

ATLANTIC COUNTY BOARD OF COUNTY COMMISSIONERS
via Cisco Webex Video Conferencing

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Minutes of Meeting
September 21, 2021

CALL TO ORDER

A regular meeting of the Atlantic County Board of County Commissioners was called to order by Chairwoman Maureen Kern at 4:00 p.m., Standard Time, on the above-mentioned date, in the Stillwater Building located at 201 Shore Road, Northfield, NJ and via Cisco Webex Video conferencing as a result of COVID-19.

OPEN PUBLIC MEETING STATEMENT

Statement of Open Public Meeting Compliance: Pursuant to the Open Public Meetings Act, Chairwoman Kern announced that adequate notice of this meeting, as required by said Act, has been published in *The Press of Atlantic City*, and mailed to *The Current*, *The Daily Journal*, *The Hammonton Gazette* and *The Hammonton News*; posted on the bulletin boards at 1333 Atlantic Avenue, Atlantic City, the Stillwater Building, 201 Shore Road, Northfield and the County Clerk's Office in Mays Landing.

PRAYER, MOMENT OF SILENCE AND FLAG SALUTE

The prayer and flag salute were led by Chairwoman Kern.

ROLL CALL

The following roll call was recorded: PRESENT: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. ABSENT: None.

A quorum was present.

MINUTES OF MEETING August 3, 2021

Commissioner Gatto moved and Commissioner Bertino seconded a motion to adopt and dispense with the reading of the August 3, 2021 minutes.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

BOND ORDINANCE NO. 4 FIRST READING
Bond ordinance providing for various capital improvements for the Atlantic Cape Community College located within the County of Atlantic, State of New Jersey; appropriating \$1,330,000 therefor and authorizing the issuance of \$1,330,000 bonds or notes to finance part of the cost thereof

Commissioner Risley moved and Commissioner Gatto seconded a motion to introduce on first reading Bond Ordinance No. 4-2021, a bond ordinance providing for various capital improvements for the Atlantic Cape Community College located within the County of Atlantic, State of New Jersey; appropriating \$1,330,000 therefor and authorizing the issuance of \$1,330,000 bonds or notes to finance part of the cost thereof.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**BOND ORDINANCE NO. 5
FIRST READING
Bond ordinance providing for
the Atlantic County Institute of
Technology expansion project
located within the County of
Atlantic, State of New Jersey;
appropriating \$33,500,000
therefor and authorizing the
issuance of \$33,500,000 bonds
or notes to finance part of the
cost thereof**

Commissioner Coursey moved and Commissioner Balles seconded a motion to introduce on first reading Bond Ordinance No. 5-2021, a bond ordinance providing for the Atlantic County Institute of Technology expansion project located within the County of Atlantic, State of New Jersey; appropriating \$33,500,000 therefor and authorizing the issuance of \$33,500,000 bonds or notes to finance part of the cost thereof.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**CAPITAL ORDINANCE NO. 2
FIRST READING
Capital ordinance amending
and restating Capital
Ordinance Number 1-2021
(providing for various capital
improvements, equipment, and
furnishings) by and in the
County of Atlantic, State of
New Jersey to increase the
appropriation by \$2,021,767
and to amend the description
set forth therein**

Commissioner Gatto moved and Commissioner Bertino seconded a motion to introduce on first reading Capital Ordinance No. 2-2021, a capital ordinance amending and restating Capital Ordinance Number 1-2021 (providing for various capital improvements, equipment, and furnishings) by and in the County of Atlantic, State of New Jersey to increase the appropriation by \$2,021,767 and to amend the description set forth therein.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**CAPITAL ORDINANCE NO. 3
FIRST READING
Capital ordinance providing
for various County-wide
HVAC improvements and
stormwater improvements, in
and for the County of Atlantic,
State of New Jersey; and
appropriating \$15,080,500
therefor from grant proceeds
received pursuant to the
Federal American Rescue Plan
Act of 2021 to pay for the cost
thereof**

Commissioner Gatto moved and Commissioner Risley seconded a motion to introduce on first reading Capital Ordinance No. 3-2021, a capital ordinance providing for various County-wide HVAC improvements and stormwater improvements, in and for the County of Atlantic, State of New Jersey; and appropriating \$15,080,500 therefor from grant proceeds received pursuant to the Federal American Rescue Plan Act of 2021 to pay for the cost thereof.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**ORDINANCE NO. 8
FINAL READING
Ordinance authorizing
acquisition of an easement
from a parcel of property
designated as Block 304, Lot 1
on the tax map of the City of
Ventnor for a signal
replacement project**

Commissioner Risley moved and Commissioner Gatto seconded a motion to adopt on final reading Ordinance No. 8-2021, an ordinance of the County of Atlantic authorizing acquisition of an easement from a parcel of property designated as Block 304, Lot 1 on the tax map of the City of Ventnor for a signal replacement project by means of agreements or by condemnation pursuant to N.J.S.A. 40A:12-1 ET SEQ. and N.J.S.A. 20:3-1 ET SEQ.

Chairwoman Kern opened the meeting to the public at 4:07 p.m. There being no comments, Chairwoman Kern closed the public portion at 4:07 p.m.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**ORDINANCE NO. 9
FINAL READING
Ordinance establishing the
Office of Deputy
Superintendent of Elections in
Atlantic County**

Commissioner Coursey moved and Commissioner Gatto seconded a motion to adopt on final reading Ordinance No. 9-2021, an ordinance of the Atlantic County Board of Commissioners establishing the Office of Deputy Superintendent of Elections in Atlantic County pursuant to N.J.S.A. 19:32-26.1.

Chairwoman Kern opened the meeting to the public at 4:17 p.m. There being no comments, Chairwoman Kern closed the public portion at 4:17 p.m.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**ORDINANCE NO. 10
FIRST READING
An ordinance to vacate and
abandon an existing sight
triangle easement at a property
located at 3324 Bargaintown
Road, identified as Block 5505,
Lot 20, in Egg Harbor
Township**

Commissioner Gatto moved and Commissioner Balles seconded a motion to introduce on first reading Ordinance No. 10-2021, an ordinance to vacate and abandon an existing sight triangle easement at a property located at 3324 Bargaintown Road, identified as Block 5505, Lot 20, in Egg Harbor Township.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**MOTION TO MOVE
RESOLUTION NO. 520 TO
THE TOP OF THE AGENDA**

Commissioner Balles moved and Commissioner Risley seconded a motion to move Resolution No. 520 to the top of the agenda.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 520*
Governing body certification of
the annual audit**

Commissioner Gatto moved and Commissioner Dase seconded a motion authorizing the governing body certification of the annual audit.

Michael Garcia, Ford Scott Associates Partner, provided an overview of the 2020 audit.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 500
Amending Resolution No. 260
(6-19-18) grant application for
2017 Federal Transit Act
Section 5310 grant funding**

Commissioner Gatto moved and Commissioner Bertino seconded a motion amending Resolution No. 260 adopted on June 19, 2018, an application to the New Jersey Transit Corporation for 2017 Federal Transit Act Section 5310 grant funding to extend term date until December 31, 2021 for no additional amount.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 501
Grant application and
acceptance for Senior Citizens
and Disabled Residents
Transportation Assistance
Program**

Commissioner Gatto moved and Commissioner Dase seconded a motion authorizing a grant application and acceptance from the New Jersey Transit for Senior Citizens and Disabled Residents Transportation Assistance Program in an amount not to exceed \$612,729.00 for the period commencing January 1, 2022 and terminating December 31, 2022.

*Not in numerical order

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

RESOLUTION NO. 502
Grant application for Section 5311 funding (operating) pursuant to the Federal Transit Act

Commissioner Gatto moved and Commissioner Balles seconded a motion authorizing a grant application to the New Jersey Transit and the United States Department of Transportation for Section 5311 funding (operating) pursuant to the Federal Transit Act in the funded amount of \$373,092.00, a County cash match of \$124,364.00 and a total program amount of \$497,456.00 for the term commencing January 1, 2022 and terminating December 31, 2022.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

RESOLUTION NO. 503
Agreement for IV-D reimbursement for the Law Department and the Sheriff's Office

Commissioner Balles moved and Commissioner Gatto seconded a motion authorizing an agreement with the New Jersey Department of Human Services for IV-D reimbursement for the Law Department and the Sheriff's Office in amount not to exceed \$307,611.00 for the Law Department and \$317,254.00 for the Sheriff's Office for the period from October 1, 2020 to September 30, 2021.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

MOTION TO COMBINE AND ADOPT RESOLUTION NOS. 504 TO 507

Commissioner Gatto moved and Commissioner Dase seconded a motion to combine and adopt Resolution Nos. 504 to 507.

RESOLUTION NO. 504
Chapter 159

Insert into the budget of the year 2021 the sum of \$46,869.70 from the State of New Jersey, Department of Transportation, FY19 TTF (Third Street and Mill Road CR 724).

RESOLUTION NO. 505
Chapter 159

Insert into the budget of the year 2021 the sum of \$600,000.00 from the United States Department of Health and Human Services, Center for Disease Control and Prevention, Community Covid 19 Response (CCR) 21-22.

RESOLUTION NO. 506
Chapter 159

Insert into the budget of the year 2021 the sum of \$3,000.00 from the State of New Jersey, Department of Human Services, Mental Health Administrator 2021.

RESOLUTION NO. 507
Chapter 159

Insert into the budget of the year 2021 the sum of \$37,000.00 from State of New Jersey, Department of Human Services, Division of Aging Services, State Health Insurance Assistance Program (SHIP) 21-22.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

RESOLUTION NO. 508
Agreement to establish a pool to provide survey services

Commissioner Gatto moved and Commissioner Dase seconded a motion to authorize an agreement with various land surveying companies to establish a pool to provide survey services in an amount not to exceed \$135,000.00 for the period commencing September 7, 2021 and terminating September 6, 2022.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

RESOLUTION NO. 509
Bid contract to furnish and deliver printer and toner supplies to members of the Atlantic County Cooperative

Commissioner Gatto moved and Commissioner Risley seconded a motion to authorize a bid contract with various vendors to furnish and deliver printer and toner supplies to members of the Atlantic County Cooperative for the total sum not to exceed \$92,509.68 through the period commencing September 1, 2021 and ending August 31, 2022 to do the work and/or supply the materials as set forth in the contract.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

RESOLUTION NO. 510
Renewal bid contract to provide inmate commissary services for the Atlantic County Justice Facility

Commissioner Gatto moved and Commissioner Balles seconded a motion to authorize a renewal bid contract with Keefe Commissary Network, LLC to provide inmate commissary services for the Atlantic County Justice Facility for the highest commission rate of 31% and \$3.25 per indigent kit, respectively, for the period commencing November 1, 2021 through October 31, 2022 to do the work and/or supply the materials as set forth in the contract.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

RESOLUTION NO. 511
Bid contract to provide a two (2) year roof maintenance and repair for various Atlantic County buildings

Commissioner Gatto moved and Commissioner Risley seconded a motion to authorize a bid contract with Thomas Company to provide a two (2) year roof maintenance and repair for various Atlantic County buildings for the total sum not to exceed \$198,995.00 to do the work and/or supply the materials as set forth in the contract.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

RESOLUTION NO. 512
Bid contract for roof replacement at the Atlantic County Mays Landing Library Branch

Commissioner Balles moved and Commissioner Gatto seconded a motion to authorize a bid contract with Boardwalk Construction, LLC for roof replacement at the Atlantic County Mays Landing Library Branch for the total sum not to exceed \$537,683.00 for the period commencing from notice of award and terminating December 31, 2022 to do the work and/or supply the materials as set forth in the contract.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

RESOLUTION NO. 513
Change order for site work at the Atlantic County Estell Manor Park for the Veterans Cemetery expansion, columbarium and toilet room building at the Picnic Area No. 2

Commissioner Gatto moved and Commissioner Risley seconded a motion to authorize change order no. 2, contract with H4 Enterprises, LLC for site work at the Atlantic County Estell Manor Park for the Veterans Cemetery expansion, columbarium and toilet room building at the Picnic Area No. 2 to extend the term date until June 30, 2023 no additional cost.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 514
Change order for bicycle
infrastructure improvements
in the Cities of Ventnor and
Margate**

Commissioner Balles moved and Commissioner Risley seconded a motion to authorize change order no. 1, contract with R. Maxwell Construction Company, Inc. for bicycle infrastructure improvements in the Cities of Ventnor and Margate to extend the term date until December 31, 2021 no additional cost.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 515
Agreement for the provision of
FaxScan Kiosks at various
library branches**

Commissioner Dase moved and Commissioner Gatto seconded a motion to authorize an agreement with Televend Services, Inc. for the provision of FaxScan Kiosks at various library branches in a revenue generating amount for the term commencing June 1, 2021 and terminating May 31, 2022.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 516
Acceptance of deeds/
easements from various
grantors in accordance with
Atlantic County planning
standards**

Commissioner Gatto moved and Commissioner Balles seconded a motion to authorize an acceptance of deeds/easements from various grantors in accordance with Atlantic County planning standards.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 517
Memorandum of Agreement
to provide veterinary services
for animals seized by the
Prosecutor's Office**

Commissioner Bertino moved and Commissioner Balles seconded a motion to authorize a memorandum of agreement with the Humane Society of Atlantic County to provide veterinary services for animals seized by the Prosecutor's Office in an amount not to exceed \$10,000.00 for the term commencing October 1, 2021 and terminating September 30, 2022 with an option to renew for an additional seven years.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 518
Memorandum of Agreement
with Teamsters Local 331
Superintendent of Elections for
a formal written collective
bargaining agreement**

Commissioner Coursey moved and Commissioner Balles seconded a motion to authorize a memorandum of agreement with Teamsters Local 331 Superintendent of Elections for a formal written collective bargaining agreement incorporating the terms of the Memorandum of Agreement for a three (3) year period commencing January 1, 2020 up to and including December 31, 2022.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None. RECUSED: Bertino.

**RESOLUTION NO. 519
Amending Resolution No. 356
(7-6-21), interlocal services
agreement for the Atlantic City
Electric Line School Program**

Commissioner Gatto moved and Commissioner Bertino seconded a motion amending Resolution No. 356 adopted on July 6, 2021, an interlocal services agreement with Atlantic Cape Community College for the Atlantic City Electric Line School Program for an amount not to exceed \$194,614.00 for the period commencing April 1, 2021 and now terminating December 31, 2021 at no additional cost.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 520
Governing body certification of
the annual audit**

Moved to the top of the agenda: Commissioner Gatto moved and Commissioner Dase seconded a motion authorizing the governing body certification of the annual audit.

Michael Garcia, Ford Scott Associates LLC Partner, provided a summary overview of the 2020 audit.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 521
Resolution in support of
Atlantic County Economic
Alliance's application for a
U.S. Department of Commerce
Economic Development
Administration Build Back
Better Regional Challenge
Grant**

Commissioner Gatto moved and Commissioner Balles seconded a motion to authorize a resolution in support of Atlantic County Economic Alliance's application for a U.S. Department of Commerce Economic Development Administration Build Back Better Regional Challenge Grant.

Lauren Moore provided an overview of the projects submitted in the grant.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**RESOLUTION NO. 522
Resolution honoring Navy
Commander Max Slusher
upon his retirement from the
United States Navy and the
Navy Reserve**

Commissioner Gatto moved and Commissioner Dase seconded a motion to authorize a resolution honoring Navy Commander Max Slusher upon his retirement from the United States Navy and the Navy Reserve (Sponsor: Maureen Kern).

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**MOTION TO ADD
RESOLUTION NO. 523 TO
THE AGENDA**

Commissioner Balles moved and Commissioner Gatto seconded a motion to add Resolution No. 523 to the agenda.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

**MOTION TO CREATE THE
LANGUAGE FOR
RESOLUTION NO. 523**

Commissioner Balles moved and Commissioner Gatto seconded a motion to create the language for Resolution No. 523.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Fitzpatrick, Gatto, Risley and Kern. NAYS: None.

RESOLUTION NO. 523

Commissioner Risley moved and Commissioner Gatto seconded a motion imploring the State Senate to go into session and confirm the State Senate for Atlantic County and to implore Governor Murphy to nominate an Atlantic County Deputy Superintendent of Elections and an Atlantic County Prosecutor for confirmation by the State Senate.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Bertino, Coursey, Dase, Gatto, Risley and Kern. NAYS: None. ABSTAINED: Fitzpatrick.

REPORTS OF SPECIAL COMMITTEES

Commissioner Gatto announced that the Workforce Development Board provides available job openings with a ton of resources including rental assistance. She stated that the Workforce Development Board needs help to get the message out.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

WRITTEN COMMUNICATIONS AND PETITIONS

Commissioner Balles stated that regarding the golf cart issue, there has been an editorial in the paper by a Commissioner, a press story, and a press editorial. He stated he received phone calls about it, some blaming the Board Clerk. Commissioner Balles apologized to the Clerk on behalf of the Board.

Commissioner Fitzpatrick explained she missed the updated email regarding the golf cart resolution. She did not blame the Clerk but apologized if it was misconstrued.

PUBLIC COMMENTS

Chairwoman Kern opened the meeting to the public at 5:25 p.m.

Mark Cohen, representing Friends of Lake Lenape Lighthouse, stated the Lighthouse is an icon in Mays Landing. The group has a contract with the County to repair, but it is due to expire. The group would like the contract extended.

Judy Link representing Friends of Lake Lenape Lighthouse, requested a one-year extension to the contract to raise more funds to repair the lighthouse.

There being no further comments, Chairwoman Kern closed the public portion at 5:48 p.m.

GOOD OF THE ORDER

There were no comments for the good of the order.

ADJOURNMENT

Chairwoman Kern entertained a motion to adjourn the meeting. Commissioner Coursey moved and Commissioner Gatto seconded a motion to adjourn the Commissioners meeting. The motion was unanimously passed. The meeting was adjourned at 5:50 p.m.

Submitted by,

Sonya G. Harris
Clerk of the Board