

ATLANTIC COUNTY BOARD OF COUNTY COMMISSIONERS

Stillwater Building
201 Shore Road, Northfield, New Jersey 08225
and via Cisco Webex Video Conferencing

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Minutes of Meeting October 3, 2023

CALL TO ORDER

A regular meeting of the Atlantic County Board of County Commissioners was called to order by Chairman John Risley at 4:00 p.m., Eastern Standard Time, on the above-mentioned date, in the Stillwater Building located at 201 Shore Road, Northfield, NJ and via Cisco Webex Video.

OPEN PUBLIC MEETING STATEMENT

Statement of Open Public Meeting Compliance: Pursuant to the Open Public Meetings Act, Chairman Risley 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* and *The Hammonton Gazette*; 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 was offered by Commissioner Gatto followed by the flag salute led by Chairman Risley.

ROLL CALL

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

MINUTES OF MEETING September 19, 2023

Commissioner Parker moved and Commissioner Kern seconded a motion to adopt and dispense with the reading of the September 19, 2023 minutes.

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

MOTION TO MOVE RESOLUTION NO. 548 TO TOP OF THE AGENDA

Commissioner Coursey moved and Commissioner Gatto seconded a motion to move Resolution No. 548 to the top of the agenda.

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

RESOLUTION NO. 548* Amending Resolution No. 610 (11-9-21), a Memorandum of Agreement with the Atlantic County Prosecutor's Office and CWA 1036 Assistant Prosecutors authorizing an amended written collective bargaining agreement incorporating the terms of the MOA

Commissioner Coursey moved and Commissioner Kern seconded a motion amending Resolution No. 610 adopted on November 9, 2021, a Memorandum of Agreement with the Atlantic County Prosecutor's Office and CWA 1036 Assistant Prosecutors authorizing an amended written collective bargaining agreement incorporating the terms of the MOA for a five (5) year period commencing January 1, 2020.

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

RESOLUTION NO. 536 Amending Resolution No. 136 (3-21-23), a grant for the Victims of Crime Act Program

Commissioner Coursey moved and Commissioner Kern seconded a motion amending Resolution No. 136 adopted on March 21, 2023, a grant from the New Jersey Department of Law and Public Safety, Office of the Attorney General for the Victims of Crime Act Program for a funded amount of \$718,804.00, a County in-kind match of \$179,811.00 and a total program amount not to exceed \$898,615.00 for the term commencing July 1, 2023 and terminating June 30, 2024.

*Not in numerical order

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

RESOLUTION NO. 537
Grant application and
acceptance for Section 5310
Operating Assistance for FY
2022

Commissioner Coursey moved and Commissioner Kern seconded a motion authorizing a grant application and acceptance from the New Jersey Transit Corporation for Section 5310 Operating Assistance for FY 2022 for an amount not to exceed \$600,000.00 for the period commencing January 1, 2024 and terminating December 31, 2024.

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

RESOLUTION NO. 538
Grant application for the Urban
Gateway Enhancement Program

Commissioner Coursey moved and Commissioner Kern seconded a motion authorizing a grant application from the New Jersey Department of Transportation for the Urban Gateway Enhancement Program for an amount not to exceed \$32,000.00 for the period commencing July 15, 2023 and terminating November 15, 2023.

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

RESOLUTION NO. 539
Amending Resolution No. 433
(8-15-23), a professional services
agreement for the replacement of
two bridges at Weymouth Road
over Scull's Run (HML-18) and
Little Mill Stream (HML-19) in
Hamilton Township

Commissioner Parker moved and Commissioner Gatto seconded a motion amending Resolution No. 433 adopted on August 15, 2023, a professional services agreement with Johnson, Mirmiran and Thompson, Inc. (JMT, Inc.) for the replacement of two bridges at Weymouth Road over Scull's Run (HML-18) and Little Mill Stream (HML-19) in Hamilton Township for a net increase of \$12,230.00 and a total amendatory amount not to exceed \$281,375.77.

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

RESOLUTION NO. 540
Amending Resolution No. 400
(7-19-22), a professional services
agreement for specific
engineering projects

Commissioner Kern moved and Commissioner Gatto seconded a motion amending Resolution No. 400 adopted on July 19, 2022, a professional services agreement with Remington and Vernick Engineers for specific engineering projects for a net increase of \$50,000.00, a total amendatory amount not to exceed \$250,000.00 and to extend the termination date to July 18, 2024.

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

RESOLUTION NO. 541
Bid contract to replace fall
restraint anchors on the drill
tower at the Atlantic County
Training Center

Commissioner Kern moved and Commissioner Dase seconded a motion authorizing a bid contract with M.B. Markland Contracting Co. to replace fall restraint anchors on the drill tower at the Atlantic County Training Center for an amount not to exceed \$22,980.00 for the period commencing from notice of award and terminating November 24, 2023.

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

RESOLUTION NO. 542
Bid contract for mechanical and
electrical maintenance on Green
Bank Bridge/ Green Bank Road
(CR 563)

Commissioner Parker moved and Commissioner Gatto seconded a motion authorizing a bid contract with South State, Inc. for mechanical and electrical maintenance on Green Bank Bridge/ Green Bank Road (CR 563) for an amount not to exceed \$298,200.00 for the period commencing from notice of award and terminating December 31, 2023.

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

RESOLUTION NO. 543
Bid contract for the resurfacing
of Weymouth Road (CR 559),
Section P/O 8B-9 in the
Township of Hamilton

Commissioner Kern moved and Commissioner Gatto seconded a motion authorizing a bid contract with Arawak Paving Company, Inc. for the resurfacing of Weymouth Road (CR 559), Section P/O 8B-9 in the Township of Hamilton for an amount not to exceed \$1,497,900.00 for the period commencing from notice of award and terminating November 30, 2024.

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

RESOLUTION NO. 544
Renewal EUS contract to provide
outreach services for the Central
Municipal Court of Atlantic
County

Commissioner Bertino moved and Commissioner Gatto seconded a motion authorizing a renewal EUS contract with Jewish Family Service of Atlantic and Cape May Counties to provide outreach services for the Central Municipal Court of Atlantic County for an amount not to exceed \$171,400.00 for a term commencing July 1, 2023 and terminating June 30, 2024.

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

RESOLUTION NO. 545
Deed of Conservation Restriction
to establish a Grassland
Conservation Management Area
at property designated as Block
591, Lot 1.02 and Block 864, Lot
15 on the tax map of Hamilton
Township

Commissioner Kern moved and Commissioner Dase seconded a motion authorizing a Deed of Conservation Restriction in favor of the State of New Jersey to establish a Grassland Conservation Management Area at property designated as Block 591, Lot 1.02 and Block 864, Lot 15 on the tax map of Hamilton Township.

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

RESOLUTION NO. 546
Alternate method contract to
provide software licensing and
support for the Division of Public
Health

Commissioner Kern moved and Commissioner Gatto seconded a motion authorizing an alternate method contract with Accela, Inc. to provide software licensing and support for the Division of Public Health for an amount not to exceed \$47,467.41 for the term commencing December 13, 2023 and terminating December 12, 2024.

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

RESOLUTION NO. 547
Intergovernmental services
agreement to provide
environmental health services
within the jurisdiction of Atlantic
City

Commissioner Kern moved and Commissioner Gatto seconded a motion authorizing an intergovernmental services agreement with the City of Atlantic City to provide environmental health services within the jurisdiction of Atlantic City for an amount not to exceed \$48,000.00 for the period beginning July 1, 2022 and ending June 30, 2023.

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

RESOLUTION NO. 548
Amending Resolution No. 610
(11-9-21), a Memorandum of
Agreement with the Atlantic
County Prosecutor’s Office and
CWA 1036 Assistant Prosecutors
authorizing an amended written
collective bargaining agreement
incorporating the terms of the
MOA

Moved to the top of the agenda. Commissioner Coursey moved and Commissioner Kern seconded a motion amending Resolution No. 610 adopted on November 9, 2021, a Memorandum of Agreement with the Atlantic County Prosecutor’s Office and CWA 1036 Assistant Prosecutors authorizing an amended written collective bargaining agreement incorporating the terms of the MOA for a five (5) year period commencing January 1, 2020 up to and including December 31, 2024.

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

RESOLUTION NO. 549
Amending Resolution No. 487
(9-5-23), a Memorandum of
Agreement with the Teamsters
Local 331 Superintendent of
Elections authorizing an
amended written collective
bargaining agreement
incorporating the terms of the
MOA

Commissioner Balles moved and Commissioner Parker seconded a motion amending Resolution No. 487 adopted on September 5, 2023, a Memorandum of Agreement with the Teamsters Local 331 Superintendent of Elections authorizing an amended written collective bargaining agreement incorporating the terms of the MOA for a three (3) year period commencing January 1, 2023, up to and including December 31, 2025.

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

RESOLUTION NO. 550
Acceptance of deeds/easements in
accordance with Atlantic County
Planning Standards

Commissioner Kern moved and Commissioner Dase seconded a motion authorizing the 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, Kern, Parker and Risley. NAYS: None.

RESOLUTION NO. 551
Memorandum of agreement
between the Atlantic County
Sheriff’s Office and Stockton
University for the provision of
patrol services

Commissioner Gatto moved and Commissioner Kern seconded a motion authorizing a Memorandum of Agreement between the Atlantic County Sheriff’s Office and Stockton University for the provision of Sheriff patrol services, revenue generating.

MOTION TO TABLE
RESOLUTION NO. 551

Commissioner Coursey moved and Commissioner Dase seconded a motion to table Resolution No. 551.

The above-mentioned motion to table Resolution No. 551 was adopted by the following roll call: AYES: Bertino, Coursey, Dase, Fitzpatrick, Gatto, Kern, Parker and Risley. NAYS: Balles.

RESOLUTION NO. 552
Governing body certification of
the annual audit

Commissioner Bertino moved and Commissioner Kern seconded a motion authorizing the governing body certification of the annual audit.

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

RESOLUTION NO. 553
Emergency contract for repair of
the Dorset Avenue Bridge (V-01)
span lock system in the City of
Ventnor

Commissioner Coursey moved and Commissioner Kern seconded a motion authorizing an emergency contract with South State, Inc. for repair of the Dorset Avenue Bridge (V-01) span lock system in the City of Ventnor for an amount not to exceed \$191,750.00 for the period commencing September 18, 2023 and terminating December 31, 2023.

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

RESOLUTION NO. 554
Roadway Solicitation event in
Egg Harbor Township

Commissioner Balles moved and Commissioner Gatto seconded a motion authorizing a roadway solicitation event by the Cardiff Volunteer Fire Company #1 at the intersection of English Creek Avenue (CR 575) and West Jersey Avenue in the Township of Egg Harbor on Saturday, November 18, 2023 from 9 am to 3 pm.

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

RESOLUTION NO. 555
Resolution requesting the State
Legislature to rescind New
Jersey's sanctuary state status

Commissioner Bertino moved and no Commissioner seconded a motion requesting the State Legislature to rescind New Jersey's sanctuary state status.

Chairman Risley announced the matter cannot move forward without a second.

REPORTS OF SPECIAL
COMMITTEES OF THE BOARD

Commissioner Bertino reported there are many roads, bridges and public works projects under construction.

Commissioner Coursey asked if the Port Republic bridge was open. Commissioner Bertino responded.

Commissioner Kern recognized Disability Awareness Month and highlighted the annual Donald J. Sykes Award ceremony on October 17, 2023.

Chairman Risley announced the South Jersey Economic Development District is currently interviewing candidates to serve as Executive Director.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Commissioner Fitzpatrick requested parking lines to be installed on a County road for the California Apartments in Absecon.

WRITTEN COMMUNICATIONS
AND PETITIONS

Written communications and petitions were received by this office from September 20, 2023 to October 3, 2023.

Commissioner Gatto reported the NJDOT may look into a speed reduction on Route 40 in front of St. Vincent de Paul Church by the end of this year.

PUBLIC COMMENTS

Chairman Risley opened the meeting to the public at 5:11 p.m.

Joseph O'Donoghue, resident of Egg Harbor Township believes the Sheriff's Office should be doing more police work.

Cristian Moreno-Rodriguez, resident of Atlantic City thanked the Commissioners for not moving forward with Resolution No. 555 because the resolution divides the community.

John Armato, resident of Buena asked why AtlantiCare is the only organization receiving the Opioid settlement money. Other organizations could aid in prevention instead of just opioid treatment.

Creed Pogue, resident of Estell Manor applauded the Board for not seconding Resolution No. 555 and stated it should never have been on the agenda.

Celeste Fernandez, resident of Galloway appreciates the Board not passing Resolution No. 555 and stated the community needs to work together.

Steven Young, resident of Atlantic City thanked Commissioner Balles for a productive meeting regarding the jail and for the Board not voting on Resolution No. 555.

Jose Rivera Sinclair, resident of Egg Harbor Township thanked the Commissioners for not passing Resolution No. 555. Atlantic County is an open, welcoming place for all.

Naya Lorick, resident of Northfield stated she is an immigrant whose family contributes greatly to the community.

Charles Weisberger, resident of Egg Harbor City is grateful that the resolution was not seconded. He pointed out that immigrants are not illegal or criminals.

Kim O'Brien, resident of Somers Point stated immigration is a federal problem and thanked the Board for not passing the resolution.

Victoria Druding, resident of Egg Harbor Township is pleased the resolution did not move forward and highlighted a Rutgers study on immigrants.

Dominic Sambucci, ACCC Chief Business Officer asked the Board about the status of the transfer of Chapter 12 funds for the baseball field project. A discussion ensued.

**MOTION FOR THE
CHAIRMAN TO WRITE A
LETTER APPROVING THE
TRANSFER OF FUNDS**

Commissioner Balles moved and Commissioner Gatto seconded a motion to have Chairman Risley send a letter to approve the transfer of funds for the Atlantic Cape Community College baseball fields.

The above-mentioned motion was adopted by the following roll call: AYES: Balles, Dase, Fitzpatrick, Gatto, Parker and Risley. NAYS: Bertino, Coursey and Kern.

There being no further comments, Chairman Risley closed the public portion at 6:09 p.m.

GOOD OF THE ORDER

Commissioner Dase announced the 100th Anniversary of the Atlantic County Firefighters Association on Saturday, October 7, 2023 at the Egg Harbor City Lake.

Commissioner Coursey recognized Breast Cancer Awareness Month.

ADJOURNMENT

Chairman Risley entertained a motion to adjourn the meeting. Commissioner Gatto moved and Commissioner Kern seconded a motion to adjourn the Commissioners' meeting. The motion was unanimously passed. The meeting was adjourned at 6:10 p.m.

Submitted by,

Tara Silipena
Clerk of the Board