

MINUTES

7:30 p.m. Wednesday, March 21, 2012

Call to order

Salute to the flag

Open Public Meetings Statement

Roll Call

	Present	Absent
Nestore	X	
Wallace	X	
Chila	X	
Simmons	X	
Barnes	X	
Taliaferro	X	
Damminger	X	

Also in attendance: Administrator Bruner, Deputy Administrator White, Clerk of the Board DiLella, Chief Counsel Lyons

Changes to the Agenda – Amend Closed Session Minutes from February 15, 2012

Approval of the regular minutes from March 7, 2012 and the closed session minutes from February 15, 2012.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46500 Proclamation declaring the month of March as American Red Cross month in Gloucester County, NJ. (to be presented) (Damminger)

46501 Proclamation honoring the students of Monongahela Middle School participating in the 2012 Job Shadow Program. (to be presented) (Damminger)

46502 Recognizing the National Coalition of 100 Black Women, Inc. – Southern NJ Chapter – 10th Anniversary, Candace Awards Ceremony (to be presented at a later date) (Taliaferro)

46503 Proclamation honoring Anna Docimo for her years of services (previously presented) (Damminger)

46504 Proclamation declaring the month of March as Women’s History Month in Gloucester County, NJ (previously presented) (Wallace)

46505 Proclamation recognizing the Clearview Regional Middle School’s First Annual Women’s History Museum (to be presented at a later date) (Simmons)

46506 Proclamation to Honor and Welcome home Lance Corporal William Murray III, from his deployment in Afghanistan on Saturday, March 3, 2012. (previously presented) (Chila)

46507 Proclamation to Honor and Welcome home Lance Corporal Dan Fischer, from his deployment in Afghanistan on Saturday, March 3, 2012. (previously presented) (Chila)

46508 Proclamation to Honor and Welcome home Staff Sergeant Brian Cooke, Staff Sergeant Nathan Hollander and Senior Airman Anthony Guddo, from their deployment in Afghanistan on Saturday, March 10, 2012. (previously presented) (Chila)

46509 Proclamation to Honor and Welcome home Staff Sergeant Zachary Bartelt, from his deployment in Afghanistan on Sunday, March 11, 2012. (previously presented) (Chila)

46510 Proclamation recognizing the 11th annual S.U.R.E Summit (Students for Respect and Equality). (previously presented) (Nestore)

PUBLIC HEARING ON RESOLUTION TO EXCEED THE COUNTY BUDGET TAX LEVY LIMITS AND TO ESTABLISH A CAP BANK FOR GLOUCESTER COUNTY CALENDAR YEAR 2012 IN ACCORDANCE WITH N.J.S.A. 40A: 4-45.14.

OPEN

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: Lee Lucas from Gibbstown asked about the CAP. Gary Schwarz said this resolution allows us to go to 3.5% and bank what is under the CAP. Mr. Lucas then asked if future freeholder boards could go over the CAP.

CLOSE

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

ADOPT

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace				X	
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46511 RESOLUTION AUTHORIZING A PUBLIC HEARING AND TO AMEND THE GLOUCESTER COUNTY COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN TO INCLUDE STRATEGIC MATERIALS, INC., LOCATED AT LOT 11, BLOCK 2903, IN THE TOWNSHIP OF LOGAN AS A CLASS "A" RECYCLING FACILITY.

OPEN

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

CLOSE

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

ADOPT

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes					X
Taliaferro			X		
Damminger			X		

Comments: N/A

46512 RESOLUTION AUTHORIZING A PUBLIC HEARING AND TO AMEND THE GLOUCESTER COUNTY COMPREHENSIVE SOLID WASTE MANAGEMENT PLAN BY INCLUDING DOCUVAULT DELAWARE VALLEY, LLC., LOCATED AT LOT 6, BLOCK 346.11 IN THE TOWNSHIP OF WEST DEPTFORD AS A CLASS "A" AND CLASS "D" RECYCLING FACILITY.

OPEN

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

CLOSE

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

ADOPT

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes					X
Taliaferro			X		
Damminger			X		

Comments: N/A

Public portion on agenda items only (time limit of five (5) minutes per person, per public portion)

OPEN

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

CLOSE

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

DEPARTMENT OF ADMINISTRATION

**DIRECTOR DAMMINGER
DEPUTY DIRECTOR CHILA**

46513 RESOLUTION TO EXCEED THE COUNTY BUDGET TAX LEVY LIMITS AND TO ESTABLISH A CAP BANK FOR GLOUCESTER COUNTY CALENDAR YEAR 2012 IN ACCORDANCE WITH N.J.S.A. 40A: 4-45.14.

	Motion	Second	Yes	No	Abstain
Nestore	ADOPTED ABOVE				
Wallace					
Chila					
Simmons					
Barnes					
Taliaferro					
Damminger					

Comments: N/A

46514 RESOLUTION AUTHORIZING A CLOSED SESSION OF THE GLOUCESTER COUNTY BOARD OF CHOSEN FREEHOLDERS TO DISCUSS THE STATUS OF AND POSSIBLE SETTLEMENT OF WORKERS' COMPENSATION MATTERS CAPTIONED FRANKLIN KIRCHER v. GLOUCESTER COUNTY, C.P. NO. 2010-6264; AND, EDWARD RIEGER v. GLOUCESTER COUNTY, C.P. NO. 2010-3706.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: Statement read by Chief Counsel Lyons:

*"this matter stems from a County condemnation action involving property owned by American Atlantic. The County also named Develcom a party/Defendant as they contended they had a contractual interest in the subject property. Separate litigation ensued between American Atlantic, Develcom and Weeks Marine, which has now been resolved. Terms of the settlement included Develcom relinquishing any contractual interest in the property, and forgoing any claim against the County for legal fees. The County is now solely dismissing Co-Defendant Develcom as a party to the condemnation, with the terms of the Stipulation of Dismissal based upon Develcom no longer claiming any interest in the subject property. The matter was discussed in closed session on March 7th, 2012."
(Develcom represented by Mark Shoemaker, Esq./County represented by Howard Cohen, Esq.)*

46515 RESOLUTION AUTHORIZING AND CONFIRMING SETTLEMENT OF A PORTION OF THE LITIGATION MATTER ENTITLED COUNTY OF GLOUCESTER v. AMERICAN ATLANTIC COMPANY, DEVELCOM FUNDING , LLC (Contract Purchaser); DEVELCOM REALTY, LLC; DEVELCOM MANAGEMENT COMPANY, LLC; WEEKS MARINE, INC.; WELLS FARGO & COMPANY; THE WILLIAMS COMPANIES, INC., PEPSCO HOLDINGS, INC.; STATE OF NJ, DOCKET NO. BUR-L-3641-09.

	Motion	Second	Yes	No	Abstain
Nestore					X
Wallace					X
Chila	X		X		
Simmons		X	X		
Barnes					X
Taliaferro			X		
Damminger			X		

Comments: N/A

46516 RESOLUTION APPROVING THE BILL LIST FOR MARCH 2012.

	Motion	Second	Yes	No	Abstain
Nestore			X		12-01625 11-11722 12-01408 12-01409 12-01809 12-00313 12-01307 12-00233 12-00235
Wallace			X	Pg 123 & 124	12-00233 12-00235
Chila	X		X		
Simmons		X	X		12-02112 11-09349
Barnes			X		12-00449 12-01586 12-01282 10-12275
Taliaferro			X		
Damminger			X		

Comments: Freeholder Nestore inadvertently voted no, however, he indicated his intent to abstain on items listed and yes on the remainder.

46517 RESOLUTION AUTHORIZING 2011 APPROPRIATION RESERVE BUDGET TRANSFERS.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46518 RESOLUTION AMENDING THE STATE CONTRACT NUMBER ON A PREVIOUSLY ADOPTED RESOLUTION AUTHORIZING A STATE CONTRACT WITH AVAYA FOR THE PURCHASE OF HARDWARE FOR TELEPHONE SWITCHES FOR THE COUNTY OF GLOUCESTER.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46519 RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO SIMPLEX GRINNELL FOR THE MAINTENANCE AND REPAIR OF BURGLAR AND FIRE ALARMS THROUGHOUT COUNTY BUILDINGS FOR A MINIMUM CONTRACT AMOUNT OF ZERO AND A MAXIMUM CONTRACT AMOUNT OF \$100,000.00 FOR A PERIOD OF TWO YEARS WITH THE OPTION TO EXTEND THE CONTRACT FOR ONE (1) TWO (2) YEAR PERIOD OR TWO (2) ONE (1) YEAR PERIODS.

	Motion	Second	Yes	No	Abstain
Nestore				X	
Wallace				X	
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

**DEPARTMENT OF ECONOMIC
DEVELOPMENT & PUBLIC WORKS**

**FREEHOLDER SIMMONS
FREEHOLDER BARNES**

46520 RESOLUTION AUTHORIZING A CONTRACT CHANGE ORDER INCREASE #04-FINAL WITH DEFALCO & BISCONTI, INC. IN THE AMOUNT OF \$22,549.06.

	Motion	Second	Yes	No	Abstain
Nestore				X	
Wallace				X	
Chila			X		
Simmons	X		X		
Barnes		X	X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46521 RESOLUTION AUTHORIZING THE ACQUISITION OF THE REAL PROPERTY KNOWN AS BLOCK 54.28, LOT 2, TOWNSHIP OF WASHINGTON FOR ENGINEERING PROJECT #06-01FA, AND THE EXECUTION OF A CONTRACT FOR SALE OF REAL ESTATE WITH ANTIMO LAMBERTI AND GIUSEPPE LAMBERTI FOR THE SAID PROPERTY IN THE TOTAL AMOUNT OF \$317,500.00.

	Motion	Second	Yes	No	Abstain
Nestore					X
Wallace			X		
Chila			X		
Simmons	X		X		
Barnes		X	X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46522 RESOLUTION AUTHORIZING THE EXECUTION OF A TRAFFIC SIGNAL AGREEMENT WITH THE TOWNSHIP OF ELK FOR THE INSTALLATION AND MAINTENANCE OF A TRAFFIC SIGNAL AT THE INTERSECTION OF BUCK ROAD (C.R. 553) AND CLAYTON ROAD (C.R. 608).

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila			X		
Simmons	X		X		
Barnes		X	X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46523 RESOLUTION AUTHORIZING THE ACQUISITION OF A ROAD EASEMENT IN, OVER AND ACROSS A PART OF THE REAL PROPERTY KNOWN AS BLOCK 194.10, LOT 4.01, IN THE TOWNSHIP OF WASHINGTON FROM ERNEST M. D’ORAZIO FOR THE TOTAL AMOUNT OF \$1.00 FOR ENGINEERING PROJECT #06-01FA.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila			X		
Simmons	X		X		
Barnes		X	X		
Taliaferro			X		
Damminger			X		

Comments: N/A

DEPARTMENT OF HEALTH & EDUCATION

**FREEHOLDER BARNES
FREEHOLDER SIMMONS**

46524 RESOLUTION DETERMINING THE ANNUAL APPROPRIATION FOR THE ESTABLISHMENT AND MAINTENANCE OF THE GLOUCESTER COUNTY LIBRARY FOR THE YEAR 2012.

	Motion	Second	Yes	No	Abstain
Nestore				X	
Wallace				X	
Chila			X		
Simmons		X	X		
Barnes	X		X		
Taliaferro			X		
Damminger			X		

Comments: N/A

**DEPARTMENT OF PUBLIC SAFETY,
VETERANS AFFAIRS & ELECTIONS**

**DEPUTY DIRECTOR CHILA
FREEHOLDER TALIAFERRO**

46525 RESOLUTION AUTHORIZING THE PURCHASE OF TELEPHONE EQUIPMENT FROM STRATEGIC PRODUCTS SERVICES (SPS) FOR 9-1-1 EMERGENCY BACK UP SITE THROUGH STATE CONTRACT NUMBER A80802, FOR A MINIMUM CONTRACT AMOUNT OF ZERO AND A MAXIMUM CONTRACT AMOUNT OF \$250,000.00, FROM MARCH 21, 2012 TO MARCH 20, 2013.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons			X		
Barnes			X		
Taliaferro		X	X		
Damminger			X		

Comments: N/A

46526 RESOLUTION AUTHORIZING THE PURCHASE OF ALL HAZARD SIMULATOR TRAINING TRAILER FROM SURREY FIRE SAFETY HOUSE TO BE USED BY THE GLOUCESTER COUNTY HAZ-MAT UNIT, SWAT, ERT AND GLOUCESTER/CAMDEN BOMB SQUADS, IN THE TOTAL AMOUNT OF \$39,116.14, FROM THE FY09 HOMELAND SECURITY GRANT PROGRAM.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons			X		
Barnes			X		
Taliaferro		X	X		
Damminger			X		

Comments: N/A

**DEPARTMENT OF SOCIAL &
HUMAN SERVICES**

**FREEHOLDER NESTORE
DEPUTY DIRECTOR CHILA**

46527 RESOLUTION AUTHORIZING THE PURCHASE OF POSTAGE AND POSTAGE SUPPLIES THROUGH STATE CONTRACT NUMBER A75237 FROM PITNEY BOWES FOR A MINIMUM CONTRACT AMOUNT OF ZERO AND A MAXIMUM CONTRACT AMOUNT OF \$100,000.00 FOR CALENDAR YEAR 2012.

	Motion	Second	Yes	No	Abstain
Nestore	X		X		
Wallace			X		
Chila		X	X		
Simmons			X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46528 RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENT BETWEEN THE COUNTY OF GLOUCESTER AND THE ARC GLOUCESTER TO PROVIDE FOR VEHICLE PARKING AT THE GLOUCESTER COUNTY CLAYTON FACILITY.

	Motion	Second	Yes	No	Abstain
Nestore					X
Wallace					X
Chila		X	X		
Simmons	X		X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46529 RESOLUTION AUTHORIZING THE 2012 GRANT AGREEMENT BETWEEN THE COUNTY OF GLOUCESTER AND THE NJ DEPARTMENT OF CHILDREN AND FAMILIES PERTAINING TO THE TITLE XX HOMELESSNESS PREVENTION PROGRAM, IN AN AMOUNT NOT TO EXCEED \$29,331.00, WITH A CASH MATCH OF \$9,777.00.

	Motion	Second	Yes	No	Abstain
Nestore	X		X		
Wallace			X		
Chila		X	X		
Simmons			X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

DEPARTMENT OF GOVERNMENT SERVICES

**FREEHOLDER WALLACE
FREEHOLDER SIMMONS**

46530 RESOLUTION AUTHORIZING EXTENSION OF A SHARED SERVICES AGREEMENT BETWEEN THE COUNTY OF GLOUCESTER AND THE COUNTY OF CAMDEN FOR REGIONALIZED JUVENILE DETENTION FROM APRIL 1, 2012 TO MARCH 31, 2015 FOR A MINIMUM CONTRACT AMOUNT OF ZERO AND A MAXIMUM CONTRACT AMOUNT OF \$500,000.00.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace	X		X		
Chila			X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46531 RESOLUTION AUTHORIZING THE PURCHASE OF POSTAGE, POSTAGE SUPPLIES AND EQUIPMENT FROM PITNEY BOWES THROUGH STATE CONTRACT NUMBER A75237, FOR A MINIMUM CONTRACT AMOUNT OF ZERO AND A MAXIMUM CONTRACT AMOUNT OF \$30,000.00, FROM JANUARY 1, 2012 TO DECEMBER 31, 2012.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace	X		X		
Chila			X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46532 RESOLUTION AUTHORIZING AN EXTENSION OF CONTRACT BETWEEN THE COUNTY OF GLOUCESTER AND THE RODGERS GROUP, LLC TO PROVIDE CONSULTING SERVICES TO ASSIST THE GLOUCESTER COUNTY PROSECUTOR'S OFFICE IN MEETING THE 112 CALEA NATIONAL STANDARDS NEEDED FOR ATTAINING NEW JERSEY STATE ASSOCIATION OF CHIEFS OF POLICE (NJSACOP) ACCREDITATION.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace	X		X		
Chila			X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

46533 RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION IN THE AMOUNT OF \$826,296.00 TO THE U. S. DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES (COPS) FOR THE FISCAL YEAR (FY) 2012 COPS HIRING PROGRAM (CHP) FOR THE PURPOSE OF HIRING OF FOUR (4) ADDITIONAL FULL-TIME SHERIFF'S OFFICERS.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace	X		X		
Chila			X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

DEPARTMENT OF PARKS & LAND PRESERVATION

**FREEHOLDER TALIAFERRO
FREEHOLDER BARNES**

46534 RESOLUTION AUTHORIZING A SITE ACCESS AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TO ENTER THE COUNTY OF GLOUCESTER'S PITMAN GOLF COURSE FOR PURPOSES OF INSTALLING AND FUTURE SAMPLING OF AN ADDITIONAL SCREENING POINT AND GROUNDWATER MONITORING WELL NECESSARY FOR THE CONTINUING REMEDIAL INVESTIGATION OF THE STRUTHERS-DUNN, INC. SITE LOCATED IN MANTUA TOWNSHIP.

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila			X		
Simmons			X		
Barnes		X	X		
Taliaferro	X		X		
Damminger			X		

Comments: N/A

Old Business

New Business

Public Portion (time limit of five (5) minutes per person)

OPEN

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments:

- Lee Lucas from Gibbstown had questions regarding the CAP issues. Also made comments about bullying.
- Christine Avera from Deptford spoke about a problem she is having with the Victim Advocates Office in the Prosecutor's Office.
- Jim Hink from West Deptford had questions about the tax appeal in West Deptford. Specifically asked if the mayor of West Deptford can refuse to turn over information to the county. Director Damminger said yes he thinks the public should know. Freeholder Wallace said the active litigation should be in closed session and understands the case was ready for trial and he does not know the particulars. He is confident all things will be made public. Director Damminger said once a resolution was made the public has the right to know. Mr. Hink asked that the Board take some kind of action.
- Hunter Kintzing asked a question to Freeholder Wallace through Director Damminger. He asked that as someone who has a history of concerns about transparency, ask the Mayor to adhere to the OPMA and disclose the settlement. Freeholder Wallace said he thought the mayor made an eloquent statement as to why it's currently in closed session.
- Lee Lucas then stated that the state law litigation may be the problem.

CLOSE

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A

Adjournment 8:50pm

	Motion	Second	Yes	No	Abstain
Nestore			X		
Wallace			X		
Chila	X		X		
Simmons		X	X		
Barnes			X		
Taliaferro			X		
Damminger			X		

Comments: N/A



ROBERT N. DiLELLA, CLERK