

**MINUTES OF THE CAUCUS AND REGULAR MEETINGS OF THE BOARD OF
COUNTY COMMISSIONERS HELD ON TUESDAY, AUGUST 22, 2023
AT 2:00 AND 3:00 P.M. RESPECTIVELY
IN THE COUNTY ADMINISTRATION BUILDING
4 MOORE ROAD
CAPE MAY COURT HOUSE, NEW JERSEY**

CAUCUS

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

Commissioners Barr, Bulakowski, Morey, Pierson and Desiderio (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 Thursday, January 5, 2023.”

MOMENT OF SILENCE

FLAG SALUTE-Led by General Pierson

COMMISSIONER DISCUSSIONS:

554-23 Resolution authorizing the Board to recess and enter executive session excluding the public on August 22, 2023 at 2:00 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).

(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. Barr | X | | | | | X |
| Mr. Bulakowski | X | | | | X | |
| Mr. Morey | X | | | | | |
| Mr. Pierson | X | | | | | |
| Mr. Desiderio | X | | | | | |

DIRECTOR’S CALL OF MEETING TO ORDER

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

Commissioners Barr, Bulakowski, Morey, Pierson and Desiderio (5)

MOTION TO APPROVE MINUTES OF THE 08/08/2023 MEETINGS

Commissioner Pierson moved/ Commissioner Bulakowski seconded.

| Commissioners | Ayes | Nays | Abstain | Absent | Motion | Second |
|-----------------------|-------------|-------------|----------------|---------------|---------------|---------------|
| Mr. Barr | X | | | | | |
| Mr. Bulakowski | X | | | | | X |
| Mr. Morey | X | | | | | |
| Mr. Pierson | X | | | | X | |
| Mr. Desiderio | X | | | | | |

PRESENTATIONS: None.

COMMUNICATIONS: None.

REPORTS:

- 1) ENGINEER: Mr. Church advised the Bayshore Road, including Norbury's Landing Road, Del Haven and Tyler Road, Woodbine projects have been completed. Fishing Creek Road Phase I has been advertised, and bids are expected on September 13, 2023. A \$5.4 million FHWA grant has been received for the resurfacing of Third Avenue in Stone Harbor. The project had an original \$2.6 million grant allotment but due to early submittal, the County received money to cover the entire construction cost as well as some discretionary costs. Church Road bids came in under the estimate and the department is waiting on the notice to proceed to start that project. A couple of projects took a hiatus to get through the summer months and they will be resuming on September 6, 2023. Those projects include Lafayette Street and Beach Avenue in Cape May. Finally, the Fishing Creek Drainage Upgrades and Pump Station project will also be commencing in September.

- 2) COUNTY COUNSEL: Mr. Lindsay made a statement regarding the proposed privatization of Crest Haven Nursing and Rehabilitation Center. Addressing the Board, Mr. Lindsay stated that six times over the past week, he, along with the County Administrator, Assistant County Administrator and the Director of Human Resources, went to Crest Haven and met with employees to discuss the decision to issue an RFP for the operation of Crest Haven. Dates have been scheduled for individual interviews with affected employees. They met with residents of Crest Haven to talk to them about the decision and sent letters to family members with contact information for them to call and discuss it as well. The employees were advised of the reasons supporting the decision as follows: the nursing home has been operating at a deficit of over \$30 million for the past year; it continues to experience rising operating costs; the State's push toward a home health model; the regulations governing its operation; and the local market's ability and willingness to provide care to Medicaid residents. The employees and residents were further informed that the primary focus during this process is on the residents and employees. They assured the residents that no one will be displaced, the County is committed to ensuring every employee that wants employment with the new operator will have a job and that job will offer retirement savings and health benefits plans, and finally, that the RFP reflects this commitment from the County. The County has communicated the Board recognizes the magnitude of its decision and that it was a very difficult decision. Furthermore, the employees have been informed that the Board's plans to offer those affected more than contractually or legally obligated to offer requires consulting with the union first.

Next, Mr. Lindsay offered his guidance to the Board. Noting the number of people in attendance to address them regarding the decision to issue the RFP, Mr. Lindsay recognized the Board is sympathetic to their concerns and its desire to assure the employees it is committed to making sure they are treated as fairly as possible but advised the Board not to respond to the public today. He suggested the Commissioners take the comments under consideration and stated that names and concerns were being documented for appropriate response. As legal counsel for the County, Mr. Lindsay advised the Board to follow his guidance which is based on two principles. The first being the County is obligated to consult with the union on these issues before discussing it with the employees. He does not want a commissioner to unknowingly say something about the County's intent or engage in a discussion that would appear to fall under the umbrella of a negotiable item they are obligated to discuss with the union. Second is the pending RFP and the County needs to be careful about not disclosing information outside the four corners of the RFP and valuable to the submission of an interested party. The County must ensure the process remains open and competitive.

MINUTES OF CAUCUS AND REGULAR MEETINGS HELD AUGUST 22, 2023 (CONTINUED)

Mr. Lindsay reiterated he is aware the Board wants to address comments from the public and although the decision might not be a popular one with the public, he again advised them not to respond today. The Board should take the public comments into consideration and the County will respond to each question at a later date. This concluded Mr. Lindsay’s comments.

3) COUNTY TREASURER: No report.

COMMISSIONER REPORTS:

- 1) COMMISSIONER MOREY: No report.
- 2) COMMISSIONER PIERSON: No report.
- 3) COMMISSIONER BARR: Commissioner Barr advised the Board he has been meeting with department heads. He is thankful for everyone being so accommodating and is looking forward to working with them.
- 4) COMMISSIONER BULAKOWSKI: No report.
- 5) COMMISSIONER DESIDERIO: No report.

CONSENT AGENDA

Motion to open Public Comment for Consent Agenda

| Commissioners | Ayes | Nays | Abstain | Absent | Motion | Second |
|----------------|------|------|---------|--------|--------|--------|
| Mr. Barr | X | | | | X | |
| Mr. Bulakowski | X | | | | | X |
| Mr. Morey | X | | | | | |
| Mr. Pierson | X | | | | | |
| Mr. Desiderio | X | | | | | |

Motion to close public comment for Consent Agenda and approve Resolution Nos. 555-23 through 585-23

| Commissioners | Ayes | Nays | Abstain | Absent | Motion | Second |
|----------------|------|------|---------|--------|--------|--------|
| Mr. Barr | X | | | | X | |
| Mr. Bulakowski | X | | | | | X |
| Mr. Morey | X | | | | | |
| Mr. Pierson | X | | | | | |
| Mr. Desiderio | X | | | | | |

RESOLUTIONS:

- 555-23 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).)
- 556-23 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.)
- 557-23 Resolution supplementing the 2023 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 CAUCUS AND REGULAR MEETINGS HELD AUGUST 22, 2023 (CONTINUED)

- 558-23 Resolution authorizing the County of Cape May to enter into Encroachment and Indemnification Agreements with Patrick & Cindy O'Hara regarding Right-of-Way along 34th Street, Ocean City.
(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 34th Street, Ocean City.)
- 559-23 Resolution appointing a member to the Mental Health, Alcohol and Drug Abuse Board.
(This Resolution authorizes the appointment of Lisa M. Shaffer, as a member of the Mental Health, Alcohol and Drug Abuse Board. Term shall expire June 30, 2026. Members of this board are volunteers and serve without compensation.)
- 560-23 Resolution authorizing the execution of Articulation Agreements between Atlantic Cape Community College; Cape May County Police Academy, and Cape May County Corrections Academy. (Term: 2023-2024)
(This Resolution authorizes the execution of Articulation Agreements between ACCC and the County to provide the opportunity to students to obtain college credit for competencies mastered at the Police Academy and Corrections Academy.)
- 561-23 Resolution authorizing Change Order No. 1 in the amount of \$122,871.00 to Agate Construction Company, Inc. for Fishing Creek Pump Station and Drainage Improvements, Township of Lower.
(This Resolution authorizes a change order to adjust various pay items in the contract to reflect as-built conditions.)
- 562-23 Resolution amending Resolution No. 148-14 for the 2014 Local Bridges Future Needs Program and to reallocate the funds to the Bascule Replacement of the 96th Street Bridge, Borough of Stone Harbor.
(This Resolution authorizes modification to the 2014 Local Bridges Future Needs Program and reallocating the grant request to the 96th Street Bridge Bascule Replacement project.)
- 563-23 Resolution authorizing Marchetti Bros., LLC, DBA Total Control Systems to provide Electrical Engineering Services on an As-Needed Basis.
(This Resolution authorizes Marchetti Bros., LLC DBA Total Control Systems, Inc. to provide electrical engineering services to replace the existing obsolete bridge drives with new Flux Vector Motor Drives for an estimated cost of \$43,530.40 in accordance with Schedule A attached. Marchetti Bros., LLC DBA Total Control Systems, Inc. is one of the consultants in the electrical engineering pool of consultants established by the Fair and Open Process.)
- 564-23 Resolution appointing certain County employees to their permanent position in their respective offices. (Department of Law, Surrogate, Human Services, Emergency Management, and Veterans)
(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 565-23 Resolution authorizing payments to Travelers Insurance Company, Property-Casualty Company, for various claims in the total amount of \$5,822.60, and to Travelers Insurance Company, Deductible Billing Department, for claims totaling \$115.31.
(This Resolution authorizes payment to the Travelers Insurance Company, Property-Casualty Department, for various claims, under Policy # 14T79248, and authorizes payment to Travelers Insurance Company, Deductible Billing Department, for claims in the amount of \$115.31, under Policy # 9159P846-810.)
- 566-23 Resolution authorizing renewal of Group Accident Coverage for Fire Fighting Instructors with National Union Fire Insurance Company of Pittsburgh, PA in the amount of \$500.00.
(This Resolution authorizes renewal of Group Accident Policy No. SRG009151844 for firefighting instructors for the term of July 26, 2023, through July 26, 2024.)

MINUTES OF CAUCUS AND REGULAR MEETINGS HELD AUGUST 22, 2023 (CONTINUED)

- 567-23 Resolution authorizing Application and Indemnification Agreement with Cape Atlantic Model Railroad Club to provide a Model Train Display at the Cape May County Park, Cape May Court House location.
(This Resolution permits use of a portion of the Cape May County Park, Cape May Court House location, by Cape Atlantic Model Railroad Club during the months of September, October, and November 2023 according to the schedule attached hereto as a portion of Schedule "A".)
- 568-23 Resolution authorizing an Application and Indemnification Agreement with Cape May County Zoo AAZK to hold an Art Against Extinction Fundraiser at the Cape May County Park, Cape May Court House location.
(This Resolution permits use of a portion of the Cape May County Park, Cape May Court House location, by Cape May County Zoo AAZK on August 27, 2023, between the hours of 8:00 a.m. and 10:30 a.m.)
- 569-23 Resolution authorizing the execution of a Shared Services Agreement between Cumberland County and Cape May County.
(This Resolution authorizes the execution of a Shared Services Agreement between Cumberland County and Cape May County pursuant to a Grant to provide training needs assessment for a Workforce Development Plan.)
- 570-23 Resolution authorizing extension of Contract Nos. C0-30, 31, 32, 33, 35 & C1-94 for the provision of Agency Nurse Staffing Services for Crest Haven Nursing and Rehabilitation Center.
(This Resolution authorizes an extension of Contract Nos. C0-30, 31, 32, 33, 35 & C1-94 with various staffing agencies for nurse staffing services, on an as needed basis, through December 31, 2023.)
- 571-23 Resolution authorizing use of competitive contracting for an Owner's Representative for the construction of the Cape May County Justice Complex.
(This Resolution authorizes the use of Competitive Contracting for an Owner's Representative for the Construction of the Cape May County Justice Complex, pursuant to N.J.S.A. 40A:11-4.1 through 40A:11-4.5 *et seq.*)
- 572-23 Resolution authorizing use of competitive contracting to solicit proposals for an Overdose Fatality Review Team for Cape May County Department of Health.
(This Resolution authorizes use of Competitive Contracting for an Overdose Fatality Review Team for Department of Health, pursuant to N.J.S.A. 40A:11-4.1 through 40A:11-4.5 *et seq.*)
- 573-23 Resolution awarding Contract No. C3-130 to National Equipment Solutions, LP to furnish and deliver one (1) new 30-yard self-contained trash compactor.
(This Resolution awards Contract No. C3-130 to National Equipment Solutions, LP, to furnish and deliver one (1) new 30-yard trash compactor, for the Department of Facilities & Services, in the amount of \$32,475.00.)
- 574-23 Resolution authoring the purchase of Pumper Fire Truck from Erma Volunteer Fire Company in the amount of \$30,000.00 for the Cape May County Department of Public Safety Training.
(This Resolution authorizes the purchase of a 2001 Emergency One Pumper Cyclone Fire Truck from Erma Volunteer Fire Company for training purposes at the Cape May County Public Safety Training Center.)
- 575-23 Resolution authorizing use of the Pool of Landscape Architectural Firms for design services and preliminary site plan for public park area and streetscaping at the Cape May County Airport for the Department of Planning.
(This Resolution authorizes use of the pool for design services for the development of an airside park viewing area and streetscaping improvements along Essex Road to Hornet Road, Cape May County Airport.)

MINUTES OF CAUCUS AND REGULAR MEETINGS HELD AUGUST 22, 2023 (CONTINUED)

- 576-23 Resolution authorizing the sale of real property identified as Block 54, Lot 11 located at 1575 Route 47 South, Woodbine in the Township of Dennis through a contracted online auction site.
(This Resolution authorizes the sale of real property, not needed for public use, by open public sale at auction to the highest bidder pursuant to N.J.S.A. 40A:12-13, *et seq.*)
- 577-23 Resolution authorizing Change Order No. 4 to Contract No. C8-113 with Michael Calafati Architect, LLC for Phase II Professional Services in the amount of \$147,889.50.
(This Resolution authorizes Change Order No. 4 to Contract No. C8-113 with Michael Calafati Architect, LLC for construction phase services and consultations.)
- 578-23 Resolution authorizing an application to New Jersey Department of Children and Families for Child Advocacy Development Grants for the period of July 1, 2023 to June 30, 2024 in the amount of \$187,400.00.
(This Resolution authorizes application for Child Advocacy Development Grants-Capital in the amount of \$187,400.00 for the period 7/1/23 to 6/30/24.)
- 579-23 Resolution authorizing application to New Jersey Department of Law and Public Safety Division of Criminal Justice for FFY 2021 Victims of Crime Act, S.A.R.T./F.N.E. Grant Program for the period of October 1, 2023 to September 30, 2024 in the amount of \$76,006.00.
(This Resolution authorizes application for funding in the amount of \$76,006.00 (\$58,700.00 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 10/1/23 to 9/30/24.)
- 580-23 Resolution amending Resolution No. 857-22 accepting Grant Award from the New Jersey Department of Children and Families for the Promising Path to Success Grant to correct grant period September 30, 2022 to September 29, 2023 in the amount of \$5,000.00.
(This Resolution amends Resolution No. 857-22 accepting funding from the New Jersey Department of Children and Families in the amount of \$5,000.00 for Contract No. 23AHER. to correct grant performance period.)
- 581-23 Resolution authorizing Grant Agreement with the State of New Jersey Department of Environmental Protection Bureau of Local Environmental Management and Right to Know for 2023 County Environmental Health Act (CEHA), Grant Subaward No. CEHA-2023-CAPE-00021 for the period of July 1, 2022 to June 30, 2023 in the amount of \$203,808.00.
(This Resolution accepts grant funds from the State in the amount of \$203,808.00 for the period 7/01/22 through 6/30/23 pursuant to the County Environmental Health Act.)
- 582-23 Resolution amending the 2023 Budget for the 2023 County Environmental Health Act (CEHA) in the amount of \$203,808.00.
(This Resolution amends the 2023 Budget in the amount of \$203,808.00 for the 2023 County Environmental Health Act (CEHA).)
- 583-23 Resolution amending Resolution No. 487-23 authorizing updated agreement with New Jersey Transit Corporation for the 2023 Operating and Non-Operating Assistance FTA Section 5311 Rural Transportation Project for the period January 1, 2023 to December 31, 2023 to correct total amount to \$199,876.00.
(This Resolution amends Resolution No. 487-23 authorizing an agreement with the New Jersey Transit Corporation for the period 01/01/23 to 12/31/23 to correct amount to \$199,876.00.)
- 584-23 Resolution amending Award Agreement No. 2020-02301-0493-02 accepting additional Small Cities Community Development Block Grant (CDBG) CV1 Program adding CV3 allocation of \$581,730.00.

MINUTES OF CAUCUS AND REGULAR MEETINGS HELD AUGUST 22, 2023 (CONTINUED)

(This Resolution accepts additional funds from the New Jersey Department of Community Affairs for funding from the Small Cities Community Development Block Grant (CDBG) CV3 Program in the amount of \$581,730.00.)

585-23 Resolution amending the 2023 budget for Small Cities Community Development Block Grant (CDBG) Covid-19 CV3 Program for \$581,730.00. (This Resolution amends the 2023 Budget in the amount of \$581,730.00 for the Small Cities Development Block Grant (CDBG) Covid-19 CV3 Program.)

Motion to open public comment on Capital Ordinance 3-23 acquisition and installation of capital equipment for various County-owned facilities

| Commissioners | Ayes | Nays | Abstain | Absent | Motion | Second |
|----------------|------|------|---------|--------|--------|--------|
| Mr. Barr | X | | | | X | |
| Mr. Bulakowski | X | | | | | X |
| Mr. Morey | X | | | | | |
| Mr. Pierson | X | | | | | |
| Mr. Desiderio | X | | | | | |

Motion to close public comment and adopt Capital Ordinance 3-23 acquisition and installation of capital equipment for various County-owned facilities.

| Commissioners | Ayes | Nays | Abstain | Absent | Motion | Second |
|----------------|------|------|---------|--------|--------|--------|
| Mr. Barr | X | | | | X | |
| Mr. Bulakowski | X | | | | | X |
| Mr. Morey | X | | | | | |
| Mr. Pierson | X | | | | | |
| Mr. Desiderio | X | | | | | |

MOTION TO PAY BILLS AND CHECKS BE TRANSFERRED TO THE COUNTY

| Commissioners | Ayes | Nays | Abstain | Absent | Motion | Second |
|----------------|------|------|---------|--------|--------|--------|
| Mr. Barr | X | | | | | X |
| Mr. Bulakowski | X | | | | | |
| Mr. Morey | X | | | | | |
| Mr. Pierson | X | | | | X | |
| Mr. Desiderio | X | | | | | |

STATEMENT OF THE DIRECTOR

Commissioner Desiderio addressed the crowd prior to the opening of the public comments portion of the meeting to advise that the Board did the moment of silence and flag salute were done at the beginning of the Caucus Meeting. He explained this is a continuation of that meeting which is why they were not done again in case anyone was wondering.

He then informed those in attendance that if they wished to speak, they should raise their hand and when called upon, proceed to the podium where they should state their name and address for the record. He asked that comments be kept to 5 minutes per person and for each person to speak one time only.

PUBLIC COMMENTS:

Motion to open Public Comment

| Commissioners | Ayes | Nays | Abstain | Absent | Motion | Second |
|----------------|------|------|---------|--------|--------|--------|
| Mr. Barr | X | | | | X | |
| Mr. Bulakowski | X | | | | | X |
| Mr. Morey | X | | | | | |
| Mr. Pierson | X | | | | | |
| Mr. Desiderio | X | | | | | |

MINUTES OF CAUCUS AND REGULAR MEETINGS HELD AUGUST 22, 2023 (CONTINUED)

Jeff Trout, of Dennis Township, spoke about his 2 grandmothers; 1 was a Registered Nurse at Crest Haven, the other a resident there. As to the 1 that worked there, it was more than just a job to her. She cared about her job and the residents. When you have a good paying union/county job, you get employees who care. Employers that care about their staff will have staff that care about their jobs. When it came time to decide where to send his second grandmother when she need a nursing home, it was an easy decision to choose Crest Haven. She received amazing care and had experiences & opportunities she would not have elsewhere. Everyone knew her. Privatization will take this quality of care away. Jeff has been an AFSCME member for 15 years. He stated the County Library System and the Park and Zoo are 2 shining examples of what good union employees provide. Private companies will cut staff and benefits to cut costs. The employees will lose. Crest Haven will suffer and the reputation will decline. He implores the Board to reconsider their decision for the employees, residents and reputation of Cape May County. Make Crest Haven an example of excellence and not something we gave up on.

Nicole Hebron, of Cape May Court House, had questions/comments she wanted to go on the record regarding the \$30 million deficit. Where was the talk of it when the business office was shut down? These numbers don't reflect COVID numbers. Half of the private pay billing hasn't been done because there isn't adequate billing right now. There's over \$10 million in bad debt which could be uncollected or unbilled money. Where was the accountability when these bills were not paid? Who was overseeing the balances? When they couldn't get computers for their medcarts approved in the capital budget, when they were only requesting \$15,000, but their recaps at the end of the month are more than that. The private pay rate hasn't been raised in years. These are all questions that should be answered before talking about shutting down something that means a lot to everybody.

Megan Fitzmaurice, spouse of a CHRNC employee, spoke next. Megan's biggest issue is the pension and benefits as she has a child that has been monitored by CHOP since he was 6 months old. She said what the Board is doing is awful: taking away pensions and benefits from people who have worked for the County for 20 years. Why them? Why do you get to keep it? You're going to get to retire with a full pension & benefits. What makes you better than them? Some of you have had family members taken care of by the wonderful people at Crest Haven. Remember the pandemic we're just getting through? They were the heroes that showed up day in and day out. They were your heroes and now they're nothing to you. They came home with marks on their faces while you stayed home in your bubbles. You want to privatize Crest Haven to save money. Pretty sure every single one of you got a raise. Who drives a county vehicle? Sell your vehicle and give the money to Crest Haven. Is this fair? Residents are scared. They have no idea what is going to happen to them. The benefits will not be the same. Why them? Why is the zoo free? Charge for parking. There is zero guarantee the nurses, CNAs and kitchen staff will still have a job. What makes you better? You have your seats up there because of them.

Dawn Ellison, a Unit Manager of CHNRC, is a 17 year employee at Crest Haven. She loves working there. She also has a loved one residing there, so she understands that side too. The benefits, time off, and pension is why "they" work for the County. That was the promise made. The employees grew up here. It's a small town and a community that they take care of. Why not put your trust in them instead of some run of the mill nursing home. The employees at Crest Haven put their lives on the line during COVID-19. They were the heroes. Please honor what you promised and reconsider your decision. They deserve the full package. Why was the business office without help for so long and therefore unable to collect payment? Since when does the county allow animals to take precedence over human lives and the elderly? Why not privatize the zoo? Employees at Crest Haven give and love so much. Addressing the audience, Dawn said "We are the taxpayers. We elected them and gave them jobs. Now that their jobs are on the line come the next election, they will be held accountable too."

MINUTES OF CAUCUS AND REGULAR MEETINGS HELD AUGUST 22, 2023 (CONTINUED)

David Beckett, Esq., was here on behalf of AFSCME Executive Director, Steve Tully. He was also involved in the negotiations of the latest contract with AFSCME, where no mention of the \$30 million loss or budgetary concerns were made, only constructive suggestions and comments to raise pay. From the union's perspective, this is a rushed decision with no public vetting. The union is strongly opposed for a number of reasons. Private companies cut costs. They will offer bare bones insurance coverage which amounts basically to a catastrophic benefits plan only at a huge cost to the employees. This is consigning the employees to substandard benefits. A 401K is not a defined benefit plan. Employees will need to move to seek out better employment which will destroy the community that has been built at Crest Haven. The union provides stability. You are trading your workforce for a transient workforce and a revolving door of employees. Saying you will get benefits is not the same as ensuring the same benefits. Please reconsider this rash action. Problems? Provide studies and reports to analyze to negotiate solutions. He saw no studies that justify privatizing C.H. Hold off on accepting RFPs. The RFP states the company can choose who to hire and when to hire and what to pay. The billing issues need to be addressed first. Sit down with the union to negotiate how to keep Crest Haven operating in a sound way and as the jewel of Cape May County.

Kris Lev, a CMC Library employee for 8 years, was here standing in solidarity with the employees of Crest Haven as well as for a personal reason. She personally took care of both of her parents for close to 8 years, commuting every weekend. Not everyone has someone to take care of them. The residents of Crest Haven need the support of good caregivers. She spoke about a book she just read: "Plunder" by Brendan Ballou which investigates the privatization of nursing homes in the U.S. The 2 most striking facts she gleaned from the book were 20% of private nursing homes go bankrupt within the first 10 years and they account for 20,000 unwanted deaths across the U.S. in the last decade. She behooves you to read up on this and make sure the firms answering the RFPs don't fall into these categories.

Ronald McMullen, Pres. Of Council 63 AFSCME, heard a lot of facts today but statistics can be manipulated. Any elected leader is elected to represent the people that put them in office. "You ought to be ashamed of yourselves. You got something backward here." He's an elected official, for 20 years, and any decision he makes is based on the interests of the people he represents. How can 6 people make this decision for 50,000? He never heard of any public forum to discuss this. You need to ask the public if they want Crest Haven privatized. Privatization will affect salaries, benefits, patients, livelihoods, children, and the residents who need the care. He heard Crest Haven is 200 years old and this is a travesty! (Reads from Declaration of Independence) The decisions you make must come from the people and if they don't, you don't need to be in office. Each and every one of you should be out of office. You have more life behind you than in front of you. (He was Commissioners were told not to answer questions.) "Gonna fight you to the end."

Roseanne Rarrutto, of Sea Isle City, was here as a family member. Roseanne's mom has resided in Crest Haven for the last 7 years. Her mom is blind, so a nursing home was a necessity. When she was looking, she heard about Crest Haven from a friend. It was the most professional of all that she looked at (4 others.) She visits 4-6 times a week. All the employees take great care of her mother which is the opposite experience of what her father had at a private facility for rehab. The care her mother receives, especially during COVID when an employee allowed her mom to call her from their personal phone, is special. If Crest Haven is privatized, she knows it will decline. They are hard workers and like family to her. She implored the Board to think of themselves and their families and what kind of care they would want.

Kaitlyn Kelly, of Dennis Township, is a CMC Library employee of 5 yrs. Kaitlyn said privatization will prioritize profit over people every time. There will be less oversight because they will want to keep the costs low. They would rather pay off fines and violations than change any problems. She hopes the Board is actually considering the comments and not just tuning them out or letting them wash over. This will be disastrous for the employees & residents and the future for other AFSCME employees.

MINUTES OF CAUCUS AND REGULAR MEETINGS HELD AUGUST 22, 2023 (CONTINUED)

Joe Griffies, a Veterans Advocate, said isn't democracy great in reference to the opportunity for the public to voice their concerns. He said the country is on a downfall and the government needs to stop jeopardizing jobs. Only 22% of veterans are registered with the VA yet by working together and not arguing and fighting, during COVID many more than that were vaccinated. When you're levelheaded, things can be negotiated. When employees are unhappy at their jobs, they become angry and bitter. It's tough when you're worrying about paying your bills. The Crest Haven building has been around for 50 years. Don't make a decision to shut it down in 50 days. The beds aren't full. Why not get a VA hospital designation for 25% of the beds. The VA pays top dollar. He has connections with Governor Murphy. He can get him on the phone. There are solvable problems. What is going to happen if we get rid of our experienced people? The private company will offer a 1 time buyout of some pensions. A happy employee is a good employee. Take a 1 year cooling off period (told Jeff Lindsay to stop laughing). Not only can Crest Haven be saved, it can be bigger and better.

Rob Saunders, of Cape May Court House, is an employee of the County, but not Crest Haven. Rob spoke on behalf of 1 of his brothers. Said there's been a lot of tiptoeing around points re: COVID but when it happened, they were deemed essential employees and forced to work. He does not work at the jail, but that is where he was sent during that period. The County received a lot of money because they worked through the pandemic. Where did it go? They got \$2 or \$3 an hour for a 2 week period (Crowd shouted Crest Haven did not get anything). Department heads got \$30,000 each. Some people got substantial raises. Can that money be used to save Crest Haven? Mentioned Commissioner Bulakowski remarked at an event how proud he is to be a member of the Carpenter's Union. Rob said keep that in mind when it comes to telling people they don't have a job any longer.

Henry Hayes is a proud member of the union. He said these are your constituents. They don't want this. Union members don't want this. They work so hard. He's worked all over the county. His record will reflect that. He has never seen harder workers than at Crest Haven. That's what makes this county great. They are here to show you they care about this. Crest Haven is special because of them. Not to listen to them is a mistake. Look at these people. Take them into account.

Kevin Williams, from Iselin, NJ, is a union employee with the Township of Woodbridge. Kevin stands in solidarity with his brother and sisters in the union. He comes from a union background and is a strong union employee. He understands the difficult decisions required in running a business. Sometimes you have to make unpopular decisions. Where better can you get an already trained workforce? You should probably listen to your attorney (re: not responding today) but from this side of the podium it lacks transparency. There is a terrific opportunity here to come together for a common cause.

Kris Lev spoke again and said she believes we have an intelligent group of Commissioners so please work with us, the employees and the union to solve the issues. Don't abandon Crest Haven.

Awad Ahusain, Co-Chair PAC, AFSCME was the next speaker. Awad's job is to meet with politicians to try to understand the intricacies involved in how to better serve your people. How to better care for your patients, residents and employees. He understands what privatization does. 75% of the time it does not work. When a company is sold to investors, there's no cost sharing, no responsibility. These employees care and dedicate their lives to the residents. Asking you to rethink and reconsider what is best for the community, employees and residents. If the motive is to make a profit, care will be rationed. Let's work together. Privatization is not the only solution. Urging you to do the right thing. You run for office to serve the people and that is what we expect you to do.

Alexandria Alarcon has worked for Crest Haven for 5 years. Alexandria has an autistic child and is very worried about losing her benefits. They will never be the same with a private company. The deficit is an issue, but it affects the staff and residents, not

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the Board. They hear every day how worried the residents are. A lot of people have started looking to see what to do next. Addressing the Board: You might be in a nursing home one day. You don't know. Karma is a thing. A nursing home is a dark place to be no matter the care.

Stephen White, of the Villas, is a Crest Haven employee. Stephen has worked at other nursing homes in the area, but Crest Haven is the best he's ever worked. It used to be the premier nursing home in the County with a waiting list to get in. He wishes the Commissioners would come visit once in a while and he's never seen any of them there (directs comment to Commissioner Pierson saying he's never seen him there.) Come see us and see what we do. We were the healthcare heroes and now what? He suggests putting someone in the financial office to do a better job running the finances.

Freda Owens loves working at Crest Haven. She worked in the rehabilitation part of the center for 4 years. They had repeat patients because of the great care they received. She told the story of a patient on a ventilator during COVID, that upon waking and coming off the vent, asked for Freda by name. When patients come back to the rehab center, they ask for the staff by name because it's personal care there. It's the top rehab in the County. "We do what we're supposed to and they love us there."

Melinda Hassler, of Lower Township, is a Crest Haven employee. She had questions for the Board. Why did we get to that \$30 million deficit? What years were used to calculate it? Why was the business office shut down? Employees left years ago and the jobs were never posted. Why did the County let the only in-house biller go and not offer her additional pay to stay? The County decided to outsource billing and pay HealthCare Resources approximately \$80/hr. Families try to pay their bills and there's no one there to help. They don't receive bills in the mail! 6 or more months pass by without sending out the private pay bills. How can we collect when days go by with no one doing the billing, answering the phone, returning voicemail. That's one reason for the debt! Their capital budget request for \$15,000 for laptop computers for their medcarts was denied. Instead, the County pays the nurses overtime to do the month end reports at roughly \$45,000/year. Over a 5 year period, that amounts to \$225,000 just in OT! The private pay rate has been the same for 11 years. Why hasn't it been raised? It's now lower than the Medicaid rate. Why not accept Medicaid patients? A few years ago, it was brought to the table to bring a dialysis unit to Crest Haven. 1 shift a day for 1 year would bring in \$2.9 million. 2 shifts would generate \$6 million. There is \$10 million in bad debt: unbilled, uncollected, unaccounted for. Who is doing the billing? Who's doing the authorizations? It's not a matter of filling the beds. It's a matter of billing. Melinda has lots of info to share and would love to sit down with the Commissioners to discuss.

Brian Reed is a lifelong County employee and has worked at Crest Haven for 15 years. He could make 2 times the amount of money in the private sector but works at Crest Haven for the pension and benefits. His wife is ill so he can speak personally as to how their lives will change without the benefits. He cooks roughly 1000 meals a day for Crest Haven and the Meals-on-Wheels program. This does not include the meals for the cadets at the training academy. The price for the cadets' meals has been the same "forever." They receive double portions 3 times a day and the rate has never increased. Cut back on OT. Nurses and CNAs sometimes work 2-3 weeks without a day off. Fill the positions. It takes too long to hire anyone in the County. Applications get approved and sent back "next door" and sit for months. The people can't wait that long to get hired. By time they're contacted, they've already found a different job.

Roseanne Rarrutto spoke again to confirm she is one of the family members that has to beg for the bill. It takes the County 6 months to send the updated documents for balance billing for Medicare every year. Who's running the show? This deficit should have been looked at years ago!

Joe Griffies also spoke again and said you've heard the voice of the people. Thank you to the Commissioners for holding this. The people spoke from their hearts. He asked

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Commissioner Morey if he would sell the pier because a ride broke and Director Desiderio if he would sell the bar because a tap broke. They have produced evidence of money that is wasted and unaccounted for. Fix the problem.

Commissioner Morey commented that the Board heard a lot about engaging in discussion, and as he respects County Counsel's advice and guidance, he would like to know what the next step is. County Counsel responded it is to engage the union in discussions. Commissioner Morey finished by saying the Board wants to be attentive and listen to all the concerns, and he personally wants to make sure they go about any dialogue constructively. If engaging the union in discussions is the next step, hopefully they will be able to do that.

Motion to Close Public Comment and Adjourn

| Commissioners | Ayes | Nays | Abstain | Absent | Motion | Second |
|-----------------------|-------------|-------------|----------------|---------------|---------------|---------------|
| Mr. Barr | X | | | | X | |
| Mr. Bulakowski | X | | | | | X |
| Mr. Morey | X | | | | | |
| Mr. Pierson | X | | | | | |
| Mr. Desiderio | X | | | | | |

4:31 PM time

APPROVED

DIRECTOR

ATTEST:

CLERK OF THE BOARD