

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CHOSEN
FREEHOLDERS HELD ON TUESDAY, AUGUST 14, 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 Desiderio, Hayes, Morey, Pierson and Thornton (5)

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 07/24/18 REGULAR MEETING

FH Desiderio moved/ FH Hayes seconded

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

COMMUNICATIONS: None.

REPORTS:

- 1) COUNTY ENGINEER: Mr. Church reported on several projects overseen by the Public Works Department. The work on the Townsends Inlet Bridge, Spans 1 through 7 replacement was scheduled to begin mid-September. Correspondence from the contractor indicated the bridge would shut down the third Monday in September, re-opening on May 22, 2019. A meeting scheduled for tomorrow would provide detail from the contractor on the different phases of construction. Drainage work was completed today, with concrete work to start on Webster Avenue in Woodbine. The road was scheduled to open September 1st, right before the start of school. Corson Tavern Road should be finished this week with the balance of the work beyond Woodbine-Oceanview Road to be done during the next round of federal aid projects. The required easements were being obtained. Dias Creek Road from Hand Avenue to beyond Galloping Way was scheduled to be paved in September as part of the ongoing maintenance paving contract. Fulling Mill Road from Jennings to Bayshore Road would be finished as soon as the water utility work was completed. At this point, the entire road would have been paved in the last 5 years. A woman in the audience put forth a question regarding Corson Tavern Road and which end of the road would be worked on first. The engineer stated he would have to review the plans before providing a definitive answer.
- 2) COUNTY COUNSEL: Jeffrey Lindsay had no report.

- 3) COUNTY TREASURER: Lisa Burkhead, Assistant County Treasurer named the 2 bond ordinances on the agenda for introduction tonight.

FREEHOLDER REPORTS:

- 1) FREEHOLDER MOREY: Mr. Morey reported the Everlon Building at the airport was almost completely down. He encouraged everyone to go down to see the site if they had the opportunity.

Freeholders Morey, Thornton, Pierson and others, met with local officials today on the Middle Thorofare Bridge, looking at alignment alternatives. Next on the agenda was a meeting with the general public and stakeholders on the project. Optimistically, by spring they could get into design development, funding and construction. A lot of advance planning was required on this project; they were thankful for the SJTPO support of the initiative. There was over \$1 million in design work involved.

The 4th Annual UAS Symposium was scheduled for September 24-25, 2018 at Cape May City Convention Hall in Cape May he announced.

Discussion was continuing with the FAA on a program entitled, "Partnership for Safety". The program would give the County a more responsive reaction from the FAA in terms of flights and test programs. That's important for the County because about 20 companies have expressed an interest in advancing their work, he explained. Having the FAA engaged is very helpful and hopefully supportive he stated.

The Atlantic County Improvement Authority (ACIA) continued to work on the Tech Village Project. A number of County team members were closely engaged with them.

- 2) FREEHOLDER PIERSON: Freeholders Pierson and Hayes attended the dedication of a new gazebo built in the rear yard of Family Promise located on Townbank Road in North Cape May. The gazebo was the Eagle Scout Project of Andrew Holloway of Marmora.

A third Veterans Day planning meeting was held at the Naval Air Station Wildwood (NASW) last week. More information on the November 11th event would be provided after the September meeting was held and plans finalized, he informed.

He attended the grand opening ceremony for the Salty Mermaid in Wildwood with Freeholder Hayes and also the Lower Township Chamber of Commerce monthly meeting.

Mr. Pierson complimented Office of Emergency Management Director Marty Pagliughi for the Emergency Preparedness Guide included in the Herald Newspaper this week.

- 3) FREEHOLDER HAYES: Freeholder Hayes recognized and attributed to Freeholder Morey the positive change taking place in Lower Township at the airport. Especially in regard to the Everlon Building coming down, she commented.

She publicly thanked the trustees of the Caroline Hunter Charitable Trust, Mr. Walker and Mr. Raffety, which donated for the 4th year, \$225,000 to the Park & Zoo.

The freeholder thanked library employee, Sally Saettler for taking the time to report a small hole located in the parking lot behind the library,

possibly preventing someone from becoming injured. By the time it was inspected by Risk Management, it had opened up considerably, to around 4 feet in diameter.

- 4) FREEHOLDER DESIDERIO: Freeholder Desiderio informed he would be having a follow up meeting on Friday with Logan Maund, Webelo Scout, to talk more about the topic of flashing signs to alert motorists of flooding on the roads. After attending a caucus meeting, Logan had written a letter to the Board, and now had some additional questions. Following the discussion of the flashing signs, the freeholder had contacted South Jersey Transportation Planning Organization to see if there was money available to obtain them.

Mr. Desiderio attended the AFL-CIO Meeting held at the Hard Rock Hotel & Casino in Atlantic City on Friday, August 10, 2018. Also, the same night he participated in the welcoming of Tech. Sgt. Michael Gavaghan, at the Sea Isle City VFW Memorial Post 1963, as he presented to the Post an American Flag that was flown over the Middle East during a combat mission. Sgt. Gavaghan had flown more than 100 combat missions during his military career.

- 5) FREEHOLDER THORNTON: Director Thornton recently toured the new, completed correctional facility. He was very impressed with what had been accomplished there, he stated. As far as the safety and security it's the right thing to do, in order to protect the corrections officers and the inmates, he added.

The freeholder participated in an OEM Code Red drill held in Lower Township at Central Dispatch. Over 100,000 test calls went out to subscribers. Also, he attended the Veterans Day planning meeting at Naval Air Station Wildwood (NASW) with Freeholder Pierson and others. He commented on the downed Everlon Building. Lower Township officials had been very supportive of that project and been very helpful he stated.

He reported the Middle Township Police and SWAT Team had been coming through the facilities to familiarize themselves with the layout of the buildings. This came about in response to the call to provide armed security in county buildings. This began close to 2 years ago, with the new day for armed security, he commented. This is something we must have to protect the people that use our county, and our employees. The Clerk of the Board, Beth Bozzelli described how the process had evolved, beginning with a Middle Township Police Officer dropping something off to her office, upon leaving, not sure how to exit the building. She then reached out to the Sheriff's Department, met with them, formulated the plan to have the officers walk through the building in waves. Annmarie McMahon, F&S Director contributed by creating an aerial view of the Administration Building from every entrance, exit, doorway, and camera view to be provided to law enforcement.

RESOLUTIONS:

INTRODUCED BY MR. DESIDERIO, SECONDED BY MS. HAYES

- 589-18 Resolution authorizing execution of an Articulation Agreement between the County of Cape May and Atlantic Cape Community College.

(This Resolution authorizes execution of an Articulation Agreement between the Cape May County Police Academy and Atlantic Cape Community College for the Associate in Science Degree in Criminal Justice.)

MINUTES OF A REGULAR MEETING HELD AUGUST 14, 2018 (CONTINUED)

- 590-18 Resolution authorizing Change Order No. 1 to County Contract No. C8-122 with First Priority Emergency Vehicles, Inc. to furnish and install a hand wash sink in the amount of \$2,123.53.
(This Resolution authorizes Change Order No. 1 with First Priority Emergency Vehicles, Inc. to furnish and install a hand wash sink in the amount of \$2,123.53 to County supplied 1997 Chevrolet Diesel P-30 step van for Cape May County Prosecutor's Office.)
- 591-18 Resolution authorizing use of Competitive Contracting for Mechanical Engineering Services for rooftop heating/cooling air handling unit replacement for Superior Court.
(This Resolution authorizes use of Competitive Contracting for Mechanical Engineering Services for rooftop heating/cooling air handling units replacement for Cape May County Superior Court Campus, pursuant to N.J.S.A. 40A:11-5 (a)(i) Professional Services.)
- 592-18 Resolution authorizing County Contract No. C8-125 to Tetra Tech, Inc. for provision of Project Management and Grant Administration for FEMA Flood Mitigation Program in an amount not to exceed \$372,000.00.
(This Resolution awards County Contract No. C8-125 to Tetra Tech, Inc. for FEMA Flood Mitigation Program for the Cape May County Office of Emergency Management.)
- 593-18 Resolution accepting award with the State of New Jersey Department of Law and Safety, Division of the State Police for the FY16 Flood Mitigation Assistance Grant (FMA-PJ-02-NJ-2016-013) for the period March 15, 2016 to August 30, 2019 in the amount of \$7,467,937.26.
(This Resolution accepts funds for the FY16 Flood Mitigation Assistance Grant to provide funding for voluntary elevation of thirty-eight properties located in the Special Flood Hazard Area in Cape May County in the amount of \$7,467,937.26 and a Non-Federal share of \$595,195.75.)
- 594-18 Resolution authorizing execution of an amendment to the Agreement between the County of Cape May, Cape May County Prosecutor and the Assistant Prosecutors' Association.
(This Resolution authorizes an amendment to Article Seven, paragraph B of the Collective Bargaining Agreement between the County of Cape May, Cape May County Prosecutor and the Assistant Prosecutors' Association, for the period of January 1, 2014 through December 31, 2018.)
- 595-18 Resolution amending the 2018 Budget for the Flood Mitigation Assistance Grant FY2016 for the period 3/15/16 to 8/30/19 in the amount of \$7,467,937.26.
(This Resolution amends the 2018 Budget in the amount of \$7,467,937.26, with Matching Funds of \$595,195.75, providing funding for voluntary elevation of thirty-eight properties located in the Special Flood Hazard Area in Cape May County.)
- 596-18 Resolution adding New Classification for County Employees.
(This Resolution establishes the use of additional NJCSC titles and their salary ranges for County employees by amending Resolution No. 5117-78.)
- 597-18 Resolution authorizing the execution of a Memorandum of Understanding between the County of Cape May and Rutgers University for field training of students seeking State Licensing as Registered Environmental Health Specialists.
(This Resolution authorizes the execution of a Memorandum of Understanding between the County of Cape May and Rutgers University for field training of students seeking State Licensing as Registered Environmental Health Specialists.)

598-18 Resolution accepting a Grant Award from the New Jersey Department of Law and Public Safety through the Victims of Crime Act Program for the Sexual Assault Response Team/Forensic Nurse Examiner (SART/FNE) Program in the amount of \$57,452.00 for a period of October 1, 2017 to September 30, 2018.

(This Resolution accepts a grant award from the New Jersey Department of Law and Public Safety for the SART/FNE program in the amount of \$57,452.00 and in-kind Matching funds of \$14,363.00 to support sexual assault victims.)

599-18 Resolution amending the 2018 Budget for the Victims of Crime Act, Sexual Assault Response Team (SART) and Forensic Nurse Examiner (FNE) Grant No. VS-48-15 for the period of October 1, 2017 to September 30, 2018 in the amount of \$57,452.00.

(This Resolution amends the 2018 budget in the amount of \$57,452.00 with In-kind Matching funds of \$14,363.00 for the period of October 1, 2017 to September 30, 2018 to provide services and treatment for sexual assault victims.)

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

INTRODUCED BY MR. PIERSON, SECONDED BY MR. MOREY

600-18 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).)

601-18 Resolution authorizing execution of a Hold Harmless and Indemnification Agreement with the New Jersey Mosquito Control Association, Inc.

(This Resolution authorizes the execution of a Hold Harmless and Indemnification Agreement for the NJMCA to use and occupy open ground at the County Department of Mosquito Control for a portable storage shed.)

602-18 Resolution authorizing execution of a Memorandum of Agreement between the County of Cape May and the State of New Jersey, Department of Human Services for use of the Woodbine Developmental Center during declared emergency situations.

(This Resolution authorizes the County to enter into a Memorandum of Agreement with the State for the provision of a site to be used during any declared emergency situation.)

603-18 Resolution accepting Grant Award from the New Jersey Department of Health for Local Core Capacity for Public Health Emergency Preparedness (LINCS) Grant No. PHLP19LNC009 for the period July 1, 2018 to June 30, 2019 in the amount of \$236,274.00.

(This Resolution accepts a grant award in the amount of \$236,274.00 to be utilized in the building and enhancing area-wide critical core capacities and expertise needed to plan, coordinate and respond to any future public health threats and emergencies.)

604-18 Resolution amending the 2018 Budget for the Local Core Capacity for Public Health Emergency Preparedness Grant (LINCS) Grant No. PHLP19LNC009 for the period July 1, 2018 to June 30, 2019 in the amount of \$236,274.00.

MINUTES OF A REGULAR MEETING HELD AUGUST 14, 2018 (CONTINUED)

(This Resolution amends the 2018 Budget for the Local Core Capacity for Public Health Emergency Preparedness (LINCS) Grant in the amount of \$236,274.00.)

605-18 Resolution authorizing Subcontract with Township of Upper/City of Ocean City for participation in the Municipal Alliance Program in the amount of \$24,393.00.

(This Resolution authorizes a subcontract for the period 7/1/18 through 6/30/19; Township of Upper/City of Ocean City Municipal Alliance Consortium \$24,393.00.)

606-18 Resolution authorizing Subcontract with Township of Middle for participation in the Municipal Alliance Program in the amount of \$13,307.00.

(This Resolution authorizes a subcontract for the period of 7/1/18 through 6/30/19; Township of Middle \$13,307.00.)

607-18 Resolution authorizing Subcontract with City of Sea Isle for participation in the Municipal Alliance Program in the amount of \$5,500.00.

(This Resolution authorizes subcontract for the period of 7/1/18 through 6/30/19; City of Sea Isle \$5,500.00.)

608-18 Resolution authorizing Subcontract with City of North Wildwood for participation in the Municipal Alliance Program in the amount of \$20,788.00.

(This Resolution authorizes subcontract for the period 7/1/18 through 6/30/19; City of North Wildwood Municipal Alliance Consortium \$20,788.00.)

609-18 Resolution authorizing Subcontract with Township of Dennis for participation in the Municipal Alliance Program in the amount of \$7,344.00.

(This Resolution authorizes subcontract for the period of 7/1/18 through 6/30/19; Township of Dennis \$7,344.00.)

610-18 Resolution authorizing Subcontract with Borough of Woodbine for participation in the Municipal Alliance Program in the amount of \$5,500.00.

(This Resolution authorizes subcontract for the period 7/1/18 through 6/30/19; Borough of Woodbine \$5,500.00.)

611-18 Resolution applying to New Jersey Juvenile Justice Commission for New Jersey Juvenile Detention Alternatives Initiative Innovations Funding for the period January 1, 2019 to December 31, 2019 in the amount of \$117,000.00.

(This Resolution authorizes application to the State of New Jersey Juvenile Justice Commission for New Jersey Detention Alternatives Initiative Innovations Funding for the period of 1/1/19 to 12/31/19.)

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. DESIDERIO

612-18 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.)

MINUTES OF A REGULAR MEETING HELD AUGUST 14, 2018 (CONTINUED)

- 613-18 Resolution authorizing the Board to hold a meeting excluding the public on August 14, 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); anticipated litigation, 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.)
- 614-18 Resolution acknowledging contract with South Jersey Energy Company and Constellation New Energy to provide electricity to County of Cape May through the South Jersey Power Cooperative.
(This Resolution acknowledges a 24-month contract awarded by County of Camden serving as the Lead Agency for the South Jersey Power Cooperative commencing with the first meter read after September 1, 2018.)
- 615-18 Resolution constituting an agreement with certain State and National contract vendors for 2018.
(This Resolution enables the County to utilize State, National and Cooperative contracted vendors.)
- 616-18 Resolution authorizing Indemnification Agreement with Cape May County Technical School District to hold cross country practices and meets at the County Park.
(This Resolution permits the Cape May County Technical School students to use County Park for cross country practices and meets.)
- 617-18 Resolution adopting a Cape May County Employee Travel Policy.
(This Resolution adopts a formal policy and defines procedure for employees who must travel in performance of their duties on behalf of the County.)

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

INTRODUCED BY MR. MOREY, SECONDED BY MR. PIERSON

- 618-18 Resolution authorizing purchase of Block 811.01, Lot 4, in the City of Ocean City, and further authorizing execution of a Leasing and Management Agreement for said acquisition, and further authorizing engagement of Foundation Title, LLC for title insurance and closing services.
(This Resolution authorizes the acquisition of the identified real property for the purchase price of \$650,000.00.)
- 619-18 Resolution authorizing purchase of one new 2018 John Deere 524K Wheel Loader for Road Department utilizing State Contract No. 17-FLEET-00199 in the amount of \$156,727.80.
(This Resolution authorizes the purchase of 2018 John Deere 524K Wheel Loader with Bijor-Delimon Auto Lube System for the Road Department under NJ State Contract No. 17-FLEET-00199 in the amount of \$156,727.80.)

MINUTES OF A REGULAR MEETING HELD AUGUST 14, 2018 (CONTINUED)

- 620-18 Resolution authorizing acquisition of interest in real estate known as Block 251 Lot 112.01 in the Township of Dennis for use in connection with County Road System.
(This Resolution authorizes the acquisition by the County of Cape May of 2,079 sq. ft. portions of County Road No. 668 pursuant to the County Planning Act, N.J.S.A. 40:27-1, et seq.)
- 621-18 Resolution authorizing acquisition of interest in real estate known as Block 452 Lot 14 in the Township of Lower for use in connection with County Road System.
(This Resolution authorizes the acquisition by the County of Cape May of portions of County Road No. 626 pursuant to the County Planning Act, N.J.S.A. 40:27-1, et seq.)
- 622-18 Resolution authorizing Release of Performance Guarantee in the amount of \$16,308.60 to 303 Suites LLC for improvements to Court House South Dennis (County Road 657), Township of Middle.
(This Resolution authorizes release of funds held for improvements within the County right-of-way for 303 Suites LLC, Township of Middle.)
- 623-18 Resolution authorizing Cape May County to accept a Grant Agreement with the State Agriculture Development Committee under the Farmland Preservation Program for the acquisition of a development easement affecting Block 55.01 Lot 33, Township of Middle.
(This Resolution authorizes Cape May County to accept the grant agreement with SADC in the amount of \$48,290.40 for the acquisition of a development easement from B-Jac LLC, Township of Middle.)
- 624-18 Resolution authorizing execution of a Leasing and Management Agreement between the County of Cape May and the Township of Upper for Block 451, Lots 6, 20, 22, 23 and 30 in the Township of Upper. (Open Space Program)
(This Resolution authorizes an extension of a Leasing and Management Agreement with the Township of Upper for the Township to continue responsibility for the care, maintenance and general operation of Open Space property located within the Township.)
- 625-18 Resolution supporting Middle Township's submission of a Grant Application to the 2018 New Jersey Transportation Alternatives Set-Aside Program for the Cape May Court House Revitalization Project.
(The Resolution supports the Township of Middle's submission of a grant application to the State's Transportation Alternatives Set-Aside Program and outlines the County's understanding of its role with respect to the County roadways located within the project area.)
- 626-18 Resolution appointing certain County employees to their permanent position in their respective offices. (Planning/Workforce Development)
(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 627-18 Resolution authorizing Cape May County's 4th Annual UAS Conference.
(This Resolution authorizes the County to organize and host the 4th Annual UAS Conference on September 24 and 25, 2018.)
- 628-18 Resolution authorizing execution of a Use License Agreement for Cape May City Convention Hall for the 4th Annual UAS Conference.
(This Resolution authorizes a Use License Agreement for Cape May County Convention Hall for the 4th Annual UAS Conference on September 24 and 25, 2018.)

MINUTES OF A REGULAR MEETING HELD AUGUST 14, 2018 (CONTINUED)

- 629-18 Resolution authorizing Modification No. 1 in the amount of \$20,711.80 to the Professional Bridge Engineering Services Agreement with Greenman-Pedersen, Inc. for Ocean Drive (CR621) over Middle Thorofare Fender Repairs.
(This Resolution increases the ceiling amount of Greenman-Pedersen, Inc. professional bridge engineering services agreement for the Ocean Drive (CR619) over Middle Thorofare Fender Repairs Project.)
- 630-18 Resolution closing the contract and accepting the work of MSA Integration Systems, Inc. for Re-Bid Physical Security Upgrades – Phase II for Various County Facilities.
(This Resolution accepts the work and closes the contract.)
- 631-18 Resolution authorizing an Indemnification Agreement with Cape May County PBA Local 401 for its Back the Blue 5K on October 6, 2018.
(This Resolution gives permission to Cape May County PBA Local 401 to utilize County roads for a 5K event.)
- 632-18 Resolution authorizing application for Road Opening Permit to Perna Finnigan, Inc. for Fulling Mill Road (CR654), Township of Lower.
(This Resolution authorizes Perna Finnigan, Inc. to install a new water main and service on Fulling Mill Road (CR654), Township of Lower between Bayshore Road and Garfield Avenue. Work will be completed promptly.)
- 633-18 Resolution accepting proposal of Remington & Vernick Engineers, Inc. in the amount of \$338,375.99 for Professional Construction Engineering Services for Ocean Drive (CR619) Bridge over Townsends Inlet Spans 1-7 Replacement, Borough of Avalon and Sea Isle City.
(This Resolution accepts the proposal of Remington & Vernick Engineers, Inc. in the amount of \$338,375.99 to provide professional construction engineering services for the Ocean Drive (CR619) Bridge over Townsends Inlet Spans 1-7 Replacement project.)
- 634-18 Resolution amending Resolution No. 545-18 authorizing Modification No. 2 in the amount of \$88,454.00 to the Professional Engineering Services Agreement with Urban Engineers, Inc. for West Perry Street, Myrtle Avenue (CR606) and Park Boulevard, Borough of West Cape May.
(This Resolution corrects the amount of Modification No. 2 listed in Resolution No. 545-18 for Urban Engineers, Inc. professional services agreement.)
- 635-18 Resolution accepting proposal of WSP USA, Inc. in the amount of \$66,430.84 to provide Professional Engineering Services for Cape May City Bikeway Network Expansion.
(This Resolution accepts the proposal of WSP USA, Inc. in the amount of \$66,430.84 for professional engineering services for the preliminary engineering design phase of the project. WSP USA, Inc. is one of the consultants in the professional engineering pool of consultants established by NJ Department of Transportation for design services associated with the Safe Routes to School program.)
- 636-18 Resolution authorizing Change Order No. 2 in the amount of \$0.00 to Arawak Paving Co., Inc. for Corsons Tavern Road (CR628) Resurfacing Improvements from north of Gracetown Road to south of Woodbine-Ocean View Road, Township of Dennis.
(This Resolution authorizes a change order for an extension of time added to the contract to complete the project in a satisfactory manner.)

637-18 Resolution authorizing Modification No. 2 in the amount of \$114,900.00 to Mott MacDonald, LLC for providing License Professional Site Remediation Services for Cape May County Airport Everlon Building.

(This Resolution increases the ceiling amount of Mott MacDonald, LLC licensed professional site remediation services agreement for Cape May County Airport Everlon Building.)

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

638-18 Capital Budget Amendment

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

INTRODUCTION OF BOND ORDINANCE 2-18

Bond Ordinance providing for a contribution towards a redevelopment project (Phase 1 of the Cape May County Airport Tech Village) being undertaken in the Township of Lower, for and in The County of Cape May, State of New Jersey; Appropriating not to exceed \$6,200,000 to fund all or a portion of the cost thereof, and authorizing the issuance of not to exceed \$6,200,000 bonds or notes of the County to finance such appropriation, consenting to a financing and determining certain other matters in connection therewith.

WHEREAS, the County of Cape May, State of New Jersey (the “County”), in an effort to spur economic development and growth in the County, has determined that it is in the best interests of the residents of the County that a new building (to be utilized for unmanned aircraft system and technology research and development) be constructed at the Cape May County Airport (which shall be commonly known as Phase I of the Cape May County Airport Tech Village), as a Redevelopment Project (the “Redevelopment Project”), to undertaken by the Atlantic County Improvement Authority (the “ACIA”) pursuant to the Cape May County Airport Tech Village Redevelopment Plan within the Cape May County Airport Tech Village Redevelopment Area that has been designated, adopted and created, as applicable, by and within the Township of Lower, in the County pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. and applicable predecessor laws (collectively, the “Redevelopment Law”); and

WHEREAS, the County now desires to authorize an appropriation in the not to exceed amount of \$6,200,000 that will serve as a contribution for the Redevelopment Project, which contribution and appropriation may include a

grant from the U.S. Economic Development Administration, and to authorize the issuance of bonds or notes in the not to exceed amount of \$6,200,000 that will be utilized to finance all or a portion of such appropriation and as security for the bonds or notes to be issued by and through the ACIA that will finance all or a portion of the Redevelopment Project; and

WHEREAS, the Local Finance Board, in the Division of Local Government Services, New Jersey Department of Community Affairs has reviewed the ACIA's application and held a hearing on the Redevelopment Project and the financing of same and has issued positive findings in connection with same; and

WHEREAS, pursuant to N.J.S.A. 40:37A-56 et seq., the County also desires to consent to the Redevelopment Project being undertaken and constructed by the ACIA and the financing of same through the issuance of bonds and notes by the ACIA and any associated agreements necessary therefor.

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 Members Thereof Affirmatively Concurring), AS FOLLOWS:

SECTION 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the County of Cape May, State of New Jersey (the "County"). For all or a portion of the cost of said improvement or purpose stated in Section 3, there is hereby appropriated the not to exceed sum of \$6,200,000. The down payment requirements set forth in the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law") are not applicable to this ordinance by virtue of the exception thereto set forth in section 37(c) of the Redevelopment Law.

SECTION 2. For the financing of all or a portion of said improvement or purpose described in Section 3 hereof, negotiable bonds of the County are hereby authorized to be issued in the principal amount not to exceeding \$6,200,000 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the County in a principal amount not exceeding \$6,200,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

SECTION 3. (a) The improvement hereby authorized and the purpose for the financing of which said obligations are to be issued is a contribution towards the Redevelopment Project, including but not limited to, the construction of a new building at the Cape May County Airport (which shall be commonly known as Phase I of the Cape May County Airport Tech Village) to undertaken by the ACIA pursuant to the Cape May County Airport Tech Village

Redevelopment Plan within the Cape May County Airport Tech Village Redevelopment Area that has been designated, adopted and created, as applicable, by and within the Township of Lower, in the County, pursuant to the Redevelopment Law, and located at Block 410.10, Parts of Lot 36 on the Official Tax Map of the Township of Lower, in such County and also including but not limited to, as applicable, demolition, reconstruction and/or improvements to structures; construction of and/or improvements to associated parking areas and access roads; and improvements to storm water retention basin and any other associated site work and real property improvements; and all furnishings, fixtures and equipment necessary in connection with said facility and all work, materials, equipment, labor and appurtenances necessary therefore or incidental thereto and the payment of all costs and expenses that may be necessary or incidental to the aforesaid facility and provision for working capital, operating, maintenance or replacement expenses as may be determined from time to time.

(b) The estimated maximum amount of bonds or notes to be issued for said improvement or purpose is not to exceed \$6,200,000.

(c) The estimated cost of said improvement or purpose is not to exceed \$6,200,000.

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 any of the general capital improvements or purposes authorized hereby and the same shall be received by the County prior to the issuance of the bonds or notes authorized in Section 4 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 4 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.

SECTION 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the County (the "Chief Financial Officer"), provided that no note shall mature later than one (1) year from its dated date, subject to the renewal(s) thereof as authorized under the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer 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 is hereby authorized to sell part or all of the notes from time to time at 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 dated dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Board of Chosen Freeholders 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 interest rate and 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 to the extent of any inconsistency herewith. In the event of any such inconsistency, 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 improvement or purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the County may lawfully undertake as a general improvement, 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 improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 40 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 not to exceed \$6,200,000 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$1,700,000 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 purpose or improvement hereinbefore described.

(e) The bonds and notes authorized by this bond ordinance shall have a maximum net interest rate not to exceed eight percent (8.00%) and shall mature within forty (40) years of the date of their original issue.

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 bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the County, and the County shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the County for the payment of the bonds or notes 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 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 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 is hereby authorized to acquire, undertake or make a contribution towards, as applicable, the Redevelopment Project. The Director or Deputy Director of the Board of Chosen Freeholders, County Administrator, Chief Financial Officer, County Counsel and the Clerk of the Board of Chosen Freeholders are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform any and all documents

necessary to acquire, undertake or make a contribution towards, as applicable, the Redevelopment Project.

SECTION 12. Pursuant to and in accordance with the terms of N.J.S.A. 40:37A-56, the County does hereby consent to: (i) the Redevelopment Project being undertaken and constructed by the ACIA, (ii) the financing of same through the issuance of bonds and notes by the ACIA in the not to exceed amount of \$6,200,000, and (iii) the execution of any and all agreements and/or amendments thereto in connection therewith.

SECTION 13. The County covenants to, if applicable at the time of issuance, 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 14. The within bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of Chosen Freeholders. The Clerk of the Board of Chosen Freeholders is hereby authorized and directed to arrange for the publication of such bond ordinance in full or in summary after introduction upon first reading and after final adoption in full or in summary as required by law.

SECTION 15. 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: August 14, 2018

ELIZABETH BOZZELLI
Clerk of the Board of Chosen Freeholders

ADOPTED ON SECOND READING
DATED: September 25, 2018

ELIZABETH BOZZELLI
Clerk of the Board of Chosen Freeholders

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 3-18 AMENDING BOND ORDINANCE 1-13

Bond Ordinance amending and supplementing Bond Ordinance 1-13 (which provides for various improvement or purposes) heretofore finally adopted by the Board of Chosen Freeholders of the County of Cape May, State of New Jersey on December 27, 2013, to amend the description set forth therein.

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 members thereof affirmatively concurring) **AS FOLLOWS:**

SECTION 1. Section 3(d) of Bond Ordinance Number 1-13 finally adopted on December 27, 2013 by the County of Cape May, State of New Jersey (the "County") entitled, "BOND ORDINANCE APPROPRIATING \$47,500,000, AND AUTHORIZING THE ISSUANCE OF \$44,377,700 BONDS OR NOTES OF THE COUNTY, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE COUNTY OF CAPE MAY, NEW JERSEY" (the "Original Ordinance"), is hereby amended and supplemented, as follows:

"Section 3. (d) Improvement of County-owned properties and facilities in, by and/or for the County by the improvement, renovation, upgrade and/or reconstruction thereof, including without limitation, the Crest Haven Nursing Home by the upgrade of the piping thereat; the Cape May Airport by the acquisition and installation, as applicable, of piping for an above-ground diesel tank and any associated and necessary improvements concerning said tank; the Courthouse by the renovations thereof and the construction of additional offices and storage facilities; the upgrade to the dewatering pad; the upgrade of the fuel facility; the upgrade of the salt storage facility; Dennis Township and Woodbine Schools by the installation of new generators; the County Technical School by the improvement of the athletic fields; and renovations to Atlantic County Community College, including also the hazard mitigation project and environmental cleanup at various locations and the upgrade of the stormwater and sewer pumps, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Clerk of the Board of Chosen Freeholders or the County Treasurer and hereby approved."

SECTION 2. Except as expressly amended and supplemented hereby, the Original Ordinance shall remain in full force and effect.

SECTION 3. 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 4. The County hereby declares the intent of the County to issue the bonds or bond anticipation notes in the amount authorized in the Original Ordinance from the date of original adoption thereof and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in the Original Ordinance. This Section 4 is reiteration of declaration of intent that was undertaken when the Original Ordinance was adopted within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

SECTION 5. The Chief Financial Officer 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 in connection with the Original Ordinance. The Chief Financial Officer 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 6. This bond ordinance shall take effect twenty (20) days after final adoption as provided by the Local Bond Law.

**ADOPTED ON FIRST READING
DATED: August 14, 2018**

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

**ADOPTED ON SECOND READING
DATED: August 28, 2018**

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

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

MINUTES OF A REGULAR MEETING HELD AUGUST 14, 2018 (CONTINUED)

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

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

PUBLIC COMMENTS: Mary Carey of Cape May Court House asked the Board what they were going to do with the old correctional facility. She suggested it could be a good location for a homeless shelter.

Joseph Donnelly of Lower Township thanked the Board for the bike path now being brought into the refuge in Lower Township. Thousands of people each weekend use the bike path, and come to the refuge than ever before, he commented. He specifically thanked Mike Laffey, Bob Church and Freeholder Morey for reaching out to the community with what he called a well thought out plan.

ADJOURN: 7:41 P.M. FH Desiderio moved/FH Hayes seconded

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

APPROVED

DIRECTOR

ATTEST:

CLERK OF THE BOARD