



Director Stephen Sweeney called a regular meeting of the Board of Chosen Freeholders of the County of Gloucester to order on Wednesday, May 5, 2010 at 7:30 p.m. The Director then led those present in the salute to the flag.

The Open Public Meetings statement was read in its entirety, after which the roll was called with the following Board members responding: Freeholder Brigandi, Freeholder Chila, Freeholder Damminger, Freeholder DiMarco, Freeholder DuBois, Freeholder Wallace, and Director Sweeney. Also present were Administrator Bruner and Assistant County Counsel Matt Lyons.

Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the minutes from the budget meeting closed session of February 27, 2010, and the regular freeholder meeting of April 21, 2010 were unanimously approved, with a roll call vote.

#### PROCLAMATION 44563

A proclamation in honor and recognition of "Vietnam Veterans Remembrance Week" was read in its entirety and was presented, by Freeholder Chila, to members of the South Jersey Vietnam Veterans organization, along with Angelo Romeo, Director of the County Office of Veterans Affairs.

#### PROCLAMATION 44564

A proclamation honoring Paulsboro Red Raider Wrestling Team and Coach Paul Morina was read in its entirety and presented to members of the wrestling team and Coach Morina by Freeholder Damminger, along with Freeholder Chila and Director Sweeney.

#### PROCLAMATION 44565

A proclamation designating May 6-12, 2010 as National Nurses Week in Gloucester County was read by title, as it will be presented at a later date.

#### PROCLAMATION 44566

A proclamation designating May 23-29, 2010 as National Small Business Week in Gloucester County was read by title and will be presented at a later date.

#### PROCLAMATIONS 44567

Proclamations for the winners of the "Best of Gloucester County" were read by title and will be presented at a later date.

#### PROCLAMATION 44568

A proclamation designating April 2010 as Alcohol Awareness Month in Gloucester County was read by title as it had been previously presented.

#### RESOLUTION 44569

Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the public hearing on a resolution to exceed the county budget tax levy limits and to establish a CAP bank for Gloucester County calendar year 2010 in accordance with N.J.S.A. 40A:4-45.14 was unanimously opened with a roll call vote. There being no one wishing to speak to this resolution, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the public hearing was unanimously closed, with a roll call vote. Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the resolution was unanimously adopted, with a roll call vote.

2010 COUNTY BUDGET 44570

Be it Resolved by the Board of Chosen Freeholders of the County of Gloucester that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of \$ 148,020,000.00 dollars for the county to be raised by taxation and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

General Revenues

Surplus Anticipated.....	\$ 15,500,671.00
Miscellaneous revenues Anticipated.....	42,703,923.00
Amount to be Raised by Taxation.....	148,020,000.00
 Total General Revenues.....	 \$206,224,594.00

General Appropriations

Operations including Contingent.....	\$157,164,762.00
Capital Improvements.....	191,300.00
County Debt Service.....	35,712,198.00
Deferred Charges and Statutory Expenditures	13,156,334.00

Total General Appropriations \$206,224,594.00

Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the public hearing on the 2010 Gloucester County budget was unanimously opened, with a roll call vote. Those speaking were:

1] Lee Lucas, of Greenwich Township, who stated it is admirable to adopt a budget that is less than the previous year's budget, noting that shared services and consolidation are good things, and this Board did a good job on this budget. Mr. Lucas questioned the appropriations block, number 8, on page 30, nothing it is blank. Mr. Schwarz explained there has been no lease obligation since 2007. Mr. Lucas then questioned number 5, the Justice Complex, noting the interest is more than the principle, to which Administrator Bruner explained the county is paying this debt off faster than the 30-yea obligation.

2] Peter Petrovich, of Malaga, who asked why, if the tax rate is stable, the taxes keep going up, to which Director Sweeney and Mr. Schwarz explained how county assessment will work to equalize the true value for property tax.

There being no other members of the public wishing to speak to the budget, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the public hearing was unanimously closed, with a roll call vote. Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the 2010 Gloucester County budget was unanimously adopted, with a roll call vote.

BOND ORDINANCE 44571

Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the public hearing on a bond ordinance authorizing the construction of various capital improvements and the acquisition of various pieces of equipment in and for the County of Gloucester, New Jersey; appropriating the sum of \$16,602,345.00 therefore; authorizing the issuance of general obligation bonds or bond anticipation notes of the County of Gloucester, New Jersey in the aggregate principal amount of up to \$6,091,000.00; making certain determinations and covenants; and authorizing certain related actions in connection with the foregoing was unanimously opened, with a roll call vote. The only person speaking to this bond ordinance was Mr. Lee Lucas, of Greenwich Township, who asked what is being funded with this money, to which Mr. Schwarz responded, enumerating the various projects. There being no one else wishing to comment on this bond issue, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the public hearing was unanimously closed, with a roll call vote. Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the bond ordinance was unanimously adopted, with a roll call vote.

At this time, changes to the agenda were announced. The only change was the addition of a resolution authorizing and confirming workers compensation settlement with James N. Hogan, to become A-15.

Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the public portion on agenda items only was unanimously opened, with a roll call vote.

Those speaking were:

1] Larry Wallace, of Woolwich Township, who questioned the settlement, asking if it had already been paid. Mr. Bruner responded a settlement of \$25,000.00 was authorized, with \$21,600.00 being paid through a county bill list. Mr. Wallace then asked why the resolution is being added to the agenda this evening, to which County Counsel Lyons responded two New Jersey statutes came into play with this matter, and Judge Orlando mandated the county comply with both the Open Public Meetings Act and HIPPA. Mr. Wallace then stated this was done in closed session and overturned in a court proceeding and asked if it was true, it is being done in open session only after the court ordered it. Mr. Lyons responded the bill list was done in open session. Mr. Wallace then asked if the Board will have rules regarding this type of action to be taken in open session, with Mr. Bruner responding the bill list is a public document, and is open to public inspection, the resolution authorizing the bill list is adopted in open session, and workers compensation settlements have always been done that way, but now the county will do them differently. Director Sweeney noted that laws continue to change and as they do, the county changes along with them. Freeholder Damminger pointed that at no time are votes taken in closed session.

2] Lee Lucas, of Greenwich Township, who noted A-15 is not on the agenda. Director Sweeney explained it had just been added to the agenda from the floor. Administrator Bruner then read the following statement by way of explanation: "This is a resolution to approve a Workers Comp settlement for 21,600 for James Hogan Petition # for an injury sustained while in the course of employment as recommended by the County's Worker's Compensation Attorney and approved by the Workers Compensation Judge." Mr. Lucas asked what had happened and to which Mr. Lyons explained the county cannot divulge that information, per statute. There being no one else wishing to speak to any item appearing on the agenda, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, this public portion was unanimously closed, with a roll call vote.

## **DEPARTMENT OF ADMINISTRATION**

### **RESOLUTION 44572**

Resolution authorizing a closed meeting of the Board of Chosen Freeholders of the County of Gloucester. The general nature of the subject to be discussed at said closed meeting shall be Discussion of potential litigation against Robert James Pacilli Homes, LLC, and his surety, Bond Safeguard Insurance Company, for not fulfilling obligations to complete road improvements per County Permit No. 06-306, and County Planning Board Approval EG-0464, and under Performance Bond No. 5020923; discussion of settlement negotiations of Yvette Freeman v. City of East Orange, Officer Mike Williams, East Orange Police Officer Johnson, East Orange Police Officer D. Brown, John Does 1 through 20, County of Gloucester, John Does 21 through 40, Docket No. ESX-L-003182-08; discussion of settlement negotiations of Westrum Development Co., et al. vs. Township of Woolwich Joint Land Use Board, Township of Woolwich, and Gloucester County Planning Board, Docket No. GLO-L-2006-08; and discussion of potential litigation against Mount Construction Co., and its surety, Safeco Insurance Company, regarding contract default for failure to fulfill obligations under contract for Route 322 Improvements, Phase 2 Construction, in the Township of Harrison, Engineering Project No. 07-06. The minutes of said closed meeting shall be disclosed to the public when and as required by law, as far as can be determined at this time, when the aforementioned matters have been resolved. Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the resolution was unanimously adopted, with a roll call vote.

**DEPARTMENT OF ADMINISTRATION (CONTINUED)****RESOLUTION 44573**

A resolution providing for the insertion of \$5,000.00 grant from the New Jersey Department of Health and Senior Services into the budget of the County of Gloucester pursuant to N.J.S.A. 40A:4-87 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

**RESOLUTION 44574**

A resolution providing for the insertion of \$79,579.00 grant from the New Jersey Department of Health and Senior Services into the budget of the County of Gloucester pursuant to N.J.S.A. 40A:4-87 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

**RESOLUTION 44575**

A resolution providing for the insertion of \$1,000.00 grant from the New Jersey Department of Children and Families into the budget of the County of Gloucester pursuant to N.J.S.A. 40A:4-87 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

**RESOLUTION 44576**

A resolution providing for the insertion of \$169,650.00 grant from the New Jersey Department of Health and Senior Services into the budget of the County of Gloucester pursuant to N.J.S.A. 40A:4-87 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

**RESOLUTION 44577**

A resolution providing for the insertion of \$136,723.00 grant from the New Jersey Department of Environmental Protection into the budget of the County of Gloucester pursuant to N.J.S.A. 40A:4-87 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

**RESOLUTION 44578**

A resolution providing for the insertion of \$23,092.00 grant from the New Jersey Department of Law and Public Safety into the budget of the County of Gloucester pursuant to N.J.S.A. 40A:4-87 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

**RESOLUTION 44579**

A resolution providing for the insertion of \$6,181,000.00 grant from the New Jersey Department of Environmental Protection into the budget of the County of Gloucester pursuant to N.J.S.A. 40A:4-87 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

**RESOLUTION 44580**

A resolution authorizing payment to the Camden County Health Services and/or other appropriate hospitals for court ordered inpatient medical treatment for Gloucester County residents as required through the Gloucester County Adjusters Office pursuant to NJ State Statute 30:4-60 for a minimum dollar amount of zero and a maximum dollar amount of \$410,000.00 for the year 2010 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

**DEPARTMENT OF ADMINISTRATION (CONTINUED)**

## RESOLUTION 44581

A resolution establishing Gloucester County employee salary ranges and fixing compensation for non-union employees, CWA Local 1085, Teamsters #399, FOP #97, FOP #199, FOP #165, and PBA #122 union personnel for the year 2010 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

## RESIGNATION 44582

The resignation of Michele Gangloff from the position of secretary to the Gloucester County Insurance Commission was unanimously accepted, with a roll call vote upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

## RESIGNATION 44583

The resignation of Lauren Lutz, of Robin's Nest, from the Gloucester County Interagency Coordinating Council (CIACC) was unanimously accepted, with a roll call vote, and upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

## RESOLUTION 44584

A resolution appointing Lisa Haya to the Gloucester County Interagency Coordinating Council (CIACC) was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

## RESOLUTION 44585

A resolution appointing Maria Rios as secretary to the Gloucester County Insurance Fund Commission was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

## RESOLUTION 44586

A resolution authorizing and confirming workers compensation settlement with James N. Hogan was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

**DEPARTMENT OF PUBLIC WORKS**

## RESOLUTION 44587

A resolution authorizing the execution of a professional services contract with West Jersey Title Agency of Salem County, Inc. to provide title work, title insurance and settlement services for land and/or development right acquisitions for the Office of Land Preservation, Department of Public Works, and/or other specified projects, beginning May 6, 2010 and concluding May 5, 2011 for a minimum contract amount of zero and a maximum contract amount of \$51,150.00 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder DiMarco.

## RESOLUTION 44588

A resolution authorizing the execution of a professional services contract with Presidential Title Agency, Inc. to provide title work, title insurance and settlement services for land and/or development right acquisitions for the Office of Land Preservation, Department of Public Works, and/or other specified projects, beginning May 6, 2010 and concluding May 5, 2011 for a minimum contract amount of zero and a maximum contract amount of \$73,335.00 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder DiMarco.

**DEPARTMENT OF PUBLIC WORKS (CONTINUED)****RESOLUTION 44589**

A resolution authorizing the purchase by the County of Gloucester from James H. Conklin and Emily G. Conklin of a portion of certain real property commonly known as 49 East Avenue, Mullica Hill, NJ 08062, and also known as Block 59, Lot 4, in the Township of Harrison in connection with the Mullica Hill By-Pass Improvements on Route 322 for the total amount of \$20,000.0 as per Engineering Project #07-05 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder DiMarco.

**RESOLUTION 44590**

A resolution authorizing a contract with South State, Inc. for the construction of the proposed drainage improvement along Hurffville-Grenloch Road (CR 635) between Skelly Lane and Hurffville Road in the Township of Washington, Gloucester County, New Jersey, in the amount of \$296,969.06 as per Engineering Project #06-14SA was read by title and adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder DiMarco, with Director Sweeney abstaining from the vote and the other six freeholders voting in the affirmative.

**RESOLUTION 44591**

A resolution authorizing award of a split bid in regard to #PD-010-023 for the supply of hot mix asphalt to: (1) South State, Inc. and (2) R.E. Pierson Material Corporation, for a minimum contract amount of zero and a maximum contract amount of \$1,400,000.00 each, for the period beginning May 5, 2010 and ending May 4, 2011 was read by title and adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder DiMarco, with Director Sweeney abstaining from the vote and the other six freeholders voting in the affirmative

**RESOLUTION 44592**

A resolution authorizing contract with DeFalco & Bisconti, Inc. for emergency pipe replacement on Ganttown Road (CR 639) over Bells Lake Stream, Gloucester County Structure 5-L-9, in the Township of Washington, Gloucester County, New Jersey in the amount of \$296,622.00, Engineering Project #10-07FA was read by title and adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder DiMarco, with Director Sweeney abstaining from the vote and the other six freeholders voting in the affirmative.

**RESOLUTION 44593**

A resolution authorizing execution of second amendment to contract by and between the County of Gloucester and South State, Inc. to increase the total contract amount by \$2,385.58 was read by title and adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder DiMarco, with Director Sweeney abstaining from the vote and the other six freeholders voting in the affirmative.

**RESOLUTION 44594**

A resolution authorizing the County of Gloucester to accept a portion of Salina Road in the Township of Deptford, County of Gloucester, New Jersey was read by title and adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder DiMarco, with Freeholder DiMarco abstaining from the vote and the other six freeholders voting in the affirmative.

Freeholder Damminger thanked everyone for their cooperation on constructing this budget, especially the unions, adding it was a difficult budget year.

**DEPARTMENT OF HEALTH & PUBLIC SAFETY**

Freeholder DuBois had no business under her department, but thanked Mr. Bruner, Mr. White, Mr. Schwarz and all the county department heads for their hard work on this budget.

**DEPARTMENT OF LAW & VETERANS AFFAIRS**

Freeholder Chila had no business under his department, but echoed Freeholder DuBois' sentiments, and thanking all the employees and unions, adding Gloucester County is a step ahead of other counties with regard to shared services.

**DEPARTMENT OF HUMAN SERVICES****RESOLUTION 44595**

A resolution authorizing the Freeholder Director to execute any and all documents pertaining to the LIHEAP-CWA Administration 2010 grant contract and accept the funds for this agreement in an amount not to exceed \$8,508.50 was read by title and unanimously adopted, with a roll call vote, and upon the motion of Freeholder Wallace and the second of Freeholder Brigandi.

**RESOLUTION 44596**

A resolution authorizing the execution of a maintenance agreement with Unitronix Data Systems, Inc. for the provision of maintenance of proprietary software (ABACUS, AOSS Card Registration, Administrative Accounts and General Ledger) for the Division of Social Services for a total contract amount of \$44,840.00 for the period beginning April 1, 2010 and concluding March 31, 2011 was read by title and unanimously adopted, with a roll call vote, and upon the motion of Freeholder Wallace and the second of Freeholder Brigandi.

**RESOLUTION 44597**

Resolution authorizing the execution of an amendment to the 2010 contract between the County of Gloucester and Maryville, Inc., to increase the total contract amount by \$1,000 was read by title and unanimously adopted, with a roll call vote, and upon the motion of Freeholder Wallace and the second of Freeholder Brigandi.

Freeholder Wallace thanked everyone involved with this budget and added he has been in conversation with Administrator Bruner in how to help mayors to follow the model here in Gloucester County as it pertains to budgets and shared services.

**DEPARTMENT OF PARKS & GOVERNMENT SERVICES****RESOLUTION 44597**

A resolution authorizing the execution of a shared services agreement made by and between the County of Gloucester and the Township of Harrison for the provision of landscape design services was read by title and unanimously adopted, with a roll call vote, and upon the motion of Freeholder DiMarco and the second of Freeholder Dammingier.

Freeholder DiMarco reiterated previous comments, adding there was cooperation down the line from department heads to employees to the unions, and thanked everyone.

**DEPARTMENT OF PARKS & GOVERNMENT SERVICES (CONTINUED)**

Freeholder DiMarco then recognized Corrections' Officers who were honored earlier today:

Corrections Officer Josh Weichmann: Exceptional Service Award

Corrections Officer Brad Schmidheiser: Life saving Award

Corrections Sgt. Cora: Life Saving Award

Corrections Sgt. Kenneth Curtis: Good Conduct Award

Corrections Sgt. Steven Beebe: Honorable Service Certificate

Corrections Sgt. Steven Bajewicz: Distinguished Service Award

Also honored was the late Sheriff Officer Jeffrey Cottone

**DEPARTMENT OF EDUCATION & ECONOMIC DEVELOPMENT**

Freeholder Brigandi had no business under his department, but thanked everyone involved in the creating of this budget, adding it is a great effort .

Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the public portion was unanimously opened with a roll call vote. Those speaking were:

1] Andy Savicki, of Glassboro, who was pleased to see Gloucester County is better off than others, and noted a cash reserve is critical and Gloucester County's is \$78,000,000.00, at which time Director Sweeney corrected him, stating the county's cash reserve is \$50,000,000.00. Mr. Savicki went on to speak of stress people feel when jobs are lost, and asked if the freeholders have considered helping municipalities who are planning to lay off workers, using the cash reserve? Director Sweeney offered to provide Mr. Savicki with a list of how much the county has saved using shared services, and went on to speak of the Governor's call for teachers to take a wage freeze, adding Gloucester County does all it can, but can't make up for what the Governor has cut, pointing out this county helped reinstitute the STARS program at the county college.

2] Lee Lucas, of Greenwich Township, who stated he is not happy about the funding being cut to suburban towns, he thinks the cuts should be to low-income towns because they are hopeless. Mr. Lucas, concerning the Jim Hogan settlement, stated he shocked that an elected official sued the county.

3] Pat Schubert, of Paulsboro, who asked what the grant for \$136,000 from the DEP was for, and was told by Administrator Bruner it is for annual food inspections, hazmat inspections, etc. through the County Health Department. Mr. Schubert asked if this freeholder board is still opposed to dredging and dredge spoils being dumped in Gloucester County, to which Director Sweeney responded yes. Mr. Schubert then asked why, then is the BP site taking dredge spoils, to which Director Sweeney responded that is part of the Port of Paulsboro project and the dredge spoils being accepted there are from maintenance dredging, which is cleaner. Mr. Schubert then asked if the County and County Improvement Authority would release the minutes from their meeting with BP, to which the Director responded that is an Improvement Authority matter. Mr. Schubert then asked when exactly the County knew about the Kiddie Kollege situation with contamination, to which the Director responded when it was in the newspaper. There being no one else wishing to address the Board, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the public portion was unanimously closed, with a roll call vote.

Upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the meeting was unanimously adjourned, to go into closed session, at 8:36 p.m. with a roll call vote. The Director noted the Board might be reconvening after the closed session.

The meeting was reconvened at 9:11 p.m.

RESOLUTION 44598

A resolution authorizing and confirming settlement of litigation in the matter of Yvette Freeman versus City of East Orange, Officer Mike Williams, East Orange Police Officer D. Brown, County of Gloucester, John Does 1 through 20 and John Does 1 through 40 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

RESOLUTION 44599

Resolution authorizing institute of litigation against Robert James Pacilli Homes, LLC, and his surety bond, Bond Safe-Guard Insurance Company, for not fulfilling obligations to complete road improvements per county permit no. 06-305 and County Planning Board approval EG-0464, and under performance bond no. 5020923 was read by title and unanimously adopted, with a roll call vote, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi.

There being no other business to come before the Board, upon the motion of Freeholder Damminger and the second of Freeholder Brigandi, the meeting was unanimously adjourned, with a roll call vote, at 9:16 p.m.

A handwritten signature in black ink, appearing to read "Robert N. DiLella". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

ROBERT N. DILELLA, CLERK