

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF COUNTY
COMMISSIONERS HELD ON TUESDAY, JULY 13, 2021 AT 4:30 P.M.
IN THE COUNTY ADMINISTRATION BUILDING
4 MOORE ROAD
CAPE MAY COURT HOUSE, NEW JERSEY**

The meeting convened with Deputy Clerk Doyle presiding and the following members answering roll call:

Commissioners 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 Wednesday, January 6, 2021.”

MOMENT OF SILENCE

FLAG SALUTE-Led by Commissioner Pierson.

MINUTES – MOTION TO APPROVE MINUTES OF THE 06/22/21 MEETINGS
FH Desiderio moved/ FH 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: Bob Church reported on the progress of the following projects: Rio Grande Gateway “pocket park”, emergency paving of Bayshore Road from Townbank Road to Sandman Boulevard in Lower Township, Seashore Road missing bicycle link, Madison Avenue emergency outfall replacement in Cape May, and pedestrian safety improvements along New Jersey Avenue in North Wildwood from 8th Street to New York Avenue.

Additionally, the engineer reported that next week the County would be advertising for road resurfacing of Bayshore Road from Townbank Road to Charles Street in North Cape May and DeHirsch Avenue from Madison Avenue to Washington Street in Woodbine.

- 2) COUNTY COUNSEL: Jeff Lindsay had no report.
- 3) COUNTY TREASURER: Brittany Smith had no report.

COMMISSIONER REPORTS:

- 1) COMMISSIONER MOREY: Mr. Morey updated board members regarding the municipal redevelopment plan for Pacific Avenue in Wildwood. The pilot program

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had been delayed due to the incorporation of low-moderate income housing into the plan. A fully completed plan should become available in August, he said.

2) COMMISSIONER PIERSON: Mr. Pierson informed his colleagues of his participation and/or experience at the following events: 38th Annual A.C.C.C. Restaurant Gala, the Grand Re-opening of Little Nicky's and Pompeo's in North Wildwood, Boy Scout Troop 79 Court of Honor, and SNJCCA dinner at Marie's in Sea Isle City.

He reported the senior centers were now open again and functional. This was something he had been advocating for some time.

He announced that Crest Haven Nursing and Rehabilitation Center had applied to the Veterans Administration for a Veteran Care Agreement (VCA). This would give the county the ability to bring VA patients into the nursing home to provide them with care and housing.

3) COMMISSIONER HAYES: Ms. Hayes informed her colleagues of her participation and/or experience at the following events:

On Saturday, July 3rd the Ocean City American Legion Post 524 honored founding member William Cruice with the renaming of the Morvay-Miley Post 524 to Morvay-Miley-Cruice Post 524.

On July 11th, the Ocean City American Legion Post 524 hosted the vacation arrival of a military family. The family would be spending a week in Ocean City as a "thank you" from the Post 524 family. Sgt. Josef Ward and wife Nicole and three children were presented with the free vacation as part of their Rest & Relaxation Program. Commissioner Hayes was on hand to present the family with a certificate for a back door tour of the Park & Zoo, to be used whenever they desired.

She had attended the first in person Park & Zoo Advisory Board meeting in approximately 15 months, she said. She encouraged everyone to visit the Park & Zoo once again, to meet the new emus, toucans and kangaroos. All the regular events were being put back on the calendar she informed, and live concerts had been added to the schedule. Ms. Hayes recognized the Zoological Society for contributing so much to the improvement of exhibits through fundraising efforts.

As part of the County Library author series, she would be introducing Joyce Maynard to the public on July 19th at 6:00 p.m. in the Park & Zoo, on the bandstand. The author's latest published book was entitled "Count the Ways". You must sign up ahead of time on the library website if you want to attend, she told everyone.

She participated in the Habitat for Humanity dedication of a home in Marmora, Upper Township. A single mother and her three children were the happy recipients of a home.

4) COMMISSIONER DESIDERIO: Mr. Desiderio commented how good it was to see all the municipalities beginning to host events again; to have people come out and enjoy themselves. He reported he and Commissioner Hayes were part of a group, last Wednesday, that honored the Ocean City boy's baseball team for winning the NJSIAA Group 3 State Championship for the first time in the school's history. Everyone had a great time celebrating this championship win, he said.

5) COMMISSIONER THORNTON: Mr. Thornton reported attending the SNJCCA meeting at Marie's in Sea Isle City on June 28th. He participated in the recent department head meeting called by Administrator Lare, to go over things, given that the entire county was now open again. He participated in a meeting with Emergency Management regarding the hiring of new employees, due to additional

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towns now joining central dispatch. He listened in on a few State phone calls the past 2 weeks, he said they were more infrequent now. He commented how happy it made him that the senior centers were finally re-opening and that the Veterans Administration would finally consider using Crest Haven Nursing & Rehabilitation Center for veteran's care and housing.

RESOLUTIONS:

INTRODUCED BY MR. DESIDERIO, SECONDED BY MS. HAYES

- 461-21 Resolution authorizing payments associated with AR-2020-495 and AR-2021-003.
(This Resolution authorizes payments agreed to by the Cape May County Sheriff's Office in connection with AR-2020-495 and AR-2021-003.)
- 462-21 Resolution reappointing Martin Pagliughi as Office of Emergency Management Coordinator.
(This Resolution reappoints Martin Pagluighi as Office of Emergency Management Coordinator for a term of three years. Term to expire July 8, 2024.)
- 463-21 Resolution amending the 2021 Budget for the Victims of Crime Act Grant (No. V-47-19) in the amount of \$342,887.00.
(This Resolution amends the 2021 Budget in the amount of \$342,887.00 for the Victims of Crime Act (VOCA) Grant.)
- 464-21 Resolution authorizing Application to New Jersey Department of Law and Public Safety Division of Criminal Justice for FFY 2020 Victims of Crime Act, S.A.R.T./F.N.E. Grant Program for the period of October 1, 2021 to September 30, 2022 in the amount of \$66,700.00.
(This Resolution authorizes application for funding in the amount of \$66,700.00 (\$49,394.00 Federal and \$17,306.00 In-Kind Match provided by Cape Regional Medical Center) through the Victims of Crime Act SART/FNE Grant to support victim service projects for the period of 10/1/21 to 9/30/22.)
- 465-21 Resolution authorizing Application to New Jersey Department of Law and Public Safety for Stop Violence Against Women Act (VAWA) Grant Program in the amount of \$24,946.00.
(This Resolution authorizes an application to the New Jersey Department of Law and Public Safety to secure funding for direct services on the municipal court level to victims of domestic violence in the amount of \$24,946.00 for the period 7/1/21 to 6/30/22.)
- 466-21 Resolution authorizing Death Pronouncement Agreements with various professional licensed registered nurses.
(This Resolution authorizes agreements with various professional licensed registered nurses for a term of one year commencing July 1, 2021 through June 30, 2022.)
- 467-21 Resolution authorizing Consent to Assignment of Contract No. C1-46 with IWG Tower Assets, LLC to American Towers LLC.
(This Resolution authorizes the County's Consent of the Assignment of Contract No. C1-46 with IWG Tower Assets, LLC to American Towers, LLC effective July 1, 2021.)
- 468-21 Resolution extending Contract No. C9-244 with Johnson Controls Inc. through September 30, 2021.
(This Resolution extends Contract No. C9-244 with Johnson Controls Inc., for HVAC equipment, systems and controls inspection, maintenance and repair services for County of Cape May through September 30, 2021.)

MINUTES OF A REGULAR MEETING HELD JULY 13, 2021 (CONTINUED)

469-21 Resolution awarding Contract No. C1-124 to Peterson Service Co. Inc. to provide HVAC Preventative Maintenance Service & Repair for County Facilities.

(This Resolution awards Contract No. C1-124 to Peterson Service Co. Inc. to provide HVAC preventative maintenance service & repair for County facilities for a term of one-year commencing on July 14, 2021, with two (2) additional one-year options.)

470-21 Resolution authorizing Final Payment in the amount of \$67,140.67 accepting the work and closing Contract No. C9-169 with LGB Mechanical, Inc. to Furnish and Install Four (4) New HVAC Units at the Cape May County Superior Court House Building.

(This Resolution authorizes a final payment of the 10% retainage in the amount of \$67,140.67, accepts the work, and closes the contract.)

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

471-21 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).)

472-21 Resolution approving the recommendation of the Homelessness Trust Fund Advisory Board to award funds from the Homelessness Trust Fund in the amount of \$73,265.50.

(This Resolution adopts the recommendation of the Homelessness Trust Fund Advisory Board to expend the funds collected in 2017.)

473-21 Resolution accepting Grant Award from the New Jersey Department of Health Division of Epidemiology, Environmental and Occupational Health for the Right to Know Program for the period of July 1, 2021 to June 30, 2022 in the amount of \$8,976.00.

(This Resolution accepts a grant award for the Right to Know Program for the period of 07/01/21 through 06/30/22 in the amount of \$8,976.00.)

474-21 Resolution amending the 2021 Budget for the Right to Know Program No. EPID22RTK03L in the amount of \$8,976.00.

(This Resolution amends the 2021 Budget in the amount of \$8,976.00 funding to be used for the Right to Know Program.)

475-21 Resolution amending the 2021 Budget for the New Jersey Family Planning League in the amount of \$140,262.00.

(This Resolution amends the 2021 Budget in the amount of \$140,262.00 for Family Planning programs.)

476-21 Resolution authorizing a Letter of Agreement with the Governor's Council on Alcoholism and Drug Abuse for participation in the FY22 Municipal Alliance Grant Program for the period of July 1, 2021 to June 30, 2022 in the amount of \$106,199.00.

(This Resolution authorizes a Letter of Agreement with the State of New Jersey for the Alliance to Prevent Alcoholism and Drug Abuse Grant from 7/1/2021 to 6/30/2022 in an amount not to exceed \$106,199.00.)

477-21 Resolution amending the 2021 Budget for the FY22 Municipal Alliance Grant in the amount of \$106,199.00.

(This Resolution amends the 2021 Budget in the amount of \$106,199.00 for the Municipal Alliance Grant FY22.)

MINUTES OF A REGULAR MEETING HELD JULY 13, 2021 (CONTINUED)

- 478-21 Resolution amending the 2021 Budget for Innovation Substance Abuse Grant in the amount of \$44,689.00.
 (This Resolution amends the 2021 Budget in the amount of \$44,689.00 for Innovation Substance Abuse Grant.)

Commissioner Pierson detailed the significance of Res. No. 472-21. Three applicants had applied to the board of the Homeless Trust Fund Advisory Council, he explained. Of the three, two families were approved to go into permanent housing with the third having background work to be completed prior to getting approval.

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

- 479-21 Resolution supplementing the 2021 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.)

- 480-21 Resolution authorizing the Board to hold a meeting excluding the public on July 13, 2021 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. 12(b)(7).
 (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.)

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

- 481-21 Resolution designating new members to the Cumberland/Salem/Cape May Workforce Development Board and establishing terms of appointment, per the New Jersey State employment Commission “Policy on Local Workforce Development Board (LWDB) Member Appointments and Process”.
 (This Resolution appoints three members representing Cape May County on the Cumberland/Salem/Cape May Workforce Development Board and establishes the terms of those appointments.)

- 482-21 Resolution authorizing Atlantic County Improvement Authority to execute an Amendment to the Lease Addendum with Cellular Tracking Technologies, LLC.
 (This Resolution authorizes the execution of an Amendment to Lease Addendum.)

- 483-21 Resolution authorizing Subregional Transportation Planning Program FY22 Subcontract Agreement with South Jersey Transportation Authority for the period of July 1, 2021 to June 30, 2022 in the amount of \$43,000.00.
 (This Resolution authorizes a subcontract for an amount of \$34,400.00 Federal funding and \$8,600.00 In-Kind match for the period of 7/1/21 through 6/30/22 to improve the efficiency of the region’s transportation network and system by participating in sub-regional transportation planning efforts.)

MINUTES OF A REGULAR MEETING HELD JULY 13, 2021 (CONTINUED)

- 484-21 Resolution amending the 2021 Budget for Subregional Planning Program in the amount of \$34,400.00.
(This Resolution amends the 2021 Budget in the amount of \$34,400.00 (Federal Funding) and \$8,600.00 (In-Kind Match) for Sub-Regional Transportation Planning Program.)
- 485-21 Resolution accepting Award Agreement from the New Jersey Department of Community Affairs for Small Cities Community Development Block Grant (CDBG) Covid-19 CV1 Program in the amount of \$397,191.00.
(This Resolution accepts funds from the New Jersey Department of Community Affairs for funding from the Small Cities Community Development Block Grant (CDBG) Covid-19 CV1 Program in the amount of \$397,191.00.)
- 486-21 Resolution amending the 2021 Budget for Small Cities Community Development Block Grant (CDBG) Covid-19 CV1 Program for \$397,191.00.
(This Resolution amends the 2021 Budget in the amount of \$397,191.00 for the Small Cities Development Block Grant (CDBG) Covid-19 CV1 Program.)
- 487-21 Resolution accepting Award Agreement from the New Jersey Department of Community Affairs for Small Cities Community Development Block Grant (CDBG) Covid-19 CV2 Program in the amount of \$1,140,271.00.
(This Resolution accepts funds from the New Jersey Department of Community Affairs for funding from the Small Cities Community Development Block Grant (CDBG) Covid-19 CV2 Program in the amount of \$1,140,271.00.)
- 488-21 Resolution amending the 2021 Budget for Small Cities Community Development Block Grant (CDBG) Covid-19 CV2 Program for \$1,140,271.00.
(This Resolution amends the 2021 Budget in the amount of \$1,140,271.00 for the Small Cities Development Block Grant (CDBG) Covid-19 CV2 Program.)
- 489-21 Resolution granting permission to the Corinthian Yacht Club to close a portion of Delaware Avenue (CR640) in the City of Cape May on August 29, 2021 for the East Coast J70 Championship.
(This Resolution gives permission to the Corinthian Yacht Club to temporarily close a portion of Delaware Avenue (CR640) for the East Coast J70 Championship.)
- 490-21 Resolution granting permission to the Corinthian Yacht Club to close a portion of Delaware Avenue (CR640) in the City of Cape May on August 12, 2021 for the South Jersey Summer Series.
(This Resolution gives permission to the Corinthian Yacht Club to temporarily close a portion of Delaware Avenue (CR640) for the South Jersey Summer Series.)
- 491-21 Resolution modifying No Passing Zones along Townbank Road (CR648), Township of Lower.
(This Resolution modifies existing no passing zones on Townbank Road (CR648), Township of Lower.)
- 492-21 Resolution accepting the work and closing the contract of Midlantic Construction, LLC for Lafayette Street (CR633) Bridge over Cape Island Creek Bridge Repairs.
(This Resolution accepts the work and closes the contract.)
- 493-21 Resolution permitting Rio Grande Rescue Squad to solicit contributions at the intersection of Railroad Avenue (CR626) and NJ Route 47 and Indian Trail Road (CR618) and NJ Route 9, Township of Middle.
(This Resolution permits Rio Grande Rescue Squad volunteers to hold 'coin drops' on various dates throughout the summer to obtain public contributions which help offset operational expenses.)
- 494-21 Resolution authorizing purchase of Estuarine Credits between Evergreen Environmental, LLC and Cape May County as part of required Wetlands Mitigation for 21st Street and 25th Street Bridge Substructure Repair Project, Borough of Avalon.

MINUTES OF A REGULAR MEETING HELD JULY 13, 2021 (CONTINUED)

(This Resolution authorizes execution of an agreement for the Purchase of Mitigation Credits as required by NJ Department of Environmental Protection to satisfy the mitigation resulting from the disturbance of the coastal area associated with the 21st Street and 25th Street Bridges over Avalon Canal Scour/Erosion Damage and Substructure Repairs, Borough of Avalon.)

- 495-21 Resolution granting permission to the City of Cape May and Cape May Police Department to close a portion of Beach Avenue (CR604) for their annual National Night Out on August 3, 2021.
(This Resolution gives permission to the City of Cape May and Cape May Police Department to close a portion of Beach Avenue (CR604) for their National Night Out on August 3, 2021.)
- 496-21 Resolution granting permission to the Cape May Beach Patrol to close a portion of Beach Avenue (CR604) in the City of Cape May on July 12, 2021 for their annual Superathlon.
(This Resolution gives permission to the Cape May Beach Patrol to temporarily close a portion of Beach Avenue (CR604) for their annual Superathlon.)
- 497-21 Resolution authorizing Change Order No. 1-Final in the amount of \$35,517.76 to RTW Construction, Inc. contract for 2020 Drainage along Corson’s Tavern Road (CR628), Townships of Dennis and Upper.
(This Resolution authorizes a change order for an emergency outfall repair at Philadelphia Avenue, City of Cape May.)
- 498-21 Resolution authorizing Change Order No. 1 in the amount of \$0.00 to Landberg Construction, LLC for 2021 Miscellaneous Drainage Improvements I on an As-Needed Basis Throughout Cape May County.
(This Resolution authorizes a change order for extra work that was performed at Ocean Drive (CR619), Fish Dock Road (CR630) and for extra Police Directors at no increase to the contract.)
- 499-21 Resolution awarding Contract No. C1-115 to Pictometry International Corp. to provide Digital Aerial Photography and geographic information system maintenance, support and updates.
(This Resolution awards Contract No. C1-115 to Pictometry International Corp. to provide digital aerial photography and geographic information system maintenance, support and updates for proprietary pictometry technology commencing on July 14, 2021, for a term of six years.)

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

500-21 Capital Budget Amendment

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

INTRODUCTION OF BOND ORDINANCE 1-21

Bond Ordinance providing for various 2021 Capital Improvements, by and in the County of Cape May, State of New Jersey; appropriating \$34,000,000 therefor and authorizing \$32,380,950 Bonds or Notes of the County to finance part of the costs thereof.

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

SECTION 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the County of Cape May, State of New Jersey (the "County") as general improvements. For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$34,000,000, said sum being inclusive of the sum of \$1,619,050 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"). The down payment is now available therefor by virtue of either provisions or a provision in a previously adopted budget or budgets of the County for down payment or for capital improvement purposes or from moneys actually held by the County.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof, and to meet the part of the \$34,000,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the County are hereby authorized to be issued in the principal amount of \$32,380,950 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the County in a principal amount not exceeding \$32,380,950 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

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

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
(i) Government Services Building - The Construction Of A Government Services Complex Within The Cape May County Airport In The Township of Lower, At The Physical Addresses Of 370 Forrestal Road (Fare Free Buses), 1250 Langley Road (Fare Free Offices/Garages), 501 Saratoga Road (Road Department Office), 521 Wasp Road (County Road Department), 1389 Langley Road (Lower Township Public Safety Building), 1390 Langley Road (Election Board Maintenance), And 550 Saratoga Road (County Gas Station), All Being Designated Within Block 410.01, Lot 36 On The Official Tax Map Of The Township Of Lower, Such Construction To Include, But Not Limited To, As Applicable, Site Clearing, Excavation, Demolition, Environmental Remediation And Testing, Rough Grading, Reconstruction And/Or Construction Of Structures, Interior And Exterior	\$22,705,882	\$21,624,649	\$1,081,233	30 years

MINUTES OF A REGULAR MEETING HELD JULY 13, 2021 (CONTINUED)

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Improvements, And All Associated Site Work And Real Property Improvements Including, But Not Limited To, As Applicable, Restrooms, Elevators, Furnishings, Fixtures And Equipment, Lighting, HVAC, Water, Gas, Electric, And/Or Other Utility Improvements, And Parking, Curb, Sidewalk, Walkway And Landscaping Improvements;				
(ii) <u>County Commons</u> - Improvements To The County Commons (Formerly The Rio Mall) In The Township Of Middle At The Physical Address Of 3801 Route 9 South, Being Designated Within Block 1450, Lots 5 And 10 On The Official Tax Map Of The Township Of Middle, Such Improvements To Include, But Not Limited To, General Capital Improvements To, And Upfitting For, Existing Theater And All Associated Site Work And Real Property Improvements Including, But Not Limited To, As Applicable, Restrooms, Elevators, Furnishings, Fixtures And Equipment, Lighting, HVAC, Water, Gas, Electric, And/Or Other Utility Improvements, And Parking, Curb, Sidewalk, Walkway And Landscaping Improvements;	\$4,235,294	\$4,033,613	\$201,681	20 years
(iii) <u>Redevelopment Initiative</u> - A Contribution Towards The County's Municipal Redevelopment Initiative To Facilitate And Foster Economic Development And Redevelopment Throughout The County, Including Property Acquisition, Remediation, Demolition, Marketing, And Other Necessary Work; And	\$6,000,000	\$5,714,285	\$285,715	5 years
(iv) <u>Miscellaneous (County-Wide)</u> - General Capital Improvements And/Or Any Other Capital Project That Is Deemed Necessary By The County.	\$1,058,824	\$1,008,403	\$50,421	5 years
Totals	<u>\$34,000,000</u>	<u>\$32,380,950</u>	<u>\$1,619,050</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$32,380,950.

(c) The aggregate estimated cost of said improvements or purposes is \$34,000,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor is comprised of the down payment in the amount of \$1,619,050 for said improvement or purpose.

(d) All such improvements or purposes set forth in Section 3(a) shall include, but are not limited to, as applicable, all engineering, architectural and design work, title searches, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and also shall include all work, materials, equipment, accessories, labor and appurtenances necessary therefor or incidental thereto.

SECTION 4. In the event the United States of America, the State of New Jersey, and/or a private entity make a loan, contribution or grant-in-aid to the County, for the

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 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey, and/or a private entity. In the event, however, that any amount so loaned, contributed or granted by the United States of America, the State of New Jersey, and/or a private entity shall be received by the County after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose.

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

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

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

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

(b) The average period of usefulness of said improvements or purposes within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of said bonds authorized by this bond ordinance, is 23.56 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 County Commissioners 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 \$32,380,950 and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$6,800,000 for items of expense listed in and permitted under section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

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

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

SECTION 10. The Chief Financial Officer 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 covenants to maintain the exclusion from gross income under section 103(a) of the Code, of the interest on all bonds and notes issued under this ordinance.

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

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

**ADOPTED ON FIRST READING
DATED: JULY 13, 2021**

**KEVIN LARE,
Administrator/Clerk of the Board
of County Commissioners**

**ADOPTED ON SECOND READING
DATED: JULY 27, 2021**

**KEVIN LARE,
Administrator/Clerk of the Board
of County Commissioners**

MINUTES OF A REGULAR MEETING HELD JULY 13, 2021 (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					

MOTION TO PAY BILLS: FH Desiderio moved/FH 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					

PUBLIC COMMENTS: Jesse Rynkiewicz of Cape May explained to the Board there was a need for a NJ Transit Express bus from the A.C.C.C. Cape May Court House campus to the Mays Landing campus due to the amount of time required to get back and forth on a regular NJ Transit bus. He was requesting the express bus for all students that had a need, due to certain classes only being offered there. Additionally, he questioned the Board if the 2022 Regional Transportation Plan would provide additional NJ Transit bus stops along Breakwater Road in Lower Township.

Diane Stelacio, Villas expressed her interest in sitting on the Cape May County Technical/Special Services School Board. She had already sent in her resume, and she asked what the requirements and process were for being considered as a member on the board.

ADJOURN: 5:16 P.M. FH Desiderio moved/FH 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					

APPROVED

DIRECTOR

ATTEST:

CLERK OF THE BOARD