

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CHOSEN
FREEHOLDERS HELD ON TUESDAY, AUGUST 27, 2019 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:

Freeholders Desiderio, Hayes, Morey, Pierson and Thornton (5)

STATEMENT OF DIRECTOR

“This is a notice read pursuant to the requirements of the “Open Public Meetings Act.” At least 48 hours advance notice of this meeting has been provided by posting of the same in writing on the bulletin boards in the County Administration Building, and the County Clerk’s Office and mailing a copy of the notice to the Cape May County Herald and the Atlantic City Press and filing the same with the County Clerk, all being done on Thursday, January 3, 2019.”

MOMENT OF SILENCE

FLAG SALUTE-Led by Freeholder Pierson.

MINUTES – MOTION TO APPROVE MINUTES OF 08/13/19 REGULAR MEETING
FH Desiderio moved/ FH Hayes seconded

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

COMMUNICATIONS: None.

REPORTS:

- 1) COUNTY ENGINEER: Mr. Church updated the Board on the following public work projects:

The Main Street project in Dennisville was ongoing. The sidewalks should be finished by Friday. There was an issue with an oil tank discovered in the right-of-way, but that had been mitigated.

The police cadet parking lot was complete. There were punch list items remaining but besides that, it was finished.

Ingram’s Thorofare Deck Rehabilitation, the I-Bank Project, was currently out to bid. Bids were being accepted for a September 16th opening.

The Hope Corson Road Reconstruction Project was scheduled to start on September 3rd and the completion date was October 16th.

The Rio Grande Gateway Project was going to become active again beginning September 3rd and would be pretty intense for the next 8 months. Utility relocations would be done on the west side of Susquehanna first, and some of the drainage. On September 23rd the lane shift would take place, inbound traffic and outbound traffic would be shifted to the north side of the current median on the bridge. Approaching the bridge you would be shifted to the north and would remain that way going in, up to Park Avenue. That would

MINUTES OF A REGULAR MEETING HELD AUGUST 27, 2019 (CONTINUED)

allow the contractor to work half the project on the south side. Sometime in January it would flip back the other way to finish up the north side. Freeholder Morey asked if the engineer was all squared away with Wildwood as far as weekend events and things like that.

The rumble strips on Sea Isle Boulevard would be done the week of September 9th during an overnight operation. Once the date was confirmed the engineer would let the chief of police know.

The Cape May County MUA was replacing a force main on Bay Avenue in Ocean City as part of their maintenance program. The County would probably be getting a lot of complaints regarding the work being done, he surmised, even though it wasn't a county project. The work would take place on Bay Avenue from 32nd Street all the way up to 6th Avenue throughout the winter months.

Freeholder Pierson asked if walkways were going to be installed on the west side of the bridge exiting Wildwood to improve the current lay out, like they did on the east side. Mr. Church agreed to reach out to the State to see if something could be done.

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

FREEHOLDER REPORTS:

- 1) FREEHOLDER MOREY: Mr. Morey reminded that the Sunset Parade was to be held this weekend on Sunday in honor of Cape May County. He would be attending and hoped a few more from the Board would make it to meet the new commanding officer.

The UAS Conference would be held at the end of the month. More information to follow on it. This year would feature an evening program on Sunday, a full day on Monday at Wildwood Convention Center and a visit to the FAA Tech Center on Tuesday.

The Tech Village building down at the airport was starting to take shape and creating a nice contribution to the airport already, even in its' bare bones state, he commented.

- 2) FREEHOLDER PIERSON: Mr. Pierson attended the Unity in the Community barbeque and picnic at the Cape May County Park along with Freeholder Hayes and Director Thornton. It was well planned and organized. Approximately 300 backpacks were handed out. The freeholder was really impressed when he arrived at the event and saw the amount of people that had come out to support it. The local law enforcement agencies and the Prosecutor's Office did a wonderful job cooking and serving, he stated.

Freeholders Hayes and Pierson left the Unity in the Community event to attend the Hometown Security presentation which focused on security within the communities. It was another really good program, with a great turn out, organized by the New Jersey Office of Homeland Security and Preparedness, Wildwood Crest Police and the Cape May County Prosecutor's Office. A lot of really good questions were asked and answered.

The freeholder participated in getting out a public service announcement recently on WOND Radio, along with Director Thornton and Pat Devaney, Division of Community & Behavioral Health Services Director.

He reminded that Thursday, August 29th was Overdose Awareness Day in Cape May County and an event was taking place at the Lighthouse Church on

Route 9 in Cape May Court House from 5:00 to 8:00 p.m. Guest speakers and various presentations would be available, including naloxone training. He requested the public's support of the event.

At the last meeting he had cited mosquito statistics within the state as a precautionary measure, to keep residents informed. As an update to that, he reported there were three recent mosquito collections that had tested positive for West Nile Virus. The most recent, tested hot for equine encephalitis. They were found at Tyler Road in Woodbine, Green Creek in Middle Township and two sites in Upper Township. According to Mosquito Control Division, compared to most years, the County was well below the virus type levels. Trucks were out there spraying and would continue spraying next week in those areas mentioned.

- 3) FREEHOLDER HAYES: Ms. Hayes attended the Unity in the Community event reported already by Freeholder Pierson. Atlantic Cape Community College (A.C.C.C.) participated in that, which prompted her to announce that free tuition was being offered again this year by A.C.C.C. If a student made under a certain amount of money per year, they could apply for state and federal grants first, then any remaining fees could be submitted to be covered by the college grant. This was the second year for the program.

The freeholder reported Hometown Security gave an excellent presentation. One of the main points impressed upon attendees was, "If you see something, say something". Law enforcement today, as opposed to when these mass shootings first became prevalent, relied heavily on the average citizen to not hesitate to report it, if they see something that doesn't look right she noted.

She had the honor of presenting a check to the Ocean City Museum and the Ocean City Lifesaving Station, by way of the re-grant program through the County Culture and Heritage Division. The money was much appreciated by both organizations she commented.

She attended an elderly fraud program sponsored by the Prosecutor's Office. Although we're all getting targeted by these annoying telephone calls these days, they were targeting the elderly especially. They get them on the phone, tricking them into giving out their Social Security numbers and Medicare numbers. She felt it was important to check on elderly family members to ensure they were doing okay and not becoming a target of these predators. The incidents must be reported immediately in order for money to be recovered she explained.

Diane Wieland, Tourism Director had been asked to write an article on "The Impact Cape May County had on Shaping America". According to Freeholder Hayes, Diane wrote a very informative article highlighting the Lenni Lenape Tribe, Cape May diamonds, King Nummy and sisters, Rebecca and Sarah Stillwell of Upper Township, alive during the Revolutionary War.

She announced the fundraiser and annual art auction, "Art for History" would be held to benefit the Cape May County Museum on September 7th from 6:30 to 8:30 p.m. at the Ocean View Campground in Ocean View. There would be an opportunity to bid on examples of painting, photography, sculpture, pottery, glass, jewelry, and artistic woodworking made by local artists and artists from throughout the southern New Jersey region.

- 4) FREEHOLDER DESIDERIO: No report.
- 5) FREEHOLDER THORNTON: Director Thornton reported being very impressed by the Unity in the Community. He was shocked to see the six to seven hundred people at the park & zoo for the event. One of the most impressive things for him, was that law enforcement personnel from all over the county contributed by cooking and serving the food; hotdogs and hamburgers. The event was very neighborly he commented.

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He talked about the WOND Radio interview in which medical marijuana was discussed at length due to a call in, and the quarterly MUA Meeting where recycling was again one of the topics and Bay Avenue in Ocean City.

He commented on the mandatory Homeland Security Task Force meetings he attended with Administrator Bozzelli, addressing current vulnerabilities within the county. The task force was funded by the feds and the state he noted, another good aspect. He finished by commenting on robocalls and the need for the calls to be banned.

INTRODUCED BY MR. DESIDERIO, SECONDED BY MS. HAYES

- 659-19 Resolution amending Resolution No. 782-18.
(This Resolution amends Schedule "A" attached to Resolution No. 782-18.)
- 660-19 Resolution appointing certain County employees to their permanent position in their respective offices. (Sheriff)
(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 661-19 Resolution amending Resolution No. 543-19 accepting Grant Award from New Jersey Department of Law and Public Safety for FY18 Paul Coverdell Forensic Science Improvement Grant No. 18-PC-02 in the amount of \$12,076.42.
(This Resolution amends Resolution No. 543-19 to correct fiscal year from FY19 to FY18 and authorizes the County to accept a FY18 Paul Coverdell Forensic Science Improvement Grant No. 18-PC-02 in the amount of \$12,076.42 for the period of 1/1/19 through 12/31/19.)
- 662-19 Resolution authorizing extension of Contract No. C8-125 with Tetra Tech, Inc. through project completion and final acceptance.
(This Resolution extends Contract No. C8-125 with Tetra Tech, Inc. to provide project management of 2016 F.E.M.A. Flood Mitigation Assistance Grant Program Award services through project completion and final acceptance pursuant to N.J.S.A. 40A:11-15.8 (9).)
- 663-19 Resolution authorizing execution of a Lease Agreement for a portion of Block, 1450, Lot 9, in the Township of Middle.
(This Resolution authorizes execution of a lease agreement for a portion of property located at Block 1450, Lot 9.)
- 664-19 Resolution amending the 2019 Budget for the Victims of Crime Act (No. V-05-17) for the period of July 1, 2019 to June 30, 2020 in the amount of \$338,340.00.
(This Resolution amends the 2019 Budget in the amount of \$338,340.00 funding to be used to provide comprehensive direct services to victims of domestic violence, child abuse, sexual assault and juvenile offenders.)
- 665-19 Resolution increasing Reporting Threshold for Nonexpendable, Tangible Personal Property of County of Cape May.
(This Resolution increases a previously set accounting threshold from \$2,500.00 to \$5,000.00 for all assets.)
- 666-19 Resolution amending the 2019 Budget for New Jersey Department of Law and Public Safety NJ CARES for SFY 2019 Opioid Public Health Crisis Response: Operation Helping Hands (No. OHH-05-2019) for the period of September 1, 2019 through August 31, 2020 in the amount of \$100,000.00.
(This Resolution amends the 2019 Budget in the amount of \$100,000.00 for the period of 9/1/19 to 8/31/20 for SFY 2019 Opioid Public Health Crisis Response: Operation Helping Hands.)
- 667-19 Resolution applying to New Jersey Department of Law and Public Safety, Division of Criminal Justice for 2019 Body Armor Replacement – Prosecutor Office.

MINUTES OF A REGULAR MEETING HELD AUGUST 27, 2019 (CONTINUED)

(This Resolution authorizes application to the State of New Jersey Department of Law and Public Safety, Division of Criminal Justice for 2019 funding for Body Armor Grant.)

- 668-19 Resolution applying to New Jersey Department of Law and Public Safety, Division of Criminal Justice for 2019 Body Armor Replacement – Sheriff Office.

(This Resolution authorizes application to the State of New Jersey Department of Law and Public Safety, Division of Criminal Justice for 2019 funding for Body Armor Grant.)

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

INTRODUCED BY MR. PIERSON, SECONDED BY MR. MOREY

- 669-19 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).)

- 670-19 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 of Human Services.)

- 671-19 Resolution appointing certain County employees to their permanent position in their respective offices. (Health, Human Services)

(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)

- 672-19 Resolution accepting Grant Award from the New Jersey Department of Health for Early Intervention System Grant No. DFHS20SCH011 for the period of July 1, 2019 to June 30, 2020 in the amount of \$130,717.00.

(This Resolution accepts a grant award for the Early Intervention System Program for the period 7/1/19 to 6/30/20 in the amount of \$130,717.00.)

- 673-19 Resolution amending the 2019 Budget for New Jersey Department of Health Early Intervention System Grant No. DFHS20SCH011 for the period of July 1, 2019 to June 30, 2020 in the amount of \$130,717.00.

(This Resolution amends the 2019 Budget in the amount of \$130,717.00, to provide Early Intervention services and support to children, birth to age three, in need of early intervention services.)

- 674-19 Resolution accepting Grant Award from the New Jersey Department of Health for Local Core Capacity for Public Health Emergency Preparedness (LINCS) Grant No. PHLP20LNC012 for the period of July 1, 2019 to June 30, 2020 in the amount of \$236,274.00.

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

- 675-19 Resolution amending the 2019 Budget for the Local Core Capacity for Public Health Emergency Preparedness (LINCS) Grant No. PHLP20LNC012 for the period of July 1, 2019 to June 30, 2020 in the amount of \$236,274.00.

(This Resolution amends the 2019 Budget for the Local Core Capacity for Public Health Emergency Preparedness (LINCS) Grant in the amount of \$236,274.00.)

MINUTES OF A REGULAR MEETING HELD AUGUST 27, 2019 (CONTINUED)

- 676-19 Resolution accepting a Grant Award from New Jersey Department of Health for the Cancer Education and Early Detection Grant (CEED) No. DCHS20CED005 for the period of July 1, 2019 to June 30, 2020 in the amount of \$341,052.00.
(This Resolution accepts a grant award in the amount of \$189,064.00 with In-Kind matching funds of \$151,961.000 for a total of \$341,025.00 to support breast and cervical cancer screening and education services.)
- 677-19 Resolution amending the 2019 Budget for the Cancer Education and Early Detection Grant No. DCHS20CED005 for the period of July 1, 2019 to June 30, 2020 in the amount of \$189,064.00.
(This Resolution amends the 2019 Budget in the amount of \$189,064.00 with an In-Kind match of \$151,961.00 to support breast and cervical cancer screening and education services to low income, uninsured and underinsured women.)
- 678-19 Resolution authorizing Subcontract with Township of Lower for participation in the Municipal Alliance Program in the amount of \$31,409.00.
(This Resolution authorizes a subcontract for the period 7/1/19 through 6/30/20: Township of Lower \$31,409.00.)
- 679-19 Resolution authorizing Subcontract with Township of Middle for participation in the Municipal Alliance Program in the amount of \$13,307.00.
(This Resolution authorizes a subcontract for the period 7/1/19 through 6/30/20: Township of Middle \$13,307.00.)
- 680-19 Resolution applying to New Jersey Department of Law and Public Safety Juvenile Justice Commission for FY20 Comprehensive County Funding Allocation Grant in the amount of \$314,535.00 for the period January 1, 2020 through December 31, 2020.
(This Resolution authorizes application to the State of New Jersey Juvenile Justice Commission for FY20 Comprehensive County Funding for the period 1/1/20 to 12/31/20.)
- 681-19 Resolution accepting Grant Award from the New Jersey Family Planning League for Family Planning Grant No. DFHS18FAM002 in the amount of \$64,936.00.
(This Resolution accepts a grant award from New Jersey Family Planning League in the amount of \$64,936.00.)
- 682-19 Resolution amending the 2019 Budget for New Jersey Family Planning Grant in the amount of \$64,936.00.
(This Resolution amends the 2019 Budget in the amount of \$64,936.00 for Family Planning Grant.)
- 683-19 Resolution accepting Grant Contract Modification for FY19 Social Services for the Homeless Grant Funding with the New Jersey Department of Human Services in the amount of \$192.00 for the period of January 1, 2019 through December 31, 2019.
(This Resolution authorizes an acceptance of contract modification with the NJ Department of Human Services Division of Family Development, for the FY19 Social Services for the Homeless Grant Funding in the amount of \$192.00 for the period of 1/1/19 thorough 12/31/19, bringing it to a total of \$268,800.00.)
- 684-19 Resolution amending the 2019 Budget for FY19 Social Services for the Homeless Grant Funding with the New Jersey Department of Human Services in the amount of \$192.00 for the period of January 1, 2019 through December 31, 2019.
(This Resolution amends the 2019 Budget in the amount of \$192.00, providing funds for Social Services for the Homeless for the period 1/1/19 through 12/31/19.)

MINUTES OF A REGULAR MEETING HELD AUGUST 27, 2019 (CONTINUED)

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

INTRODUCED BY MS. HAYES, SECONDED BY MR. DESIDERIO

685-19 Resolution supplementing the 2019 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.)

686-19 Resolution authorizing the Board to hold a meeting excluding the public on August 27, 2019 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 matter involving the purchase, lease, or acquisition of real property, pursuant to N.J.S.A. 10:4-12(5).

(This Resolution authorizes the Board of Chosen Freeholders to conduct a meeting excluding the public at the stated time in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-1, et seq.)

687-19 Resolution reconfirming Resolution No. 658-19 adopted August 13, 2019.

(This Resolution reconfirms Resolution No. 658-19 Capital Budget Amendment.)

688-19 Resolution accepting Grant Award from the State of New Jersey Department of Military and Veterans Affairs for the Veterans Transportation Grant No. VL20T73 for the period of July 1, 2019 to June 30, 2020 in the amount of \$13,000.00.

(This Resolution accepts a grant award for the Veterans Transportation Program for the period of 7/1/2019 to 6/30/2020 in the amount of \$13,000.00 to provide veterans transportation to specific locations and facilities to receive services.)

689-19 Resolution amending the 2019 Budget for the Veterans Transportation Grant No. VL20T73 for the period of July 1, 2019 to June 30, 2020 in the amount of \$13,000.00.

(This Resolution amends the 2019 Budget in the amount of \$13,000.00, providing funds for transportation of veterans to specific locations and facilities to receive services.)

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

INTRODUCED BY MR. MOREY, SECONDED BY MR. PIERSON

690-19 Resolution authorizing Change Order No. 1 in the amount of \$31,253.07 to Delta Line Construction Company for Ocean Drive (CR619) Bridges over Townsends Inlet and Grassy Sound Submarine Cable Replacement.

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

691-19 Resolution authorizing Release of Performance Guarantee in the amount of \$29,056.00 to 18 Goshen Road, LLC for improvements to Goshen Road (CR615), Middle Township.

(This Resolution authorizes release of funds held as a performance guarantee for improvements within the County right of way for 18 Goshen Road, LLC.)

MINUTES OF A REGULAR MEETING HELD AUGUST 27, 2019 (CONTINUED)

- 692-19 Resolution accepting Grant Award from New Jersey Economic Development Authority for NJEDA Grant for the period of August 13, 2019 through February 13, 2020 in the amount of \$100,000.00.
(This Resolution authorizes Cape May County to participate in a State Innovation Challenge grant.)
- 693-19 Resolution amending the 2019 Budget for New Jersey Economic Development Authority for the NJEDA Grant for the period of August 13, 2019 through February 13, 2020 in the amount of \$100,000.00.
(This Resolution amends the 2019 Budget in the amount of \$100,000.00 for the period of 8/13/19 to 2/13/20 for NJEDA Grant.)
- 694-19 Resolution closing the contract and accepting the work of Thomas Barry Marine Construction, Inc. for Ocean Drive (CR619) over Townsends Inlet Bridge Railing Improvements.
(This Resolution accepts the work and closes the contract.)
- 695-19 Resolution closing the contract and accepting the work of Landberg Construction, LLC for 2018 Miscellaneous Drainage I on an As-Needed Basis throughout Cape May County.
(This Resolution accepts the work and closes the contract.)
- 696-19 Resolution closing the contract and accepting the work of Remington, Vernick & Walberg Engineers for Professional Engineering Services for Design and Roadway Improvements for Bayshore Road (CR603) from Miami Avenue to Fishing Creek Road, Township of Lower.
(This Resolution accepts the work and closes the contract.)
- 697-19 Resolution closing the contract and accepting the work of Pennoni Associates, Inc. for Professional Construction Engineering Services for Landis Avenue (CR619) Resurfacing Improvements from 54th Street to 63rd Street, City of Sea Isle City.
(This Resolution accepts the work and closes the contract.)
- 698-19 Resolution closing the contract and accepting the work of IH Engineers, Inc. for Professional Traffic Engineering Services for West Avenue (CR619), City of Ocean City.
(This Resolution accepts the work and closes the contract.)
- 699-19 Resolution closing the contract and accepting the work of Orth Rodgers & Associates, Inc. for 2012 Traffic Engineering Services for Woodbine-Ocean View Road (CR550) and U.S. Route 9 Intersection Improvements, Township of Dennis.
(This Resolution accepts the work and closes the contract.)
- 700-19 Resolution authorizing an Indemnification Agreement with DelmoSports, LLC for its Crest Best 10K Run on October 13, 2019.
(This Resolution gives permission to DelMoSports, LLC to utilize County roads for a 10K event.)
- 701-19 Resolution closing the contract and accepting the work of RTW Construction, Inc. for 2017 Miscellaneous Drainage Improvements II on Various County Roads throughout Cape May County.
(This Resolution accepts the work and closes the contract.)
- 702-19 Resolution closing the contract and accepting the work of Ricky Slade Construction, Inc. for Landis Avenue (CR619) Supplementary Parking Lot along Landis Avenue, City of Sea Isle City.
(This Resolution accepts the work and closes the contract.)
- 703-19 Resolution authorizing execution of Agreement No. 19-DT-BLA-789 for the 2019 Highway Safety Improvement Program for the Woodbine Roundabout Construction Project in the Borough of Woodbine.

MINUTES OF A REGULAR MEETING HELD AUGUST 27, 2019 (CONTINUED)

(This Resolution establishes the terms for cost reimbursement of federal funds for the Woodbine Roundabout Construction Project in the Borough of Woodbine.)

704-19 Resolution closing the contract and accepting the work of Urban Engineers, Inc. for Professional General Engineering Services for Hope Corson Road (CR671) Phase II Drainage Improvements, Township of Upper.

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

705-19 Resolution closing the contract and accepting the work of Urban Engineers, Inc. for Professional General Engineering Services for 55th Street (CR619/CR619 Spur), City of Ocean City.

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

706-19 Resolution closing the contract and accepting the work of Urban Engineers, Inc. for Professional General Engineering Services for JFK Boulevard (CR625) Improvements, City of Sea Isle City.

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

Freeholders	Ayes	Nays	Abstain	Absent	Motion	Second
Mr. Desiderio	X					
Ms. Hayes	X					
Mr. Morey	X		700-19		X	
Mr. Pierson	X					X
Mr. Thornton	X					

BOND ORDINANCE 1-19 (PUBLIC HEARING)

Director: This is the date, time & place for final consideration of Bond Ordinance 1-2019.

Clerk: Mr. Director, I have proof of publication for Bond Ordinance 1-2019.

Director: The Public Hearing is now open. Is there any public comment?

Director: Seeing no hands, may I have a Motion to close the Public Hearing?

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

Director: Roll Call

ADOPTION OF BOND ORDINANCE 1-19

Clerk: (Reads Ordinance by title)

Bond Ordinance for Various 2019 Capital Improvements, by and in the County of Cape May, State of New Jersey, (the "County"); Appropriating \$30,000,000 therefor and authorizing the issuance of \$28,585,713 Bonds or Notes of the County to finance part of the costs thereof.

BE IT ORDAINED AND ENACTED BY THE BOARD OF CHOSEN

FREEHOLDERS OF THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (not less than two-thirds of all 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 \$30,000,000, said sum being inclusive a down payment in the aggregate amount of \$1,414,287 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. Pursuant to N.J.S.A. 40A:12A-37(c)(2) of the Local Redevelopment and Housing Law, as amended and supplemented, no down payment is required for Wildwood Redevelopment Projects as described in Section 3(a)(ii) herein.

SECTION 2. For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$30,000,000 appropriation not provided for by application hereunder of the down payment, negotiable bonds of the County are hereby authorized to be issued in the aggregate principal amount not exceeding \$28,585,713 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 an aggregate principal amount not exceeding \$28,585,713 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) <u>General Capital Improvements (County-Wide)</u> – General Capital Building Or Facility (Interior And Exterior), Infrastructure (Interior And Exterior), Parking Area, Access Road, And Any Other Associated Site Work and Real Property Improvements, And Acquisition And Installation, As Applicable, Of Furnishings And Equipment At Various County Facilities Including, But Not Limited To, 3801 Route 9 South (Rio Grande - Middle Township), The Cape May City Library, The Chamber Of Commerce, The Special Services School, The Cape May County Park And Zoo, The Mosquito Department-Lab, And The Sheriff Building (Cape May Court House); And Acquisition And Installation And/Or Construction Of A Pole Barn For The Public Safety Building;	\$29,200,000	\$27,809,523	\$1,390,477	20 years
(ii) <u>Wildwood Redevelopment Projects</u> (Pursuant To N.J.S.A. 40A:12A-37(b)) – The Undertaking Of Redevelopment Projects Within The City Of Wildwood Including, But Not Limited To, Improvements To The City Of Wildwood Pacific Area Business District Including, But Not Limited To, Studies,	\$300,000	\$300,000	\$0 (no down payment required-see Section 1 above)	5 years

MINUTES OF A REGULAR MEETING HELD AUGUST 27, 2019 (CONTINUED)

<u>Description</u>	<u>Appropriation</u>	<u>Authorization</u>	<u>Down Payment</u>	<u>Useful Life</u>
Redevelopment Planning, And The Undertaking Of Redevelopment Projects; And				
(iii) <u>Information Technology And Security System Technology Improvements (County-Wide)</u> – Information Technology And Security System Technology Improvements At Various County-Owned Buildings And Facilities Including, But Not Limited To, Acquisition And Installation, As Applicable, Of Computer Hardware, Software And Associated Equipment, Security Equipment and Improvements, And Contract Management Software.	\$500,000	\$476,190	\$23,810	7 years
Totals	<u>\$30,000,000</u>	<u>\$28,585,713</u>	<u>\$1,414,287</u>	

(b) The aggregate estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$28,585,713.

(c) The aggregate estimated cost of said improvements or purposes is \$30,000,000, 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 \$1,414,287 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 contribution or grant in aid to the County for the improvements and 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 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 Acting Chief Financial Officer/County Treasurer, provided that

no note shall mature later than one (1) year from its date unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Acting Chief Financial Officer/County Treasurer. The Acting Chief Financial Officer/County Treasurer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Acting Chief Financial Officer/County Treasurer 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 Acting Chief Financial Officer/County Treasurer are each 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 Acting Chief Financial Officer/County Treasurer 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 Administrator/Clerk of the Board of Chosen Freeholders and will be available for public inspection.

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

(a) The 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 19.62 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Administrator/Clerk of the Board of Chosen Freeholders of the County and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the County as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$28,585,713 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 \$6,000,000 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 Acting Chief Financial Officer/County Treasurer of the County 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 Acting Chief Financial Officer/County Treasurer of the County is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the County pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the County and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized

bond counsel, consistent with the requirements of the Rule. In the event that the County fails to comply with its undertaking, the County shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 11. The County is hereby authorized to acquire each of the properties as described in Sections 3(a)(iii) and 3(a)(iv) and to negotiate an agreement of sale for the aforesaid acquisitions. The Freeholder Director, Acting Chief Financial Officer/County Treasurer, County Counsel and the Administrator/Clerk of the Board are each hereby authorized, as applicable, to negotiate, approve, execute, attest, deliver and perform said agreement of sale and any and all documents necessary to acquire the properties.

SECTION 12. 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 13. This bond ordinance will be considered for final adoption after a public hearing thereon at a meeting of the Board of Chosen Freeholders of the County. The Administrator/Clerk of the Board of Chosen Freeholders of the County is hereby authorized and directed to arrange for the publication of this bond ordinance in full or in summary 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 14. 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 SECOND READING
DATED: AUGUST 27, 2019**

ELIZABETH BOZZELLI,
Administrator/Clerk of the Board

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

Director Thornton declared Bond Ordinance 1-2019 adopted.

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

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

MINUTES OF A REGULAR MEETING HELD AUGUST 27, 2019 (CONTINUED)

PUBLIC COMMENTS: Pat Chambers from Ocean City asked where you would report the robocalls discussed during the meeting.

Lynne Shirk, Sea Isle City inquired how to report calls that were coming from a Sea Isle City extension number 263.

Ed Beddow, Middle Township stated a need for a bus stop on Rt. 9 across from Garden Lake Mobile Home Park. He asked if anything was being done to get a stop there.

Taronjane Jones, Cape May County Technical High School graduate was presented with a \$500 scholarship check, awarded annually by New Jersey Association of Counties (NJAC) and the Investor Bank Scholarship Award. She also received a recognition of achievement certificate from Freeholder Hayes on behalf of the Board. Photographs were taken.

Reminder from Director Thornton for the Patriots Day Ceremony at 5:00 p.m. in front of the Administration Building.

ADJOURN: 5:30 P.M. FH Desiderio moved/FH Hayes seconded

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

APPROVED

DIRECTOR

ATTEST:

ADMINISTRATOR