th Street Bridges over Avalon Canal Scour/Erosion Damage and Substructure Repairs project. Michael Baker International, Inc. is one of the consultants in the professional bridge engineering pool of consultants established by the Fair and Open Process.)
- 330-18 Resolution authorizing Change Order No. 2 in the amount of \$6,657.50 for the contract of Command Co., Inc. for Cape May County Technical High School Softball Field Construction.
(This Resolution authorizes a change order for extra work to complete the project satisfactorily.)
- 331-18 Resolution authorizing Upper Township Rescue Squad to solicit contributions along Roosevelt Boulevard (CR623), Township of Upper.
(This Resolution permits rescue squad volunteers to hold 'coin drops' on various dates throughout the summer to obtain public contributions which help offset operational expenses.)
- 332-18 Resolution accepting proposal of WSP USA, Inc. in the amount of \$162,156.23 for Professional Bridge Engineering Services for Ocean Drive (CR621) over Middle Thorofare Bridge Railing Replacement.
(This Resolution accepts the proposal of WSP USA, Inc. in the amount of \$162,156.23 for professional bridge engineering services associated with the Ocean Drive (CR621) over Middle Thorofare Bridge Railing Replacement project. WSP USA, Inc. is one of the consultants in the professional bridge engineering pool of consultants established by the Fair and Open Process.)
- 333-18 Resolution authorizing an Indemnification Agreement among PR Racing, Cape May County Bridge Commission and the County of Cape May for the NJ Ten Miler on May 19, 2018.
(This Resolution authorizes PR Racing to conduct a race involving the use of bridges and roads owned by the Bridge Commission and the County, respectively.)
- 334-18 Resolution authorizing reimbursement to Cape May County Technical School District in the amount of \$71,519.90 for Softball Field Equipment.
(This Resolution authorizes reimbursement in the amount of \$71,519.90 to the Cape May County Technical School District for softball field equipment.)
- 335-18 Resolution authorizing Change Order No. 1 in the amount of \$50,000.28 for the contract of Compass Construction, Inc. for Re-Bid Cape May County Park Ponds Restoration Project.
(This Resolution authorizes a change order for extra work to complete the project satisfactorily.)

MINUTES OF A REGULAR MEETING HELD APRIL 10, 2018 (CONTINUED)

336-18 Resolution authorizing Change Order No. 7 in the amount of \$434,821.98 for the contract of Hall Construction Co., Inc. for Re-Bid Cape May County Correctional Center.
(This Resolution authorizes a change order for extra work to complete the facility satisfactorily.)

337-18 Resolution authorizing execution of Agreement Modification No. 1 to Federal Agreement No. 17-DT-BLA-766 for 2016 TAP Seashore Road (CR626) Missing Link Bikeway, Lower Township.
(This Resolution is to amend the language in the original project agreement for the Seashore Road (CR626) Missing Link Bikeway, Lower Township.)

338-18 Resolution deeming two vehicle lifts formerly used by the Road Department Mechanics Shop as surplus property and authorizing execution of a Bill of Sale for conveyance to Borough of Avalon.
(This Resolution authorizes conveyance of surplus county property to the Borough of Avalon for the sum of One (\$1.00) Dollar.)

339-18 Resolution - Capital Budget Amendment

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio				X		
Ms. Hayes	X					
Mr. Morey	X				X	
Mr. Pierson	X					X
Mr. Thornton	X					

INTRODUCTION OF BOND ORDINANCE 1-18

Bond Ordinance providing for various 2018 capital improvements, by and in the County of Cape May, State of New Jersey (the County); Appropriating \$88,200,000 therefor (including grants from the New Jersey Department of Transportation in the aggregate amount of \$7,885,903) and authorizing the issuance of \$87,700,000 bonds or notes of the County to finance part of the costs thereof.

BE IT ORDAINED AND ENACTED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the County of Cape May, State of New Jersey (the "County") as general improvements or purposes. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$88,200,000, said sum being inclusive of grants received or expected to be received from the New Jersey Department of Transportation in the amount of \$7,885,903 (the "Grants"), and a down payment in the aggregate amount of \$500,000 for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"). The down payment is now available therefor by virtue of either a provision or provisions in a previously adopted budget or budgets of the County for down payment or for capital improvement purposes or from moneys actually held by the County.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$88,200,000 appropriation not provided for by application hereunder of said down payment and until said Grants are received, negotiable bonds of the County are hereby authorized to be issued in the aggregate principal amount not exceeding \$87,700,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the

MINUTES OF A REGULAR MEETING HELD APRIL 10, 2018 (CONTINUED)

County in an aggregate principal amount not exceeding \$87,700,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

SECTION 3. (a) The improvements hereby authorized and purposes for the financing of which said obligations are to be issued, include but are not limited to, as follows:

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Various General Capital Improvements In And Throughout The County Including, But Not Limited To, Environmental And Hazardous Materials' Remediation At Various Locations; Fishing Creek Pump Station Improvements; County Park Improvements; Improvements To And/Or Construction Of Salt Storage Facilities; Parking Lot Improvements At Various County Facilities; County Shelter Improvements Including, But Not Limited To, Acquisition And Installation Of A Generator; And Various Other County-Wide General Capital Improvements Including, But Not Limited To, Improvements Funded In Whole Or In Part By Monies From FEMA (Federal Emergency Management Agency);	\$10,000,000	\$9,500,000	\$500,000	15 years
(ii) Various Bridge Improvements Throughout The County Including, But Not Limited To, Ocean City-Longport; Corsons Inlet; Townsends Inlet; Grassy Sound; Middle Thorofare; Avalon Boulevard (CR601) Over Ingrams Thorofare; Avalon Boulevard (CR601) Over Gravens Thorofare; Roosevelt Boulevard (CR623) Over Crook Horn Creek; Sea Isle Boulevard (CR625) Over Ludlam Thorofare; Stone Harbor Boulevard (CR657) Over Great Channel (96 th Street); Avalon Boulevard (CR601) Over Leonards Thorofare; 21 st Street Over Avalon Canal; Glenwood Avenue (CR614) Over Sunset Lake; Tuckahoe Road (CR631) Over Cedar Swamp Creek; 104 th Street Over Carnival Bay; 25 th Street Over Avalon Canal; Elmira Street Over Cape Island Creek; Ocean Drive (CR619) Over Great Channel; Ocean Drive (CR621) Over Upper Thorofare; Ocean Drive (CR621) Over Mill Creek; Hand Avenue (CR658) Over Skeeter Island Creek; 17 th Avenue Culvert; Springers Mill Road (CR643) Over Dias Creek; Woodbine-Marshallville Road (CR557) Over Mill Creek; And Mill Road (CR557) Over Mill Creek; And	\$38,850,000	\$38,850,000	\$0 (No Down Payment Is Required Due To The Grants)	20 years

MINUTES OF A REGULAR MEETING HELD APRIL 10, 2018 (CONTINUED)

(iii) Various Road Improvements Throughout The County Including, But Not Limited To, Woodbine-Ocean View Road/DeHirsch Avenue/Belleplain-Woodbine Road (CR550); Mill Road/Reading Avenue (CR557)/Marshallville-Woodbine Road (CR617); Church Road (CR602); Bayshore Road (CR603); Beach Avenue (CR604); Belleplain Road (CR605); Sunset Boulevard, West Perry Street, And Myrtle Avenue (CR606); Dennisville-Petersburg Road/Main Street (CR610); Dias Creek Road (CR612); Goshen Road/Mechanic Street (CR615); Ocean Drive/Third Avenue/Landis Avenue/West Avenue/55 th Street (CR619/CR619 Spur); New Jersey Avenue/Pacific Avenue/Rambler Road (CR621); Roosevelt Boulevard/34 th Street (CR623); Corson Tavern Road And New Bridge Road (CR628); Fish Dock Road (CR630); Tuckahoe Road/Tuckahoe Road Extension (CR631/CR662); Lafayette Street (CR633); Butter Road (CR637); Webster Avenue (CR638); Fishing Creek Road/Academy Road (CR639); Delaware Avenue (CR640); Fulling Mill Road (CR654); Bay Avenue (CR656); Court House-South Dennis Road/Stone Harbor Boulevard/96 th Street (CR657); Rio Grande Avenue (CR661); Stagecoach Road (CR667), Which Improvements Shall Include, But Not Be Limited To, Road Resurfacing And Various Other Roadway Safety Improvements Including, But Not Limited To Pavement Markings, Drainage, Bikeway, Roundabout, Traffic Signal, And ADA (Americans With Disabilities Act) Improvements.	\$39,350,000	\$39,350,000	\$0 (No Down Payment Is Required Due To The Grants)	20 years
Totals	<u>\$88,200,000</u>	<u>\$87,700,000</u>	<u>\$500,000</u>	

(b) Until the Grants are received, the aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$87,700,000.

(c) The aggregate estimated cost of said improvements or purposes is \$88,200,000, the excess thereof and until the Grants have been received, being the amount of \$500,000 is comprised of the down payment for said improvements or purposes.

(d) All such improvements or purposes set forth in Section 3(a) shall also include, but shall not be limited to, as applicable, all engineering, architectural and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto and all in accordance with the plans and specifications therefor on file in the Office of the Clerk of the Board of Chosen Freeholders and available for public inspection and hereby approved.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or a private entity make a contribution or grant in aid to the County for the improvements and purposes authorized hereby and the same shall be received by the County prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the

amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or a private entity. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey, and/or a private entity shall be received by the County after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the County as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer/County Treasurer, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer/County Treasurer. The Chief Financial Officer/County Treasurer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer/County Treasurer upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer/County Treasurer is hereby authorized to sell part or all of the notes from time to time at a public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer/County Treasurer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

SECTION 6. The capital budget of the County is hereby amended to conform with the provisions of this bond ordinance, and to the extent of any inconsistency herewith, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs, as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, will be on file in the office of the Clerk of the Board of Chosen Freeholders and will be available for public inspection.

SECTION 7. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements or purposes which the County may lawfully undertake as general improvements or purposes, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 19.46 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Board of Chosen Freeholders of the

County and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the County as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$87,700,000 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$10,000,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

SECTION 8. The full faith and credit of the County are hereby pledged to the punctual payment of the principal of and the interest on the debt obligations authorized by this bond ordinance. The debt obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy *ad valorem* taxes upon all the taxable property within the County for the payment of the principal of such debt obligations and the interest thereon without limitation as to rate or amount.

SECTION 9. The County hereby declares the intent of the County to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 9 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 10. The Chief Financial Officer/County Treasurer is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the County and to execute such disclosure document on behalf of the County. The Chief Financial Officer/County Treasurer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the County pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the County and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the County fails to comply with its undertaking, the County shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The County covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

SECTION 12. This bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of Chosen Freeholders of the County. The Clerk of the Board of Chosen Freeholders of the County is hereby authorized and directed to arrange for the publication of this bond ordinance in full or in summary after introduction upon first reading and after final adoption in an authorized newspaper of the County, such publications to be in accordance with the requirements of the Local Bond Law.

SECTION 13. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: APRIL 10, 2018**

**ELIZABETH BOZZELLI,
Clerk of the Board of Chosen Freeholders**

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Moved
Mr. Desiderio				X		
Ms. Hayes	X					
Mr. Morey	X					X
Mr. Pierson	X				X	
Mr. Thornton	X					

Addition(s):

340-18 Resolution authorizing the Board to hold a meeting excluding the public on April 10, 2018 at 6:00 p.m. or as soon thereafter as possible or as practicable.
 Matters falling within attorney-client privilege pursuant to N.J.S.A. 10:4-12(b)(7) and matters falling within the purchase, lease or acquisition of real property, pursuant to N.J.S.A. 10:4-12(b)(5).
 (This Resolution authorizes the Board of Chosen Freeholders to conduct a meeting excluding the public at the stated time in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-1, et seq.)

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Moved
Mr. Desiderio				X		
Ms. Hayes	X				X	
Mr. Morey	X					
Mr. Pierson	X					X
Mr. Thornton	X					

MOTION TO PAY BILLS: FH Hayes moved/FH Pierson seconded

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio				X		
Ms. Hayes	X				X	
Mr. Morey	X					
Mr. Pierson	X					X
Mr. Thornton	X					

PUBLIC COMMENTS: Jeff Sutherland, County Prosecutor thanked the Board for the approval of transfer of the Administration Wellness Van to their office. The van would be used in their new outreach program, “Cape Haven” for people with substance abuse problems, already involved with the criminal justice system. He also announced this week was National Crime Victims’ Rights Week with events being held around the state.

ADJOURN: 7:52 P.M. FH Hayes moved/FH Morey seconded.

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio				X		
Ms. Hayes	X				X	
Mr. Morey	X					X
Mr. Pierson	X					
Mr. Thornton	X					

APPROVED

DIRECTOR

ATTEST:

CLERK OF THE BOARD