

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CHOSEN
FREEHOLDERS HELD ON TUESDAY, SEPTEMBER 11, 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- Led by Freeholder Pierson.

MINUTES – MOTION TO APPROVE MINUTES OF 08/28/18 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: Bob Church reported on the status of the Townsend’s Inlet Bridge Project, Wildwood Gateway Project, Webster Avenue in Woodbine, Miscellaneous Drainage Improvements in Ocean City, 17th Street in Ocean City and Sea Isle Boulevard Project. He named the remaining portion of Hope Corson Road from Rt. 50 to Stagecoach Rd. and Main Street in Dennis Township from Rt. 47 to Dennisville-Petersburg Rd. as projects going out for bid before the 1st of the year.
- 2) COUNTY COUNSEL: Jeffrey Lindsay reported that as the result of a Rice Notice issued by the Department of Law a personnel matter would now be publically heard by the Board. A County Clerk’s Office employee had requested a public hearing on the matter, being a request for approval of unpaid leave days during the months of September to December, in order to attend required classes for her work towards a Master’s Degree. He called on Sara Maloney, Human Resources Director for historical background of the County’s position on unpaid leave requests. Rita Fulginiti, County Clerk also spoke to the issue, which first came to her attention in June, she stated. It was not related to employee performance, as the employee had received a merit raise this year. The County Clerk further stated that unpaid non-medical leave was bad policy and precedent. Freeholder Director Thornton made two points, the first being that the employee had waived her right to privacy and confidentiality in order to have the matter heard in public. The second point was that Rita Fulginiti, as a Constitutional Officer had complete control and jurisdiction over her employees and this was basically her decision. The Freeholder Board had only budget control and salary control for the department. Day to day operations were the responsibility of the County Clerk. Questions were asked and aspects of the matter were openly discussed. Mr. Lindsay advised the Board would have to make a decision to conclude the

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matter even if it was to defer decision to the County Clerk. Laurie Thomas was given the opportunity to speak. Freeholder Desiderio asked for a short break to confer with the Rita Fuliginiti. After speaking privately with the County Clerk, Freeholder Desiderio announced the County Clerk and the Petitioner would work together by meeting to discuss specifics of the time needed to complete the Master's Degree.

Motion by Freeholder Desiderio that ultimately the decision lies with the County Clerk, Rita Fuliginiti/Seconded by Freeholder Hayes. All ayes on roll call.

- 3) COUNTY TREASURER: Lisa Burkhead, Assistant County Treasurer had no report.

FREEHOLDER REPORTS:

- 1) FREEHOLDER MOREY: Mr. Morey reported a meeting tomorrow in Trenton by the New Jersey Local Finance Board for the USEDA Grant for airport redevelopment. Lion Limousine was no longer a tenant at the Airport he informed. He asked Director Thornton to meet with the new Executive Director of the DRBA and others at the airport for a quick tour, date and time to be determined.
- 2) FREEHOLDER PIERSON: Mr. Pierson and Freeholder Hayes attended Overdose Awareness Day on August 30, 2018 at the Lighthouse Church in Cape May Court House with approximately 300 others experiencing a night of testimonies, presentations, music, Narcan training, and awards. At the end of the night a remembrance ceremony took place outside.

He attended with Director Thornton, the final Coast Guard Sunset Parade on the base. Cape May Mayor Charles Lear and Mike Couch, Executive Director Coast Guard Foundation were in attendance. Thornton, Lear and Couch trooped the line (perform informal inspection of recruits on the field) along with the Commandant of the Coast Guard Base.

He participated in the last HSAC Meeting.

Mr. Pierson held a social event at his home over the weekend for the 157th and the Cape May County National Guard Associations. He presented a certificate from the County to a 98-year-old retired Lt. Colonel, born in Cape May County. He attended three 9-11 Ceremonies, one in Somers Point, one in Upper Township and the County ceremony in the Freeholder Meeting Room.

Mr. Pierson announced Suicide Awareness Week was being recognized September 9, 2018 to September 15, 2018 and cited statistics released by the New Jersey State Health Assessment Data Report. The County average is higher than the state average he stated. This was near and dear to his heart because his 15-year old grandson had committed suicide in 2015 and he related very much to the data and issues. He referred the public to Cape Regional Emergency Room if assistance needed. There were people on staff who could counsel, 24 hours a day, 7 days per week. Residents may call 609-465-5999 for appointments. Or persons could call the New Jersey Suicide Prevention Hope Line, also 24/7 at 1-855-654-6735. Cape Counseling Service has an informative video posted on teen suicide at capecounseling.org he informed. The County website would be posting the phone numbers for what was already mentioned and also include the National Suicide Prevention line, Cop2Cop and NJ Vet2Vet line information.

- 3) FREEHOLDER HAYES: Ms. Hayes thanked Al Campbell for running an article on Anika Marks, winner of Miss North Wildwood Pageant, who was born hearing impaired.

She attended for the first time, Concerned Citizens of Whitesboro Appreciation Dinner on August 31st. Awards were given to different people living in Middle Township who had supported CCOW in some way. The following morning she also went to the Community Fair and a fashion show featuring the B. Akul'ture clothing line called *Transitions*.

She announced the Cape May County Zoo, one of 9 zoos in the country to hold dual accreditation, had recently received the ZAA Accreditation. The zoo already holds the AZA designation.

- 4) FREEHOLDER DESIDERIO: On Saturday, Freeholder Desiderio in his capacity of Mayor of Sea Isle City, renewed the marriage vows of 80 couples at one time, in the City of Sea Isle. Today, he conducted a 9-11 Remembrance Ceremony in Sea Isle City. The most important thing is that we remember, he commented. If you see something, say something. It's very important that we keep vigilant and keep together on this terrible acts of terrorism.
- 5) FREEHOLDER THORNTON: Director Thornton was impressed and pleased with the number of people that showed up for the 9-11 Ceremony here today. There were 2,973 people that lost their lives that day, he reminded. We should not forget them, he stated.

A Code Blue Meeting was held. A number of different options were looked at, for things to do with the Code Blue program.

He attended the Coast Guard Parade. He was honored to be able to review the troops he commented. It was a real honor and privilege.

Freeholder Morey and Director Thornton met with staff members regarding the bridge finance plan, about the future of our bridges in Cape May County.

He participated in a conference call with Freeholder Morey on the Division of Local Government Finance regarding the airport. Additionally, participated on a conference call for OEM, regarding the hurricane down in North Carolina and South Carolina. It was awful, getting close to a Category 5. He was scheduled to go to Myrtle Beach for vacation next week, but cancelled due to Florence and the related flooding. We've been in touch with the National Weather Service and may have to send some help to South Carolina/North Carolina.

Director Thornton recognized Michael Laffey, Director of Operations on his retirement. A plaque was read in its' entirety and presented to Mr. Laffey. Mr. Laffey made parting comments before the photographs were taken. Vice-Director Desiderio contributed a short story and comments.

RESOLUTIONS:

INTRODUCED BY MR. DESIDERIO, SECONDED BY MS. HAYES

- 678-18 Resolution authorizing Court-approved settlement of Claim Petition #2016-20400.
(This Resolution authorizes a court-approved settlement of CP#2016-20400 for total payments of \$34,635.00.)
- 679-18 Resolution authorizing Court-approved settlement of Claim Petition #2012-29966 pursuant to N.J.S.A. 34:15-20.
(This Resolution authorizes a court-approved settlement of CP#2012-29966 for total payments of \$10,000.00.)
- 680-18 Resolution authorizing use of Competitive Contracting to furnish, deliver and install Jail Management System at new Cape May County Correctional Center.
(This Resolution authorizes use of Competitive Contracting to furnish, deliver and install one Jail Management System at the new Cape May County Correctional Center pursuant to N.J.S.A. 40A:11-4.1.a. *purchase and licensing*)

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of proprietary computer software and hardware.)

- 681-18 Resolution accepting check from A. E. Stone, Inc. in the amount of \$1,533.50 for damage to the power supply for a traffic signal.
(This Resolution accepts payment in the amount of \$1,533.50 from A. E. Stone, Inc. for damage to the power supply for a traffic signal sustained while performing sidewalk and curbing work.)

- 682-18 Resolution accepting check from Selective Auto Insurance Company of New Jersey in the amount of \$199.51 for clean-up of debris and sweeping up of glass.
(This Resolution accepts payment in the amount of \$199.51 from Selective Auto Insurance Company of New Jersey for debris clean-up and sweeping up of glass caused by a motor vehicle accident on July 3, 2018.)

- 683-18 Resolution appointing a Cape May County Radio Amateur Civil Emergency Services (R.A.C.E.S.) Coordinator and Deputy Coordinator for the County of Cape May.
(This Resolution appoints Tim Cwik R.A.C.E.S. Coordinator and Bill Cole R.A.C.E.S. Deputy Coordinator for Cape May County for term of 10/01/18 through 10/30/21.)

- 684-18 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.)

- 685-18 Resolution applying to New Jersey Department of Law and Public Safety for Victims of Crime Act (VOCA) Grant No. V-08-16 for a period of July 1, 2018 to June 30, 2019 in the total amount of \$574,250.00.
(This Resolution authorizes application to the State for a total amount of \$574,250.00 (Federal Agency \$321,638.00; In Kind Match \$252,612.00) for the period of 07/01/2018 to 06/30/2019.)

- 686-18 Resolution amending Resolution No. 192-18 to change general ledger account line.
(This Resolution authorizes a change in the General Ledger Account from BOND ORD. 114AC.900. 09243.1220. 9000.000. to C. 900. 09261.1250. 9000.106.)

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

- 687-18 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).)

- 688-18 Resolution authorizing Change Order No. 1 to Contract No. 12-63 with Cape Counseling Services, Inc. increasing State Funding in the amount of \$2,500.00 and County Funding in the amount of \$13,000.00.
(This Resolution authorizes Change Order No. 1 to Contract No. 12-63 with Cape Counseling Services, Inc. to increase State Funding in the amount of \$2,500.00 and County Funding in the amount of \$13,000.00 through December 31, 2018.)

- 689-18 Resolution authorizing Change Order No. 1 to Contract No. 12-64 with Cape Counseling Services, Inc. increasing County Funding in the amount of \$42,190.00 and other funding in the amount of \$39,180.00.
(This Resolution authorizes Change Order No. 1 to Contract No. 12-64 with Cape Counseling Services, Inc. to increase County Funding in the amount of

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\$42,190.00 and additional funding (fees, insurance, Medicaid, etc.) in the amount of \$39,180.00 through December 31, 2018.)

690-18 Resolution authorizing Change Order No. 1 to Contract No. 12-66 with Cape Counseling Services, Inc. increasing County Funding in the amount of \$68,718.00.

(This Resolution authorizes Change Order No. 1 to Contract No. 12-66 with Cape Counseling Services, Inc. to increase County Funding in the amount of \$68,718.00 through December 31, 2018.)

691-18 Resolution authorizing Change Order No. 1 to Contract No. C7-241 with Cape Counseling Services, Inc. increasing State funding in the amount of \$7,000.00.

(This Resolution authorizes Change Order No. 1 to Contract No. C7-241 with Cape Counseling Services, Inc. to increase State Funding in the amount of \$7,000.00.)

692-18 Resolution accepting Grant Agreement from the State of New Jersey Department of Health for Special Child Health Case Management Grant No. DFHS19CSE004 for the period of July 1, 2018 to June 30, 2019 in the amount of \$45,301.00.

(This Resolution accepts grant funds from the State in the amount of \$45,301.00 for the period 7/01/18 through 6/30/19 for case management services.)

693-18 Resolution amending the 2018 Budget for Case Management (Special Child Health) Grant No. DFHS19CES004 for the period of July 1, 2018 to June 30, 2019 in the amount \$45,301.00.

(This Resolution amends the 2018 Budget in the amount of \$45,301.00 (with Matching Funds of \$24,224.00), thus providing appropriate services and support for children, birth to age three, in need of case management services.)

694-18 Resolution accepting Grant Award from New Jersey Department of Human Services Division of Aging Services for 2018 Area Plan Grant No. DOAS18AAA007 in the amount of \$9,585.00 for the period January 1, 2018 to December 31, 2018.

(This Resolution accepts a grant award for Area Plan Mid-Year Allocation Redistributed Funds in the amount of \$9,585.00 for the budget period 1/1/18 to 12/31/18.)

695-18 Resolution amending the 2018 Budget for the 2018 Area Plan Grant in the amount of \$9,585.00.

(This Resolution amends the 2018 Budget for Area Plan Grant in the amount of \$9,585.00, providing funding to further support older adults with services such as home meal delivery, state health insurance assistance, thus allowing them to maintain independence and quality of life.)

696-18 Resolution applying to New Jersey Department of Community Affairs for Homelessness Prevention and Rapid Re-Housing 2 2019 Grant No. 2019-02156-0116 for the period of October 1, 2018 to March 31, 2020 in the amount of \$400,000.00.

(This Resolution authorizes County of Cape May application to New Jersey Department of Community Affairs for Homelessness Prevention and Rapid Re-Housing 2 2019 Grant in the amount of \$400,000.00 for the period October 1, 2018 to Match 31, 2020.)

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

- 697-18 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.)
- 698-18 Resolution authorizing the Board to hold a meeting excluding the public on September 11, 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); contract negotiations pursuant to N.J.S.A. 10:4-12(b)(4); matters involving the purchase, lease or acquisition of real property, pursuant to N.J.S.A. 10:4-12(b)(5); pending or anticipated litigation, pursuant to N.J.S.A. 10:4-12(b)(7), and personnel matters pursuant to N.J.S.A. 10:4-12(b)(8).
 (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.)
- 699-18 Resolution authorizing Indemnification Agreement with Middle Township High School to hold cross country practices and meets at the County Park.
 (This Resolution permits Middle Township High School students to use the County Park for cross country practices and meets.)
- 700-18 Resolution appointing certain County employees to their permanent position in their respective offices. (Park/Zoo)
 (This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)

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

- 701-18 Resolution amending Resolution No. 9-18 appointing certifying officer for 2018.
 (This Resolution changes/clarifies certifying officers for departments for auditing purposes.)
- 702-18 Resolution approving construction of a pole building/batting cage and approving Pumpkin Classic Car Show and Fall Fest to be held on November 3, 2018 at Amanda’s Field, Block 451, Lots 6, 20, 22, 23, 33 in Upper Township.
 (This Resolution grants approval to the Township of Upper to construct a pole barn/batting cage to Open Space property known as Amanda’s Field and to hold a Pumpkin Classic Car Show and Fall Fest on November 3, 2018.)
- 703-18 Resolution accepting grant award from New Jersey Department of Labor and Workforce Development for the Workforce Innovation and Opportunity Act (WIOA) Grant and the WorkFirst New Jersey (WFNJ) Grant for the period of July 1, 2018 to June 30, 2019 in the amount of \$1,029,682.00.
 (This Resolution authorizes acceptance of grant award in the amount of \$1,029,682.00 for the period 7/1/18 to 6/30/19.)
- 704-18 Resolution amending the 2018 Budget for the Workforce Innovation and Opportunity Act (WIOA) Grant for the period July 1, 2018 to June 30, 2019 in the amount of \$787,401.00.

MINUTES OF A REGULAR MEETING HELD SEPTEMBER 11, 2018 (CONTINUED)

(This Resolution amends the 2018 Budget in the amount of \$787,401.00 to support efforts in assisting adults, youth and dislocated workers in finding employment.)

- 705-18 Resolution amending the 2018 Budget for the WorkFirst New Jersey (WFNJ) Grant for the period of July 1, 2018 to June 30, 2019 in the amount of \$242,281.00.

(This Resolution amends the 2018 Budget in the amount of \$242,281.00 to support efforts in assisting adults, youth and dislocated workers in finding employment.)

- 706-18 Resolution authorizing Memorandum of Understanding with the Cape May County Chamber of Commerce for the organization and sponsorship of the 4th Annual Cape May County UAS Conference.

(This Resolution authorizes a Memorandum of Understanding with the Cape May County Chamber of Commerce for the coordination and planning of the 4th Annual Cape May County UAS Conference, September 24–25, 2018.)

- 707-18 Resolution approving contract documents for Replacement of a 200 Ton Air Cooled Chiller Unit at the Superior Courthouse and authorizing the Clerk of the Board to advertise for bids for same.

(This Resolution approves contract documents and authorizes advertisement.)

- 708-18 Resolution modifying No Passing Zones along Webster Avenue (CR618) in the Borough of Woodbine.

(This Resolution modifies existing no passing zones on Webster Avenue (CR638) in the Borough of Woodbine.)

- 709-18 Resolution authorizing Change Order No. 1 in the amount of <\$6,876.00> for the contract of Allied Painting, Inc. for Re-Bid Ocean Drive (CR619) over Great Channel Recoating Bridge Railing.

(This Resolution authorizes a change order to adjust quantities to reflect the as-built conditions.)

- 710-18 Resolution authorizing application for Road Opening Permit to South Jersey Gas Company for Landis Avenue (CR619), Sea Isle City.

(This Resolution authorizes South Jersey Gas Company to renew a gas main on Landis Avenue (CR619), Sea Isle City. Work will be completed promptly.)

- 711-18 Resolution closing the contract and accepting the work of Sick, Inc. and Kapsch TrafficCom IVHS, Inc. for Furnishing and Delivering Bridge Electronic Components for the Cape May County Public Works Department.

(This Resolution accepts the work and closes the contract.)

- 712-18 Resolution authorizing the filing of all pleadings necessary to attain possession of real property abutting County Road 661 together with the required fees and costs not to exceed \$409,600.00

(This Resolution authorizes the filing of all necessary pleadings with the Superior Court of New Jersey together with the required fees that are necessary to attain possession of real property abutting County Road 661 between George Redding Bridge and New Jersey Avenue.)

- 713-18 Resolution authorizing execution of Extraordinary Unspecifiable Services Agreement with American Aerospace Technologies, Inc. pursuant to NJSA 40A:11-5.(1)(a)ii.

(This Resolution authorizes an agreement with American Aerospace Technologies, Inc. for Hurricane Response Exercise involving Unmanned Aircraft Systems in October, 2018.)

- 714-18 Resolution authorizing execution of a Jurisdictional Agreement by and between the County of Cape May, City of Wildwood and State of New Jersey.

(This Resolution authorizes execution of a Jurisdictional Agreement related to the construction improvements on County Road 661 between Grassy Sound Channel Bridge and New Jersey Avenue, in the City of Wildwood.)

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

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: Krista Aldrich Rickards of 14 North Boyd Street of Cape May Court House addressed the Board regarding a deed restriction attached to her property that allows the right of ingress and egress through the county parking lot where the Court House sits. She was seeking a gate key, which had been previously denied. She was unable to access her driveway on public holidays when the county was closed and gates unmanned by Sheriff’s Officers. Director Thornton responded this was ongoing issue over many years. Eric Rickards commented briefly. Counsel Jeff Lindsay would look into what had already been accomplished by predecessors and get back to the Board.

Denise Venturini South representing Cape Hope, spoke regarding homelessness. Progress had been made over the past few months, working with people who had expertise in grant writing and more knowledge with the process going forward with the development of supportive housing for various populations of homelessness. Cape Hope was continuing to work very hard she stated. She looked forward to working together as Code Blue season approached, she finished.

Freeholders Morey, Pierson, Hayes and Thornton wished Mike Laffey well on his retirement.

ADJOURN: 8:38 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

MINUTES OF A REGULAR MEETING HELD SEPTEMBER 11, 2018 (CONTINUED)

ATTEST:

CLERK OF THE BOARD