

**SALEM COUNTY BOARD OF CHOSEN FREEHOLDERS  
AUGUST 20, 2008 MEETING MINUTES**

At 4:00 PM, Director Ware opened the meeting. Robin Weinstein offered a prayer followed by the Pledge of Allegiance.

Director Ware stated that adequate notice pursuant to the Open Public Meetings Act had been given of this meeting and read the Open Public Meeting Act Statement.

On roll call, the following Freeholders were present: Freeholders Lindenmuth, Timberman, Bobbitt, Acton, Sullivan, Hogan and Director Ware.

Motion was made by Deputy Director Lindenmuth to dispense with the reading of the Minutes of the July 16, 2008 meeting and the August 13 special meeting and that the Minutes be received, approved and recorded in the Minute book. Freeholder Timberman seconded his motion. The motion carried by a hand vote of 7/0.

Motion was made by Deputy Director Lindenmuth that the Rules of the Board be temporarily waived for resolution numbers 2, 8, 9, 18 and 30 (addition to the agenda) on tonight's agenda. Freeholder Timberman seconded his motion, which carried a hand vote of 7/0.

On discussion, Jennifer Coombs spoke regarding Atlantic City Electric. Ms. Coombs outlined her concerns about the utility poles on the Bridgeton-Daretown Road and showed a video of the poles, and area residents airing their concerns. Resolutions 2008-381 and 2008-382 were read in full by Clerk of the Board Gage.

**PUBLIC HEARINGS & ADOPTIONS**

Ordinance No. 2008-5

ORDINANCE OF THE  
BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SALEM, NEW JERSEY,  
DISSOLVING THE SALEM COUNTY UTILITIES AUTHORITY;  
AUTHORIZING THE SALEM COUNTY IMPROVEMENT AUTHORITY TO  
ASSUME THE OBLIGATIONS OF AND PROVIDE THOSE SERVICES PREVIOUSLY PROVIDED BY  
THE SALEM COUNTY UTILITIES AUTHORITY FOLLOWING SAID DISSOLUTION;  
AUTHORIZING APPROPRIATE OFFICIALS TO UNDERTAKE CERTAIN ACTIONS  
IN CONNECTION WITH THE PROPOSED DISSOLUTION AND ASSUMPTION;  
AND TAKING CERTAIN ACTIONS RELATED THERETO;  
AND PROVIDING FOR OTHER MATTERS RELATING THERETO

Deputy Director Lindenmuth moved to open the Public Hearing, with Freeholder Timberman seconding his motion. On roll call, the motion to open the Public Hearing carried a hand vote of 7/0. As there were no comments, Deputy Director Lindenmuth moved to close the Public Hearing, seconded by Freeholder Timberman. The motion carried a hand vote of 7/0. Motion was then made by Deputy Director Lindenmuth to adopt Ordinance No.2008-5, with Freeholder Timberman seconding his motion. On discussion, Freeholder Acton stated to Freeholder Director Ware that she would like to make a comment. She thanked the staff and professionals for their time, expertise and effort to explore the concept of merging the two Authorities together.

Freeholder Acton read from a prepared statement, which is as follows:

The Salem County Utilities Authority has been a well run and operated governmental entity since 1988. It has produced surplus for the future expansions and equipment and has been self-sufficient – in fact it contributes in-kind services and monetary to the County of Salem already. It has received numerous awards. It has been rated the top in New Jersey. Which is a reflection of the organizational structure that is in place now? With that being said, why change it? I will be voting "no" for the merger. Hearing no further discussion, the motion carried a roll call vote of 6/1. Freeholder Acton voted against this Ordinance.

Bond Ord. No. 2008-6

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT AND THE CONSTRUCTION OF VARIOUS IMPROVEMENTS IN AND FOR THE COUNTY OF SALEM, NEW JERSEY; APPROPRIATING THE SUM OF \$9,854,000 THEREFORE; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY OF SALEM, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$9,854,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Deputy Director Lindenmuth moved to open the Public Hearing, with Freeholder Timberman seconding his motion. On roll call, the motion to open the Public Hearing carried a hand vote of 7/0. As there were no comments, Deputy Director Lindenmuth moved to close the Public Hearing, seconded by Freeholder Timberman. The motion carried a hand vote of 7/0. Motion was then made by Deputy Director Lindenmuth to adopt Ordinance No.2008-6, with Freeholder Timberman seconding his motion. On discussion, Freeholder Acton stated that she supports farmland preservation and the beauty it provides the county; and would like to apply the existing 2 cent dedicated tax for this preservation project. And also that she is in favor of the construction and repair of our bridges for the health, welfare and safety of our citizens. She does have concerns with bonding items with a shelf life of 5 to 7 years in a 20 year bond and these items should have come out of our operating expense budget. As there was no further discussion, the motion carried a roll call vote of 7/0.

## **CORRESPONDENCE**

### **GENERAL**

Arthur H. Dion, President, AIDS Coalition – letter of thanks for Salem County's participation IN recognizing the AIDS Coalition by giving them a Citation for all their hard work

Jane Nogaki, Program Coordinator, NJ Environmental Federation – letter supporting the wishes and concerns of the utility poles in Upper Pittsgrove Township

Nancy Wittenberg, Assistant Commissioner, Environmental Regulation, Department of Environmental Protection – Notice of Public Hearing for the proposed FFY2009 priority System, intended use plan and project priority list document for clean water financing

Ira G. Megdal, Cozen O'Connor Attorneys – notices in the matter of he petition of New Jersey American Water Company, Inc.:

- to change the level of its basic gas supply service charge
- to change the level of its conservation incentive program charge
- to change the level of its purchased water adjustment clause and purchased sewerage adjustment clause

Cape May County – resolution supporting A2046 and S1830 a revised funding percentage for the Senior Citizen and Disabled Resident Transportation Assistance Program (SCADRTAP)

Hunterdon County – resolution supporting Assembly Bill 2046 and Companion Senate Bill 1830 to increase annual appropriation requirement for the SCDRTAP Program and provide additional funding to the NJ Transit designated 21-county coordinated transportation systems

Ocean County – resolution supporting the restoration of funding for Psychiatric Hospital Cost Share percentages of 90% State and 10% County

Somerset County – 3 resolutions:

- resolution supporting Senate Bill 1836 limiting Bigley Hearing Awards to 4% over prior year budget appropriations
- resolution supporting S1785/A2760 concerning funding for a Court Security Enhancement Fund
- resolution supporting S1845 concerning threats to Police K-9 Unites and amending P.L. 1983, c.261

Union County – resolution supporting Assembly Bill No. 2654 authorizing a special Gold Star License Plate providing recognition and comfort to the families of the servicemen and servicewomen who have lost their lives fight for our country

Shirlee Manahan – letter expressing concern regarding the OPMA compliance of resolution for closed session meetings

Carney's Point Township – letter requesting a meeting regarding the new County responsibilities under Water Quality Planning Rules

Pennsville Township – resolution memorializing their opposition to the deposit of dredged materials from the Delaware River within the confines of Pennsville Township

Upper Pittsgrove Township – resolution encouraging Atlantic City Electric Company to relocate transmission lines underground along State Highway 77

Jennifer Coombs – Stop the Poles Committee – two pieces of correspondence:

- letter to Victor Fortkiewica, Executive Director, Board of Public Utilities – letter of concern regarding the poor planning by Atlantic City Electric of the Orchard Substation in Upper Pittsgrove Township as well as other issues
- letter of thanks to Director Ware of the recent tour of he Atlantic City Electric Company Orchard substation under construction in Upper Pittsgrove Township and voicing concerns of the residents relating to the steel poles being erected in the community

Wanda Casper, Salem County resident – letter of appreciation of the programs and help given to the disabled that the Office of the Disabled has to offer

#### **DEPARTMENT REPORTS**

2007 Annual Report

Prosecutor's Office

For the Months of January through July

Community Bus Service (Transit)

For the Month of June

Office of the Disabled

Emergency Services

For the Month of July

Adjuster

Emergency Services

Weights & Measures

**COMMITTEE/COMMISSION MINUTES**

Community College board of Trustees June 12<sup>th</sup> Minutes  
Court Security Committee August 7<sup>th</sup> Minutes  
Public Services Committee August Update  
Revolving Loan Fund Loan Board July 8<sup>th</sup> Minutes  
Tourism Advisory Council July 15<sup>th</sup> Minutes

Motion was made by Deputy Director Lindenmuth to accept and file the correspondence, departmental reports, and the committee and commission reports and be made a part of the Minutes. The motion was seconded by Freeholder Timberman. The motion was carried by a hand vote of 7/0.

Motion was made by Deputy Director Lindenmuth that all Bills and Claims, when properly signed and audited, be paid and charged to their respective accounts. The motion was seconded by Freeholders Timberman. The motion was carried by a hand vote of 7/0.

Motion was made by Deputy Director Lindenmuth that the Treasurer's Report be received and filed, subject to audit, and that a copy be made available to the public, upon request, for its review. Freeholder Timberman seconded his motion. The motion carried a hand vote of 7/0.

Director Ware stated that if no Freeholder objected, the resolutions would be read in bulk.

R. 2008-381

ADMINISTRATIVE

RESOLUTION ENCOURAGING THE ATLANTIC CITY ELECTRIC COMPANY  
TO MAKE CONCESSIONS CONCERNING THE INSTALLATION OF UTILITY POLES  
IN UPPER PITTSBORO TOWNSHIP IN THE COUNTY OF SALEM

R. 2008-382

ADMINISTRATIVE

RESOLUTION REQUESTING THE NEW JERSEY STATE LEGISLATURE  
MAKE NECESSARY AMENDMENTS TO N.J.S. 48:7-1 (UTILITY RIGHT-OF-WAY)  
ALLOWING ADDITIONAL COUNTY OVERSIGHT

R. 2008-383

ADMINISTRATIVE

RESOLUTION AUTHORIZING RELEASE OF EXECUTIVE SESSION MINUTES  
COUNTY OF SALEM

R. 2008-384

ADMINISTRATIVE

RESOLUTION RESCINDING RESOLUTION #2008-333 FOR THE  
INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET PURSUANT TO  
R.S. 40A:4-87, CHAPTER 159, P.L. 1948

R. 2008-385

ADMINISTRATIVE

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE  
IN THE BUDGET PURSUANT TO R.S. 40A:4-87, CHAPTER 159, P.L. 1948  
(\$15,000 – Emergency Management Performance Grant)

R. 2008-386  
ADMINISTRATIVE  
RESOLUTION CHANGING CUSTODIAN OF FUNDS OF ESTABLISHED PETTY CASH FUNDS  
AND CANCELING SALEM COUNTY NURSING & CONVALESCENT HOME PETTY CASH FUND

R. 2008-387  
ADMINISTRATIVE  
RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR PROVIDING  
DEDICATED VOICE AND INTERNET SERVICES FOR THE COUNTY OF SALEM

R. 2008-388  
ADMINISTRATIVE  
RESOLUTION RESCINDING A RESOLUTION OF A  
CANCELLED PROFESSIONAL SERVICES CONTRACT  
(Computer Environment Solutions, L.L.C. – Surrogate's Office)

R. 2008-389  
ADMINISTRATIVE  
RESOLUTION AMENDING THE  
SALEM COUNTY PERSONNEL POLICY AND PROCEDURES MANUAL  
TO CLARIFY THE METHODOLOGY FOR DISCIPLINE OR REMOVAL OF APPOINTED OFFICIALS

Deputy Director Lindenmuth moved for adoption of these nine resolutions, with Freeholder Timberman seconding his motion. On discussion, Deputy Director Lindenmuth commented on Resolution No. 2008-381 and 2008-382 stating that the Freeholders are in unanimous agreement that together we urge Atlantic City Electric Company to comply with our requests. As there was no further discussion, the motion for adoption of the foregoing resolutions carried a hand vote of 7/0.

Deputy Director Lindenmuth then moved to table Resolution No. 2008-411, with Freeholder Timberman seconding his motion. On roll call, the motion carried a hand vote of 7/0.

R. 2008-390  
FINANCE  
RESOLUTION APPOINTING A TEMPORARY CHIEF FINANCIAL OFFICER  
FOR THE COUNTY OF SALEM  
(Doug Wright)

R. 2008-391  
FINANCE  
RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE  
IN THE BUDGET PURSUANT TO NJSA 40A;4-87, CHAPTER 159, P.L. 1948  
(\$11,326 – Work First New Jersey (WFNJ) Funds TANF-Work Verification)

R. 2008-392  
FINANCE  
FINANCE RESOLUTION CANCELLATION OF CHECK

R. 2008-393  
FINANCE  
FINANCE RESOLUTION CANCELLATION OF CHECK

R. 2008-394  
FINANCE  
FINANCE RESOLUTION CANCELLATION OF CHECK

Freeholder Sullivan moved for adoption of these five resolutions, with Freeholder Hogan seconding his motion. On discussion, Clerk of the Board Gage commented that CFO candidate Doug Wright was in the public. He stood and was acknowledged by the Freeholders. As there was no discussion, the motion for adoption of the foregoing resolutions carried a hand vote of 7/0.

R. 2008-395

HEALTH & SOCIAL SERVICES

RESOLUTION AUTHORIZING AN AGREEMENT WITH  
NJ TRANSIT CORPORATION AND THE US DEPARTMENT OF TRANSPORTATION,  
CFDA 20.509 FOR SECTION 5311

R. 2008-396

HEALTH & SOCIAL SERVICES

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE  
IN THE BUDGET PURSUANT TO R.S. 40A:4-87, CHAPTER 159, P.L. 1948  
(\$65,000 – NJ Cancer Comprehensive Cancer Control Plan)

R. 2008-397

HEALTH & SOCIAL SERVICES

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE  
IN THE BUDGET PURSUANT TO R.S. 40A:4-87, CHAPTER 159, P.L. 1948  
(\$38,000 – Case Management)

R. 2008-398

HEALTH & SOCIAL SERVICES

RESOLUTION SUPPORTING A REVISED FUNDING PERCENTAGE FOR THE  
SENIOR CITIZENS AND DISABLED RESIDENT TRANSPORTATION ASSISTANCE PROGRAM  
(SCADRTAP) IN REFERENCE TO ASSEMBLY BILL 2046 AND SENATE BILL 1830

Freeholder Hogan moved for adoption of these four resolutions, with Freeholder Timberman seconding his motion. As there was no discussion, the motion for adoption of the foregoing resolutions carried by a hand vote of 7/0.

R. 2008-399

PLANNING & TRANSPORTATION

RESOLUTION AWARDED A CONTRACT FOR COMPLETION OF THE  
SALEM COUNTY HUMAN SERVICE'S TRANSPORTATION PLAN IMPLEMENTATION STUDY

R. 2008-400

PLANNING & TRANSPORTATION

RESOLUTION AMENDING RESOLUTION NO. 2008-363 AUTHORIZING A  
\$250,000 TOWN CENTER REVITALIZATION LOAN

Freeholder Timberman moved for adoption of these two resolutions, with Deputy Director Lindenmuth seconding her motion. As there was no discussion, the motion for adoption of the foregoing resolutions carried by a hand vote of 7/0.

R. 2008-401  
PUBLIC WORKS

RESOLUTION TO APPROVE APPLICATION FOR  
MOTORIST SOLICITATION PURSUANT TO RESOLUTION NO. 98-115  
(Willow Grove Fire Department)

R. 2008-402  
PUBLIC WORKS

RESOLUTION APPROVING CHANGE ORDER #1 FOR THE RECONSTRUCTION OF  
CANTON DRAIN BRIDGE, COUNTY BRIDGE #1701364 FOR THE COUNTY OF SALEM

R. 2008-403  
PUBLIC WORKS

RESOLUTION PROHIBITING NORMAL TRAFFIC SOUTH MAIN STREET, COUNTY ROAD #672  
IN THE BOROUGH OF WOODSTOWN, COUNTY OF SALEM

R. 2008-404  
PUBLIC WORKS

RESOLUTION AWARDING A CONTRACT FOR PROVIDING PLUMBING REPAIR SERVICES  
FOR THE COUNTY OF SALEM  
(\$31,090 – Falasca Mechanical, Inc.)

R. 2008-405  
PUBLIC WORKS

RESOLUTION AWARDING A CONTRACT FOR SUPPLYING AND DELIVERING  
ONE (1) NEW XL 3100 III 4X4 GRADALL EXCAVATOR (OR EQUIVALENT)  
FOR THE COUNTY OF SALEM  
(\$268,460 – Elliott & Franz, Inc.)

R. 2008-406  
PUBLIC WORKS

RESOLUTION RENEWING A CONTRACT TO  
FURNISH, INSTALL, SUPPLY AND SERVICE VENDING MACHINES  
FOR THE COUNTY OF SALEM  
(Four M Vending Service)

R. 2008-407  
PUBLIC WORKS

RESOLUTION AWARDING A CONTRACT TO CONCORDE GROUP, INC. OF MEDIA, PA.  
FOR RECORDS INVENTORY CONTINUATION, REORGANIZATION AND PURGING  
FOR SALEM COUNTY MUNICIPAL AND COUNTY GOVERNMENTS

R. 2008-408  
PUBLIC WORKS

RESOLUTION CREATING THE POSITION OF  
DEPUTY DIRECTOR OF PUBLIC WORKS/FACILITIES (DIVISION HEAD)

R. 2008-409  
PUBLIC WORKS

RESOLUTION APPOINTING A  
DEPUTY DIRECTOR OF PUBLIC WORKS/FACILITIES (DIVISION HEAD)  
FOR THE COUNTY OF SALEM  
(Edwin Masker)

Freeholder Bobbitt moved for adoption of these nine resolutions, with Freeholder Acton seconding his motion. Director Ware introduced Ed Masker who was in the public, and was acknowledged by the Freeholders. As there was no further discussion, the motion for adoption of the foregoing resolutions carried a hand vote of 7/0.

Under Unfinished Business, Deputy Director Lindenmuth commented on the upcoming shared services task force meeting that will be held August 27<sup>th</sup>. As ongoing talks center on the Special Services School district and the Vo-Tech school.

Under the public portion of the meeting, John Coombs thanked the Freeholders for all of their work involving the Stop the Poles efforts in Upper Pittsgrove Township

Tom Gant was recognized next and stated and also thanked the Freeholders for taking such a positive interest in the Pole issue.

R. 2008-410  
ADMINISTRATIVE

RESOLUTION AUTHORIZING EXECUTIVE SESSION  
COUNTY OF SALEM

Deputy Director Lindenmuth moved for adoption of this resolution, with Freeholder Timberman seconding his motion. As there was no discussion, the motion for adoption of the foregoing resolution carried a hand vote of 7/0. The Freeholders went into Closed Session at 4:46 PM. At 5:25 the Freeholders emerged from Closed Session. Deputy Director Lindenmuth moved to re open the meeting to the public, seconded by Freeholder Timberman, carried by voice vote 7/0.

The Freeholders came out of Closed Session and handled the following business:

R. 2008-411  
ADMINISTRATIVE

RESOLUTION AUTHORIZING THE TRANSFER OF A  
PORTION OF BLOCK 29, LOT 6.05 IN OLDMANS TOWNSHIP TO THE  
CARNEY'S POINT TOWNSHIP SEWERAGE AUTHORITY

Deputy Director Lindenmuth moved for adoption of this resolution, which was seconded by Freeholder Timberman. On roll call, the motion for adoption of the foregoing resolution carried a hand vote of 7/0.

Deputy Director Lindenmuth made a motion to defer the uncollected public space tax, which was recently billed in error to a number of municipalities, until 2009, thereby allowing municipalities that had already sent their tax bills to collect the printed rate thus saving them the cost of re-printing their tax bills this year. The motion was seconded by Freeholder Timberman, and carried a hand vote of 6/1, Freeholder Acton voting no.

Motion to adjourn was made by Deputy Director Lindenmuth, which was seconded by Freeholder Timberman. All were in favor and the meeting adjourned.

Respectively submitted,  
Earl R. Gage  
Clerk of the Board