

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, March 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, William S. Haines, Jr., Mary Anne Reinhart, James K. Wujcik and Freeholder Director Joseph Donnelly.

3 OFFICIALS.

Officials in attendance were: County Solicitor Nelson, Treasurer Hannigan, Chief Financial Officer Brock, County Engineer Jaggard, Supervisor of Roads Some, Human Resources Director Hornickel, 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 MARCH 11, 2009 AND THE CONFERENCE MINUTES OF FEBRUARY 25, 2009.

It was moved by Mr. Wujcik, seconded by Mr. Haines that the minutes be approved. Mr. Brown abstained from all minutes and Mrs. Reinhart opposed the minutes. Motion carried. Minutes approved.

5 PUBLIC COMMENTS ON AGENDA ITEMS.

Fran Brooks, Tabernacle Township addressed the Board concerning agenda items 2 and 3 regarding the Resolutions to reduce Freeholder's salaries and terminating health benefits for part-time employees.

6 **RESOLUTION NO. 135** by Director Donnelly, TEMPORARY EMERGENCY APPROPRIATIONS, moved for adoption by Director Donnelly, seconded by Mr. Wujcik. On roll call: Ayes – Mr. Brown, Mr. Haines, Mrs. Reinhart, Mr. Wujcik and Mr. Donnelly. Nays – none. Resolution No. 135 adopted as follows:

WHEREAS, with the delay in the adoption of the 2009 County Budget, an emergent condition has arisen with respect to the operating expenses of various County Departments, and N.J.S.A.40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS the total emergency temporary resolutions adopted in the year 2009 pursuant to the provisions of N.J.S.A. 40A:4-20 (chapter 96, P.L. 1951 as amended) including this resolution total \$ 18,411,019.00, and

NOW, THEREFORE, BE IT RESOLVED, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20.

1. An emergency temporary appropriation be and the same is hereby made for:

CURRENT FUND:

ADMINISTRATIVE & EXECUTIVE	S&W	7,998.00
	OE	6,476.00
DEPARTMENT OF FINANCE	S&W	94,450.00
	OE	5,915.00
LEGAL DEPARTMENT	S&W	74,020.00
	OE	20,930.00
ECONOMIC DEVELOPMENT	S&W	15,400.00
	OE	6,766.00
COUNTY ADJUSTER	S&W	11,430.00
CLERK OF THE BOARD	S&W	32,158.00
COUNTY ADMINISTRATOR	S&W	63,267.00

CENTRAL MAILING	OE	53,000.00
TELEPHONE	OE	39,584.00
FLEET OPERATIONS	OE	1,250.00
HUMAN RESOURCES	S&W	40,560.00
	OE	13,327.00
INFORMATION TECHNOLOGY	S&W	188,032.00
	OE	99,988.00
RESOURCE CONSERVATION		
LAND USE	S&W	18,627.00
PARKS	S&W	40,230.00
LAND USE	OE	2,110.00
PARKS	OE	28,028.00
COUNTY CLERK	S&W	99,234.00
	OE	26,592.00
PROSECUTOR'S OFFICE	S&W	790,394.00
	OE	33,870.00
BUILDING & GROUNDS	S&W	233,683.00
	OE	432,748.00
SOIL CONSERVATION		1,667.00
GROUP INSURANCE		2,000,000.00
LIABILITY INSURANCE		134,000.00
WORKERS COMPENSTATION		184,000.00
SURROGATE'S OFFICE	S&W	43,215.00
	OE	1,398.00
SHERIFF'S OFFICE	S&W	452,385.00
	OE	21,355.00
WEIGHTS & MEASURES	S&W	17,964.00
	OE	1,368.00
CONSUMER AFFAIRS	S&W	19,108.00
	OE	242.00
BOARD OF TAXATION	S&W	22,089.00
	OE	5,198.00
MEDICAL EXAMINER	S&W	44,017.00
	OE	16,367.00
BOARD OF ELECTIONS	S&W	33,540.00
	OE	63,280.00
SUPERINTENDENT OF ELECTIONS	S&W	57,452.00
	OE	12,942.00
PUBLIC SAFETY SERVICES	S&W	619,716.00
	OE	154,053.00
ROADS & BRIDGES	S&W	414,782.00
	OE	109,077.00
HIGHWAY LIGHTING		11,250.00
ENGINEERING DEPARTMENT	S&W	232,535.00
	OE	11,122.00
JAIL	S&W	608,930.00
	OE	481,387.00
JUVENILE DETENTION CENTER	S&W	161,388.00
	OE	26,118.00
HEALTH DEPARTMENT	S&W	247,154.00
	OE	120,322.00
HUMAN SERVICES	S&W	44,709.00
	OE	118,928.00
COMMUNITY TRANSPORTATION		
SHUTTLE (BURLINK)		47,084.00
BOARD OF SOCIAL SERVICES		624,858.00
BUTTONWOOD HOSPITAL	S&W	1,026,633.00
	OE	360,730.00
LUNACY EXAMS		3,750.00
MAINTENANCE OF PATIENTS IN		
OTHER THAN STATE INSTITUTIONS		6,667.00
MILITARY & VETERANS SERVICES	S&W	15,913.00
	OE	3,126.00
SUPERINTENDENT OF SCHOOLS	S&W	18,415.00
	OE	6,444.00
BURLINGTON COUNTY		
INSTITUTE OF TECHNOLOGY		1,324,582.00
EXTENSION SERVICE	S&W	7,667.00
	OE	4,433.00

BURLINGTON COUNTY COMMUNITY COLLEGE		1,003,334.00
BURLINGTON COUNTY SPECIAL SERVICES SCHOOL		400,000.00
SICK & TERMINAL LEAVE	S&W	75,000.00
SOCIAL SECURITY		529,258.00
SOLID WASTE UTILITY: SALARIES AND WAGES		105,000.00
OTHER EXPENSES		625,000.00

- 2. That said emergency temporary appropriation will be provided for in the 2009 budget.
- 3. That two certified copy of this resolution be filed with the Director of Local Government Services

7 **RESOLUTION NO. 136** by Director Donnelly, FIRST READING OF RESOLUTION TO MODIFY FREEHOLDERS SALARIES, moved for adoption by Director Donnelly. Freeholder Brown made motion to amend the resolution to include a 25% reduction in salary for any political patronage position making over \$100,000 per year; a 15% reduction in salary for any political patronage position making between \$99,999 and \$75,000; a 10% reduction in salary for any political patronage position making between \$74,999 and \$45,000 and a 5% reduction in salary for any political patronage position making between \$44,999 and \$30,000 to better reflect the true intention of the resolution. Mr. Wujcik seconded the original motion made by Director Donnelly. There was no second to the amendment as presented by Freeholder Brown. Ayes: Mr. Donnelly, Mr. Brown, Mr. Haines and Mr. Wujcik. Oppose: Mrs. Reinhart. Motion carried Resolution No. 136 adopted.

WHEREAS, the Burlington County Board of Chosen Freeholders (the "Board") recognizes that the economic downturn is having a significant impact on everyday Americans who are struggling to cope in an increasingly difficult environment; and

WHEREAS, the Board wishes to lead by example and to stand in solidarity with the citizens of the County of Burlington; and

WHEREAS, the members of the Board of Chosen Freeholders receive annual salaries; and

WHEREAS, in these difficult economic times the maximization of utilization of taxpayer dollars can best be achieved by a 50% reduction in Freeholder salaries; now, therefore, be it

RESOLVED, that, effective 20 days from the date of final passage of this Resolution, the annual salaries of the members of the Board of Chosen Freeholders shall be reduced by 50%; and, be it

FURTHER RESOLVED, that a notice to that effect shall be forwarded to all affected employees within 14 days of the date of adoption of this Resolution.

8 **RESOLUTION NO. 137** by Director Donnelly, FIRST READING OF RESOLUTION TO TERMINATE HEALTH BENEFITS, moved for adoption by Director Donnelly, seconded by Mr. Wujcik. Ayes: Mr. Donnelly, Mr. Brown, Mr. Haines and Mr. Wujcik. Oppose: Mrs. Reinhart. Motion carried. Resolution No. 137 adopted.

WHEREAS, the Burlington County Board of Chosen Freeholders (the "Board") recognizes that the economic downturn is having a significant impact on everyday Americans who are struggling to cope in an increasingly difficult environment; and

WHEREAS, the Board wishes to lead by example and to stand in solidarity with the citizens of the County of Burlington; and

WHEREAS, the members of the Board of Chosen Freeholders receive for themselves health benefits in addition to their annual salaries; and

WHEREAS, part-time employees of the County Board of Elections receive health benefits at County expense; and

WHEREAS, in these difficult economic times the maximization of utilization of taxpayer dollars can best be achieved by the termination of health benefits for the above-mentioned employees of the County of Burlington; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of Burlington County, that, effective July 1, 2009, health care benefits for the members of the Board of Chosen Freeholders and the members of the County Board of Elections shall be terminated; and, be it

FURTHER RESOLVED, that the Board recommends and encourages that other County Boards and Agencies which provide health benefits to part-time employees, specifically the Burlington County Board of Social Services, the Burlington County Bridge Commission and the Burlington County Board of Taxation also take immediate action to terminate health benefits for part-time employees; and, be it

FURTHER RESOLVED, that a notice to that effect shall be forwarded to all affected Boards, Agencies and employees within 14 days of the date of adoption of this Resolution.

*** It was moved by Director Donnelly, seconded by Mr. Wujcik that the following (2) two items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 138 and 139 adopted

9 **RESOLUTION NO. 138** 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 \$ 14,109,567.63 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.

10 **RESOLUTION NO. 139** by Director Donnelly, APPROVAL TO CHANGE THE CUSTODIAN OF PETTY CASH ACCOUNT FOR BUTTONWOOD HOSPITAL TO EVE CULLINAN.

WHEREAS, Robert L. McGowan was custodian of the Petty Cash Fund for Buttonwood Hospital and

WHEREAS, in accordance with N.J.S.A.:5-21, the Treasurer of Burlington County is changing custodians to Eve Cullinan; and

WHEREAS, Eve Cullinan is bonded in the amount of \$500,000.00 by virtue of a surety bonds.

NOW, THEREFORE, BE IT RESOLVED that the Board of Chosen Freeholders of the County of Burlington hereby authorizes such action and two copies of this resolution is filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

11 **RESOLUTION NO. 140** by Director Donnelly, AGREEMENT WITH CHARLES A. LAMBIASE, CPA FOR THE COUNTY'S SMALL BUSINESS AND MICRO-ENTERPRISE PROGRAMS IN AN AMOUNT NOT TO EXCEED \$7,500 AND ROUTE 130 LOAN PROGRAM IN AN AMOUNT NOT TO EXCEED \$3,750 TO ASSIST WITH TECHNICAL ASSISTANCE FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND REGIONAL PLANNING, moved for adoption by Director Donnelly, seconded by Mr. Wujcik. Ayes: Mr. Donnelly, Mr. Haines, and Mr. Wujcik. Oppose: Mr. Brown and Mrs. Reinhart. Motion carried. Resolution No. 140 adopted.

WHEREAS, by Resolution No. 9, adopted on January 14, 2009, the Burlington County Board of Chosen Freeholders ("Board") approved the solicitation of proposals from certified public accountants interested in providing technical assistance and loan review and analysis services to the County's Department of Economic Development and Regional Planning ("Department"), which administers the County's loan programs; and

WHEREAS, only one proposal was received and the Department has recommended that the Board award a one-year contract Charles A. Lambiase, CPA, who has provided these services in prior years to the Board's satisfaction; and

WHEREAS, \$3,750,000, the amount estimated as needed for the services to be provided for the Route 130 Loan Program, is available in Account No. 35-5013-100155 and \$7,500.00, the amount estimated as needed for the services to be provided for the Small Business and Micro-enterprise Loan Programs, is available in Account No. 10-0006-033809, as evidenced by the certifications of the County's Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES as follows:

1. The above described agreement, which is for "professional services", as defined in the Local Public Contracts Law (the "Law") at N.J.S.A. 40A:11-2, is awarded pursuant to a fair and open process and its execution in accordance with the Rules of the Board is authorized.
2. Notice of this action shall be published in accordance with requirements of the Law.

- 12 **RESOLUTION NO. 141** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR PROPOSED ALTERATIONS TO 50 RANCOCAS ROAD FOR THE CLERK OF THE BOARD, moved for adoption by Director Donnelly, seconded by Mr. Haines. Ayes: Mr. Donnelly, Mr. Haines, Mrs. Reinhart, and Mr. Wujcik. Oppose: Mr. Brown.

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that the plans and specifications prepared and submitted by GLP Architects are hereby approved for the following solicitation:

"PROPOSED ALTERATIONS TO 50 RANCOCAS ROAD,
MOUNT HOLLY NEW JERSEY 08060"
(CPU-09-0041)

And, be it;

RESOLVED that the Freeholder Director is hereby authorized to sign the title sheet of the plans for said project. Plans and specifications charge is \$150.00 per set, which is non-refundable; and, be it

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

RESOLVED that a Pre-Bid Conference will be held for all prospective bidders in the Freeholder's Board Room on Thursday, April 23, 2009 at 10:00 a.m. local prevailing time; and, be it

RESOLVED that Site Visits will be held for all prospective bidders on Tuesday, April 7, 2009, Thursday, April 9, 2009, Wednesday, April 15, 2009, Friday, April 17, 2009, Tuesday, April 21, 2009, Thursday, April 23, 2009, Tuesday, April 28, 2009, and Thursday May 7, 2009, by appointment only; now, therefore be it

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, May 12, 2009 at 10:30 a.m. local prevailing time.

*** It was moved by Director Donnelly, seconded by Mr. Brown that the following (8) eight items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 142 and 149 adopted

- 13 **RESOLUTION NO. 142** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR MASONRY RESTORATION ON BUTTONWOOD HOSPITAL BUILDINGS 1 AND 2.

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that the plans and specifications prepared and submitted by The Vaughn Collaborative are hereby approved for the following solicitation:

"MASONRY RESTORATION BUILDING NO. 1 AND 2 BUTTONWOOD HOSPITAL,
600 PEMBERTON-BROWNS MILLS ROAD, NEW LISBON, NJ, 08064"
(CPU-09-0032)

And, be it;

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

RESOLVED that the Freeholder Director is hereby authorized to sign the title sheet of the plans for said project. Plans and specification charge is \$150.00 per set, which is non-refundable; and, be it

RESOLVED that a Pre-Bid Conference will be held for all prospective bidders at the Buttonwood Hospital Conference Room on Thursday, April 23, 2009 at 1:30 p.m. local prevailing time; and be it

RESOLVED that Site Visits will be held for all prospective bidders on Monday, April 6, 2009, Thursday, April 9, 2009, Tuesday, April 14, 2009, Friday, April 17, 2009, Monday, April 20, 2009, Thursday April 23, 2009, and Wednesday, May 6, 2009, by appointment only; now, therefore be it

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, May 12, 2009 at 10:30 a.m. local prevailing time.

- 14 **RESOLUTION NO. 143** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR OFFICE SUPPLIES 2009-2011 FOR THE PURCHASING DEPARTMENT.

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

OFFICE SUPPLIES 2009 - 2011
(4-BUCCP-09020)

And, be it;

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, April 21, 2009 at 10:30 a.m. local prevailing time.

- 15 **RESOLUTION NO. 144** by Director Donnelly, FIRST AMENDMENT TO AGREEMENT WITH GOVDEALS, INC. FOR ONLINE FINANCIAL SETTLEMENT SERVICES FOR ONLINE AUCTIONS.

WHEREAS, the State of New Jersey, Department of Community Affairs permits the sale of surplus property no longer needed for public use through the use of an online auction service, pursuant to the Local Unit Electronic Technology Pilot Program and Study Act, P.L. 2001, c.30.; and

WHEREAS, Burlington County received approval on July 11, 2007 from the Department of Community Affairs to participate in the E-Procurement Pilot Program; and to contract for that purpose with GovDeals, Inc., 5913 Carmichael Place, Montgomery, AL, 36117; and

WHEREAS, by Resolution 600, adopted August 8, 2007, a contract was awarded to GovDeals, Inc., 5913 Carmichael Place, Montgomery, AL, 36117 by the Board of Chosen Freeholders to provide the software and applications required to provide a means for Burlington County to list items for sale and for potential buyers to bid upon these items via an Internet-based auction system; and

WHEREAS, GovDeals, Inc., has offered a new service, Financial Settlement Services, allowing GovDeals to collect funds from winning bidders for items sold on the auction site and will offer additional payment options, such as credit cards, PayPal and bank wire transfers, potentially increasing the bidder base.

WHEREAS, GovDeals will remit all funds collected from the winning bidders to the Board on a weekly basis; and

WHEREAS, this new service will be provided to the County at no cost and has been approved by the Department of Community Affairs, Division of Local Government Services as per LFN-2008-21; and

WHEREAS, the attached Financial Settlement Memo of Understanding memorializes the terms of this understanding between GovDeals and the Board of Chosen Freeholders; now therefore be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the proper County Officials are hereby authorized to execute the attached Addendum Number One (1) Financial Settlement Memo of Understanding as described herein with GovDeals, 5913 Carmichael Place, Montgomery, AL, 36117 in accordance with the Rules of the Board.

16 **RESOLUTION NO. 145** by Director Donnelly, AMENDMENT TO AGREEMENT OF SUB-GRANT WITH THE BURLINGTON COUNTY COMMUNITY ACTION PROGRAM FOR AN ADDITIONAL AMOUNT OF \$10,000 TAKEN FROM PRIOR YEAR UNEXPENDED FUNDS FOR THE EMERGENCY HOME REPAIR PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, by Resolution no. 257, adopted on April 23, 2008, the Board of Chosen Freeholders of the County of Burlington ("Board") determined to accept a grant in the amount of \$1,596,476 for Fiscal Year 2008 pursuant to the Community Development Block Grant Program (the "Program"), which grant is reflect in Grant Agreement B-08-UC-34-0001; and

WHEREAS, said Program included \$40,000 in funding for Burlington County Community Action Program's (BCCAP) Emergency Home Repair Program (the "Project"); and

WHEREAS, BCCAP has requested an additional \$10,000 for its Project; and

WHEREAS, the County's Housing and Community Development Office (the "Office"), which administers the Program, has reviewed the application and, through its Program Supervisor, has recommended that the Board approve it as consistent with Program funding eligibility criteria; and

WHEREAS, the Office has advised that funds are available in the Program's Cost Unexpended Funds Account to increase the grant to BCCAP by the requested amount; and

WHEREAS, the Board concurs in the Office's recommendation; now, therefore, the Board

RESOLVES, as follows:

1. The County Solicitor and Supervisor of the County's Housing and Community Development Office are authorized to prepare such documents as are appropriate for the purpose of making the above-described grant, including an Amendment to the Agreement for Sub-grant between the Board and BCCAP;
2. The funds for this grant shall be drawn from the Federal Community Development Block Grant Program monies and disbursed in accordance with the schedule set forth in the Agreement for Sub-grant;
3. Execution of the Amendment to the Agreement of Sub-grant and other documents necessary for the making of this grant is authorized in accordance with the Rules of the Board;
4. The County Solicitor, County Treasurer, County Administrator and the Director of the Board are authorized to take any action and sign any documents necessary to complete this transaction.

17 **RESOLUTION NO. 146** by Director Donnelly, LOAN AND MORTGAGE APPROVED IN THE AMOUNT OF \$500,000 FOR COMMUNITY INVESTMENT STRATEGIES, (CIS) INC. AND CIS FLORENCE, LLC ACTING AS MANAGING PARTNERS FOR DUFFY MANOR, LLC TO PARTIALLY FUND CONVERSION, DEVELOPMENT AND REHABILITATION OF A 45 UNIT PROJECT LOCATED IN FLORENCE TOWNSHIP ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") received funds from the U.S. Department of Housing and Urban Development pursuant to the HOME Investment Partnerships Program Grant No. M-07-UC-34-0212; and

WHEREAS, Community Investment Strategies, Inc. ("CIS") and CIS Florence, LLC, acting as a managing partners for Duffy Manor, LLC, have submitted an application to the Board for a HOME Program loan to partially fund the conversion, development, and rehabilitation of eleven new, affordable rental units as part of a proposed 45-unit project known as Duffy Manor, to be located in Florence, New Jersey; and

WHEREAS, the Board has reviewed and approved the recommendation of the County's Housing and Community Development Office that the application be approved as consistent with criteria established for the HOME Program and that a loan be made as follows:

Amount: \$500,000.00
 Use: Construction and soft costs
 Loan Term: 30 years
 Interest Rate: One percent (1%) payable annually
 Affordability Term: 30 years, secured with an affordable housing deed restriction;

And

WHEREAS, this loan may be subject to P.L. 2005, c. 271 and N.J.S.A. 19.44A-20.8 because it is not being awarded through a public "fair and open" solicitation (but it is being awarded through a qualification review) and provides for County payment in excess of \$17,500.00; and

WHEREAS, the Board has received a Business Entity Disclosure Certification pursuant to N.J.S.A. 19:44A-20.8 in which Duffy Manor LLC certifies that it has not made reportable contributions to a political or candidate committee in the previous year and that it will not make such reportable contributions and, additionally, a Certification Concerning Political Contributions pursuant to P.L. 2005, Chapter 271, in which Duffy Manor LLC reports that it has made no political contributions, expenditures or other things of value to any political party or political committee; now, therefore, the Board

RESOLVES, as follows:

1. The above described loan is approved and authorized.
2. The County Solicitor and Supervisor of the County's Housing and Community Development Office are authorized to prepare documents for this loan to protect the County's interests in this matter.
3. Funds for the loan shall be drawn from HOME Investment Partnerships program monies and disbursed in accordance with the loan documents;
4. Execution of the County's loan documents shall be in accordance with the Rules of the Board.
5. The Burlington County Solicitor, Treasurer, Chief Financial Officer, Administrator and Director of the Board are authorized to take any action and sign any document necessary to complete this transaction.

18 **RESOLUTION NO. 147** by Director Donnelly, LOAN AND MORTGAGE APPROVED IN THE AMOUNT OF \$350,000 FOR MEND ACTING AS MANAGING PARTNER FOR JONES ROAD, LLC TO PARTIALLY FUND THE CONSTRUCTION OF 11 NEW AFFORDABLE RENTAL UNITS AS PART OF A 36 UNIT PROJECT LOCATED IN MEDFORD TOWNSHIP ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") received funds from the U.S. Department of Housing and Urban Development pursuant to the HOME Investment Partnerships Program Grant Number M-06-UC-34-0212; and

WHEREAS, Moorestown Ecumenical Neighborhood Development ("MEND"), acting as a managing partner for Jones Road, LLC, has submitted an application to the Board for a loan to partially fund the construction of eleven new, affordable rental units as part of a proposed 36-unit project known as Jones Road, to be located in Medford, New Jersey; and

WHEREAS, the Board has reviewed and approved the recommendation of the County's Housing and Community Development Office that the application be approved as consistent with criteria established for the HOME Program and that a loan be made as described below; and

- Amount: \$350,000
- Use: Construction and soft costs
- Loan Term: 30 years
- Interest Rate: One percent (1%) payable annually
- Affordability Term: 30 years, secured with an affordable housing deed restriction

WHEREAS, this loan may be subject to P.L. 2005, c. 271 and N.J.S.A. 19.44A-20.8 because, although it is being awarded through a qualification process it is not being awarded through a public "fair and open" solicitation process and provides for County payment in excess of \$17,500.00; and

WHEREAS, the Board has received a Business Entity Disclosure Certification, pursuant to N.J.S.A. 19:44A-20.8, from MEND, as majority holder of Jones Road, LLC, in which it certifies that it has not made reportable contributions to a political or candidate committee in the previous year and that it will not make such reportable contributions and the Board has also received a Certification Concerning Political Contributions pursuant to P.L. 2005, Chapter 271, reporting that it has made no political contributions, expenditures or other things of value to any political party or political committee; and

WHEREAS, the Board has also received a Business Entity Disclosure Certification from Conifer Realty, LLC, 49.5 percent owner of Jones Road, LLC, pursuant to N.J.S.A. 19:44A-20.8 in which it certifies that it has not made certain contributions that would prevent the award of a contract to it by the Board in the previous year and that it will not make such reportable contributions and has also received a Certification Concerning Political Contributions pursuant to P.L. 2005, Chapter 271, which indicates that it has not made political contributions that would prevent the award of the contract contemplated herein; now, therefore, the Board

RESOLVES, as follows:

1. The above described loan is approved and authorized.
2. The County Solicitor and Coordinator of the County's Housing and Community Development Office are authorized to prepare documents to make this loan and to protect the County's interests in this matter.
3. Funds for the loan shall be drawn from HOME Investment Partnerships program monies and disbursed in accordance with the loan documents;
4. Execution of the County's loan documents shall be in accordance with the Rules of the Board.
5. The Burlington County Solicitor, County Treasurer, Chief Financial Officer, Administrator and Director of the Board are authorized to take any action and sign any document necessary to complete this transaction.

19 **RESOLUTION NO. 148** 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 funds from the U.S. Department of Housing and Urban Development pursuant to Home Investment Partnerships Program grant no. M-07-UC-34-0212; and

WHEREAS, the County's Housing and Community Development Program staff have reviewed and approved applications for assistance made by the below-named first-time homebuyers as eligible for closing costs and down payment assistance in the reported amounts; and

<u>Applicants</u>	<u>File no.</u>	<u>Loan Amount</u>
Megan M. Farmer	FTB9-19-06GS	\$9,000.00
Pamela M. Harris	FTB9-20-30GS	\$9,000.00

WHEREAS, there are sufficient monies in account no. 42-0709-051200 to make the above-described 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.

20 **RESOLUTION NO. 149** by Director Donnelly, LOAN AND MORTGAGE APPROVED FOR TWO PROPERTY OWNERS FOR A HOME IMPROVEMENT LOANS IN THE AMOUNTS OF \$18,975 AND \$14,875 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 funds from the U.S. Department of Housing and Urban Development (“HUD”) Block Grant #B-94-UC-34-0001; and

WHEREAS, the County’s Housing and Community Development staff have determined that the property owners named below qualify for a HUD housing rehabilitation loan and that 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>
P. Frenz	35-08-06LS	\$18,800.00	\$175.00
S. Gudanowski	35-05-33LS	\$14,700.00	\$175.00

WHEREAS, there are sufficient funds in account no. 31-0705-051285 to make loans in the above-reported loan amounts, as evidenced by the certifications of the 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 loan, mortgage and other appropriate documents, to include the County’s title costs, and record the executed mortgages for the above-described cases.
2. Funds for the loans are to be drawn from federal Community Development Program moneys.
3. The County Treasurer is authorized to send interim payments for work completed to the contractor and loan recipient upon receipt of (a) proper notification that all the conditions of contract between the loan applicant and housing contractor have been satisfactorily met and (b) a properly executed voucher.
4. Upon satisfaction of the conditions of the loan and mortgage the County Administrator and County Solicitor are authorized to prepare, sign and record appropriate documents to cancel the mortgage.

21 **RESOLUTION NO. 150** by Director Donnelly, COUNTY SOLICITOR’S OFFICE AUTHORIZED TO PROCEED WITH ACQUISITION OR CONDEMNATION IN THE AMOUNT OF \$5,900 FOR BLOCK 215, LOT 31 MARNE HIGHWAY AND HARTFORD ROAD IN MT. LAUREL TOWNSHIP, moved for adoption by Director Donnelly, seconded by Mr. Haines. Ayes: Mr. Donnelly, Mr. Brown, Mr. Haines, Mr. Wujcik. Oppose: Mrs. Reinhart. Motion carried. Resolution No. 150 adopted.

WHEREAS, it is necessary for the Burlington County Board of Chosen Freeholders to acquire a certain property for the reconstruction of Marne Highway (CR537) and Hartford Road, Mount Laurel Township, Burlington County at the following location:

- 1. Block 215, Lot 31
Mount Laurel Township
Owned by Richard & Elizabeth Kelly
Amount: \$5,900.00

WHEREAS, the County and the owners of the property needed have been unable to negotiate a settlement for the County's purchase of the subject easement to this point; and

WHEREAS, in the event of the inability of the County to negotiate for the acquisition of this easement with the property owners, the County Solicitor's office wishes for approval to either settle with the property owner or to commence eminent domain proceedings per the authorization of N.J.S. 27:16-1, et seq. and N.J.S. 27:16-2, et seq.; and

WHEREAS, the County of Burlington may require the use and possession of said easement in advance of the completion of final judgment and/or condemnation proceedings, and N.J.S. 27:16-48 authorizes the taking of lands and making compensation therefore; and

WHEREAS, if necessary, the County of Burlington must institute proceedings in the Superior Court of New Jersey for the appointment of three commissioners to fix the compensation to be paid for the taking of this land and premises; and

WHEREAS, the fair market value of just compensation has been determined for the needed property and for this taking of this property by an appraiser hired by the County for this purpose who has certified that the amount of compensation is as follows:

- 1. Block 215, Lot 31
Mount Laurel Township
Owned by Richard & Elizabeth Kelly
Amount: \$5,900.00

WHEREAS, the Burlington County Chief Financial Officer is requested to certify that funds in the amount as stated being the fair market value of this property to be taken, will be available for the acquisition or condemnation of said easement before any action is taken on the part of the Legal Department, and said funds will be charged to Account No. 60-7001-107082; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that, effective immediately, the County Solicitor's Office is hereby authorized to either acquire by agreement or institute condemnation proceedings, pursuant to law and at the proper time designated by the Solicitor's Office, by filing a Declaration of Taking and securing an Order of the Superior Court of New Jersey for depositing with the Clerk of the Superior Court Trust Fund the amount as just compensation for the acquisition of the needed property located at:

- 1. Block 215, Lot 31
Mount Laurel Township
Owned by Richard & Elizabeth Kelly
Amount: \$5,900.00

and more accurately described in the attached Schedule "A-1"; and, be it

FURTHER RESOLVED that the Freeholder Director, County Administrator, County Engineer or any other County official be authorized to execute any document to complete such filing for commencement of eminent domain proceedings or in the alternative settle these matters for the amount stated; and, be it

FURTHER RESOLVED that the County Chief Financial Officer shall issue a check to the Legal Department, when required, in the amount aforesaid, payable to either the respective property owner in the event that the parties are able to settle these matters or alternately to the "Clerk, Superior Court of New Jersey"; and, be it

FURTHER RESOLVED that these actions be taken in accordance with the Rules of the Board.

HARTFORD LOCATED IN MT. LAUREL TOWNSHIP, moved for adoption by Director Donnelly, seconded by Mr. Haines. Ayes: Mr. Donnelly, Mr. Brown, Mr. Haines and Mr. Wujcik. Oppose: Mrs. Reinhart. Motion carried. Resolution No. 151 adopted. **This resolution was rescinded during the Public Comment portion of the Public meeting. See section 43, page 131.**

WHEREAS, it is necessary for the Burlington County Board of Chosen Freeholders to acquire a certain property easement for the reconstruction of Marne Highway (CR537) and Hartford Road, Mount Laurel Township, Burlington County at the following location:

1. Block 202, Lots 6 & 7 (portion)
Mount Laurel Township
Owned by Wojciech Galas d/b/a Hartford Service Center, Inc.
Amount: \$280,000.00

WHEREAS, the County and the owners of the property easement needed have been unable to negotiate a settlement for the County's purchase of the subject property easement to this point; and

WHEREAS, in the event of the inability of the County to negotiate for the acquisition of this property easement with the property owner, the County Solicitor's office wishes for approval to either settle with the property owner or to commence eminent domain proceedings per the authorization of N.J.S. 27:16-1, et seq. and N.J.S. 27:16-2, et seq.; and

WHEREAS, the County of Burlington may require the use and possession of said property easement in advance of the completion of final judgment and/or condemnation proceedings, and N.J.S. 27:16-48 authorizes the taking of lands and making compensation therefore; and

WHEREAS, if necessary, the County of Burlington must institute proceedings in the Superior Court of New Jersey for the appointment of three commissioners to fix the compensation to be paid for the taking of this land and premises; and

WHEREAS, the fair market value of just compensation has been determined for the needed property easement and for this taking of this property easement by an appraiser hired by the County for this purpose who has certified that the amount of compensation is as follows:

1. Block 202, Lots 6 & 7 (portion)
Mount Laurel Township
Owned by Wojciech Galas d/b/a Hartford Service Center Inc.
Amount: \$280,000.00

WHEREAS, the Burlington County Chief Financial Officer is requested to certify that funds in the amount as stated being the fair market value of this property easement to be taken, will be available for the acquisition or condemnation of said property easement before any action is taken on the part of the Legal Department, and said funds will be charged to Account No. 60-7001-104482; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that, effective immediately, the County Solicitor's Office is hereby authorized to either acquire by agreement or institute condemnation proceedings, pursuant to law and at the proper time designated by the Solicitor's Office, by filing a Declaration of Taking and securing an Order of the Superior Court of New Jersey for depositing with the Clerk of the Superior Court Trust Fund the amount as just compensation for the acquisition of the needed property easement located at:

1. Block 202, Lots 6 & 7 (portion)
Mount Laurel Township
Owned by Wojciech Galas d/b/a Hartford Service Center Inc.
Amount: \$280,000.00

and more accurately described in the attached Schedule "A-1"; and, be it

FURTHER RESOLVED that the Freeholder Director, County Administrator, County Engineer or any other County official be authorized to execute any document to complete such filing for commencement of eminent domain proceedings or in the alternative settle these matters for the amount stated; and, be it

FURTHER RESOLVED that the County Chief Financial Officer shall issue a check to the Legal Department, when required, in the amount aforesaid, payable to either the respective property owner in the event that the parties are able to settle these matters or alternately to the "Clerk, Superior Court of New Jersey"; and, be it

FURTHER RESOLVED that these actions be taken in accordance with the Rules of the Board.

*** It was moved by Director Donnelly, seconded by Mr. Haines that the following (5) five items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 152 through 156 adopted.

23 **RESOLUTION NO. 152** by Director Donnelly, AUTHORIZATION TO PURCHASE TWO AIR COMPRESSORS, TRAILER MOUNTED, INCLUDING INSTALLATION OF OILER DRI SERVICE LINE AND REELS FOR THE HIGHWAY DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$30,451.20 FROM GARDEN STATE BOBCAT, INC. AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, Burlington County wishes to purchase TWO (2) TRAILER MOUNTED AIR COMPRESSORS, including INSTALLATION OF OILER DRI SERVICE LINE & REELS for the Burlington County Highway 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, the Supervisor of Roads and Bridges has reviewed and approved the request for the purchase of TWO (2) TRAILER MOUNTED AIR COMPRESSORS, including INSTALLATION OF OILER DRI SERVICE LINE & REELS for the County Highway Department; and

WHEREAS, Garden State Bobcat, Inc., 999 Route 33, Freehold, NJ, 07728, has a New Jersey State Contract for COMPRESSORS 185/250/375 CFM, DIESEL ENGINE DRIVEN, PORTABLE, TRAILER MOUNTED, Term Contract T-2561 with the New Jersey State Contract Number A69840; Contract Dates: October 1, 2009 through September 30, 2010; and

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

WHEREAS, the actual cost for the purchase of TWO (2) TRAILER MOUNTED AIR COMPRESSORS, including INSTALLATION OF OILER DRI SERVICE LINE & REELS for the County Highway Department from Garden State Bobcat, Inc., will not exceed \$30,451.20; and

WHEREAS, funds are available for this purpose in Account No. 60-7001-112182 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 Garden State Bobcat, Inc., 999 Route 33, Freehold, NJ, 07728, for the purchase of TWO (2) TRAILER MOUNTED AIR COMPRESSORS, including INSTALLATION OF OILER DRI SERVICE LINE & REELS for the County Highway Department, in an amount not to exceed \$30,451.20.

24 **RESOLUTION NO. 153** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR WORK FIRST NEW JERSEY PROGRAMS AND SERVICES 2009 – 2011 FOR THE WORKFORCE INVESTMENT BOARD/ONE STOP CAREER CENTER.

WHEREAS, WORK FIRST NEW JERSEY – PROGRAMS & SERVICES 2009-2011 (RFP-09-0025) is to be contracted using competitive contracting; and

WHEREAS, N.J.S.A. 40A:11-4.1 provides that competitive contracting may be used in lieu of public bidding for the procurement of specialized goods and services the price of which exceeds the bid threshold of \$29,000; and

WHEREAS, WORK FIRST NEW JERSEY – PROGRAMS & SERVICES 2009-2011 is one of the specialized goods and/or services which may be procured through the use of the competitive contracting process as the operation, management or administration of social service programs, N.J.S.A. 40A:11-4.1(b)(2); and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington finds that the use of the competitive contracting process for the procurement of WORK FIRST NEW JERSEY – PROGRAMS & SERVICES 2009-2011 will be beneficial to the citizens of this County; and be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the use of the competitive contracting process for the purchase of WORK FIRST NEW JERSEY – PROGRAMS & SERVICES 2009-2011 (RFP-09-0025) is hereby authorized; and be it

RESOLVED that the County Administrator is authorized and directed to have published in the official newspaper a notice of availability of request for proposal documentation, as prepared by the Division of Purchase and submitted to and approved by the County Solicitor; now, therefore be it

RESOLVED that a pre-proposal conference will be held for all proposers at the Burlington County Office Building, Freeholder's Board Room, 1st Floor, 49 Rancocas Road, Mount Holly, New Jersey on Thursday, April 16, 2009 at 10:00 a.m.; and be it

FURTHER RESOLVED that the submissions of proposals will be publicly received in the Freeholder's Board Room on Tuesday, May 5, 2009 at 10:30 a.m. local prevailing time.

25 **RESOLUTION NO. 154** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR WORK FIRST NEW JERSEY EARLY EMPLOYMENT INITIATIVE PROGRAM 2009 – 2011 FOR THE WORKFORCE INVESTMENT BOARD/ONE STOP CAREER CENTER.

WHEREAS, WORK FIRST NEW JERSEY EARLY EMPLOYMENT INITIATIVE PROGRAM 2009-2011 (RFP-09-0026) is to be contracted using competitive contracting; and

WHEREAS, N.J.S.A. 40A:11-4.1 provides that competitive contracting may be used in lieu of public bidding for the procurement of specialized goods and services the price of which exceeds the bid threshold of \$29,000; and

WHEREAS, WORK FIRST NEW JERSEY EARLY EMPLOYMENT INITIATIVE PROGRAM 2009-2011 is one of the specialized goods and/or services which may be procured through the use of the competitive contracting process as the operation, management or administration of social service programs, N.J.S.A. 40A:11-4.1(b)(2); and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington finds that the use of the competitive contracting process for the procurement of WORK FIRST NEW JERSEY EARLY EMPLOYMENT INITIATIVE PROGRAM 2009-2011 will be beneficial to the citizens of this County; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the use of the competitive contracting process for the purchase of WORK FIRST NEW JERSEY EARLY EMPLOYMENT INITIATIVE PROGRAM 2009-2011 is hereby authorized; and, be it

RESOLVED that the County Administrator is authorized and directed to have published in the official newspaper a notice of availability of request for proposal documentation, as prepared by the Division of Purchase and submitted to and approved by the County Solicitor; and, be it

RESOLVED that a pre-proposal conference will be held for all proposers at the Burlington County Office Building, Freeholder's Board Room, 1st Floor, 49 Rancocas Road, Mount Holly, New Jersey on Thursday, April 16, 2009 at 10:30 a.m.; and, be it

FURTHER RESOLVED that the submissions of proposals will be publicly received in the Freeholder's Board Room on TUESDAY, MAY 5, 2009 at 10:30 a.m. local prevailing time.

26 **RESOLUTION NO. 155** by Director Donnelly, PERSONNEL ACTIONS AS SUBMITTED TO AND APPROVED BY THE STATE DEPARTMENT OF PERSONNEL.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the personnel actions as listed below, which have been submitted to and approved by the New Jersey Department of Personnel are hereby acknowledged; and, be it

FURTHER RESOLVED, that the appropriate County Officials are authorized and directed to take the necessary steps to implement the same.

Andrea M. Schultz, Principal Clerk Typist, County Jail. Commenced duties on 1/10/09 at \$39,645 per annum. Intergovernmental transfer.

Jeannette Blinn, Assistant Director of Nursing, Buttonwood Hospital. Commenced duties on 2/3/09 at \$75,348 per annum. Permanent appointment from promotional certification.

Kimberly A. Kleszics, Principal Clerk Typist, Information Technology. Commenced duties on 1/13/09 at \$40,351 per annum. Permanent appointment from promotional certification.

Richard J. Alfonse, Senior Traffic Maintenance Worker, Engineering. Commenced duties on 1/13/09 at \$34,244 per annum. Permanent appointment from promotional certification.

Sharon L. Stow, County Park Ranger, Resource Conservation. Commenced duties on 1/12/09 at \$33,53 per annum. Permanent appointment from open competitive certification.

Mary E. Sauer, Senior Food Service Worker, Buttonwood Hospital. Commenced duties on 9/21/08 at \$36,016 per annum. Permanent appointment to non-competitive division position.

Tracy Stephens, Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 10/5/08 at \$32,553 per annum. Provisional appointment pending promotional examination.

Jeannette Blinn, Assistant Hospital Administrator, Buttonwood Hospital. Commenced duties on 9/8/08 at \$75,348 per annum. Temporary appointment six months or less.

Yolanda Scott, Data Control Clerk, County Jail. Commenced duties on 10/20/08 at \$28,852 per annum. Provisional appointment pending promotional examination.

Charles F. Winkelspecht, Jr., Truck Driver, Highway Department. Commenced duties on 10/20/08 at \$40,027 per annum. Provisional appointment pending promotional examination.

Jason Diveley, Correction Officer, County Jail. Commenced duties on 10/5/08 at \$38,020 per annum. Permanent appointment from open competitive certification.

Ruth A. Grover, Correction Officer, County Jail. Commenced duties on 10/5/08 at \$38,020 per annum. Permanent appointment from open competitive certification.

Ruth A. Grover, Juvenile Detention Officer, County Jail. Commenced duties on 10/5/08 at \$33,703 per annum. Individual transfer.

Elmer Bozarth, III, Mechanics Helper, Highway Department. Commenced duties on 12/1/08 at \$29,469 per annum. Provisional appointment pending open competitive examination.

Deborah Tomaszewski, Narcotics Clinic Aide, Health Department. Commenced duties on 3/10/08 at \$28,234 per annum. Individual transfer.

Dana Frederick, Narcotics Coordinator, Health Department. Commenced duties on 8/25/08 at \$36,254 per annum. Provisional appointment pending qualifying examination.

Jennifer Durboraw, Head Nurse, Buttonwood Hospital. Commenced duties on 9/7/08 at \$34.58 per hour. Permanent full-time to permanent part-time.

Darrah DeLorenzo, Principal Clerk Typist, Engineering. Commenced duties on 9/21/08 at \$29,801 per annum. Provisional appointment pending promotional examination.

Janine L. Osmundson, Supervising Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 12/28/08 at \$48,634 per annum. Provisional appointment pending promotional examination.

James E. Larkins, County Correction Captain, County Jail. Commenced duties on 1/11/09 at \$80,560 per annum. Permanent appointment from promotional certification.

Debra A. Miranda, Clerk, Buttonwood Hospital. Commenced duties on 1/25/09 at \$39,981. Permanent appointment to non-competitive division position.

John M. Quinn, Assistant Storekeeper, Office on Aging. Commenced duties on 2/11/09 at \$29,844 per annum. Permanent appointment from promotional certification.

Melissa M. Holmes, Senior Clerk Typist, Health Department. Commenced duties on 2/9/09 at \$29,676 per annum. Permanent appointment from promotional certification.

27 **RESOLUTION NO. 156** by Director Donnelly, RESOLUTION AUTHORIZING AWARD OF CONTRACTS FOR THE PURCHASING DEPARTMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has authorized the solicitation of bids for certain contracts; and

WHEREAS, the County Purchasing Agent has publicly advertised for bids for said contracts and has received, opened and reviewed said bids with the appropriate Burlington County representatives; and

WHEREAS, the County Purchasing Agent recommends to the Board of Chosen Freeholders that contracts be awarded to the lowest, responsible bidders as listed below; and

WHEREAS, all required certifications of the availability of funds for the award of contracts were approved, at the time or on an as needed basis, by the Chief Financial Officer

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that award of the contracts listed below is hereby approved and that the proper County Officials are hereby authorized, in accordance with the Rules of the Board, to accept the bid proposals and execute said contracts after all of the requirements of the bid specifications are met by the bidders, including, but not limited to, the submission of the required performance bond, insurance certificate and evidence of affirmative action compliance.

1. Bids were received on February 10, 2009, as authorized by resolution #13, adopted on January 14, 2009, for the solicitation entitled "REPLACEMENT OF REFRACTORY ON LFG FLARE CD#3 AT THE BURLINGTON COUNTY REOURCE RECOVERY COMPLEX" (CPU-09-0021).

McNeil Sales & Services, Inc.
15 Marlen Drive
Robbinsville, NJ 08691

Removal and Installation of Refractory
on LFG Flare CD# 3 as per specifications.

TOTAL LUMP SUM BID.....\$ 48,825.00

2. Bids were received on March 3, 2009, as authorized by resolution #28, adopted on January 28, 2009, for the solicitation entitled "TRAFFIC SIGNAL CONTROLLERS AND HARDWARE 2009-2011" (CPU-09-0006).

Signal Control Products, Inc.
199 Evans Way
Branchburg, NJ 08876

Awarded Groups A, B, & C
Estimated Amount of Award..... \$1,958,495.00

The Breaker Group, Inc.
32 Mill Street
Mount Holly, NJ 08060

Awarded Group D

Estimated Amount of Award.....\$ 45,000.00

ESTIMATED TOTAL AMOUNT OF AWARD. \$2,003,495.00
 (For Years One (1) & Two (2)).

3. The Burlington County Purchasing Agent recommends that the solicitation entitled "GLUED-LAMINATED TIMBER SUPERSTRUCTURE & REPAIR COMPONENTS FOR BRIDGE G6.51, WOODLAND TOWNSHIP" (CPU-09-0022) received on March 4, 2009, as authorized by resolution #56, adopted on February 11, 2009, be rejected, re-advertised, and received at a later date as the amount bid, by the sole bidder, substantially exceeds the budget appropriation.

*** It was moved by Mr. Brown, seconded by Mr. Donnelly that the following item be approved by unanimous consent. All in favor. Motion carried. Resolutions No. 157 adopted.

28 **RESOLUTION NO. 157** by Mr. Brown, AGREEMENT WITH MICHAEL KAY, DDS IN AN AMOUNT NOT TO EXCEED \$5,000 FOR DENTISTRY SERVICES FOR 2009 FOR THE JUVENILE DETENTION CENTER.

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. 970 adopted on December 10, 2008, the Burlington County Board of Chosen Freeholders ("the Board") authorized the Juvenile Detention Center ("JDC") to advertise a Request for Qualifications (RFQ) seeking qualified dentistry 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, the JDC did not receive a response to the two advertisements placed in the Burlington County Times, the first being placed on December 12, 2008 and the second being placed on February 9, 2009; and

WHEREAS, the JDC did not receive a response to the advertisement posted on the website of the County of Burlington; and

WHEREAS, Michael Kay, D.D.S. 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 designated review committee negotiated and reached a tentative agreement as to terms with Michael Kay, D.D.S., consistent and in accordance with the RFQ; and

WHEREAS, the designated review committee has submitted its written report to the Burlington County Board of Chosen Freeholders recommending that Michael Kay, D.D.S., be awarded a contract to perform the designated dentistry services; and

WHEREAS, the Board and said dentistry 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>
Michael Kay, D.D.S.	Dentistry Services	\$5,000.00

and

WHEREAS, funds are available in Account No. 10-0412-032209 in the amount of \$1,412.60 and the remaining balance is anticipated to be available in the 2009 temporary and permanent budgets. 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 Michael Kay, D.D.S., 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.

- 29 **RESOLUTION NO. 158** by Mr. Haines, AGREEMENT WITH ASCAP IN THE AMOUNT OF \$3,139, BMI IN THE AMOUNT OF \$3,008 AND SESAC, INC. IN THE AMOUNT OF \$1,968 FOR VARIOUS PERFORMERS TO APPEAR AT BURLINGTON COUNTY VENUES AND EVENTS WHO PERFORM COPYRIGHTS MATERIALS IN ACCORDANCE WITH THE COPYRIGHT LAW 17 U.S.C. 101 ET. SEQ. FOR THE DEPARTMENT OF RESOURCE CONSERVATION/DIVISION OF PARKS, moved for adoption by Mr. Haines, seconded by Mr. Donnelly. Ayes: Mr. Donnelly, Mr. Brown, Mr. Haines, Mrs. Reinhart and Mr. Wujcik. Oppose: none. Motion carried. Resolution No. 158 adopted.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington, through the Burlington County Division of Cultural Affairs & Tourism, has determined to provide for the planning, of arts, cultural and heritage programming for the enrichment of Burlington County citizens and visitors at Burlington County parks, including Historic Smithville Park in Eastampton, Pennington Park in Delanco, Burlington County Amphitheater in Westampton, Long Bridge Park in Hainesport, the Burlington County Agricultural Center in Moorestown and Amico Island in Delran; and

WHEREAS, the County hires various performers to appear at the Burlington County Amphitheater, county parks and other venues who perform copyrighted materials; and

WHEREAS, in order to comport with the Copyright Law (17U.S.C. 101 et seq.), by Resolution #65 authorized on January 25, 2006, into licensing agreements from the two of the largest collective licensing organizations, American Society of Composers, Artists, and Performers (ASCAP) and Society of European Stage of Authors and Composers, Inc. (SESAC, Inc.) in order to obtain the rights to use of copyrights material; and

WHEREAS, the annual fee for each licensing agreement for a County is set according to populations, currently resulting in a 2009 fee of \$3,412.00 for ASCAP (Account #500579192) and \$2,261 SESAC, Inc. (Account #63-29-01017); and

WHEREAS, a third licensing fee for Broadcast Music Incorporated (BMI) Account #1255033 for 2009 will come due, June 2009 at the anticipated fee of \$3,412.00; and

WHEREAS, these licensing agreements are required annually for the continued public performance of copyrighted materials; and

WHEREAS, funds are available in account no. 10-0616-033709 as certified by the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that annual licensing agreements with ASCAP, SESAC, INC., and BMI are hereby authorized and approved; and, be it

FURTHER RESOLVED, that the County Administrator is hereby authorized to execute and deliver said annual licensing agreements, subject to approval as to final form by the County Solicitor, in accordance with the Rules of the Board.

- 30 **RESOLUTION NO. 159** by Mr. Haines, AGREEMENT WITH VITETTA IN AN AMOUNT NOT TO EXCEED \$18,175 FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS, PROJECT MANUAL AND SPECIFICATIONS, BIDDING ADMINISTRATION AND CONSTRUCTION ADMINISTRATION FOR THE REPAINTING

OF THE EXTERIOR WOODWORK, TRIM AND FILIGREE ON THE SMITHVILLE MANSION ANNEX, BARN/STABLE AND SCHOOLHOUSE MUSEUM FOR THE DEPARTMENT OF RESOURCE CONSERVATION/DIVISION OF PARKS, moved for adoption by Mr. Haines, seconded by Mr. Wujcik. Ayes: Mr. Donnelly, Mr. Haines, and Mr. Wujcik. Oppose: Mr. Brown and Mrs. Reinhart. Motion carried. Resolution No. 159 adopted.

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 Board needs to repaint the exterior woodwork, trim and filigree on the Mansion, Annex, Barn/Stable and Schoolhouse Museum at Historic Smithville Park in Eastampton, New Jersey; and

WHEREAS, the Board needs construction documents, a project manual and specifications, bidding administration and construction administration for the painting project; and

WHEREAS, by Resolution No. 78 on February 25, 2009 established an approved list of Qualified Architects through a fair and open process which includes VITETTA as a contractor qualified to perform architectural services on behalf of the Board during 2009 through 2011; and

WHEREAS, Vitetta has offered to provide the services needed by the Board for a charge of \$18,175.00 which services constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contracts Law; and

WHEREAS, there are sufficient monies in account no. 44-5007-101255 to 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; now therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the contracts described above, approved as to form and substance by the County administrator and County Solicitor, be and the same is hereby approved and its execution in accordance with the Rules of the Board is authorized; 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 a copy 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.

31 **RESOLUTION NO. 160** by Mr. Haines, AGREEMENT WITH GEORGE J. DONOVAN, AIA ASSOCIATES IN AN AMOUNT NOT TO EXCEED \$14,335 FOR THE PREPARATION OF CONSTRUCTION DOCUMENTS, PROJECT MANUAL AND SPECIFICATIONS, BIDDING ADMINISTRATION AND CONSTRUCTION ADMINISTRATION FOR THE REPLACEMENT OF CEDAR SHAKE ROOFS ON THE BARN/STABLE AND SCHOOLHOUSE MUSEUM FOR THE DEPARTMENT OF RESOURCE CONSERVATION/DIVISION OF PARKS, moved for adoption by Mr. Haines, seconded by Mr. Wujcik. Ayes: Mr. Donnelly, Mr. Haines, Mrs. Reinhart and Mr. Wujcik. Oppose: Mr. Brown. Motion carried. Resolution No. 160 adopted.

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 Board wishes to replace the cedar shake roofs on the barn/stable and Schoolhouse Museum at Historic Smithville Park in Eastampton, New Jersey; and

WHEREAS, the Board needs construction documents, a project manual and specifications, bidding administration and construction administration for the roof replacement project; and

WHEREAS, by Resolution No. 78 on February 25, 2009 established an approved list of Qualified Architects through a fair and open process which includes George J. Donovan AIA & Associates as a contractor qualified to perform architectural services on behalf of the Board during 2009 through 2011; and

WHEREAS, George J. Donovan AIA & Associates has offered to provide the services needed by the Board for a charge of \$14,335.00 which services constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contracts Law; and

WHEREAS, there are sufficient monies in account no. 44-5007-101255 to 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; now therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the contracts described above, approved as to form and substance by the County administrator and County Solicitor, be and the same is hereby approved and its execution in accordance with the Rules of the Board is authorized; 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 a copy 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.

32 **RESOLUTION NO. 161** by Mr. Haines, AGREEMENT WITH REGAN YOUNG ENGLAND & BUTERA IN AN AMOUNT NOT TO EXCEED \$12,535 FOR THE PREPARATION OF DETAILED PLANS AND SPECIFICATIONS FOR ALTERATIONS TO 1 PARK AVENUE FOR A CONVERSION TO A CANOE/KAYAK/BICYCLE RENTAL SHOP FOR THE DEPARTMENT OF RESOURCE CONSERVATION/DIVISION OF PARKS, moved for adoption by Mr. Haines, seconded by Mr. Donnelly. Ayes: Mr. Donnelly, Mr. Haines, Mrs. Reinhart and Mr. Wujcik. Oppose: Mr. Brown. Motion carried. Resolution No. 161 adopted.

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 Board wishes to make the residential structure commonly known as 1 Park Avenue in Historic Smithville Park available to a qualified vendor to operate a canoe, kayak and/or bicycle rental shop; and

WHEREAS, the Board must make alterations to the structure bring it into compliance with applicable codes and standards; and

WHEREAS, the Board needs a detailed set of plans and specifications in order to obtain a building permit for the work; and

WHEREAS, by Resolution No. 78 on February 25, 2009 established an approved list of Qualified Architects through a fair and open process which includes Regan Young England & Butera as a contractor qualified to perform architectural services on behalf of the Board during 2009 through 2011; and

WHEREAS, Regan Young England & Butera has offered to provide the services needed by the Board for a charge of \$12,535.00 which services constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contracts Law; and

WHEREAS, there are sufficient monies in account no. 44-5007101255 to 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; now therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the contracts described above, approved as to form and substance by the County administrator and County Solicitor, be and the same is hereby approved and its execution in accordance with the Rules of the Board is authorized; 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 a copy 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.

33 **RESOLUTION NO. 162** by Mr. Haines, AGREEMENT WITH REGAN YOUNG ENGLAND BUTERA IN AN AMOUNT NOT TO EXCEED \$11,125 FOR THE PREPARATION OF DETAILED PLANS AND SPECIFICATIONS FOR RESTORATION OF THE PORCH ON THE FARMHOUSE AT THE BURLINGTON COUNTY COMMUNITY AGRICULTURAL CENTER FOR THE DEPARTMENT OF RESOURCE CONSERVATION/DIVISION OF PARKS, moved for adoption by Mr. Haines, seconded by Mr. Wujcik. Ayes: Mr. Donnelly, Mr. Haines, Mrs. Reinhart and Mr. Wujcik. Oppose: Mr. Brown. Motion carried. Resolution No. 162 adopted.

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 Board wishes to make repairs to the porch on the farmhouse at the Burlington County Community Agricultural Center in Moorestown, New Jersey and bring it into compliance with applicable codes and standards; and

WHEREAS, the Board needs a detailed set of plans and specifications in order to obtain a building permit for the work; and

WHEREAS, by Resolution No. 78 on February 25, 2009 established an approved list of Qualified Architects through a fair and open process which includes Regan Young England & Butera as a contractor qualified to perform architectural services on behalf of the Board during 2009 through 2011; and

WHEREAS, Regan Young England & Butera has offered to provide the services needed by the Board for a charge of \$11,125.00 which services constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contracts Law; and

WHEREAS, there are sufficient monies in account no. 44-5007-101255 to 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; now therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the contracts described above, approved as to form and substance by the County administrator and

County Solicitor, be and the same is hereby approved and its execution in accordance with the Rules of the Board is authorized; 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 a copy 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.

- 34 **RESOLUTION NO. 163** by Mr. Haines, AUTHORIZATION TO PREPARE PREQUALIFICATION REGULATIONS FOR BIDDERS FOR 8 & 9 PARK AVENUE, AND 34 MAPLE AVENUE IN HISTORIC SMITHVILLE PARK AND THE WARDEN'S HOUSE AT THE HISTORIC PRISON MUSEUM IN ACCORDANCE WITH NJ HISTORIC TRUST REQUIREMENTS FOR THE DEPARTMENT OF RESOURCE CONSERVATION/DIVISION OF PARKS, moved for adoption by Mr. Haines seconded by Mr. Wujcik. Ayes: Mr. Donnelly, Mr. Brown, Mr. Haines, Mrs. Reinhart and Mr. Wujcik. Oppose: none. Motion carried. Resolution No. 163 adopted.

WHEREAS, the Burlington County Board of Chosen Freeholders (Board) owns and operates Historic Smithville Park, Eastampton Township as part of the Burlington County Parks System; and

WHEREAS, the Board is engaged in the Restoration of 8 & 9 Park Avenue and 34 Maple Avenue in Historic Smithville Park as a continuation of the Streetscape Project; and

WHEREAS, the Board received a grant from the New Jersey Historic Trust (NJHT) to assist in the construction of said improvements, and

WHEREAS, the NJHT requires that all potential bidders for the construction of said improvements be prequalified by virtue of their relevant experience as set forth in N.J.S.A. 40A:11-25 et seq. for the prequalification of bidders for public contract projects; and

WHEREAS, the Board is also engaged in the Restoration of the Warden's House at the Historic Prison Museum located in Mt. Holly Township; and

WHEREAS, the Department of Resource Conservation (DRC) wishes to prequalify potential bidders in connection with said improvements to 8 & 9 Park Avenue and 34 Maple Avenue in Historic Smithville Park and the Warden's House; and

WHEREAS, the DRC, after consultation with and approval by the County Administrator and County Solicitor desires to utilize a publicly advertised prequalification process in order to establish reasonable regulations appropriate for controlling the qualifications of prospective bidders for these projects; and

WHEREAS, N.J.S.A. 40A:11-25 sets forth those requirements for such a prequalification, including publication of advertisement of notice of a public hearing; now, therefore, be it

RESOLVED, the Board of Chosen Freeholders of the County of Burlington that the DRC and County Solicitor are authorized to prepare Prequalification Regulations for the prequalification of prospective bidders in connection with the Restoration of 8 & 9 Park

Avenue and 34 Maple Avenue in Historic Smithville Park and the Warden's House at the Historic Prison Museum; and, be it

FURTHER RESOLVED, that the DRC, County Solicitor and County Administrator shall be responsible for:

- a. advertising a public hearing on the prequalification regulations, which publication of advertisement shall precede the public hearing date by at least 20 days;
- b. prepare said Prequalification Regulations and make them available to those responding to the advertisement of public hearing and prequalification;
- c. providing a Standard Certification to Accompany Prequalification Regulations submitted to Director, Division of Local Government Services, Department of Community Affairs;

d. have a record kept of the public hearing proceedings and testimony of any citizen or prospective bidder, a copy of which shall be made available to the public and to the Division of Local Government Services;

e. make available said prequalification regulations, and establish a review committee to evaluate the responses to said Prequalification Regulations, which committee shall submit a written report to the Freeholder Board making recommendation as to which prospective bidders shall be considered properly prequalified for purposes of bidding at a later time for said project.

*** It was moved by Mrs. Reinhart, seconded by Mr. Brown that the following (2) two items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 164 and 165 adopted.

35 **RESOLUTION NO. 164** by Mrs. Reinhart, AUTHORIZATION TO ADVERTISE FOR BIDS FOR LABORATORY SERVICES – WATER TESTING FOR THE HEALTH DEPARTMENT.

WHEREAS, LABORATORY SERVICES - WATER TESTING FOR BURLINGTON COUNTY HEALTH DEPARTMENT 2009-2011 (RFP-09-0028) is to be contracted using competitive contracting; and

WHEREAS, N.J.S.A. 40A:11-4.1 provides that competitive contracting may be used in lieu of public bidding for the procurement of specialized goods and services the price of which exceeds the bid threshold of \$29,000; and

WHEREAS, LABORATORY SERVICES - WATER TESTING FOR BURLINGTON COUNTY HEALTH DEPARTMENT 2009-2011 is one of the specialized goods and/or services which may be procured through the use of the competitive contracting process at the option of the governing body, N.J.S.A. 40A:11-4.1(e); and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington finds that the use of the competitive contracting process for the procurement of LABORATORY SERVICES - WATER TESTING FOR BURLINGTON COUNTY HEALTH DEPARTMENT 2009-2011 will be beneficial to the citizens of this County; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the use of the competitive contracting process for the purchase of LABORATORY SERVICES - WATER TESTING FOR BURLINGTON COUNTY HEALTH DEPARTMENT 2009-2011 is hereby authorized; and, be it

RESOLVED that the County Administrator is authorized and directed to have published in the official newspaper a notice of availability of request for proposal documentation, as prepared by the Division of Purchase and submitted to and approved by the County Solicitor; and, be it

RESOLVED that a pre-proposal conference will be held for all proposers in the Freeholder’s Conference Room “B”, 1st Floor, County Office Building, 49 Rancocas Road, Mount Holly, New Jersey on Thursday, April 16, 2009 at 1:30 p.m.; and, be it

FURTHER RESOLVED that the submissions of proposals will be publicly received in the Freeholder’s Board Room on Tuesday, May 5, 2009 at 10:30 a.m. local prevailing time.

36 **RESOLUTION NO. 165** by Mrs. Reinhart, CHANGE ORDER NO. 4 FOR GITHENS CENTER IN THE AMOUNT OF \$17,047.88 FOR REIMBURSEMENT TO THE VENDOR FOR 2008 SERVICES PROVIDED ABOVE THE CONTRACTED YEARLY AMOUNT DUE TO THE HIGH DEMAND FOR THESE SERVICES TO ELIGIBLE CLIENTS PURSUANT TO THE PERSONAL ASSISTANCE SERVICES PROGRAM ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, pursuant Resolution no. 1058, adopted on December 13, 2006, the Burlington County Board of Chosen Freeholders (“Board”) entered into contract entitled “PERSONAL ASSISTANCE SERVICES PROGRAM 2007-2009” (RFP-06-0102) with the Burlington County Cerebral Palsy Association, Inc., t/a Githens Center (hereafter, “Githens”), for the period January 1, 2007, through December 31, 2009, which contract provided for a maximum amount payable of \$536,475.00; and

WHEREAS, by Resolution no. 865, adopted on October 24, 2007, the Board authorized Change Order Number One to said contract, increasing the amount payable by

\$35,000.00, which increase constituted a net increase of 6.52 percent and established a new maximum amount payable of \$571,475.00; and

WHEREAS, by Resolution no. 249, adopted on April 9, 2008, the Board authorized Change Order Number Two to said contract, increasing the amount payable by \$7,207.18, which increase constituted a net increase of 7.87 percent and established a new maximum amount payable of \$578,682.18; and

WHEREAS, by Resolution no.764, adopted on October 8, 2008, the Board authorized Change Order Number Three to said contract, increasing the amount payable by \$87,741.00, which increase constituted a net increase of 24.22 percent and established a new maximum amount payable of \$666,423.18; and

WHEREAS, the Board has approved the recommendation of the Administrator of the County's Human Services office that the amount payable to Githens be increased by \$17,047.88 for additional service hours for 2008, using unspent 2008 State funds; and

WHEREAS, an increase to the amount payable to Githens by this amount constitutes a net increase of 27.40 percent to the original maximum payable, resulting in a new maximum amount payable of \$683,471.06; and

WHEREAS, \$17,047.88 is available in Account No. 14-5760-056008, as evidenced by the certification of the County's Chief Financial Officer filed herewith; now therefore, the Board

RESOLVES that Change Order Number Four, as described above, is approved and its execution in accordance with the Rules of the Board is authorized.

*** It was moved by Mr. Wujcik, seconded by Mr. Haines that the following (6) six items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 166 through 171 adopted.

37 **RESOLUTION NO. 166** by Mr. Wujcik, AUTHORIZATION TO PURCHASE ANNUAL SOFTWARE MAINTENANCE FOR EXISTING PROPRIETARY SOFTWARE USED FOR COUNTY WIDE FIRE RECORDS SYSTEM FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED \$64,000 FROM ACS GOVERNMENT SYSTEMS, INC.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has a need to purchase ANNUAL SOFTWARE MAINTENANCE to include INSTALLATION and TRAINING, which is necessary to integrate with existing proprietary software, licensed by the County of Burlington, used for the Countywide Fire Records Management System, for the Office of Information Technology; and

WHEREAS, said support of proprietary software is exempt from public bidding by N.J.S.A 40A:11-5(1)(dd).; and

WHEREAS, the Burlington County Director of the Information Technology Department has prepared a written certification, which is attached, certifying that the Request for Authorization to Purchase is for the provision or performance of goods and /or services for the maintenance and support of existing proprietary equipment hardware and/or software. And that the hardware and/or software to be purchased is proprietary because they are goods or services of a specialized nature, that are made or marketed by a person or persons having the exclusive right to make or sell them; and

WHEREAS, ACS Government Systems, Incorporated, 2900 100th St., Suite 309, Urbandale, IA 50322 has submitted a proposal, dated November 25, 2008, indicating they will provide the required ANNUAL SOFTWARE MAINTENANCE to include INSTALLATION and TRAINING, for an amount not to exceed SIXTY-FOUR THOUSAND, DOLLARS AND 00/100 (\$64,000.00), contract number FAO-09-0002; and

WHEREAS, ACS Government Systems, Incorporated 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, ACS Government Systems, 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 actual cost for the proprietary ANNUAL SOFTWARE MAINTENANCE to include INSTALLATION and TRAINING for the Countywide Fire Records Management System, will not exceed SIXTY THOUSAND DOLLARS AND 00/100 (\$64,000.00); and

WHEREAS, funds are available for this purpose in Account No.10-0019-033709, as evidenced by the attached certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that a purchase order be awarded to ACS Government Systems, Incorporated, 2900 100th St., Suite 309, Urbandale, IA 50322, for the purchase of ANNUAL SOFTWARE MAINTENANCE to include INSTALLATION and TRAINING, which is necessary to integrate with existing proprietary software, licensed by Burlington County, used for the Countywide Fire Records Management System, in an amount not to exceed SIXTY-FOUR THOUSAND DOLLARS AND 00/100 (\$64,000.00), 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.

38 **RESOLUTION NO. 167** by Mr. Wujcik, AUTHORIZATION TO PURCHASE TWO SIP TRUNK ROUTERS AND ASSOCIATED HARDWARE FOR VOIP IMPLEMENTATION FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED \$28,077.08 FROM PAETEC INTEGRATED SOLUTIONS GROUP, INC.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has a need to PURCHASE TWO (2) SIP TRUNK ROUTERS AND ASSOCIATED HARDWARE FOR VOIP IMPLEMENTATION for the Department of Information Technology; and

WHEREAS, the Burlington County Director of Information Technology Department has prepared a written certification, which is attached, certifying that the Request for Authorization to Purchase is for the provision or performance of goods and/or services for the maintenance and support of existing proprietary equipment hardware and/or software. And that the hardware and/or software to be purchased is proprietary because they are goods or services of a specialized nature, that are made or marketed by a person or persons having the exclusive right to make or sell them; and

WHEREAS, Paetec Integrated Solutions Group, Incorporated, 6000 Irwin Road, Mount Laurel, NJ 08054 provided a proposal, dated February 3, 2009, for the PURCHASE OF THE TWO (2) SIP TRUNK ROUTERS AND ASSOCIATED HARDWARE FOR VOIP IMPLEMENTATION, for an amount not to exceed TWENTY-EIGHT THOUSAND, SEVENTY-SEVEN DOLLARS AND 08/100 (\$28,077.08), contract number FAO-09-0003; and

WHEREAS, Paetec Integrated Solutions Group, 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, Paetec Integrated Solutions Group, 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 PURCHASE OF TWO (2) SIP TRUNK ROUTERS AND ASSOCIATED HARDWARE FOR VOIP IMPLEMENTATION will not exceed TWENTY-EIGHT THOUSAND, SEVENTY-SEVEN DOLLARS AND 08/100 (\$28,077.08); and

WHEREAS, funds are available for this purpose, in Account No.60-7001-112282 as evidenced by the attached certification of the Burlington County Chief Financial Officer; and

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that a purchase order be awarded to Paetec Integrated Solutions Group, Incorporated, 6000 Irwin Road, Mount Laurel, NJ, 08054, for the PURCHASE OF THE TWO (2) SIP TRUNK ROUTERS AND ASSOCIATED HARDWARE FOR VOIP IMPLEMENTATION, for an amount not to exceed TWENTY-EIGHT THOUSAND, SEVENTY-SEVEN DOLLARS AND 08/100 (\$28,077.08), 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.

- 39 **RESOLUTION NO. 168** by Mr. Wujcik, AUTHORIZATION TO ACCEPT A COMMUNITY EMERGENCY RESPONSE TEAM (CERT) MOBILE INCIDENT COMMAND TRAILER AND AUTHORIZATION TO EXECUTE THE CERT TRAILER AGREEMENT FOR USE BY THE DEPARTMENT OF PUBLIC SAFETY.

WHEREAS, pursuant to N.J. S.A. 40A:5-29, the Burlington County Board of Chosen Freeholders (hereinafter "the Board") is authorized to accept donated property and to utilize said donated property in a manner which is not inconsistent with the laws of the State of New Jersey and of the United States; and

WHEREAS, the County of Burlington was selected by the State of New Jersey, Division of State Police, Office of Energy Management, Community Emergency Response Team (CERT), Citizen Corps NJ program to receive a CERT Mobile Incident Command Trailer; and

WHEREAS, the purpose of this trailer is to provide mobile incident command capabilities to manage CERT deployment within the State of New Jersey; and

WHEREAS, the CERT Mobile Incident Command Trailer will be used in the best interests of the public in Burlington County, the Southern Region of New Jersey and elsewhere within the State of New Jersey, as needed and when operationally feasible to enhance the safety and security of the public; and

WHEREAS, as a condition for receiving the trailer the County of Burlington must enter into an agreement with the New Jersey, Office of Emergency Management and must meet specific requirements of said agreement and "Trailer Recipient Requirements" as promulgated by CERT; and

WHEREAS, the Board has determined that the acceptance of the above-described donation will be of benefit to Burlington County's Office of Public Safety, the residents of Burlington County as well as the residents of the State of New Jersey, and is in the best interests of the citizens of Burlington County; now, therefore, be it

RESOLVED by the Burlington County Board of Chosen Freeholders that it does hereby accept the above-described donation from the Citizens Corps NJ Program and authorizes execution of an appropriate agreement with the State of New Jersey, Office of Energy Management and follows the "Trailer Recipient Requirements" as promulgated by CERT; and, be it

FURTHER RESOLVED that the Burlington County Board of Chosen Freeholders, on behalf of the citizens of this County, extends its gratitude and appreciation to Citizens Corps NJ Program; and, be it

FURTHER RESOLVED that a copy of this Resolution shall be forwarded to Citizens Corps NJ Program for its records.

- 40 **RESOLUTION NO. 169** by Mr. Wujcik, TRANSFER OF OWNERSHIP OF TRAILER FOR USE CONSISTENT WITH THE INTENT OF THE HOMELAND SECURITY GRANT TO VIRTUA HEALTH SYSTEMS.

WHEREAS, the County of Burlington has been awarded grant funds by the United States Office of Homeland Security and Preparedness; and

WHEREAS, the County of Burlington was mandated by the conditions of the Homeland Security Grant to develop a "County Working Group" consisting of a cross section of representatives to decide how best to spend homeland security funds within the County of Burlington and provide a conduit of funds and equipment to eligible agencies; and

WHEREAS, the County Working group received a request for a trailer from Virtua Health Systems to provide needed health, safety and welfare concerns and the County Working group agreed to act as a conduit for Homeland Security funds to purchase a trailer for Virtua Health Systems; and

WHEREAS, the County of Burlington purchased the trailer with VIN: 5A3C508S37L003625 and acting in its capacity as conduit for Homeland Security funds and equipment needs to transfer ownership of the above mentioned trailer to Virtua Health Systems; and

WHEREAS, such transfer is authorized under the authority of N.J.S. 40A:12-21.1, et seq.; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the transfer of ownership of the trailer with VIN:5A3C508S37L003625 for use consistent with the intent of the Homeland Security Grant to Virtua Health Systems is hereby approved; and, be it

FURTHER RESOLVED that the proper County officials are hereby authorized to complete the transfer of ownership as detailed herein.

41 **RESOLUTION NO. 170** by Mr. Wujcik, AUTHORIZATION OF VARIOUS MUTUAL AID AGREEMENTS WITH MUNICIPALITIES AND FIRST RESPONDER ORGANIZATION AS PROVIDED FOR UNDER THE HOMELAND SECURITY ACT OF 2002 FOR THE PERIOD OF SEPTEMBER 1, 2008 THROUGH AUGUST 31, 2011.

WHEREAS, as provided for under the Homeland Security Act of 2002 (P.L. 107-296), the U.S. Department of Homeland Security is responsible for the allocation of funds to state and local governments, including Burlington County, through the Homeland Security Grant Program ("HSGP"); and

WHEREAS, the principal objective of the HSGP funding received by Burlington County is to enhance the County's ability to prevent, detect, deter, respond to and recover from threats and acts of terrorism; and

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") has been the recipient of HSGP funds awarded in each Federal Fiscal Year since 2003, and the Board will continue to submit applications as funding is available during subsequent federal fiscal years; and

WHEREAS, as required under the HSGP, the Board has established a Multi-Discipline County Working Group ("Working Group") consisting of various county and municipal emergency managers, first responders and administrators who are charged with the responsibility to prioritize and develop strategies and spending plans based upon an objective and comprehensive assessment of local needs; and

WHEREAS, the Working Group has recommended the allocation of various items of equipment purchased through HSGP funding to municipal governments and first responder organizations in recognition of the importance of developing a coordinated, regional strategy to enhance the County's homeland security capabilities; and

WHEREAS, the County, through the Working Group, will continue to address homeland security through a comprehensive, coordinated and regional approach in subsequent years, and will in all likelihood allocate future equipment and resources to municipal governments and first responders organizations; and

WHEREAS, the New Jersey Shared Services Act, N.J.S. 40A:65-1 et seq. and N.J.S. 40A:11-10 provides the authorization for Burlington County to enter into contracts with local government for the joint provision of shared services within their respective areas of jurisdiction; and

WHEREAS, that authority to enter into shared service agreements is extended to the County Administrator for the three-year period beginning September 1, 2008 and terminating August 31, 2011; now, therefore, be it

RESOLVED, by the Burlington County Board of Freeholders that the County Administrator is hereby authorized to enter into shared service agreements with municipalities and first responder organizations for the purpose of allocating equipment purchased by the County under the Federal Homeland Security Grant Program; and, be it

FURTHER RESOLVED that said authorization to enter into shared service agreements is extended to the County Administrator for the three-year period beginning September 1, 2008 and terminating August 31, 2011; and, be it

FURTHER RESOLVED, that the County Administrator is hereby authorized to sign, seal, execute, witness and attest said shared service agreements on behalf of the Board, in accordance with the Rules of the Board and subject to approval as to form by the County Solicitor.

- 42 **RESOLUTION NO. 171** by Mr. Wujcik, AUTHORIZATION TO PURCHASE MAINTENANCE OF COMPUTER HARDWARE FOR THE INFORMATION TECHNOLOGY DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$44,261.56 FROM IBM, CORPORATION AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, Burlington County wishes to purchase MAINTENANCE OF COMPUTER HARDWARE for the Burlington County Information Technology 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 Contract Law at N.J.S.A. 40A:11-12; and

WHEREAS, the Director of Information Technology has reviewed and approved the request for the purchase of MAINTENANCE OF COMPUTER HARDWARE for the period of January 1, 2009 through December 31, 2009; and

WHEREAS, IBM, Corporation, 1551 S. Washington Avenue, Piscataway, NJ 08854, has a New Jersey State Contract for WSCA Computer Contract, Term Contract M-0483 with the New Jersey State Contract Number A70265; Contract Dates: October 17, 2007 to August 31, 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 MAINTENANCE OF COMPUTER HARDWARE will not exceed \$44,261.56; and

WHEREAS, funds are available for this purpose in Account No.10-0019-030709 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, IBM, Corporation, 1551 S. Washington Avenue, Piscataway, NJ 08854, for MAINTENANCE OF COMPUTER HARDWARE for the County Information Technology Department.

43 PUBLIC COMMENTS.

- 1) Linda McCann, CWA Local 1086, addressed the Board concerning the Board of Social Services and obtaining a copy of their budget.
- 2) Elizabeth Kelly and Arlene Ward, Mt. Laurel Township, addressed the Board concerning their easement the County is purchasing. Freeholder Brown made motion to rescind agenda item no. 17 and table the item until the Engineering Department had the opportunity to meet with them. Mr. Wujcik seconded the motion. All in favor. Motion carried. **Resolution Agenda Item No. 17 rescinded (refer to Resolution No. 151).**
- 3) Linda Lovendusky, Springfield Township, addressed the Board concerning several issues regarding the new County Fairgrounds:
 - a. new access roads,
 - b. oil tank removal,
 - c. permits from Springfield Township,
 - d. water and sewer,
 - e. Smithville Road,
 - f. Prisons in Springfield
 - g. Redevelopment zone, and Woodhue
- 4) Fran Brooks, Tabernacle Township, addressed the Board concerning salaries going to non-profits and the legal implications and policy issues.
- 5) Richard Dow, Mount Holly Township, addressed the Board concerning salary cuts and thanked Fran Brooks for her questions to the Board. Mr. Dow thanked Mr. Brown

and Mrs. Reinhart for their scrutiny of the farm land auction and would like to see tax going back to the public.

44 QUESTIONS FROM THE PRESS.

1) Mellisa Hayes, Burlington County Times, questioned agenda items 2 and 3 regarding salaries and benefits and the effective date. Ms. Hayes also questioned why the Board did not rescind agenda item 16 also.

45 COMMENTS BY FREEHOLDERS

1) Freeholder Brown stated with regard to Mr. Wujcik, that salary cuts were not discussed, when the question came about, there was considerable discussion regarding the donation of salary. The resolution prepared was supposed to reflect benefits. Mr. Brown further stated that when he received his conference packet that was when he saw the resolution regarding salaries. Mr. Brown stated that it was disheartening now because non-profits will receive less, and would like to eliminate the governmental bureaucracy.

2) Freeholder Reinhart reported on stimulus money and that we need to move quickly and that we may not be able to follow procedures, but that 17 towns are working on getting the money and they are working together and as money is released we all need to make time since there are tight deadlines.

3) Freeholder Haines commented on the ground breaking for the new Fair Grounds. Mr. Haines acknowledged all the attendees to include the Mayor and Deputy Mayor of Springfield Township. Mr. Haines further stated that this was purchased with a cost share from Springfield Township to avoid 600 new homes from being built. Mr. Haines thanked Matt Johnson for all his hard work.

4) Director Donnelly thanked everyone for coming to the meeting and reiterated that he feels that Freeholder's should not carry benefits and feels it is a step in the right direction.

46 ADJOURNMENT.

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

Respectfully submitted,

Augustus M. Mosca
County Administrator/Board Clerk