

**MINUTES OF THE REGULAR MEETING OF THE BOARD OF CHOSEN
FREEHOLDERS HELD ON TUESDAY, SEPTEMBER 24, 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.

COMMUNICATIONS: None.

MINUTES – MOTION TO APPROVE MINUTES OF 09/10/19 REGULAR MEETING

Freeholder Morey interjected prior to roll call that he would abstain from voting on the minutes from the previous meeting. However, he requested the 09/10/19 Caucus Meeting Minutes be corrected regarding the early education center. From having read the minutes, he stated, his understanding was that it had been decided to move forward and begin construction on the center due to time required for the project. Later, in correspondence between himself and Administrator Bozzelli, Beth had explained that it hadn’t actually been decided to move forward, but to move the proposal forward, to be discussed among the freeholder board. The minutes suggested that a decision was made and the county was moving forward with construction. If in fact it was to consider the project, we should make that clear in the minutes, he further stated.

MOTION TO APPROVE CHANGE OF MINUTES OF 09/10/19 CAUCUS Meeting
FH Hayes moved/FH Desiderio 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					

REPORTS:

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

The Gateway Project in Wildwood had resumed work. Currently there were new traffic patterns. There would be a semi-permanent pattern established by Thursday. The two lanes on the east side of the bridge were going to be shifted to the extreme north of center line. So, there was going to be only one lane in and one lane out during the course of construction. The traffic signal at Susquehanna & Rio Grande Avenue was going to be taken off line. You won’t be able to travel in a northerly direction on Susquehanna, but would be able to go south. Basically there will be just two lanes of traffic in and out of the

MINUTES OF A REGULAR MEETING HELD SEPTEMBER 24, 2019 (CONTINUED)

corridor from Park Avenue to the bridge. That's to allow for the construction of the southerly Moment Slab wall and other drainage improvements that were going to be constructed throughout the next two months. Right now they're doing utility relocations for the remaining utilities and were in the process of dealing with some drainage conflicts with the 24 inch water main. Things appear to be fine, but there is still one more test pit to be done. The contractor was aggressively working now. They held a meeting with the police to deal with some traffic control issues and concerns they had. That seems to have all been resolved.

Main Street in Dennis Township was base paved today. That was the section that runs from Rt. 47 to Dennisville-Petersburg Road. Tomorrow the intermediate course would be installed. On Thursday, they would top it with the surface course. On Friday, Mr. Church would meet with them to go over the layout of the speed tables. There had been two speed tables proposed along that road to form a barrier to slow traffic down. That will be done in the next week.

Hope Corson Road should begin in approximately 10 days. The contractor was delayed because of some pre-cast concrete inlets and manholes that were needed for the project.

The County received a \$1.6 million dollar federal aid grant for Corson Tavern Road. Public works would be advertising for bids within the next 45 days for that project. The agreement had been forwarded to the board for signature. Once he had it back it would be sent back to the State so the agreement could be executed and money made available.

Bids were accepted for the Ingram's Thorofare Project, last Thursday. It was expected the project would be underway by the end of October, beginning of November.

On October 10th bids were going to be accepted for the Woodbine Roundabout Project.

- 2) COUNTY COUNSEL: Jeffrey Lindsay had no report.
- 3) COUNTY TREASURER: Brittany Smith informed the scheduled bond sale took place on September 12th. There were seven bidders, making twenty-nine bids. An interest rate of 2.21% over 15 years was secured for the County.

FREEHOLDER REPORTS:

- 1) FREEHOLDER MOREY: Freeholder Morey reported on the UAS Conference; today being the final day of three dedicated to the 5th annual event. He thanked Freeholders Pierson and Hayes for showing their support by joining the other attendees on the second day of the conference in Wildwood. The theme this year was Urban Air Mobility. Three representatives from the FAA Tech Center contributed in staging this years' event, which started off Sunday evening at the Cape May Winery. The second day of the conference was held at the Wildwood Convention Center. A presentation and tour of the FAA Tech Center at the Atlantic City International Airport rounded out the itinerary. Former U.S. Rep. Frank LoBiondo participated in the conference, taking part in a fireside chat today. In addition to the FAA Tech Center, the freeholder acknowledged the Cape May County Chamber of Commerce, Vicki Clark and Brigitta Faragasso, who partnered in producing the conference. Carole Mattessich did an excellent job in pulling together the talent and speakers. Additionally, he thanked Nancy Mauro and her department for supporting the effort as well.

- 2) FREEHOLDER PIERSON: Freeholder Pierson informed his colleagues of his participation and/or experience at the following events: Cape May County and City of Ocean City Patriot Day Ceremonies; Veterans' Day Ceremony preparation meeting; Lower Township Chamber of Commerce monthly meeting; tour under the Wildwood Boardwalk with Senator Steve Sweeney; Volunteers in Medicine 13th Annual Celebration; Southern New Jersey Freeholders Association meeting in Millville; Healthy Community Coalition breakfast at Avalon Links Restaurant.

On behalf of the Board, Freeholder Pierson congratulated and acknowledged Kathy Pittaluga of the Municipal Alliance Program for her exemplary service and commitment to the program. She was recognized as "Volunteer of the Year" by the County and New Jersey State Municipal Alliance for 2019.

- 3) FREEHOLDER HAYES: Freeholder Hayes informed her colleagues of her participation and/or experience at the following events: Cape May County and City of Ocean City Patriot Day Ceremonies; New Jersey Association of Counties meeting; tour under the Wildwood Boardwalk with Senator Steve Sweeney; Healthy Community Coalition breakfast acknowledging Recovery Court; Ocean City Historical Museum benefit featuring Bill Hughes as keynote speaker.

She reported on a story which came to her recently through the county library director. Wildwood Crest Library would soon have a restored Civil War flag on display compliments of Joe Orlando, Commander of the North Wildwood VFW. Mr. Orlando placed a box at the branch so people could drop off their old flags for proper retirement she explained. He then collected the flags from the library location periodically, for that purpose. A flag from the Civil War era had been left. Mr. Orlando offered to have it restored for the library. A dedication ceremony was being planned for around Veteran's Day.

- 4) FREEHOLDER DESIDERIO: Mr. Desiderio thanked and congratulated Kathy Pittaluga on her award and noted that the Pittaluga and LaRosa families have been great citizens of Cape May County, most particularly Sea Isle City, for many years. He thanked them for all they have done both past and future.

Director Thornton and Freeholder Desiderio attended and spoke during the American Legion MIA POW ceremony in Sea Isle City. The American Legion did an excellent job. The program which highlighted the many still missing soldiers, after all this time, was very touching and moving he related.

The freeholder extended a thank you to Engineer Bob Church and Freeholder Morey in recognition of the completion of Sea Isle Boulevard and also the fishing pier in Dennis Township.

- 5) FREEHOLDER THORNTON: Director Thornton participated in all that was previously mentioned so had nothing new to report. He added that on Patriot's Day an FBI Agent from Upper Township was honored. Because of his participation on 9-11, the man had become ill later and was considered a casualty.

INTRODUCED BY MR. DESIDERIO, SECONDED BY MS. HAYES

- 743-19 Resolution awarding Contract No. C9-169 to LGB Mechanical, Inc. to furnish and install four (4) new HVAC units at the Cape May County Superior Court House Building in the amount of \$662,316.00.

(This Resolution awards Contract No. C9-169 to LGB Mechanical, Inc. to furnish and install four (4) new HVAC units at the Cape May County Superior Court House Building in the amount of \$662,316.00, commencing September 25, 2019 through February 26, 2020 or until project completion and acceptance, pursuant to N.J.S.A. 40A:11-15(9).)

MINUTES OF A REGULAR MEETING HELD SEPTEMBER 24, 2019 (CONTINUED)

- 744-19 Resolution adding New Classification for County Employees.
(This Resolution establishes the use of additional NJCSC titles and their salary ranges for County employees by amending Resolution No. 5117-78.)
- 745-19 Resolution appointing certain County employees to their permanent position in their respective offices. (Emergency Management)
(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 746-19 Resolution amending Resolution No. 9-19 appointing certifying officers for 2019.
(This Resolution changes/clarifies certifying officers for departments for auditing purposes.)
- 747-19 Resolution requesting change in Title, Text or Amount of Appropriation pursuant to N.J.S. 40A:4-85 to provide matching funds to the Atlantic County Economic Alliance for the I6 Challenge Grant.
(This Resolution authorizes change in title, text or amount of appropriation for the 2019 budget for matching funds for the I6 Challenge Grant.)
- 748-19 Resolution requesting permission for the dedication by rider to accept bequests and gifts for Cape May County Park and Zoo Department for Capital Improvements pursuant to N.J.S. 40A:5-29.
(This Resolution requests permission for the Dedication by Rider for donations for capital improvements for the Cape May County Park and Zoo.)

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

- 749-19 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).)
- 750-19 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.)
- 751-19 Resolution appointing and reappointing members to the Cape May County Human Services Advisory Council.
(This Resolution authorizes the appointments of members to the Human Services Advisory Council.)
- 752-19 Resolution appointing certain County employees to their permanent position in their respective offices. (CHNRC)
(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 753-19 Resolution authorizing execution of Memorandums of Understanding for Cancer Education Early Detection Grant on an as needed basis.
(This Resolution authorizes the execution of Memorandums of Understanding with various vendors for the Cancer Education Early Detection Grant on an as needed basis.)
- 754-19 Resolution authorizing execution of a Memorandum of Understanding between the County of Cape May Department of Human Services, Division of Social Services and Acenda, Inc. for the Continuum Care Grant.

MINUTES OF A REGULAR MEETING HELD SEPTEMBER 24, 2019 (CONTINUED)

(This Resolution authorizes the execution of a Memorandum of Understanding between the County of Cape May Department of Human Services, Division of Social Services and Acenda, Inc. for the Continuum Care Grant.)

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

755-19 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.)

756-19 Resolution authorizing the Board to hold a meeting excluding the public on September 24, 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); contract negotiations pursuant to N.J.S.A. 10:4-12(b)(4) and pending litigation pursuant to N.J.S.A. 10:4-12(b)(7).

(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.)

757-19 Resolution reconfirming Resolution No. 741-19 and Resolution No. 742-19 adopted September 10, 2019.

(This Resolution reconfirms and ratifies the following Resolutions as adopted by the Board of Chosen Freeholders at a regular meeting held on September 10, 2019: 1.) Resolution No. 741-19: authorizing execution of an agreement between the County of Cape May and Cape-Atlantic Integrated Network for Kids, Inc. 2.) Resolution No. 742-19: certifying the Board of Chosen Freeholders has reviewed and accepted the Annual Audit for the year 2018.)

758-19 Resolution appointing certain County employees to their permanent position in their respective offices. (Park/Zoo)

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

759-19 Resolution approving application for Use of All Park Grounds and Facilities from Wildwood High School for the Big 5 High School Cross-Country Championship to be held at the County Park.

(This Resolution permits local high school cross-country teams to use the County Park for their annual championship meet on September 27, 2019.)

760-19 Resolution approving application for Use of All Park Grounds and Facilities from Wildwood Catholic High School for Cape May County Cross-Country Championships to be held at the County Park.

(This Resolution permits Wildwood Catholic High School use of the County Park to host Cross-Country Championships on October 17, 2019.)

761-19 Resolution authorizing a donation to the Laramie Foothills Bison restoration program to fulfill an Association of Zoos and Aquariums requirement for the Cape May County Park and Zoo.

(This Resolution authorizes a donation to the Laramie Foothills Bison restoration program to fulfill an Association of Zoos and Aquarium requirement for the Cape May County Park and Zoo.)

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

- 762-19 Resolution honoring the School District of Ocean City upon its recognition by the New Jersey Department of Education as a Lighthouse District.
(This Resolution honors the School District of Ocean City upon its recognition by the New Jersey Department of Education as a Lighthouse District.)
- 763-19 Resolution in support of a full interchange at Exit 20 of the Garden State Parkway, Upper Township, Cape May County, New Jersey.
(This Resolution is in support of a full interchange at Exit 20 of the Garden State Parkway, Upper Township, Cape May County, New Jersey.)
- 764-19 Resolution appointing certain County employees to their permanent position in their respective offices. (Planning Dept.)
(This Resolution is appointing County employees to a permanent title from the New Jersey Civil Service Commission based upon a qualifying action.)
- 765-19 Resolution closing the contract and accepting the work of Zone Striping, Inc. for 2017 Pavement Marking Improvements II on various County roads.
(This Resolution accepts the work and closes the contract.)
- 766-19 Resolution closing the contract and accepting the work of Remington & Vernick Engineers, Inc. for Professional Construction Engineering Services for Corsons Tavern Road (CR628) Resurfacing Improvements from north of Gracetown Road to south of Woodbine-Ocean View Road, Township of Dennis.
(This Resolution accepts the work and closes the contract.)
- 767-19 Resolution granting permission to Bennett Enterprises, Inc. to close a portion of John F. Kennedy Boulevard (CR625) for their Annual Polar Bear Plunge Festivities.
(This Resolution gives permission to Bennett Enterprises, Inc. for the temporary closure of a portion of John F. Kennedy Boulevard (CR625) in the City of Sea Isle City from February 14, 2020 through February 16, 2020 for the annual Polar Bear Plunge festivities.)
- 768-19 Resolution granting permission to the Township of Lower to close a portion of Bayshore Road (CR603) on November 9, 2019 for their Veterans Day Parade.
(This Resolution gives permission to the Lower Township Department of Parks and Recreation to close a portion of Bayshore Road (CR603) for their Veterans Day Parade on November 9, 2019.)
- 769-19 Resolution authorizing approval to submit Grant Applications and execute a Grant Agreement with the New Jersey Department of Transportation for 2019 Local Bridges Fund Program.
(This Resolution authorizes the County to apply for funds from the State's Transportation Trust Fund for needs of local bridge improvements for the year 2019. The application is for improvements to the bridge improvements currently under design or is about to proceed to design for Ocean Drive (CR621) over Upper Thorofare, Ocean Drive (CR621) over Middle Thorofare, Hand Avenue (CR658) over Skeeter Creek, Third Avenue (CR619) over Great Channel, and Ocean Drive (CR619) over Corsons Inlet.)
- 770-19 Resolution authorizing Modification No. 1 in the amount of \$363,613.00 to Maser Consulting P.A. for Professional Construction Engineering Services for Sea Isle Boulevard (CR625) Section II Improvements, Township of Dennis.
(This Resolution increases the ceiling amount for additional work to be performed by Maser Consulting P.A. under their professional construction engineering services agreement for Sea Isle Boulevard (CR625) Section II Improvements.)
- 771-19 Resolution establishing an All-Way Stop at the intersection of Seaville Avenue, aka Main Street (CR668) and Corsons Tavern Road (CR628) in the Township of Dennis, Cape May County, NJ.

MINUTES OF A REGULAR MEETING HELD SEPTEMBER 24, 2019 (CONTINUED)

(This Resolution is the result of a recently completed engineering study that recommended making the all-way stop at Seaville Avenue (CR668) and Corsons Tavern Road (CR628) in the Township of Dennis.)

772-19 Resolution authorizing the use of competitive contracting to provide Professional Construction Engineering Services for Avalon Boulevard (CR601) over Ingrams Thorofare Deck Reconstruction, Township of Middle.

(This Resolution authorizes the use of competitive contracting process pursuant to N.J.S.A. 40A:11-4.1(3)i for selecting consultants for professional construction engineering services.)

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

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

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

PUBLIC COMMENTS: On behalf of himself and several neighbors, Michael Zuckerman of Bennys Landing Road, Cape May Court House spoke in opposition to further development on the Laguna Oaks Golf Course and homes sites project. Mr. Zuckerman requested the help of the BOCF in preserving a National Heritage Priority Site situated in their neighborhood. He named Fred Langford, developer and partner, Will Morey as responsible for the continued development.

Jim Quirk, Cape May Court House, identified himself and the Wetland Preservation Alliance as an organized group opposing high density development and systematic clearing of said area. He explained the groups objective was to preserve what was left of NJDEP designated Natural Heritage Priority Site from further destruction, and to set the record straight. A lengthy presentation ensued. Mr. Quirk directed interested parties to go to wetlandpreservationalliance.com to view the data.

Lisa Andreula of East Pacific Avenue, CMCH spoke in opposition of new development in the wetlands, specifically on the site of Laguna Oaks Townhomes. Ms. Andreula called upon the BOCF to pass a resolution urging both the DEP and Middle Township officials to take whatever steps necessary to prevent any additional clearing and destruction of this Natural Heritage Priority Site.

Vicki Sutton, 333 East Pacific Avenue, CMCH commented she was seeking assistance from the BOCF for finding a solution concerning further development; someone to look into the issue. When Ms. Sutton purchased her property a year ago she was told by Middle Township that no building could be done in the area behind her house because it was marsh and wetlands.

Georgina Shanley of Ocean City thanked what she termed as “citizen watchdogs”, who were trying to protect the environment and ecosystems. Ms. Shanley called for accountability and investigation into the matter by the BOCF.

Freeholder Morey responded with some history of the property and his connection to the project. He deferred to the professional consultants involved with the planned development, environmental consultant Pete Lomax, land use attorney Steve Nehmad, environmental attorney Michael Gross, the Township of Middle and NJDEP. Proper and appropriate approvals for the property were being sought through those channels.

MINUTES OF A REGULAR MEETING HELD SEPTEMBER 24, 2019 (CONTINUED)

Mr. Quirk gave copies of DEP violations to the Board.

Chris Talone of Bennys Landing Road spoke in opposition of further development in the area on behalf of the birds and turtles.

Maggie Magill of Bennys Landing Road spoke against further development, the community didn't want it she stated.

Director Thornton advised Middle Township had jurisdiction and the NJ DEP. He wondered what their response to this had been, so far.

Lisa Andreula answered people were being told different things and the lots had been re-done, re-zoned more than once. Originally there was only supposed to be 16 residential homes, but they built 45 homes. Now, another set had been put forth for approval. She stressed, the area had already been zoned a rural conservation area and was meant to be conserved, that's why they were upset.

As Mr. Quirk's presentation continued, Freeholder Morey broke in to indicate he didn't want his silence to be construed as agreement with what was being said.

Mr. Zuckerman asked the BOCF to weigh in with a position.

Marianna Lulas, Holmes Landing Road, Cape May Court House spoke against the possibility of Middle Township re-zoning for a proposed 4-storey Hampton Inn with 120 parking spaces on the former lot of Design Collaborative and calling it "Town Center".

Director Thornton informed that the state had come down recently and asked towns to revise some of their "Town Centers" in order to comply with change of state master plan which was created some 8 to 10 years ago.

The request was made to the BOCF for some type of position to be taken. Director Thornton pondered if they shouldn't refer the information to NJDEP and ask what they were doing, if there was any merit to this.

Freeholder Morey requested the BOCF not make a hasty decision, not knowing all the facts.

County Counsel, Jeff Lindsay advised there were avenues for the group to take. They could seek relief with the courts if they felt Middle Township was doing something wrong. They could file an Application in Lieu of Prerogative Writ with the Superior Court and have the actions examined. The issue was outside the jurisdiction of this board he further advised.

Someone, (name not stated) asked if Mr. Morey was benefitting financially from his involvement with the project.

Freeholder Morey informed that the project subject this approval was not marshland at all. Also, Mr. Langford was looking to restrict development from the entire golf course site. The site could potentially house up to 150-200 properties if it wasn't golf course or wasn't preserved.

Lisa Quirk, Cape May Court House stated her concern with Pete Lomax's applications, reports and land re-numbering.

Jeff Lindsay recommended the BOCF to take the information under consideration for an action in the future.

Director Thornton felt the DEP should be the agency to come down and make a recommendation. He had concern that proper procedures may have not been followed by DEP. More discussion followed. Mr. Lindsay recommended for a second time the Board read the information, review it and come back at a later date to make a recommendation or resolution if so inclined.

MINUTES OF A REGULAR MEETING HELD SEPTEMBER 24, 2019 (CONTINUED)

ADJOURN: 6:19 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