

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD ON TUESDAY, APRIL 26, 2022 AT 4:30 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:

Commissioners Desiderio, Hayes, Morey, Pierson (Virtual) and Thornton-Present (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 11, 2022.”

MOMENT OF SILENCE

FLAG SALUTE-Led by Director Thornton.

MINUTES – MOTION TO APPROVE MINUTES OF THE 04/12/22 MEETINGS
Commissioner Desiderio moved/ Commissioner Hayes seconded

Commissioners	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) ENGINEER: Not present.
- 2) COUNTY COUNSEL: Jeff Lindsay had no report.
- 3) COUNTY TREASURER : Brittany Smith had no report.

COMMISSIONER REPORTS:

- 1) COMMISSIONER MOREY: It was reported, the Cape May Southern Regional Coast Guard Ball was held on Saturday evening. Commissioner Morey attended. They had a nice turnout, and it was an outstanding event, he said. The Coast Guard Commandant, Admiral Karl L. Schultz traveled from Washington to Cape May to attend. He would be finishing out his term this year, with Admiral Linda Fagan taking over command. The energy around the commandant’s speech focused on the community, relationships and support for the Coast Guard. The CG Community Festival which follows the CG Ball was scheduled for Saturday, May 7, 2022. It’s been 2 years since the last one, due to the pandemic it kept getting pushed back, he finished.

MINUTES OF A REGULAR MEETING HELD APRIL 26, 2022 (CONTINUED)

- 2) COMMISSIONER PIERSON: Mr. Pierson recommended a resolution from the Board be prepared to recognize Commandant Schultz on his retirement. He had been very supportive of Cape May County and the Coast Guard Community Foundation during his four-year appointment. Unanimously, the Board voted in favor of the resolution.
- 3) COMMISSIONER HAYES: The commissioner reported recently having the opportunity to speak with both the Lower and Middle Township Chambers of Commerce about different issues going on in the county and state. The main topic touched on at both meetings, was the diversion of billions of dollars of 9-1-1 fees, and what could be done about obtaining the money from the state. Many businesspeople had no idea this was going on, she said. Everyone was in the process of being alerted. The word was getting out with NJAC pushing for a \$21 million portion of NJ State's budget to be divided up between the 21 counties. Cumberland County did a huge public service announcement about this, she informed.

She related details of the Earth Day Celebration, held at the County Park & Zoo on Saturday, April 23rd. Earth Day was a huge success, the park was packed with people. The event began with a flag raising ceremony, after which, everyone enjoyed the music, bounce houses, crafts, a drum circle and a variety of educational exhibits offered throughout the day. This year's theme was "Invest in our Planet" with the Cape May County MUA co-hosting the celebration. The following day, Sunday, "Run Wild 5K and Walk" was held on the park and zoo grounds. People were permitted to walk/run through the zoo, instead of the park only, for the first time.

By invitation from the Lower Township Chamber of Commerce, Commissioner Hayes participated in a 40th anniversary celebration for Ace Hardware Store in Villas, and a ribbon cutting for La Bahia, a new Latin American restaurant in North Cape May.

She attended the April SNJCCA meeting at Greate Bay Country Club in Somers Point. At the dinner meeting, former Cumberland County Commissioner Joe Derella was honored with a bipartisan leadership award named after him (used to be Southern Star Award).

She represented the County Commissioners at Cape Assist's Healthy Coalition Public Policy and Awards breakfast held at the Avalon Links on April 26th. Over forty students were recognized that day for their submissions on the importance of staying drug-free and building resilience.

She reminded everyone the NJAC Conference was next week, May 4th through 6th in Atlantic City.

She described a fundraiser happening on May 15th at Elaine's Restaurant in Cape May starting at 3:00 p.m. The proceeds from the restaurant sales on the 15th were going to assist a Ukrainian family, a man, women and two children, unable to leave the country. Vesna Palifrova, the man's sister, was an American citizen currently living and working here in the county. She was seeking help for her brother and his family, as they lost everything and were unable to obtain money. Commissioner Hayes was attempting to assist by putting Ms. Palifrova in touch with Congressman Van Drew. Director Thornton asked that a message go out to all county employees announcing the fundraiser. The information was to be posted on the county website.

The commissioner was notified that the new Ocean City Boathouse was going to be dedicated over the weekend and named after her. It was used by the Ocean City High School crew team and the Under the Bridge Rowing Club (UBRC) and

MINUTES OF A REGULAR MEETING HELD APRIL 26, 2022 (CONTINUED)

Commissioner Hayes was instrumental in helping the boathouse become a reality for the groups.

4) COMMISSIONER DESIDERIO: No report.

5) COMMISSIONER THORNTON: No report.

RESOLUTIONS:

INTRODUCED BY MR. DESIDERIO, SECONDED BY MS. HAYES

252-22 Resolution authorizing expenditures from Capital Improvement Fund for Professional Services for conceptual architectural design and engineering of Cape May County Prosecutor's Office Building.

(This Resolution authorizes expenditures from the Capital Improvement Fund Professional Services for conceptual architectural design and engineering of Cape May County Prosecutor's Office Building in the amount not-to-exceed \$300,000.00.)

253-22 Resolution authorizing execution of an Addendum to 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 an Addendum to 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.)

254-22 Resolution accepting a 2012 Ford Taurus from the City of North Wildwood for the token of \$1.00 for use by the Department of Public Safety Training Center.

(This Resolution authorizes transfer of a vehicle no longer needed by the City of North Wildwood for use by the County Public Safety Training Center.)

255-22 Resolution authorizing execution of Shared Services Agreement between the County of Cape May and the Township of Lower for Public Safety Answering, Dispatch and Related Services.

(This Resolution authorizes a Shared Services Agreement wherein the County shall provide public safety call answering, dispatch and related services for all calls relating to police, fire and emergency medical services for Lower Township.)

256-22 Resolution authorizing use of Competitive Contracting for Architectural, Engineering, and Environmental Professional Services for the County of Cape May Prosecutor's Office.

(This Resolution authorizes the use of Competitive Contracting for various Professional Services for the County of Cape May Prosecutor's Office pursuant to N.J.S.A. 40A:11-4.1 through 40A:11-4.5.)

257-22 Resolution authorizing use of Competitive Contracting to solicit proposals for the Provision of Methadone Treatment Services for the County of Cape May.

(This Resolution authorizes the use of Competitive Contracting for Methadone Treatment Services for the County of Cape May pursuant to N.J.S.A. 40A:11-4.1 through 40A:11-4.5.)

258-22 Resolution awarding Contract No. C2-76 to Bonfire Engineering and Consulting, Inc. to provide a Broadband Assessment and Feasibility Study for the County of Cape May in the amount of \$238,935.00.

(This Resolution awards Contract No. C2-76 to Bonfire Engineering and Consulting, Inc. to provide a Broadband Assessment and Feasibility Study for the County of Cape May, in the amount of \$238,935.00, for a term of one (1) year commencing on April 27, 2022, expiring upon project completion and closeout pursuant to N.J.S.A. 40A:11-15(9).)

MINUTES OF A REGULAR MEETING HELD APRIL 26, 2022 (CONTINUED)

259-22 Resolution amending Contract No. C1-194 with International City Management Association Retirement Corporation dba MissionSquare Retirement for Deferred Compensation Plan Services for the County of Cape May.

(This Resolution amends Contract No. C1-194 with International City Management Association Retirement Corporation (ICMA-RC) dba MissionSquare Retirement to approve the Amendment to the Administrative Services Agreement, Addendum 1, effective April 4, 2022.)

260-22 Resolution rejecting all proposals submitted April 13, 2022, in response to 2022 Specification No. 7 to furnish and deliver maintenance of existing County Wide Security Access & Video Surveillance Systems.

(This Resolution rejects all proposals received April 13, 2022, for 2022 Specification No. 7, pursuant to N.J.S.A. 40A:11-13.2(d) substantially revise the specifications.)

261-22 Resolution authorizing Grant Application to New Jersey Department of State, Division of Travel and Tourism for FY23 Cooperative Marketing Grant No. TRAV-2023-CMP-00015 for the period October 31, 2022 to December 31, 2023 in the amount of \$31,250.00.

(This Resolution authorizes application for funds to promote tourism opportunities for the period 10/31/22 through 12/31/23.)

Commissioners	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

262-22 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).)

263-22 Resolution approving the monthly disbursements from the Department of Human Services for the TANF, General Assistance and Clearing Accounts.

(This Resolution accepts and approves the monthly disbursements for the TANF, General Assistance and Clearing Accounts as submitted by the Fiscal Department for the Department of Human Services.)

264-22 Resolution declaring the month of May 2022 as Mental Health Awareness Month in Cape May County.

(This Resolution declares the month of May 2022 as Mental Health Awareness Month in Cape May County.)

265-22 Resolution authorizing amendments to various Memorandums of Understanding for Disease Prevention and Health Promotion Service Program Dental Grants.

(This Resolution authorizes amendments to various Memorandums of Understanding for Disease Prevention and Health Promotion Service Program Dental Grants.)

266-22 Resolution applying to New Jersey Department of Health for Cancer Education and Early Detection Grant No. DCHS23CED006 for the period July 1, 2022 to June 30, 2023 for a total amount of \$146,939.00.

(This Resolution authorizes submission of an application to New Jersey Department of Health for grant funds for the period of 7/1/22 through 6/30/23.)

MINUTES OF A REGULAR MEETING HELD APRIL 26, 2022 (CONTINUED)

267-22 Resolution applying to New Jersey Department of Health for Special Child Health Services Case Management Unit in the amount of \$85,591.00 for the period July 1, 2022 through June 30, 2023.

(This Resolution authorizes submission of an application to New Jersey Department of Health for funding in the amount of \$85,591.00 (\$45,000.00 State funds and \$40,591.00 additional County funds) to provide coordination of service and advocacy for those registered through the program for the period of 7/1/22 through 6/23/23.)

268-22 Resolution authorizing application to Department of Children and Families Division of Child Protection and Permanency for SFY 2023 Grant Funds for Human Services Advisory Council (HSAC) for a period of July 1, 2022 through June 30, 2023 for a total amount of \$94,287.00.

(This Resolution authorizes application for funding for Human Services Advisory Council Grant for the period of 7/1/22 through 6/30/23 in the amount of \$94,287.00.)

269-22 Resolution amending Resolution No. 522-21 authorizing Shared Services Agreement with Atlantic County for Public Health Officer Services.

(This Resolution amends a Shared Services Agreement with Atlantic County for Public Health Officer Services.)

Commissioners	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

270-22 Resolution supplementing the 2022 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.)

271-22 Resolution authorizing the Board to hold a meeting excluding the public on April 26, 2022 at 3:30 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 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 County Commissioners 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.)

272-22 Resolution authorizing Application and Indemnification Agreement with the Kyle Martin Brown Foundation for use of County Park Central for a 5K Run/Family Fun Walk.

(This Resolution grants permission to the Kyle Martin Brown Foundation to hold a 5K Run/Fun Walk on May 7, 2022, at County Park Central.)

273-22 Resolution applying to New Jersey Department of Military and Veterans Affairs for Veterans Transportation Grant No. VL23T73 in the amount of \$13,000.00.

(This Resolution applies to the State of New Jersey to support the Veterans Transportation Program for period of 7/1/22 through 6/30/23.)

Commissioners	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

- 274-22 Resolution authorizing the County of Cape May to enter into Encroachment and Indemnification Agreements with Courtney Hoy and Debra Klebanoff 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 and applicant of Lot 115 in Block 95.03 of Stone Harbor, to allow for an encroachment into the County right-of-way of Third Avenue.)
- 275-22 Resolution authorizing the County of Cape May to enter into Encroachment and Indemnification Agreements with Tricia Price and Sueanne Montanari 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 owners/applicants of Lots 117 and 118 in Block 97.03 of Stone Harbor, to allow for an encroachment into the County right-of-way of Third Avenue.)
- 276-22 Resolution reappointing Scott Halliday to the Cape May County Bridge Commission.
(This Resolution authorizes the reappointment of Scott Halliday to the Cape May County Bridge Commission for a term of 3 years.)
- 277-22 Resolution authorizing the execution of a Historic Preservation Trust Fund Grant Agreement with the Historic Cold Spring Village Foundation for the project known as Historic Cold Spring Village: Corson Hand House, Dennisville Inn, and Ezra Norton House providing for a portion of the funding of this project, in a total amount not to exceed \$61,560.00, with adoption of all other terms and conditions of the annexed schedules.
(This Resolution authorizes a Historic Preservation Trust Fund Grant Agreement with the Historic Cold Spring Village Foundation for funding for the above-referenced project under the Open Space Program, pursuant to N.J.S.A. 40:12-16, et seq.)
- 278-22 Resolution authorizing the execution of a Shared Services Agreement with the Township of Middle for the project known as “Norbury’s Landing Park” providing for the funding of a portion of this project, in a total amount not to exceed \$230,256.00 with adoption of all other terms and conditions of the annexed schedules.
(This Resolution authorizes a Shared Services Agreement with the Township of Middle for funding for the above-referenced project under the Open Space Program, pursuant to N.J.S.A. 40:12-16, et seq.)
- 279-22 Resolution authorizing the execution of a Historic Preservation Trust Fund Grant Agreement with the Naval Air Station Wildwood Foundation for the project known as Restoration of Hangar #1 Shed Roof, Stairwells, Southwest Tower, North Elevation and Doors, providing for a portion of the funding of this project, in a total amount not to exceed \$93,811.00, with adoption of all other terms and conditions of the annexed schedules.
(This Resolution authorizes a Historic Preservation Trust Fund Grant Agreement with the Naval Air Station Wildwood Foundation for funding for the above-referenced project under the Open Space Program, pursuant to N.J.S.A. 40:12-16, et seq.)
- 280-22 Resolution authorizing the execution of a Shared Services Agreement with the Borough of Wildwood Crest for the project known as “Wildwood Crest Beach Street End Parks- Public Beach Access Improvement Project” providing for the funding of a portion of this project, in a total amount not to exceed \$2,500,000.00 with adoption of all other terms and conditions of the annexed schedules.
(This Resolution authorizes a Shared Services Agreement with the Borough of Wildwood Crest for funding for the above-referenced project under the Open Space Program, pursuant to N.J.S.A. 40:12-16, et seq.)

MINUTES OF A REGULAR MEETING HELD APRIL 26, 2022 (CONTINUED)

- 281-22 Resolution authorizing the County of Cape May to enter into Encroachment and Indemnification Agreements with Frank Mattera regarding Right-of-Way along Landis Avenue, City of Sea Isle.
(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 Landis Avenue, Sea Isle City.)
- 282-22 Resolution authorizing Change Order No. 3 to Contract No. 15-153 with Michael Baker International, Inc. for Grassy Sound Bridge Rehabilitation Project in the amount not to exceed \$29,900.00.
(This Resolution authorizes Change Order No. 3 to Contract No. 15-153 with Michael Baker, Inc. for Grassy Sound Bridge Rehabilitation Project in the amount not to exceed \$29,900.00.)
- 283-22 Resolution authorizing Final Payment in the amount of \$1,157.60 accepting the work and closing Contract No. 17-13 with Stantec Consulting Services, Inc. for Professional Traffic Engineering Services for Bridge Commission Signage.
(This Resolution authorizes a final payment, accepts the work, and closes Contract No. 17-13.)
- 284-22 Resolution accepting the work and closing Contract No. C1-70 with MJJ Construction, Inc. for construction of Middle Thorofare Toll Booth Rehabilitation for the Cape May County Bridge Commission.
(This Resolution accepts the work and closes Contract No. C1-70 with MJJ Construction, Inc.)
- 285-22 Resolution approving contract documents for Ocean Drive (CR619) over Great Channel Superstructure Repairs and Fender Replacement and authorizing the Clerk of the Board to advertise for bids for same.
(This Resolution approves contract documents and authorizes advertisement.)
- 286-22 Resolution approving contract documents for Ocean Drive (CR621) over Upper Thorofare Substructure Repairs and authorizing the Clerk of the Board to advertise for bids for same.
(This Resolution approves contract documents and authorizes advertisement.)
- 287-22 Resolution authorizing Modification No. 1-Final in the amount of \$126,912.15 to Churchill Consulting Engineers for Professional Construction Engineering Services for 17th Street Bridge Replacement, City of Ocean City.
(This Resolution increases the ceiling amount for additional work that was performed by Churchill Consulting Engineers under their professional construction engineering services agreement for 17th Street Bridge Replacement.)
- 288-22 Resolution authorizing an Indemnification Agreement with ALS Association Greater Philadelphia Chapter for its ALS Express Bike Ride on June 12, 2022.
(This Resolution gives permission to ALS Association Greater Philadelphia Chapter to utilize portions of County roads for a bike ride.)
- 289-22 Resolution permitting Villas Volunteer Fire Company to solicit contributions along Bayshore Road (CR603) in the Township of Lower.
(This Resolution permits fire company volunteers to hold 'coin drops' on various dates throughout the summer to obtain public contributions which help offset operational expenses.)
- 290-22 Resolution granting permission to the Borough of West Wildwood to close a portion of Glenwood Avenue (CR614) in the Borough of West Wildwood on July 4, 2022 for a Fourth of July Parade.
(This Resolution gives permission to the Borough of West Wildwood to temporarily close a portion of Glenwood Avenue (CR614) for their Fourth of July Parade.)
- 291-22 Resolution rejecting all bids for 2016 CMAQ Improving Air Quality and Reducing Traffic Congestion through Biking in Ocean City.
(This Resolution rejects all bids due to non-compliance with DBE goal.)

MINUTES OF A REGULAR MEETING HELD APRIL 26, 2022 (CONTINUED)

292-22 Resolution declaring an emergency condition for the replacement of worn yolks and bar drive rollers at the 96th Street Bridge over Great Channel (No. 0500-006) in the Township of Middle and Borough of Stone Harbor and to authorize the County to engage a contractor to make repairs.

(This Resolution allows the County to proceed with emergency repairs to the 96th Street Bridge over Great Channel (No. 0500-006) in the Township of Middle and Borough of Stone Harbor.)

293-22 Resolution authorizing Modification No. 1 in the amount of \$48,892.80 to the Construction Engineering Services Agreement with Gibson Associates, P.A. for Rio Grande Avenue (CR661) Entrance Improvements Project.

(This Resolution increases the ceiling amount of Gibson Associates, P.A. Professional Services Agreement for Construction Engineering Services on Rio Grande Avenue (CR661) Entrance Improvements project.)

Commissioners	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					
Ms. Hayes	X					
Mr. Morey	X		288-22		X	
Mr. Pierson	X					X
Mr. Thornton	X					

Addition:

294-22 Resolution opposing the State Board of Education Revised New Jersey Student Learning Standards for Comprehensive Health and Physical Education on Sex Education.

(This Resolution opposes the revised standards on sex education due to a lack of transparency in the specific lesson plans and material being taught to children, the manner with which the content is being introduced, and the age-inappropriateness of certain content.)

Director Thornton read a few paragraphs from Res. No. 294-22, to clarify the reasons for passage of the resolution. He did not want a misunderstanding regarding the same. The resolution urged the local school districts in Cape May County to conduct a thorough review of the Revised Standards and regardless of the content and material being proposed by the State, revise any content and material that was not age appropriate. He expressed that it was imperative that the school boards adopt a similar resolution.

Commissioner Morey asked Counsel Jeff Lindsay to what degree under state law was the NJ State Board of Education able to modify or amend the standards. He also asked what role the County Superintendent of Schools would play in all this. He stated his intention to make an appointment to discuss this with Judith DeStefano together with Counsel very soon.

Counsel advised the curriculum was mandated but the content of what was taught was not. It was discretionary on the school boards and teachers. Parents would need to stay on top of what information would be furnished to the children and speak out if not age appropriate or too much for the children to process.

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

MOTION TO PAY BILLS:

Commissioner Desiderio moved/ Commissioner Hayes seconded

MINUTES OF A REGULAR MEETING HELD APRIL 26, 2022 (CONTINUED)

Commissioners	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: Bud Lutner, Cape May Court House resident and Commander AMVETS Post #82, North Cape May described an issue he had with used clothing bins that were placed in various shopping center parking lots around the county. The clothing collection bins advertised on the side as belonging to “AMVETS”. Instead, the used good were collected and sold by a “B” for profit, New York based company named Helpsy. Atlantic County veterans, but not Cape May County veterans were receiving a portion of proceeds from the clothing collected. Most people thought they were giving to the veterans in Cape May County when they donated to these bins.

Director Thornton asked Mr. Lutner to leave his name, address and phone number with the County Administrator. He would attempt to investigate the matter further. Counsel Lindsay advised that the CMC Consumer Affairs Division could be contacted if the company’s activities were thought to be fraudulent or inappropriate.

ADJOURN: 5:33 P.M.

Commissioners	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