

Regular Meeting  
Mount Holly, New Jersey

1 A Regular Meeting of the Board of Chosen Freeholders of the County of Burlington was held in the Board Room, Burlington County Office Building, Mount Holly, New Jersey, on Wednesday, February 25, 2009, at 7:00 P.M. The meeting was opened with the flag salute and prayer by the Clerk.

The Public Announcement was read in compliance with the Sunshine Law.

2 ROLL CALL.

On roll call those answering to their names were: Freeholders Christopher J. Brown, Mary Anne Reinhart, James K. Wujcik and Freeholder Director Joseph Donnelly. Freeholder William S. Haines, Jr. was absent.

3 OFFICIALS.

Officials in attendance were: County Solicitor Nelson, Treasurer Hannigan, County Engineer Jaggard, Supervisor of Roads Some, Human Resources Director Hornickel, Director of Office on Aging Borkowski, Resource Conservation Director Robbie, Public Health Coordinator Gogats, Supervising Administrative Analyst Stewart, and Public Information Officer Shrom and Assistant Public Information Officer O'Donnell.

4 APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING OF FEBRUARY 11, 2009 AND THE CONFERENCE MINUTES OF FEBRUARY 4, 2009.

It was moved by Mr. Donnelly, seconded by Mr. Wujcik that the minutes be approved. Mr. Brown abstained from all minutes and Mrs. Reinhart noted a correction to the conference minutes of February 4, 2009. Motion carried. Minutes approved.

\*\*\* It was moved by Director Donnelly, seconded by Mr. Wujcik that item numbers 1 through 13 be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 73 through 85 adopted.

5 **RESOLUTION NO. 73** by Director Donnelly, 2009 TEMPORARY CAPITAL BUDGET.

WHEREAS, the need has arisen to introduce a bond ordinance to provide funds for Capital purpose, and;

WHEREAS, the regulations of the Local Finance Board (N.J.A.C. 5:30-4.3(b)) of the Division of Local Government Services, Department of Community Affairs requires that a county adopt a temporary capital budget if a bond ordinance is passed prior to adoption of the Annual Capital Budget, and;

WHEREAS, the ordinance provides a total appropriation as follows:

Description	Total Appropriations	Bonds or Notes	Down Payment From Capital Improvement Fund
Providing for the Design, Construction, Reconstruction and Resurfacing of Various Roadways, Bridges and Drainage Systems, Including Acquisition of Various Right-of-Way Easements Therefor, With the County, and Acquisition of Traffic Signal and Other Capital Equipment	\$9,461,000	\$9,010,000	\$451,000

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Burlington that:

- (1) Providing for the Design, Construction, Reconstruction and Resurfacing of Various Roadways, Bridges and Drainage Systems, Including Acquisition of Various Right-of-Way Easements Therefor, With the County, and Acquisition of Traffic Signal and Other Capital \$9,461,000

Equipment

(2) These projects will be included in the Annual Capital Budget, and

(3) One certified copy be forwarded to the Director of the Division of Local Government Services immediately after passage.

6 **RESOLUTION NO. 74** by Director Donnelly, PAYMENT OF BILLS AND APPROVAL OF MONTHLY REPORT OF REVENUES AND EXPENDITURES.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the bills presented at this meeting as per the detailed list, amounting to \$ 11,601,557.30 and be it the same are hereby approved and passed by the Board, and that the Treasurer for the County of Burlington be and he is hereby authorized and directed to issue county checks in payment of same.

FURTHER RESOLVED, that the Board accepts the Treasurer's monthly report on county revenues and expenditures.

7 **RESOLUTION NO. 75** by Director Donnelly, BOND ORDINANCE NO. 75 - 09 OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE DESIGN, CONSTRUCTION, RECONSTRUCTION AND RESURFACING OF VARIOUS ROADWAYS, BRIDGES AND DRAINAGE SYSTEMS, INCLUDING ACQUISITION OF VARIOUS RIGHT-OF-WAY EASEMENTS THEREFOR, WITHIN THE COUNTY, AND ACQUISITION OF TRAFFIC SIGNAL AND OTHER CAPITAL EQUIPMENT, AND APPROPRIATING \$9,461,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$9,010,000 IN BONDS OR NOTES OF THE COUNTY TO FINANCE THE SAME.

BE IT ORDAINED by the Board of Chosen Freeholders of the County of Burlington, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) pursuant to the provisions of the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey (N.J.S.A. 40A:2-1 et seq.), as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The improvements or purposes described in Section 3(a) of this bond ordinance are hereby authorized to be undertaken by the County of Burlington, New Jersey ("County") as general improvements. For the improvements or purposes described in Section 3(a) hereof, there is hereby appropriated the sum of \$9,461,000, including the sum of \$451,000 as the down payment pursuant to the Local Bond Law. The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes and to meet the \$9,461,000 appropriation, negotiable bonds or notes of the County are hereby authorized to be issued in the principal amount of \$9,010,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes of the County are hereby authorized to be issued in a principal amount not exceeding \$9,010,000 pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued are for the design, construction, reconstruction and resurfacing of various roadways, bridges and drainage systems, including acquisition of various right-of-way easements therefor, within the County, and acquisition of traffic signal and other capital equipment, including all work and materials necessary therefor or incidental thereto, all as more fully described in the County's capital budget and in plans and specifications on file therefor in the County Engineering Department as set forth in the table below.

	Amount
Project I. Various County Road, Bridge and Drainage Improvements:	\$6,246,000
Road Resurfacing for Various County Roadways; Crispin Road Bridge Replacement, Including Pedestrian Path (Lumberton Twp.); Marne Highway/Hartford Road Intersection Improvements, Including New Traffic Signal Equipment (Mt. Laurel Twp.); Bridge and Culvert Improvements (Various Municipalities); and County Roadway Reconstruction and Repair (Various Municipalities).	

Project II. Right-Of-Way Acquisitions for Various County Roads and Bridges: \$1,215,000

Intersection Improvements – Stokes Road/Dixontown Road/Skeet Road (Medford Twp.), Creek Road/Masonville Road (Mt. Laurel Twp.), Elbo Lane/Hartford Road (Mt. Laurel Twp.), Elbo Lane/Moorestown-Mt. Laurel Road (Mt. Laurel Twp.), Marne Highway/Hartford Road (Mt. Laurel Twp.), Church Road/New Freedom Road/Wilkins Station Road (Medford Twp.) and Elbo Lane Curve (Mt. Laurel Twp.); Drainage – Bridgeboro Road (Delran Twp.); Bridges – Bispham Street Bridge (D.4.11) (Mount Holly Twp.); and Culverts – Tuckerton Road Culvert (D5.141) (Medford Twp.).

Project III. Various County Drainage and Bridge Deck Reconstruction Improvements: \$650,000

Guiderail (Various County Roadways); Timber Bridge Deck Repair (Various Bridges); Corrugated Steel Deck Panels (Centerton and Fork Landing Bridges); Structural Steel Repair (Various Bridges); and Various Concrete, Hot Mixed Asphalt, Stone and Pipe Projects.

Project IV. Engineering and Design of Various County Bridge, Drainage and Road Improvements: \$1,350,000

Guiderail Evaluation/Replacement (Countywide); Hot Mixed Asphalt Inspection and Testing; Emergency Bridge/Culvert Engineering Services; Church Road Bridge (D4.47) Replacement (Medford & Southampton Twps.); Appraisal Services (Property Acquisitions & Easements); Title Search Services (Property Acquisitions & Easements); and Environmental Consulting Services (Phase I Reports).

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the County Treasurer; provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the County Treasurer. The County Treasurer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the County Treasurer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1(a). The County Treasurer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The County Treasurer is directed to report, in writing, to the Board of Chosen Freeholders at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the County is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk of the Board of Chosen Freeholders and is available for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not a current expense. They are improvements or purposes the County may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance is 25.21 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk of the Board of Chosen Freeholders and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the County, as defined in the Local Bond Law, is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$9,010,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,665,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the improvements or purposes.

(e) The County reasonably expects to commence the acquisition, construction, renovation and/or equipping of the improvements or purposes described in Section 3(a) hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the County further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any funds from time to time received by the County on account of any grant in aid of financing the improvements or purposes described in Section 3(a) of this bond ordinance or from any other source shall be applied either to direct payment of the cost of the improvements or to payment of the obligations of the County authorized to be issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the County is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy ad valorem taxes upon all the taxable property within the jurisdiction of the County for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the Clerk of the Board of Chosen Freeholders is hereby directed to publish a summary of the bond ordinance, together with the attached notice entitled: "NOTICE OF PENDING BOND ORDINANCE AND SUMMARY" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven (7) days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten (10) days after introduction and first reading). The Clerk of the Board of Chosen Freeholders is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the Board of Chosen Freeholders, the Clerk of the Board of Chosen Freeholders is hereby directed to publish a summary of this bond ordinance, as fully adopted, together with the attached notice entitled: "BOND ORDINANCE STATEMENTS AND SUMMARY" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The County hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this bond ordinance is exempt from the

gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Internal Revenue Code of 1986, as amended ("Code"), and the regulations ("Regulations") promulgated thereunder;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 12. The Board of Chosen Freeholders hereby covenants on behalf of the County to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and bond anticipation notes authorized hereunder as is or may be required under the Code and the Regulations promulgated thereunder, including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 13. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 14. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

8 **RESOLUTION NO. 76** by Director Donnelly, RESOLUTION TO SET THE PUBLIC HEARING FOR THE DESIGN, CONSTRUCTION, RECONSTRUCTION AND RESURFACING OF VARIOUS ROADWAYS, BRIDGES AND DRAINAGE SYSTEMS, INCLUDING ACQUISITION OF VARIOUS RIGHT-OF-WAY EASEMENTS.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the Ordinance entitled, "Bond Ordinance Of the County of Burlington, New Jersey, Providing for the Design, Construction, Reconstruction and Resurfacing of Various Roadways, Bridges, and Drainage Systems, Including Acquisition of Various Right-of-Way Easements therefor, within the County and Acquisition of Traffic Signal and Other Capital Equipment, and Appropriating \$9,461,000 therefor, and Providing for the Issuance of \$9,010,000 in Bonds or Notes of the County to Finance the Same" was introduced on February 23, 2008, and having been read by title only by the County Administrator/Board Clerk, does now pass on first reading, and that said Ordinance be further considered for final passage at the meeting of the said Board to be held on the 11th day of March, 2008 at 11:00 A.M., prevailing time or as soon as this matter can be reached at the regular meeting room of the Board of Chosen Freeholders in the Township of Mount Holly, New Jersey, and that at such time and place all persons interested be given an opportunity to be heard concerning the same, and that the County Administrator/Board Clerk be and he is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading in the Burlington County Times, a legal newspaper published in the County of Burlington.

9 **RESOLUTION NO. 77** by Director Donnelly, AGREEMENT WITH EMERSON REID & COMPANY IN PARTNERSHIP WITH AMERIFLEX, LLC AND UNUM GROUP AS VOLUNTARY BENEFITS PROGRAM ADMINISTRATOR FOR A ONE YEAR TERM SUBJECT TO TWO, ONE YEAR RENEWALS FOR THE ADMINISTRATION OF THE COUNTY'S SEC. 125 CAFETERIA PLAN FOR ELIGIBLE EMPLOYEES FOR THE DEPARTMENT OF HUMAN RESOURCES.

WHEREAS, the Burlington County Board of Chosen Freeholders ("the Board") places the public trust above all else and remains steadfast in its commitment to the highest ethical

standards in the conduct of its business on behalf of the taxpayers of Burlington County; and

WHEREAS, in furtherance of those standards the Board adopted Resolution No. 553 on July 28, 2004 which instituted a competitive quality based, fair and open process for soliciting qualifications and/or proposals for professional services contracts; and

WHEREAS, the Board adopted Resolution No. 17 on January 12, 2005, which established the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, by Resolution No. 35, adopted on January 28, 2009, the Board authorized the Burlington County Department of Human Resources ("BCDHR") to advertise a Request for Qualifications (RFQ) for a qualified voluntary benefits program administrator duly licensed by the State of New Jersey, Department of Banking and Insurance to administer the County's Sec.125 cafeteria plan for eligible employees; and

WHEREAS, a designated review committee within the BCDHR has reviewed and evaluated submissions received in response to the RFQ and has submitted a written report to the Board, advising that Emerson Reid & Company, in partnership with AmeriFlex LLC and Unum Group is qualified to provide such services; and

WHEREAS, the designated review committee negotiated and reached a tentative agreement as to the terms with Emerson Reid & Company in accordance with the RFQ; and

WHEREAS, the designated review committee has submitted its written report to the Board recommending that Emerson Reid & Company be awarded a contract; and

WHEREAS, the Board has come to an agreement with Emerson Reid & Company by which the provider will render their services on the terms and conditions specified in the proposed agreement, which agreement will be effective for the term April 1, 2009 through March 31, 2010, subject to two, one year renewals; and

WHEREAS, the program is entirely dependent upon employee participation for which no County funds are required; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that a contract for administering the County's Sec.125 cafeteria plan for eligible employees is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnessed or attested to in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED, that this contract is awarded pursuant to a fair and open process and as a professional service in accordance with N.J.S.A. 40A:11-5(1)(m) of the Local Public Contracts Law; and, be it

FURTHER RESOLVED that notice of this action shall be printed once in the Burlington County Times within ten (10) days of its passage, as required by N.J.S.A. 40A:11-5(1)(a) (i) of the Local Public Contracts Law.

10 **RESOLUTION NO. 78** by Director Donnelly, CERTIFICATION OF THE POOL OF QUALIFIED ARCHITECTS FOR THE YEARS 2009-2011.

WHEREAS, the Burlington County Board of Chosen Freeholders (hereinafter "Board") places the public trust above all else and remains steadfast in its commitment to the highest ethical standards in the conduct of its business on behalf of the taxpayers of Burlington County; and

WHEREAS, in furtherance of those standards the Board adopted Resolution No. 553 on July 28, 2004 which instituted a competitive quality based, fair and open process for soliciting qualifications and/or proposals for professional services contracts; and

WHEREAS, the Board adopted Resolution No. 17 on January 12, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, the Board has significant recurring needs for one or more professional architects, duly licensed in the State of New Jersey, to provide architectural services; and

WHEREAS, the Board adopted Resolution No. 799 on November 12, 2008, which authorized the public advertisement of a Request for Qualifications (RFQ) to create a pool of qualified architects for the years 2009-2011; and

WHEREAS, on December 29, 2008, RFQ packages for such services submitted to Burlington County were publicly opened; and

WHEREAS, the Review Committee analyzed and evaluated said RFQ submittals, and, pursuant to the attached written report, found the architectural firms listed herein to be qualified and recommends certification of said firms to the list of qualified vendors to provide architectural services, as assigned, for the County of Burlington for the years 2009-2011:

Alaimo  
 ARMM  
 Design Collaborative, The  
 Design Ideas Group  
 Faridy Veisz Fraytak  
 Feitlowitz & Kosten Architects  
 Garrison Architects  
 George J. Donovan & Associates  
 Gibson Tarquini Group, The  
 Gittings Associates Architects  
 GLP Architects, Inc.  
 Lammey & Giorgio  
 McGuffin Associates  
 Musial Group, The  
 Regan, Young, England & Butera  
 Seiler & Drury Architecture  
 Spiezle Group  
 USA Architects  
 Vaughn Collaborative, The  
 Vitetta  
 Wayne Neville, AIA; now, therefore, be it

RESOLVED, on this 25<sup>th</sup> day of February, 2009, by the Burlington County Board of Chosen Freeholders, that the recommended architectural firms listed herein are certified and placed on the Qualified Architectural Firm List for the provision of architectural services, as assigned, for the County of Burlington for the years 2009-2011.

- 11 **RESOLUTION NO. 79** by Director Donnelly, RESOLUTION TO SUPPORT THE DESIGNATION OF ROUTE 295 AS A SCENIC BY-WAY FOR MOUNT LAUREL TOWNSHIP'S GOVERNING BODY AND ANY MUNICIPAL GOVERNING BODY SEEKING STATE SCENIC HIGHWAY DESIGNATION FOR THE PORTION OF ROUTE 295 THAT IS WITHIN ITS BORDERS.

WHEREAS, a road may be considered for designation as a state scenic byway if it (a) is a transportation corridor that has regional significance because of its scenic, natural, recreational, cultural, historic, or archaeological character and (b) represents the uniqueness and diversity of the State with a unifying theme that tells a story about New Jersey's heritage, recreational opportunities, history and beauty; and

WHEREAS, in order for a road to be designated as a scenic byway a sponsor must submit a completed application to the State Scenic Byways Advisory Committee in the New Jersey Department of Transportation; and

WHEREAS, the sponsor is responsible for obtaining approval from the authorities that have jurisdiction over the proposed scenic byway and for establishing and maintaining a Scenic Corridor Committee; and

WHEREAS, the lands on or over which Interstate 295 was built contain farms, open space, forested areas, wetlands and creeks; and

WHEREAS, Interstate 295 gives those travelling on it views of these various characteristics of Burlington County and these vistas increase awareness of the area's unique historic, natural and cultural assets; and

WHEREAS, Interstate 295 traverses Burlington County from mile 36 through 52, crossing or bounding Mount Laurel, Moorestown, Westampton, Burlington, Springfield, Florence, Mansfield and Bordentown Townships; and

WHEREAS, Mount Laurel Township has asked that the Freeholder Board support its application to have that portion of Route 295 within its boundaries designated as a State

Scenic Highway, citing potential benefits of increased tourism, promotion and marketing and planning for protection and managed growth; and

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") is supportive of this designation for the full extent of Route 295 within Burlington County; now, therefore, the Board

RESOLVES as follows:

1. The Board supports the application of Mt. Laurel Township governing body to seek State Scenic Highway designation for Route 295 within its borders.
2. The Board further supports any application by a Burlington County municipal governing body to seek State Scenic Highway designation for the portion of Route 295 that is within its borders.

- 12 **RESOLUTION NO. 80** by Director Donnelly, LOAN AND MORTGAGE APPROVED WITH TWO FIRST TIME HOMEBUYERS FOR THE TOTAL AMOUNT OF \$9,000 EACH PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") has received grant no. M-07-UC-34-0212, from the U.S. Department of Housing and Urban Development pursuant to Home Investment Partnerships Program, which funds are used to make First Time Homebuyer Program loans; and

WHEREAS, the Coordinator of the County's Office of Housing and Community Development has recommended that First Time Homebuyer Program loans, as described below, be made, as the applicants have satisfied the eligibility criteria therefor; and

<u>Applicants</u>	<u>File no.</u>	<u>Loan Amount</u>
Matthew D. DeVito	FTB9-16-04GS	\$9,000.00
Aimee M. Rein	FTB9-18-06GS	\$9,000.00

WHEREAS, there are sufficient monies in account no. 42-0709-051200 to make these loans, as evidenced by the certifications of Burlington County's chief financial officer filed herewith; now, therefore, the Board

RESOLVES as follows:

1. The County's Housing and Community Development Office and County Solicitor are authorized to prepare and record, as appropriate, loan, mortgage and other documents for the above-described cases.
2. Funds for each loan are to be drawn from federal Community Development Program moneys and disbursement is to be made in accordance with County procedures.
3. Upon satisfaction of the conditions of the loan and mortgage the County Administrator and County Solicitor are authorized to prepare, sign and record documents to remove the County's claims and interests of record.

- 13 **RESOLUTION NO. 81** by Director Donnelly, APPROVAL OF A GRANT FOR 1 APPLICANT ELIGIBLE FOR UP TO \$5,000 FOR THE EMERGENCY HEATER REPLACEMENT PROGRAM PURSUANT TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") has received Block Grant #B08-UC-34-0001 from the U.S. Department of Housing and Urban Development, funds from which are used to make grants to eligible Burlington County homeowners to replace inefficient and/or inoperable home heating systems; and

WHEREAS, the Coordinator of the County's Housing and Community Development Office ("HCD Office") has recommended that a Heater Replacement Program grant, as described below, be made as eligible therefor; and

<u>Homeowner</u>	<u>Case no.</u>	<u>Grant Amount</u>
B. Anderson	HRP04-36-38LH	\$5,000.00

WHEREAS, \$5,000.00 is available in account no. 31-0701-052008 to make this grant, as evidenced by the certification of Burlington County's Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES, as follows:

1. The above-described grant is approved.
2. Funds to make the grant shall be drawn from federal Community Development Program moneys.
3. The grant is authorized to be disbursed on (a) the HCD Office's receipt and approval of notification that all conditions of the contract between the grant applicant and his/her heating contractor have been satisfied and (b) County requirements for the processing of payments have been completed.

14 **RESOLUTION NO. 82** by Director Donnelly, LOAN AND MORTGAGE APPROVED FOR FOUR PROPERTY OWNERS FOR A HOME IMPROVEMENT LOANS IN VARIOUS AMOUNTS PURSUANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") BLOCK GRANT ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") has received Block Grant #B-94-UC-34-0001 from the U.S. Department of Housing and Urban Development ("HUD"), funds from which are used to fund the County's home improvement program; and

WHEREAS, the Coordinator of the County's Housing and Community Development Office (the "HCD Office") has recommended that home improvement loans, as described below, be made because the homeowner-applicants satisfy the criteria established for this program and housing code violations of each owner's property can be ameliorated with a loan from the County; and

<u>Owner</u>	<u>Case no.</u>	<u>Rehab Cost</u>	<u>Title Charges</u>
E&B Roberts	34-37-38GS	\$16,930.00	\$175.00
P&D Cutillo	34-40-10GS	\$12,980.00	\$175.00
C. Clue	34-38-38GS	\$19,825.00	\$175.00
M. Redman	34-49-24GS	\$17,510.00	\$175.00

WHEREAS, the Applicants whose loan amounts exceed \$17,500.00 have executed a certification pursuant to N.J.S.A. 19:44A-20.8 and P.L. 2005, Chapter 271, reporting that they did not make any reportable contributions to a political or candidate committee or political contributions, expenditures or other things of value to any political party or political committee in the previous year; and

WHEREAS, funds in the amounts reported above as "Rehab Cost" are available in account no. 31-0705-051285 to fund the housing rehabilitation costs portion of these loans, as evidenced by the certifications of the County's Chief Financial Officer filed herewith, with the balance of each loan amount being a cost separately incurred by the HCD Office for which the borrower is responsible; now, therefore, the Board

RESOLVES, as follows:

1. The above-described loans are approved, funds for which are to be drawn from federal Community Development Program moneys.
2. The HCD Office and County Solicitor are authorized to prepare and record loan, mortgage and other appropriate documents to make this loan and protect the County's interest in being repaid.
3. The HCD Office and County Treasurer are authorized to send interim payments for completed work to the contractor and loan recipient upon (a) the HCD Office's determination that conditions of the contract between the loan applicant and housing contractor have been satisfied and (b) receipt of forms and documents required for the processing of payments.

4. Upon satisfaction of the conditions of the loan the County Administrator and County Solicitor are authorized to prepare, execute and record appropriate documents to cancel documents filed of record.

- 15 **RESOLUTION NO. 83** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR VEHICLES, TANDEM WHEEL MULTI-PURPOSE DUMP TRUCKS FOR THE HIGHWAY DEPARTMENT.

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that the specifications are hereby approved for the following solicitation:

VEHICLES, TANDEM WHEEL MULTI-PURPOSE DUMP TRUCKS FOR  
BURLINGTON COUNTY HIGHWAY DEPARTMENT  
(CPU-09-0011)

And, be it;

RESOLVED that the County Administrator is authorized and directed to advertise for bids on the above proposal, as submitted to and approved by the County Solicitor; and, be it

FURTHER RESOLVED that said bid will be publicly received in the Freeholder's Board Room on Tuesday, March 31, 2009 10:30 a.m. local prevailing time.

- 16 **RESOLUTION NO. 84** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR VEHICLE, SERVICE TRUCK WITH SEVERE DUTY 14' CRANE BODY FOR THE HIGHWAY DEPARTMENT.

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that the specifications are hereby approved for the following solicitation:

VEHICLE, SERVICE TRUCK WITH SEVERE DUTY 14' CRANE BODY FOR  
BURLINGTON COUNTY HIGHWAY DEPARTMENT  
(CPU-09-0013)

And, be it;

RESOLVED that the County Administrator is authorized and directed to advertise for bids on the above proposal, as submitted to and approved by the County Solicitor; and, be it

FURTHER RESOLVED that said bid will be publicly received in the Freeholder's Board Room on Tuesday, March 31, 2009 at 10:30 a.m. local prevailing time.

- 17 **RESOLUTION NO. 85** by Director Donnelly, AUTHORIZATION TO LEASE A PAY TO PRINT SYSTEM IN AN AMOUNT NOT TO EXCEED \$21,376 FOR A 24 MONTH LEASE FROM HIGH TECH ACCESSORY ITEMS, INC. FOR THE COUNTY CLERK'S OFFICE.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has a need to LEASE A PAY TO PRINT SYSTEM for the County Clerk; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6.1, two (2) quotes were solicited for the twenty-four (24) month lease, for the pay to print system; and

WHEREAS, High Tech Accessory Items, Incorporated, 305 Sunset Avenue, PO Box 7654, Rocky Mount, NC 27804 submitted the lowest quote, dated February 4, 2009, for the twenty-four month lease of the PAY TO PRINT SYSTEM, for an amount not to exceed TWENTY-ONE THOUSAND, THREE HUNDRED, SEVENTY-SIX DOLLARS AND 00/100 (\$21,376.00), contract number FAO-09-0001; and

WHEREAS, High Tech Accessory Items, Incorporated has completed and submitted to the County a Business Entity Disclosure Certification pursuant to N.J.S.A. 19:44A-20.8, certifying that it has not made any reportable contributions to a political or candidate committee in the previous year and certifying that it will not make such reportable contributions through the term of the contract; and

WHEREAS, High Tech Accessory Items, Incorporated has completed and submitted a Certification Concerning Political Contributions, pursuant to P.L. 2005, Chapter 271, reporting that it made no political contributions, expenditures or other things of value to any political party or political committee during the twelve months prior to submission of

the Certification and has completed and submitted a Stockholder Disclosure Certification; and

WHEREAS, the cost for the twenty four (24) month LEASE of the PAY TO PRINT SYSTEM, will not exceed TWENTY-ONE THOUSAND, THREE HUNDRED, SEVENTY-SIX DOLLARS AND 00/100 (\$21,376.00); and

WHEREAS, funds are available for this purpose, for an amount not to exceed \$10,688.00 for year one (1) of the lease, in Account No.37-5007-100755 as evidenced by the attached certification of the Burlington County Chief Financial Officer; and

WHEREAS, the Certification of the Availability of Funds, for an amount not to exceed \$10,688.00 for the second year (2) of this lease, will be approved by the Burlington County Chief Financial Officer upon adoption of the 2010 and 2011 temporary and permanent budgets; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that a purchase order be awarded to High Tech Accessory Items, Incorporated, 3505 Sunset Avenue, PO Box 7654, Rocky Mount, NC 27804 for the twenty-four (24) month LEASE of the PAY TO PRINT SYSTEM, for an amount not to exceed TWENTY-ONE THOUSAND, THREE HUNDRED, SEVENTY-SIX DOLLARS AND 00/100 (\$21,376.00), in accordance with the Rules of the Board; and be it

FURTHER RESOLVED that the Chapter 19 Business Disclosure Entity Certification, the Chapter 271 Political Contribution Disclosure Certification and the Stockholder Disclosure Certification be placed on file with this Resolution.

\*\*\* It was moved by Director Donnelly, seconded by Mr. Wujcik that the following item number be approved by unanimous consent. Mrs. Reinhart opposed this item number. Motion carried. Resolution No. 86 adopted.

18 **RESOLUTION NO. 86** by Director Donnelly, APPROVAL TO SUBMIT APPLICATION TO THE ENVIRONMENTAL INFRASTRUCTURE FINANCING PROGRAM IN THE AMOUNT OF \$6,000,000 FOR FINANCIAL ASSISTANCE TO FUND CONSTRUCTION OF NEW WASTEWATER STORAGE TANK AND THE STORMWATER BASIN AT THE COMPOSTING FACILITY FOR THE DIVISION OF SOLID WASTE.

WHEREAS, working in partnership with the New Jersey Department of Environmental Protection ("DEP"), the New Jersey Environmental Infrastructure Trust (the "Trust") provides low-cost financing for the construction of environmental infrastructure projects that enhance and protect ground and surface water resources, ensure the safety of drinking water supplies and make responsible and sustainable economic development possible; and

WHEREAS, in connection with its operation of the Burlington County Resource Recovery Complex the Burlington County Board of Chosen Freeholders ("Board") has determined that new facilities are needed for the management of wastewater and storm water; and

WHEREAS, the Board has determined to apply to DEP and the Trust for a loan in the estimated amount of \$6,000,000.00 to support the construction of a new wastewater storage tank and new storm water basin at the composting facility; now, therefore, the Board

RESOLVES as follows:

1. Completion and submission of the above-described application is approved.
2. County Administrator Augustus M. Mosca shall act as the Authorized Representative to represent the Board in connection with the application.
3. Execution of loan documents, if the application is approved, is authorized in accordance with the Rules of the Board following their review by the County Solicitor.

\*\*\* It was moved by Director Donnelly, seconded by Mr. Wujcik that the following two items be approved by unanimous consent. All in favor. Motion carried. Resolution No. 87 and 88 adopted.

19 **RESOLUTION NO. 87** by Director Donnelly, AGREEMENT WITH OMNI ENVIRONMENTAL LLC IN THE AMOUNT OF \$10,000 FOR THE PREPARATION OF

AN APPLICATION TO THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR RENEWAL OF THE NJPDES PERMIT FOR THE DIVISION OF SOLID WASTE.

WHEREAS, by Resolution No. 996, adopted on December 30, 2008, and through a fair and open process, the Burlington County Board of Chosen Freeholders ("Board") approved certain engineering firms as eligible to provide services to Burlington County for the period 2009 through 2011; and

WHEREAS, the Board needs the assistance of an environmental engineering firm in preparing an application to the New Jersey Department of Environmental Protection ("DEP") to renew the NJPDES discharge to surface water permit for the Resource Recovery Complex; and

WHEREAS, the Board has reviewed and accepted the recommendation of the Director of the Department of Resource Conservation that the Board approve a contract with Omni Environmental LLC, which, by proposal dated February 12, 2009, offered to provide the services needed by the Board for a charge of \$10,000, which services come within the meaning of "professional services" as defined in the Local Public Contracts Law (the "Law"); and

WHEREAS, \$4,900.00 is available in the temporary budget in account no. 75-0713-040309 to partially fund an agreement with this firm for the above-stated amount, as evidenced by the certification of Burlington County's Chief Financial Officer filed herewith, and the balance of the funds are expected to be available upon adoption of the 2009 budget; now therefore, the Board

RESOLVES as follows:

1. The contract described above, approved as to form and substance by the County Administrator and County Solicitor, is approved and its execution in accordance with the Rules of the Board is authorized.
2. This contract is awarded pursuant to a fair and open process and as a professional service.
3. Not more than \$4,900.00 shall be expended for Omni's services unless the County Solicitor and County Administrator have received a certification by the County's Chief Financial Officer confirming that \$5,100.00 in supplemental funds is available for and allocated to this contract.

20 **RESOLUTION NO. 88** by Director Donnelly, RESOLUTION AMENDING RESOLUTION NO. 1028 ADOPTED DECEMBER 30, 2008 CERTIFYING THE POOL OF QUALIFIED FIRMS TO PROVIDE ENERGY CONSULTANT SERVICES FOR THE PERIOD 2009-2011 WHICH LIST WAS INCORRECT AND TO APPROVE THIS CORRECTED LIST TO INCLUDE ALL QUALIFIED FIRMS.

WHEREAS, by Resolution No. 820, adopted on November 12, 2008, the Burlington County Board of Chosen Freeholders ("Board") authorized the issuance of a Request for Qualifications (the "RFQ") for the purpose of establishing a pool of vendors qualified to provide energy consultant services for the period 2009-2011; and

WHEREAS, the review committee evaluated submissions made in response to the RFQ and recommended that firms that had substantially complied with the requirements of the RFQ be approved for a pool of companies deemed qualified to provide energy consultant services to the County; and

WHEREAS, by Resolution no. 1028, adopted on December 30, 2008, the Board certified a pool of firms to provide energy consultant services, which list included names of companies that didn't submit a proposal and omitted companies that should have been named; now, therefore, the Board

RESOLVES as follows:

1. The following companies mistakenly named in Resolution 2008-2011 are removed from the list of companies approved as consultants: Birdsell Engineering, Inc.; Brookside Environmental; Bucharth Horn Inc.; Cherry, Weber & Associates and CME Associates.
2. The following companies mistakenly omitted from Resolution 2008-2011 are approved for the pool of qualified firms to provide energy consultant services to the County of Burlington for the period 2009-2011 and are added to the companies approved for the

list: Concord Engineering; Energy & Resource Solutions; M & E Engineers, Inc.; Paulus, Sokolowski, Sartor; PMK Group; Princeton Energy Solutions; Source One; Steven Winter Associates and The Design Collaborative.

3. The list of companies approved for the pool, pursuant to Resolution no. 2088-2011 and this Resolution are: Camp Dresser & McKee; CMX; Concord Engineering; Energy & Resource Solutions; Gabel Associates; Gloria Spiral Solar; M & E Engineers, Inc.; Paulus, Sokolowski, Sartor; PMK Group; Princeton Energy Solutions; Source One; Steven Winter Associates and The Design Collaborative.

\*\*\* it was moved by Mr. Brown, seconded by Mrs. Reinhart that the following (3) three items be approved by unanimous consent. All in favor. Motion carried. Resolutions 89 through 91 adopted.

21 **RESOLUTION NO. 89** by Mr. Brown, AGREEMENTS WITH THE OFFICE OF THE COURTS FOR SERVICE AGREEMENT NUMBERS 1,2,3 6 AND 8 FOR VARIOUS SERVICES PROVIDED TO THE COURTS.

WHEREAS, in accordance with the provisions of Section 7b of the Judicial Unification Act (P.L. 1993, Chapter 275) the State of New Jersey, through the Administrative Office of the Courts, may enter into the service agreements with individual counties; and

WHEREAS, pursuant to the aforesaid legislation, the Administrative Office of the Courts shall determine those services necessary for the County to provide for the operations of the court; and

WHEREAS, the Administrative Office of the Courts and the Board of Chosen Freeholders of Burlington County are desirous of entering into agreements for the provision of the following services:

- Master Service Agreement No. 1 Mailroom Services
- Master Service Agreement No. 2 Printing Services
- Master Service Agreement No. 3 Telephone Equipment and Services
- Master Service Agreement No. 6 Fuel Services
- Master Service Agreement No. 8 Records Management Services

now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the attached Addenda to Master Service Agreements listed above be and the same hereby are approved, which Addenda shall be for the term July 1, 2008 through June 30, 2009.

22 **RESOLUTION NO. 90** by Mr. Brown, AGREEMENT WITH MOBILEX USA IN THE AMOUNT OF \$6,000 TO PROVIDE RADIOLOGY SERVICES FOR THE DETENTION CENTER AND THE JUVENILE DETENTION CENTER FOR 2009.

WHEREAS, the Burlington County Board of Chosen Freeholders ("the Board") places the public trust above all else and remains steadfast in its commitment to the highest ethical standards in the conduct of its business on behalf of the taxpayers of Burlington County; and

WHEREAS, in furtherance of those standards the Board adopted Resolution No. 553 on July 28, 2004 which instituted a competitive quality based, fair and open process for soliciting qualifications and/or proposals for professional services contracts; and

WHEREAS, the Board adopted Resolution No. 17 on January 12, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, by Resolution No. 792 adopted on October 22, 2008, the Board authorized the Burlington County Detention Center ("BCDC") and the Juvenile Detention Center ("JDC") to advertise a Request for Qualifications (RFQ) seeking qualified radiology service providers duly licensed in the State of New Jersey for the performance of the specified duties for the term of January 1, 2009 through December 31, 2009; and

WHEREAS, Mobilex USA offered to provide the needed services which constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contract Law; and

WHEREAS, the BCDC and JDC received only one response which was from Mobilex USA, with offices at 101 Rock Road, Horsham, PA 19044; and

WHEREAS, a designated review committee within the BCDC and JDC of Burlington County has reviewed and evaluated the submission received in response to the RFQ and has found Mobilex USA properly meets all requirements of the RFQ and is duly qualified; and

WHEREAS, the designated review committee negotiated and reached a tentative agreement as to terms with Mobilex USA, consistent and in accordance with the RFQ; and

WHEREAS, the designated review committee has submitted its written report to the Board recommending that Mobilex USA, be awarded a contract to perform the designated radiology services; and

WHEREAS, the Board and said radiology services provider have come to agreement by which the provider will render its services on the terms and conditions specified in the proposed agreement, which agreement will be effective for the term January 1, 2009 through December 31, 2009 and may be summarized as follows:

<u>Provider</u>	<u>Services</u>	<u>Amount Not to Exceed</u>
Mobilex, USA	Radiology Services	\$6,000.00

; and

WHEREAS, funds are anticipated to be available in the 2009 temporary and permanent budgets and this contract is further subject to certification of funds; and

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the attached agreement for professional services with Mobilex USA, for the term January 1, 2009 through December 31, 2009, is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnesses or attested to in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED, that this contract is awarded pursuant to a fair and open process and as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law; and, be it

FURTHER RESOLVED that notice of this action shall be printed once in the Burlington County Times within ten (10) days of its passage, as required by N.J.S.A. 40A:11-5(1)(a) (i) of the Local Public Contracts Law.

23 **RESOLUTION NO. 91** by Mr. Brown, AGREEMENT WITH ACULABS, INC. IN THE AMOUNT OF \$40,000 TO PROVIDE LABORATORY SERVICES FOR THE DETENTION CENTER AND THE JUVENILE DETENTION CENTER FOR 2009.

WHEREAS, the Burlington County Board of Chosen Freeholders ("the Board") places the public trust above all else and remains steadfast in its commitment to the highest ethical standards in the conduct of its business on behalf of the taxpayers of Burlington County; and

WHEREAS, in furtherance of those standards the Board adopted Resolution No. 553 on July 28, 2004 which instituted a competitive quality based, fair and open process for soliciting qualifications and/or proposals for professional services contracts; and

WHEREAS, the Board adopted Resolution No. 17 on January 12, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, by Resolution No, 791 adopted on October 22 2008, the Board authorized the Burlington County Detention Center ("BCDC") and the Juvenile Detention Center ("JDC") to advertise a Request for Qualifications (RFQ) seeking qualified medical laboratory service providers for the performance of the specified duties for the term of January 1, 2009 through December 31, 2009; and

WHEREAS, Aculabs Inc. offered to provide the needed services which constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contract Law; and

WHEREAS, the BCDC and JDC received only one response which was from Aculabs Inc., with offices at 2 Kennedy Boulevard, East Brunswick, NJ 08816-1248; and

WHEREAS, a designated review committee within the BCDC and JDC has reviewed and evaluated the submission received in response to the RFQ and has found Aculabs Inc. properly meets all requirements of the RFQ and is duly qualified; and

WHEREAS, the designated review committee negotiated and reached a tentative agreement as to terms with Aculabs Inc, consistent and in accordance with the RFQ; and

WHEREAS, the designated review committee has submitted its written report to the Board recommending that Aculabs Inc, be awarded a contract to perform the designated medical laboratory services; and

WHEREAS, the Board and said medical laboratory services organization have come to agreement by which the provider will render its services on the terms and conditions specified in the proposed agreement, which agreement will be effective for the term January 1, 2009 through December 31, 2009 and may be summarized as follows:

<u>Provider</u>	<u>Services</u>	<u>Amount Not to Exceed</u>
Aculabs, Inc.	Laboratory Services	\$40,000.00

; and

WHEREAS, funds are anticipated to be available in the 2009 temporary and permanent budgets and this contract is further subject to certification of funds; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the attached agreement for professional services with Aculabs Inc, for the term January 1, 2009 through December 31, 2009, is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnesses or attested to in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED, that this contract is awarded pursuant to a fair and open process and as a professional service in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law; and, be it

FURTHER RESOLVED, that notice of this action shall be printed once in the Burlington County Times within ten (10) days of its passage, as required by N.J.S.A. 40A:11-5(1)(a) (i) of the Local Public Contracts Law.

\*\*\* It was moved by Mr. Wujcik for Mr. Haines, seconded by Mrs. Reinhart that the following (5) five items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 92 through 96 adopted.

24 **RESOLUTION NO. 92** by Mr. Haines, APPROVAL TO SUBMIT APPLICATION FOR HEALTH SERVICE MINI-GRANT, SENIOR FARMER'S MARKET PROGRAM IN THE AMOUNT OF \$3,000 TO THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES TO PROVIDE LOW INCOME SENIOR CITIZENS WITH VOUCHERS TO PURCHASE LOCALLY GROWN FRUITS AND VEGETABLES ADMINISTERED THROUGH THE OFFICE ON AGING.

WHEREAS, the Burlington County Board of Chosen Freeholders wishes to render assistance to the elderly residents of Burlington County; and

WHEREAS, the New Jersey Department of Health and Senior Services has made available, through the Burlington County Office on Aging, the Senior Farmer's Market Program whereby low-income senior citizens may receive vouchers to purchase locally grown fresh fruits and vegetables; and

WHEREAS, funds are needed in the amount of \$3,000 to provide support for the Senior Farmer's Market Program for May 1, 2009 through November 30, 2009; and

WHEREAS, it is necessary for the County of Burlington to file an Application for a Health Services Mini-Grant with the New Jersey Department of Health and Senior Services for funding support in the program as noted above; and

WHEREAS, upon acceptance of said Application by the State, a Notice of Grant Award from the State of New Jersey to the County of Burlington will be issued for the period May 1, 2009 through November 30, 2009; now therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the attached Application for Health Service Mini-Grant, Senior Farmer's Market Program, be completed, executed in accordance with the Rules of the Board, and submitted to the New Jersey State Department of Health and Senior Services; and, be it

FURTHER RESOLVED that, upon the State's approval of said Application and after review and approval by the County Solicitor, an Agreement between the Board and the New Jersey State Department of Health and Senior Services implementing the terms of the grant is hereby authorized to be executed in accordance with the Rules of the Board.

- 25 **RESOLUTION NO. 93** by Mr. Haines, AGREEMENT WITH BURLINGTON COUNTY COLLEGE TO COMPLETE A COMMUNITY EXPERIENCE ROTATION AT THE CONGREGATE NUTRITION SITE FOR STUDENTS ENROLLED IN THE COLLEGE'S NURSE TRAINING PROGRAM FOR THE OFFICE ON AGING.

WHEREAS, the Burlington County Board of Chosen Freeholders, (the "Board") needs to retain services relating to nutrition sites at the Burlington County Office on Aging ("BCOA") which can be provided by student nurses at Burlington County College; and

WHEREAS, the Board needs to authorize an agreement with the Burlington County College through which nursing students may receive clinical training at the BCOA for the period January 1, 2009 to December 31, 2009; and

WHEREAS, a contract for such services may be entered into between the Burlington County Board of Chosen Freeholders and Burlington County College under the authority of the Local Public Contracts Law, N.J.S.A. 40A:11-5 (2); and

WHEREAS, it is the intention of the Board and Burlington County College to enter into such agreement for the betterment of both BCOA and student nurses at Burlington County College; now, therefore, be it

RESOLVED, on this 25<sup>th</sup> day of February, 2009, by the Burlington County Board of Chosen Freeholders, that the existing contract described above is authorized for the term January 1, 2009 through December 31, 2009 conditioned upon approval by the County Solicitor and County Administrator and their execution in accordance with the Rules of the Board is authorized in accordance with N.J.S.A. 40A:11-5(2); and, be it

FURTHER RESOLVED, that the County Administrator, County Treasurer, County Solicitor and the Director of the Burlington County Office on Aging be authorized to take any action necessary to complete the referenced agreement in accordance with the Rules of the Board.

- 26 **RESOLUTION NO. 94** by Mr. Haines, AUTHORIZATION TO EXECUTE FARM LEASES FOR VARIOUS COUNTY OWNED PROPERTIES IN ACCORDANCE WITH THE 2009 FARM LEASE SOLICITATION PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders ("the Board") places the public trust above all else and remains steadfast in its commitment to the highest ethical standards in the conduct of its business on behalf of the taxpayers of Burlington County; and

WHEREAS, the Board owns farmland which was purchased for the purpose of farmland preservation or for public recreation / open space preservation purposes; and

WHEREAS, by resolution no. 942, adopted on December 10, 2008 the Board authorized the solicitation of sealed bids for leases of County-owned farmland for agricultural production; and

WHEREAS, the County Solicitor and the Department of Resource Conservation Review Committee has reviewed the bids submitted for the following farms and has reported that the following bids were the highest made of those submittals found to be in compliance with the requirements of the solicitation:

<u>Farm Description</u>	<u>Bidder</u>	<u>Bid (per yr)</u>
Mansfield Twp Blk 57.01 Lot 5.01 Blk 57.02 Lot 5 Blk 68 Lot 1 Blk 70 Lots 3, 4.01, 4.02, 4.03 & 5.01	R&R Wainwright, Inc.	\$30,378.00
Delran Twp Blk 119 Lot 21	Good Farms Inc.	\$6,750.00
Springfield Twp Blk 1001 Lot 1 Blk 803 Lot 6	Probasco Farms LLC.	\$19,844.76

NOW THEREFORE BE IT RESOLVED, that a lease with the above-named bidders for the above-described farms be and the same is hereby authorized and their execution in accordance with the Rules of the Board is authorized.

27 **RESOLUTION NO. 95** by Mr. Haines, AGREEMENT WITH TODD AND BLACK IN AN AMOUNT NOT TO EXCEED \$44,950 FOR REAL ESTATE APPRAISER REVIEW SERVICES IN CONNECTION WITH THE COUNTY’S OPEN SPACE AND FARMLAND PRESERVATION PROGRAMS.

WHEREAS, the Burlington County Board of Chosen Freeholders ("the Board") places the public trust above all else and remains steadfast in its commitment to the highest ethical standards in the conduct of its business on behalf of the taxpayers of Burlington County; and

WHEREAS, in furtherance of those standards the Board adopted Resolution No. 553 on July 28, 2004 which instituted a competitive quality based, fair and open process for soliciting qualifications and/or proposals for professional services contracts; and

WHEREAS, the Board adopted Resolution No. 17 on January 12, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, the Department of Resource Conservation (DRC) has a significant recurring need for real estate appraisal review services in connection with the County Open Space and Farmland Preservation Program; and

WHEREAS, the Board adopted Resolution No. 872 on November 26, 2008 which authorized the public advertisement of a Request for Qualifications (RFQ) to solicit qualified real estate review appraiser; and,

WHEREAS, on December 17, 2008, RFQ packages submitted to Burlington County were publicly opened; and

WHEREAS, the DRC review committee analyzed and evaluated said RFQ submittals and, pursuant to the attached written report, found that the firm of Todd and Black, Inc. substantially complies with the requirements of the submittal and recommends certification of said firm as a qualified real estate appraisal review vendor for the County’s Open Space and Farmland Preservation Programs for 2009; and

WHEREAS, Todd and Black, Inc. has offered to provide the needed real estate appraisal review services, which constitute “professional services” as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the “Law”) for a not to exceed charge of \$44,950 (46 reviews @ \$950.00/each plus 10 hours meetings @ \$125.00/hour); and

WHEREAS, funds are available for this purpose in the amount of \$44,950.00 in Account Nos. 44-5007-100755 and 44-5007-100855 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the firm of Todd and Black, Inc. is certified as a qualified real estate review appraiser for the County’s Open Space and Farmland Preservation Programs for 2009; and be it

FURTHER RESOLVED that the attached contract with Todd and Black, Inc. or such modified version which is approved as to form and substance by the County Solicitor and County Administrator, be and the same is hereby approved and its execution in accordance with the Rules of the Board authorized; and, be it

FURTHER RESOLVED that a copy of this action shall be printed once in the Burlington County Times within ten (10) days of its passage as required by law.

- 28 **RESOLUTION NO. 96** by Mr. Haines, APPROVAL TO SUBMIT APPLICATION TO THE STATE DEPARTMENT OF AGRICULTURE FOR ANY FEDERAL AND STATE FUNDS AND DECLARATION OF GYPSY MOTHS AS A PUBLIC NUISANCE IN ORDER TO PARTICIPATE IN THE STATE AERIAL SUPPRESSION PROGRAM AT LONG BRIDGE PARK IN HAINESPORT TOWNSHIP FOR THE DEPARTMENT OF RESOURCE CONSERVATION DIVISION OF PARKS.

WHEREAS, the gypsy moth *Lymantria dispar*, has been found heavily defoliating tree and plant growth at Long Bridge Park in the Township of Hainesport; and

WHEREAS, continued destruction of foliage may result in loss of valuable forest lands and trees; and

WHEREAS, the Burlington County Board of Chosen Freeholders has determined that a gypsy moth control program should be instituted with the State of New Jersey Department of Agriculture and that application for any Federal or State funds available be authorized; and

WHEREAS, the County of Burlington will comply with the applicable notice provisions required by N.J.S.A. 4:7-39; now therefore, be it

RESOLVED by the Board of Chosen Freeholders County of Burlington that the gypsy moth is declared to be a public nuisance and the protection of vegetation or plant life there from is deemed to be a subject matter of public welfare, and that all measures deemed necessary, in compliance with the State of New Jersey Department of Agriculture recommendations, is hereby authorized to suppress this forest and shade tree pest.

- \*\*\* It was moved by Mr. Wujcik, seconded by Mrs. Reinhart that the following item be approved by unanimous consent. All in favor. Motion carried. Resolution No. 97 adopted.

- 29 **RESOLUTION NO. 97** by Mr. Wujcik, AUTHORIZATION TO PURCHASE ASSORTED PROTECH ARMOR BODY ITEMS FOR THE EMERGENCY MANAGEMENT DEPARTMENT IN THE AMOUNT OF \$207,900 FROM LAWMEN SUPPLY COMPANY OF NEW JERSEY, INC. AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, Burlington County wishes to purchase ASSORTED PROTECH BODY ARMOR ITEMS for the Burlington County Emergency Management Department, from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

WHEREAS, the purchase of goods and services by local contracting units through a New Jersey State Contract entered into by the Division of Purchase and Property in the New Jersey Department of the Treasury is authorized by the Local Public Contracts Law at N.J.S.A. 40A:11-12; and

WHEREAS, Lawmen Supply Company of New Jersey, Inc., 5521 Whitehorse Pike, Egg Harbor City, NJ, 08215-9510 has a New Jersey State Contract for POLICE & HOMELAND SECURITY EQUIPMENT & SUPPLIES, Term Contract T-0106 with the New Jersey State Contract Number A67872; Contract Dates: February 4, 2007 to April 3, 2009; and

WHEREAS, the County Purchasing Agent recommends the utilization of these contracts on the grounds that it represents the best price available and delivery; and

WHEREAS, the actual cost for the purchase of ASSORTED PROTECH BODY ARMOR ITEMS from Lawmen Supply Company of New Jersey, Inc., will not exceed \$207,900.00; and

WHEREAS, funds are available for this purpose in Account No. 14-5856-033608 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the County of Burlington that a purchase order be awarded to Lawmen Supply Company of New Jersey, Inc., 5521 Whitehorse Pike, Egg Harbor City, NJ, 08215-9510, for the purchase of ASSORTED PROTECH BODY ARMOR ITEMS for the County Emergency Management, in an amount not to exceed \$207,900.00.

30 COUNTY TREASURER’S REPORT RECOMMENDING AWARD OF BIDS.

Bids were received on February 26, 2008 as authorized per Resolution #31 dated January 23, 2008 for the solicitation entitled “PEST CONTROL, EXTERMINATION SERVICE” (CPU-08-0026).

The Superintendent of Buildings and Grounds and Administrator of Buttonwood Hospital recommend that a contract be awarded, for the second (2) year, to the following lowest responsible bidder:

YEAR TWO

E & G Exterminators, Inc.  
122 North Broadway  
South Amboy, NJ 08879

ESTIMATED AMOUNT OF AWARD.....\$ 11,625.60  
(NOTE: Year Three (3) is optional)

Bids were received on February 3, 2009 as authorized per Resolution #1000 dated December 30, 2008 for the solicitation entitled “BURLINGTON COUNTY LINE STRIPING & REFLECTIVE PAVEMENT MARKER CONTRACT 2009-2010” (CEG-4-BUCCP-09024).

The County Engineer recommends that a contract be awarded to the following lowest responsible bidder:

Traffic Lines, Inc.  
5100 Asbury Road  
Farmingdale, NJ 07727

TOTAL LUMP SUM BID.....\$ 554,200.00

Bids were received on January 27, 2009 as authorized per Resolution #951 dated December 10, 2008 for the solicitation entitled “VEHICLES, ELECTRIC UTILITY FOR BURLINGTON COUNTY PARK’S DEPARTMENT” (CPU-09-0015).

The Director of Resource Conservation/Division of Parks recommends that a contract be awarded to the following lowest responsible bidder:

Spirit International  
1945 Kings Highway  
Swedesboro, NJ 08085

Purchase Two (2) GEM es Electric Utility  
Vehicle, 2-Passenger w/short bed or equal  
As per specification.....\$12,745.00/each  
With optional Four (4) 12” All-Terrain Tires.....\$ 150.00/each

Purchase One (1) GEM el XD Electric Utility  
Vehicle, 2-Passenger w/long bed or equal  
As per specification.....\$14,705.00/each  
With optional Four (4) 13” All- Terrain Tires... \$ 175.00/each

TOTAL LUMP SUM BID.....\$ 41,495.00

The award of the contracts detailed above is hereby recommended. All required certifications of the availability of funds for the award of the contracts were approved by the Chief Financial Officer.

Respectfully submitted,

Kurt Brock  
Chief Financial Officer

It was moved by Mr. Wujcik, seconded by Mr. Brown that the recommendation letter of the Chief Financial Officer be approved and that the proper county officials be authorized to accept the bid proposals and to award the contracts subject to all of the requirements of the bid specifications including the submission of performance bonds, insurance certifications and evidence of affirmative action compliance. All in favor. Motion carried.

31 PUBLIC COMMENTS.

Richard Dow, Mt. Holly Township, addressed the Board concerning the following items:

- 1) School flashing light in front of Sacred Heart School.
- 2) Shovel ready projects.
- 3) Replacing Police with Sheriff's Officers in schools.
- 4) Tax assessment and collection in municipalities.
- 5) Consolidation of functions.
- 6) Farmland preservation.

32 ADJOURNMENT

It was moved by Mr. Wujcik, seconded by Mr. Brown, that the meeting be adjourned. All in favor. Motion carried.

Respectfully submitted,

Augustus M. Mosca  
County Administrator/Board Clerk