# SALEM COUNTY BOARD OF CHOSEN FREEHOLDERS SEPTEMBER 5, 2012 MEETING MINUTES

The meeting was called to order by Director Acton: Pledge of Allegiance was followed by prayer offered by Freeholder Deputy Director Laury.

Director Acton stated that adequate notice pursuant to the Open Public Meetings Act has been given of this meeting.

On Roll Call, the following Freeholders were present: Deputy Director Laury, Freeholders Cross, Vanderslice, Ware, Bobbitt, Timberman and Acton.

Motion was made by Deputy Director Laury to dispense with the reading of the minutes of the August 15, 2012 Workshop and Regular meetings. Minutes be received, approved and recorded in the Minute Book, seconded by Freeholder Vanderslice, and carried 7/0.

# **SPECIAL RECOGNITIONS**

Armand Basualdo with a proclamation by Deputy Director Laury.

Deputy Director Laury acknowledge a school teacher from Salem who turned 100 years old on August 3<sup>rd</sup> and she's now in Merion Gardens and that would be Doris Margerum she was a teacher in Salem School System.

#### SPECIAL PRESENTATION

Director Acton "the Sheriff's Department had a Civilian Police Academy and they had a graduation today but on the Police academy what they covered were eight different weeks. They toured the Administration Building, the Courthouse and then they did some patrol responsibilities and practices they did some forensic and crime scene investigation, like a CSI, firearm safety and range demo, drug investigation, they had the K9's, they had a neighborhood watch and computer crimes and then they toured the jail and communications center. One individual wasn't able to make graduation and I would like to present her with her certificate. Ms. Pat Craven. So the community's a much safer place with all these 35 graduates of this academy."

# **CORRESPONDENCE**

#### GENERAL

Jennifer LeBaron, Ph. D., Juvenile Justice Commission, CY 2011 fiscal close out

Joan M. Baillie, President Salem Community College, second request for reimbursement of expenses to the Chapter 12 funding

Philip J. Passanante, Atlantic City Electric, notice of filing and public hearing in the matter of the provision of basic generation service for the period beginning June 1, 2013 BPU Docket No. ER12060485

Carolyn Heckman, South Jersey Healthcare, 2011 annual report

County of Mercer, Resolution Mercer County Board of Chosen Freeholders supports H.R. 1746 the Community Access Preservation Act (The Cap Act)

Motion was made by Deputy Director Laury 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 Cross. The motion was carried by a hand vote of 7/0.

## **DEPARTMENT REPORTS**

# **COMMITTEE/COMMISSION MINUTES**

# **PAYMENT OF BILLS & CLAIMS**

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

Motion was made by Deputy Director Laury 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 Vanderslice seconded his motion. The motion carried a hand vote of 7/0.

Resolutions were read in bulk.

# ADMINISTRATIVE COMMITTEE - Acton, Vanderslice, Ware

R. 2012-407

**ADMINISTRATIVE** 

RESOLUTION AUTHORIZING INSERVCO INSURANCE SERVICES INC. TO ACT ON BEHALF OF THE COUNTY OF SALEM IN MATTERS OF LITIGATION, COORDINATION AND PAYMENT OF DEFENSE COUNSEL FOR EXISTING LITIGATION INVOLVING THE COUNTY OF SALEM

R. 2012-408

**ADMINISTRATIVE** 

RESOLUTION AUTHORIZING THE COUNTY OF SALEM TO ENTER INTO AN AGREEMENT WITH THE SOUTH JERSEY PORT CORP FOR THE ACCEPTANCE AND ADMINISTRATION OF THE TIGER III SOUTHERN NEW JERSEY REGIONAL INTERMODAL RAIL/PORT IMPROVEMENT PROGRAM

R. 2012-409

**ADMINISTRATIVE** 

AUTHORIZING DISPOSAL OF SURPLUS PROPERTY

R. 2012-410

**ADMINISTRATIVE** 

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 (\$193,853 – SECTION 5311 GRANT)

R. 2012-411

**ADMINISTRATIVE** 

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 (\$13,000 – VETERANS NON-EMERGENCY MEDICAL TRANSPORTATION)

Freeholder Vanderslice moved for the adoption of these five resolutions, with Freeholder Ware seconding his motion. As there was no discussion, the motion for adoption of the foregoing resolutions carried a hand vote of 7/0.

#### **HEALTH COMMITTEE** – Bobbitt, Cross, Acton

R. 2012-412

**HEALTH** 

RESOLUTION AUTHORIZING LETTER OF AGREEMENT BETWEEN THE SALEM COUNTY HEALTH DEPARTMENT AND CENTER FOR DIAGNOSTIC IMAGING, FAMCARE, INC., GENITO-URINARY ASSOCIATES, IQBAL & KHAN SURGICAL ASSOCIATES, PENNSVILLE RADIOLOGY, SALEM MEDICAL PROFESSIONALS, REGIONAL DIAGNOSTIC IMAGING, SOUTH JERSEY HOSPITAL, SOUTHERN REGIONAL PATHOLOGY (\$2,600 - CENTER FOR DIAGNOSTIC IMAGING; \$17,500 - FAMCARE; \$1,250 - GENITO-URINARY ASSOCIATES; \$7,000 - IQBAL & KHAN SURGICAL ASSOCIATES; \$9,098 - PENNSVILLE RADIOLOGY; \$11,450 - REGIONAL DIAGNOSTIC IMAGING; \$700 - SALEM MEDICAL PROFESSIONALS; \$17,500 - SOUTH JERSEY HOSPITAL; \$1,000 - SOUTHERN REGIONAL PATHOLOGY)

Freeholder Bobbitt moved for the 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.

# **SOCIAL SERVICES COMMITTEE** – Timberman, Bobbitt, Laury

R. 2012-413

SOCIAL SERVICES

RESOLUTION AUTHORIZING A MODIFICATION TO EXTEND THE CONTRACT WITH NJ TRANSIT, FOR SECTION 5317 - NEW FREEDOM

Freeholder Timberman moved for the adoption of this resolution, with Deputy Director Laury seconding her motion. As there was no discussion, the motion for adoption of the foregoing resolution carried a hand vote of 7/0.

## **PUBLIC SAFETY COMMITTEE** – Cross, Vanderslice, Timberman

R. 2012-414

**PUBLIC SAFETY** 

RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT WITH PSEG NUCLEAR FOR THE USE OF THEIR FIREARMS TRAINING RANGE FOR PROFESSIONAL LAW ENFORCEMENT **TRAINING** 

R. 2012-415

**PUBLIC SAFETY** 

RESOLUTION FOR A SHARED SERVICE AGREEMENT BETWEEN THE COUNTY OF SALEM. THE SALEM COUNTY CORRECTIONAL FACILITY AND THE COUNTY OF GLOUCESTER

R. 2012-416

**PUBLIC SAFETY** 

RESOLUTION AWARDING A CONTRACT FOR PROVIDING DROP-IN FLOOR FOR WALK-IN FREEZER AND VARIOUS REPAIRS TO FREEZER AND WALK-IN REFRIGERATORS AT SALEM COUNTY CORRECTIONAL FACILITY (\$20,000 - SERVICE PORT REFRIGERATION CO.)

R. 2012-417 **PUBLIC SAFETY** 

> RESOLUTION AUTHORIZING CONTRACT FOR EXTRA-ORDINARY UNSPECIFIABLE SERVICES FOR THE SALEM COUNTY PROSECUTOR'S OFFICE (\$4,000 - ERIN MERRYN OF EDUCATION SPEAKERS AGENCY, INC.)

Solicitor Ross Levitsky I think Freeholder Cross even though it's so tangential non the less since you're employed by PSEG you should probably abstain from number 8."

Freeholder Cross "thank you I was going to do that under discussion and let you know that I was going to be abstaining from number 8."

Freeholder Timberman moved for the adoption of resolution R. 2012-414, with Deputy Director Laury seconding her motion. As there was no discussion, the motion for adoption of the foregoing resolution carried a hand vote of 6/0/1 with Freeholder Cross abstaining.

Freeholder Cross moved for the adoption of resolutions R. 2012-415 thru R. 2012-417, with Freeholder Bobbitt seconding his motion. As there was no discussion, the motion for adoption of the foregoing resolutions carried a hand vote of 7/0.

#### PUBLIC WORKS COMMITTEE - Laury, Ware, Cross

R. 2012-418

**PUBLIC WORKS** 

RESOLUTION PROHIBITING NORMAL TRAFFIC, SOUTH RAILROAD AVENUE. COUNTY ROAD #602 IN OLDMANS TOWNSHIP, SALEM COUNTY

R. 2012-419 **PUBLIC WORKS** 

> RESOLUTION APPROVING APPLICATION FOR 2012 HISTORIC SITE MANAGEMENT GRANT FOR THE INSANE ASYLUM

R. 2012-420 PUBLIC WORKS

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE REPLACEMENT OF HOUSES MILL POND BRIDGE, COUNTY BRIDGE #1701-003 ON TELEGRAPH ROAD, COUNTY ROAD #540 IN ALLOWAY TOWNSHIP FOR THE COUNTY OF SALEM

R. 2012-421 PUBLIC WORKS

RESOLUTION APPROVING AMENDMENT "A" FOR PROFESSIONAL ENGINEERING SERVICES CONTRACT FOR THE COUNTY OF SALEM (\$7,250.00 – REMINGTON & VERNICK ENGINEERS & AFFILIATES, INC.)

R. 2012-422 PUBLIC WORKS

RESOLUTION APPROVING AN AGREEMENT PURSUANT TO THE UNIFORM SHARED SERVICES ACT WITH THE TOWNSHIP OF ALLOWAY FOR AN ENGINEERING ESTIMATE FOR THE DECOMMISSIONING OF COBBS MILL DAM

R. 2012-423 PUBLIC WORKS

RESOLUTION APPROVING AN AGREEMENT PURSUANT TO THE UNIFORM SHARED SERVICES ACT WITH THE TOWNSHIP OF ALLOWAY FOR THE INSTALLATION OF AN ADDITIONAL TWO (2) APPROACH IMAGE DETECTION SYSTEM

Deputy Director Laury moved for the adoption of these six resolutions, with Freeholder Ware seconding his motion.

Freeholder Bobbitt "Freeholder Laury this resolution 18 could you explain to us what that is."

Deputy Director Laury "resolution 18 what that is we had the workshop our discussion where we're providing it's actually a shared service between Alloway and the County for sharing the cost of putting cameras up to the traffic light in town in Alloway it will be read in both directions until you approach it until which time it will turn green."

Freeholder Bobbitt "so right now you only got cameras on the right?"

Deputy Director Laury "right now Greenwich Road people will fly through there we have a custard stand that people shop people cross the street that light stays green unless the traffic goes in the other direction. This has been requested through a resolution from Alloway's Board approved by the Public Works now it's in front of the Freeholder Board.

As there was no further discussion, the motion for adoption of the foregoing resolution carried a hand vote of 7/0.

# **OLD BUSINESS**

Freeholder Ware "through the Chair I would like to ask Freeholder Cross who's worked very hard on shared services and dispatching services in Salem County. Salem City is going through some rough times right now like we are like challenging times they are our county seat they are our first responders we've been sharing services with them for 10 years and I realize talking about specific numbers are closed session material as far as contracts and everything could we discuss this in closed session and possibly by the next freeholder meeting have a resolution to take this to fruition?"

Freeholder Cross "right now that the proposal is in the hands of the negotiating team with Salem City as a part of a branch of their Admin Committee I haven't heard anything back but if willing to talk about in closed session as part of negotiations that's fine."

Director Acton "I see we do have a couple of sitting council people we have Ed Segrest who is Woodstown Borough Council. Ed thank you for coming and we have Council President Karen Tuthill

thank you for coming and Mr. Washington councilman thank you for being here and Mr. Bob Leonard thank you for being here."

#### **PUBLIC ANNOUNCEMENTS**

Deputy Director Laury "we have five members of the Salem County Waterways Advisory Board which will again be meeting this month and you will be getting Mr. Bomba and Mr. Wieting will be getting an email or contact of setting up the meeting we've got some exciting things to talk about we've got that grant we're moving ahead with and we will be getting back in the swing of things now that it's September."

Freeholder Vanderslice "I have something under new business I've been working closely with the CFO and I've commended him a number of times over the course of the last few weeks on some of the things that he has done and just one of those I think that we need to clarify publicly and that is in the discussion with the joint meeting between the Freeholder Board and the Salem County Improvement Authority it was said that we would have to pay the \$40,000 in order to get the 1.1 million and the CFO said that wasn't true and there was some argument going back and forth and the reality of it is according to the State of New Jersey DLGS in fact our CFO was correct. They have no right to hold up the 1.1 million as they wait for the \$40,000. So I just wanted to point out that our CFO was correct in his defense of the County of Salem so I thank him for that."

Director Acton "Thank you CFO"

## **PUBLIC COMMENT**

Anyone wishing to speak please speak clearly and state your name and address for the record.

Each speaker will have **TWO MINUTES** to speak. The Clerk of the Board (COB) will keep track of the time for each speaker. When there are 30 seconds remaining, the COB will say, "30 seconds. When your two minutes are up, the COB will say, "TIME FOR SPEAKER". When you hear, "TIME FOR SPEAKER", please conclude your remarks. When addressing questions concerning personnel issues with the County of Salem no names will be used at any time. Your adherence to this procedure will be greatly appreciated.

The Public Comment section will be limited to no more than 45 minutes. Our County Administrator will keep track of the time for Public Comment.

Joe Rappa, Newak, DE "political activist in Salem and Gloucester County's. I'm following a situation on the internet in regard to a sexual harassment accusation brought against a former freeholder present Democratic freeholder candidate. I know that an OPRA request was submitted for any and all paperwork but it's very vague as to whether the records even exist and my question is do they exist or were they destroyed and who destroyed them and why?"

Solicitor Ross Levitsky "I don't know what the answer to that is but I do know there was an OPRA request and there was a response to it but I feel that you as Director if you feel this is improper for discussion at the meeting tonight you can rule it out of order and move to somebody else."

Director Acton "I guess it would be out of order. Is it out of order or am I violating any of his amendments."

Solicitor Ross Levitsky "strictly public portion is in not mandated by statute it is something that you do and you can control it anyway you see fit. If you don't think this is the proper forum for this type of discussion."

Joe Rappa "well what is the proper forum?"

Solicitor Ross Levitsky "if you have a specific question about an OPRA request you could contact Mr. Gage outside."

Joe Rappa "he's sitting right there why won't he answer the question?"

Solicitor Ross Levitsky "I think the Director's saying it's not something for this public comment"

Joe Rappa "I think Mr. Gage told the Director it's not proper and you told the Director that it's not proper for this public forum."

Solicitor Ross Levitsky "and then she makes the final decision."

Joe Rappa "but if you've got a candidate and a former Freeholder that's accused of sexual harassment don't' you think the people have a right to know?

Director Acton "and Mr. Rappa I think it would be best if you contact Mr. Gage who is our Clerk of the Board and he handles our OPRA's"

Joe Rappa "I'll get the same run around like I got in the OPRA request vague."

Director Acton "We don't get, we don't know who OPRA's what or anything it's handled by his office."

Joe Rappa "and it was handled poorly because it was vague and the question's weren't really answered. It's simple it's a public record."

Solicitor Ross Levitsky "if you're dissatisfied with the response the statue has a procedure that you can go through."

Joe Rappa "yeah and I did that in the 80's when another situation arouse where an engineer accused a Democratic candidate chairman of soliciting a bribe took it to court took me two years to get paperwork and by that time it was a mute point so is this another one of those cover-up type of situations where certain members are killing this thing so it doesn't get out into the public?"

Director Acton "we'll take it up with the Admin Committee and thank you so much for coming and for your time.

R. 2012-424 ADMINISTRATIVE

# RESOLUTION AUTHORIZING THE EXCLUSION OF THE PUBLIC FROM A MEETING OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF SALEM

Deputy Director Laury moved for the adoption of this resolution for contract negations specifically Salem City for dispatch services, with Freeholder Vanderslice seconding his motion. As there was no discussion, the motion for adoption of the foregoing resolution carried a hand vote of 7/0 at 7:47 p.m.

# Salem County Board of Chosen Freeholders Executive Session Minutes September 5, 2012

The meeting was called to order by Director Acton at 8:00 PM

The stated purpose of the meeting is to discuss the contract for dispatch services between the County and the City of Salem.

Freeholders Present: Dept. Director Laury, Cross, Vanderslice, Bobbitt, Timberman, Ware, Director Acton. Solicitor Ross Levitsky, CFO Wright, Administrator Ford, Clerk Gage.

The Freeholders discussed the proposed contract for the above noted services. In 2011 the contract expired and the City was paying \$130,000 per year. Negotiations became stalled and no contract exits to date although the County is continuing to provide the service. It was decided to offer the services for 2012 at a cost of with a new contract to be negotiated for 2013.

Deputy Director Laury made a motion to come out of Executive session, second by Freeholder Vanderslice, motion carried at 8:20 PM.

Deputy Director Laury made a motion to adjourn the Freeholder meeting, second by Freeholder Timberman, carried 7/0 at 8:20 PM.

Respectively submitted,

Earl R. Gage Clerk of the Board