

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, July 8, 2009, at 11:00 A.M. The meeting was opened with the flag salute and prayer by the Clerk.

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

2 ROLL CALL.

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

3 OFFICIALS.

Officials in attendance were: County Solicitor Nelson, Treasurer Hannigan, Chief Financial Officer, County Engineer Jaggard, Resource Conservation Director Robbie, Public Health Coordinator Gogats, Human Resources Director Hornickel, Information Technology Director Behmke, Prosecutor Bernardi, Superintendent of Roads Some, Transportation Coordinator Wyche, Supervising Administrative Analyst Stewart, and Assistant Public Information Officer O'Donnell.

4 **RECOGNITION** – EILEEN LYNN FOR 34 YEARS OF SERVICE TO BURLINGTON COUNTY UPON RETIRING ON APRIL 30, 2009.

Director Donnelly read the certificate of appreciation and presented a clock to Ms. Lynn for her years of service to Burlington County.

5 **RECOGNITION** – DENISE F. HARRELL FOR 25+ YEARS OF SERVICE TO BURLINGTON COUNTY UPON RETIRING ON MAY 31, 2009.

Freeholder Brown read the certificate of appreciation and presented a clock to Ms. Harrell for her years of service to Burlington County.

6 **PROCLAMATION** – NEW JERSEY ARMY NATIONAL GUARD'S 50<sup>TH</sup> INFANTRY BRIGADE COMBAT TEAM – MAJOR GENERAL GLENN K. RIETH

Director Donnelly introduced Major General Glenn K. Rieth and presented him with a proclamation in recognition of 2,800 members of the New Jersey Army National Guard's 50<sup>th</sup> Infantry Brigade Combat Team. Major General Rieth thanked the Board on behalf of the Brigade.

\*\*\* It was moved by Director Donnelly, seconded by Mr. Brown that the following ten (10) items be approved by unanimous consent. Motion carried. Resolution Nos. 373 through 382 adopted.

7 **RESOLUTION NO. 373** by Director Donnelly, PAYMENT OF BILLS.

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 \$12,191,165.51 be and 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.

8 **RESOLUTION NO. 374** by Director Donnelly, DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES REQUESTED TO APPROVE AN ITEM OF REVENUE IN THE 2009 COUNTY BUDGET IN THE AMOUNT OF \$20,000.00 FROM THE STATE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS AND APPROPRIATED UNDER THE CAPTION OF VETERANS TRANSPORTATION.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount; now, therefore be it

## SECTION I

RESOLVED, that the Board of Chosen Freeholders of the County of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the County Budget for the year 2009, in the sum of \$20,000.00 which item is now available as revenue from the State of New Jersey, Department of Military and Veteran Affairs, pursuant to the provisions of statute; and

## SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$20,000.00 be hereby appropriated under the caption of:

Veterans Transportation; and

FURTHER RESOLVED that the appropriate certification be filed with Division of Local Government Services

- 9 **RESOLUTION NO. 375** by Director Donnelly, DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES REQUESTED TO APPROVE AN ITEM OF REVENUE IN THE 2009 COUNTY BUDGET IN THE AMOUNT OF \$114,075.00 FROM THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES AND APPROPRIATED UNDER THE CAPTION OF OFFICE ON AGING.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount; now, therefore be it

## SECTION I

RESOLVED, that the Board of Chosen Freeholders of the County of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the County Budget for the year 2009, in the sum of \$114,075.00 which item is now available as revenue from the State of New Jersey, Department of Health and Senior Services, pursuant to the provisions of statute; and

## SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$114,075.00 be hereby appropriated under the caption of:

Office on Aging; and

FURTHER RESOLVED that the appropriate certification be filed with Division of Local Government Services.

- 10 **RESOLUTION NO. 376** by Director Donnelly, DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES REQUESTED TO APPROVE AN ITEM OF REVENUE IN THE 2009 COUNTY BUDGET IN THE AMOUNT OF \$65,000.00 FROM THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES AND APPROPRIATED UNDER THE CAPTION OF NEW JERSEY COMPREHENSIVE CANCER CONTROL PLAN.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount; now, therefore be it

## SECTION I

RESOLVED, that the Board of Chosen Freeholders of the County of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the County Budget for the year 2009, in the sum of

\$65,000.00 which item is now available as revenue from the State of New Jersey, Department of Health and Senior Services, pursuant to the provisions of statute; and

## SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$65,000.00 is hereby appropriated under the caption of:

New Jersey Comprehensive Cancer Control Plan; and

FURTHER RESOLVED that the appropriate certification be filed with Division of Local Government Services.

11 **RESOLUTION NO. 377** by Director Donnelly, RECEIPT AND ACCEPTANCE OF THE 2008 ANNUAL AUDIT.

WHEREAS, N.J.S. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2008 has been filed by a Registered Municipal Accountant with the Burlington County clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all member of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

Schedule of Findings and Recommendations, and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

Schedule of Findings and Recommendations evidenced by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 - to with:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE BE IT RESOLVED, that the governing body of the County of Burlington, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

12 **RESOLUTION NO. 378** by Director Donnelly, AUTHORIZATION TO PAY SALARIES AS APPROVED BY THE FISCAL YEAR 2009 COUNTY BUDGET.

BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the County Treasurer is hereby authorized and directed to pay the attached salaries

retroactively to January 1, 2009, as approved by the Fiscal Year 2009 County budget; and be it

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the State Department of Personnel.

13 **RESOLUTION NO. 379** by Director Donnelly, POSITIONS CREATED AND ABOLISHED IN VARIOUS COUNTY DEPARTMENTS.

RESOLVED, BY THE Board of Chosen Freeholders of the County of Burlington that the following positions be created and abolished effective immediately:

	RANGE	HOURS
PUBLIC SAFETY SERVICES:		
Create:		
03865 1 Supervising Public Safety Telecommunicator	30	40
Abolish: 1 Emergency Management Planner		
SURROGATE:		
Create:		
05269 1 Attorney PT		24

and be it,

RESOLVED, that a certified copy of this resolution be forwarded to the New Jersey Department of Personnel.

14 **RESOLUTION NO. 380** 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.

Robert A. Parsons, Supervising Accountant, Department of Finance. Commenced duties on 6/30/08 at \$70,209 per annum. Provisional appointment pending promotional examination.

Valerie A. Torelli, Administrative Clerk, County Clerks Office. Commenced duties on 6/30/08 at \$37,414 per annum. Provisional appointment pending promotional examination.

Frances R. Gaysek, Social Worker Aging, Office on Aging. Commenced duties on 5/4/09 at \$38,496 per annum. Permanent appointment from open competitive certification.

Gretchen M. Haines, Head Nurse, Buttonwood Hospital. Commenced duties on 3/8/09 at \$32.00 per hour. Provisional appointment pending open competitive examination.

Shakira A. Mitchell, Public Safety Telecommunicator, Public Safety. Commenced duties on 5/3/09 at \$37,795 per annum. Permanent part-time to permanent full-time.

Lisa D. Moscatiello, Training Aide, Human Resources. Commenced duties on 11/30/08 at \$32,698 per annum. Provisional appointment pending promotional examination.

Edward J. Kelly, Senior Groundskeeper, Buildings and Grounds. Commenced duties on 5/18/09 at \$37,344 per annum. Permanent appointment from promotional certification.

Eileen E. Alesczyk, Principal Clerk Typist, Public Safety. Commenced duties on 5/12/09 at \$31,527 per annum. Permanent appointment from promotional certification.

Sandra L. Anderson, Senior Practical Nurse, Buttonwood Hospital. Commenced duties on 1/1/09 at \$50,958 per annum. Permanent appointment to non-competitive division position.

Joshua A. Earley, Residential Service Worker, Buttonwood Hospital. Commenced duties on 5/17/09 at \$26,151 per annum. Permanent appointment to non-competitive division position.

Shawn M. Wooten-Minus, Practical Nurse, Buttonwood Hospital. Commenced duties on 1/11/09 at \$38,628 per annum. Permanent appointment to non-competitive division position.

Jean C. Celestin, Practical Nurse, Buttonwood Hospital. Commenced duties on 5/18/09 at \$38,628 per annum. Permanent appointment to non-competitive division position.

Lucien Gabriel, Practical Nurse, Buttonwood Hospital. Commenced duties on 5/18/09 at \$21.00 per hour. Permanent appointment to non-competitive division position.

Amanda R. Pierce, Practical Nurse, Buttonwood Hospital. Commenced duties on 5/18/09 at \$21.00 per hour. Permanent appointment to non-competitive division position.

Meredith A. Puher, Institutional Attendant, Buttonwood Hospital. Commenced duties on 5/18/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Joseph J. Doherty, Confidential Assistant, Human Resources. Commenced duties on 2/10/09 at \$30.00 per hour. Unclassified appointment.

Richard K. Dreby, County Department Head, Public Safety. Commenced duties on 1/1/09 at \$94,376 per annum. Unclassified appointment.

Heather G. Cheesman, Clerk to County Constitutional Officer, County Clerks Office. Commenced duties on 1/12/09 at \$37,254 per annum. Unclassified position.

Ben T. Cheney, Computer Service Technician, Information Technology. Commenced duties on 1/12/09 at \$38,487 per annum. Temporary appointment six months or less.

Harold L. DeLaRoi, Emergency Management Planner, Public Safety. Commenced duties on 1/12/09 at \$50.00 per hour. Temporary appointment six months or less.

Sandra M. Matt, Student Assistant, Health Department. Commenced duties on 3/9/09 at \$8.00 per hour. Unclassified appointment.

Phillip R. Buffington, Bridge Attendant, Highway Department. Commenced duties on 5/2/09 at \$12.52 per hour. Temporary appointment six months or less.

Barry K. Douglass, Bridge Attendant, Highway Department. Commenced duties on 5/2/09 at \$12.52 per hour. Temporary appointment six months or less.

Denis J. McCarten, Bridge Attendant, Highway Department. Commenced duties on 5/1/09 at \$12.52 per hour. Temporary appointment six months or less.

Orin H. H. Morrison, Narcotics Clinic Aide, Health Department. Commenced duties on 4/21/09 at \$29,234 per annum. Temporary appointment six months or less.

Susan R. Quick, Head Nurse, Buttonwood Hospital. Commenced duties on 8/11/08 at \$33.31 per hour. Permanent appointment from open competitive certification.

Kathleen E. Beyer, Forensic Scientist 2, Public Safety. Commenced duties on 6/2/09 at \$46,427 per annum. Permanent appointment from promotional certification.

Roger E. Poinsett, Heavy Equipment Operator/Inspector Mosquito Extermination, Highway Department. Commenced duties on 5/28/09 at \$48,930 per annum. Permanent appointment from promotional certification.

Tracy Stephens, Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 5/18/09 at \$33,553 per annum. Permanent appointment from promotional certification.

Deanna D. Adkins, Supervising Field Representative Disease Control, Health Department. Commenced duties on 6/9/09 at \$59,558 per annum. Permanent appointment from promotional certification.

Bosede R. Olagbaju, Hospital Attendant, Buttonwood Hospital. Commenced duties on 6/1/09 at \$29,234 per annum. Permanent appointment to non-competitive division position.

Bertrece D. Henderson, Practical Nurse, Buttonwood Hospital. Commenced duties on 6/1/09 at \$21.00 per hour. Permanent appointment to non-competitive division position.

Dean R. Bird, Truck Driver, Highway Department. Commenced duties on 10/6/08 at \$30,085 per annum. Provisional appointment pending open competitive examination.

Roy L. Harris, Truck Driver, Highway Department. Commenced duties on 10/6/08 at \$30,085 per annum. Provisional appointment pending open competitive examination.

William E. Colquitt, Truck Driver, Highway Department. Commenced duties on 10/6/08 at \$30,085 per annum. Provisional appointment pending open competitive examination.

- 15 **RESOLUTION NO. 381** by Director Donnelly, AUTHORIZATION TO DONATE A CHEVROLET S-10 PICK-UP TRUCK TO THE INDIAN MILLS VOLUNTEER FIRE COMPANY.

WHEREAS, pursuant to N.J.S.A. 40:23-26, the Board of Chosen Freeholders of the County of Burlington is authorized and empowered to donate used equipment to other local governmental units in a manner which is not inconsistent with the laws of the State of New Jersey and of the United States; and

WHEREAS, the Indian Mills Volunteer Fire Company, 48 Willow Grove Road, Shamong, New Jersey has expressed a desire to acquire from the County a used truck to assist the Fire Company in their ability to respond to emergency events within their community; and

WHEREAS, The Board of Chosen Freeholders has identified a Chevrolet S-10 Pick up Truck, VIN# 1GCDT14W4YK239063 that is no longer required for regular departmental use and is suitable for the purposes expressed by the Indian Mills Fire Company; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that it does hereby donate to the Indian Mills Volunteer Fire Company the above-described vehicle; and, be it

FURTHER RESOLVED that the proper County officials shall direct County personnel to remove and relocate the item described above; and, be it

FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Indian Mills Volunteer Fire Company, 48 Willow Grove Road, Shamong, NJ 08088.

- 16 **RESOLUTION NO. 382** by Director Donnelly, FIRST AMENDMENT TO AGREEMENT WITH CORE MECHANICAL, INC. IN THE AMOUNT OF \$10,000 FOR AN EXTENSION OF CONTRACT ENTITLED "AIR CONDITIONING AND REFRIGERATION MAINTENANCE" FOR AN ADDITIONAL THREE MONTHS THROUGH AUGUST 31, 2009.

WHEREAS, after open public bidding, a contract entitled "AIR CONDITIONING AND REFRIGERATION MAINTENANCE (CPU-06-0020) was awarded to Core Mechanical, Incorporated, 7905 Browning Road, Suite 112B, Pennsauken, New Jersey 08109 (hereafter Core Mechanical) by the Board of Chosen Freeholders of the County of Burlington (hereafter Board) on May 10, 2006 for the term June 1, 2006 through May 31, 2007 for an estimated amount of Twenty-Seven Thousand, Five Hundred Dollars and 00/100 (\$27,500.00) for this initial one year term; and

WHEREAS, the Board awarded option year two (2) of the contract, for the period June 1, 2007 through May 31, 2008 on March 28, 2007, for an estimated amount of Twenty-Eight Thousand, Two Hundred Twelve Dollars and 50/100 (\$28,212.50); and

WHEREAS, the Board awarded the third (3) and final option year of the contract, for the period June 1, 2008 through May 31, 2009, on April 9, 2008, for an estimated amount of Twenty-Eight Thousand, Nine Hundred Twenty-Five Dollars and 00/100 (\$28,925.00); and

WHEREAS, the above referenced contract can be extended while in the process of rebidding in accordance with N.J.S.A. 40A:11-15 and provisions of the contract; and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington and Core Mechanical have agreed to extend the term of the contract, for three (3) months, for the contract period June 1, 2009 through August 31, 2009; and

WHEREAS, a First Amendment to the contract is required to increase the term for this three (3) month extension, for an estimated amount of Ten Thousand Dollars (\$10,000.00), a figure that represents no increase in the contracted hourly rates or percentage markup on parts and equipment; and

WHEREAS, funds will be certified on an as needed basis by the Burlington County Chief Financial Officer; now therefore be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the attached First Amendment to Contract entitled "AIR CONDITIONING AND REFRIGERATION MAINTENANCE" (CPU-06-0020), extending the contract for a period of three (3) months, June 1, 2009 through August 31, 2009, and increasing the contract for an estimated amount of Ten Thousand Dollars (\$10,000.00), is hereby approved and authorization is hereby provided in this First Amendment to Contract to be executed, sealed and attested in accordance with the Rules of the Board.

- 17 **RESOLUTION NO. 383** by Director Donnelly, FIRST AMENDMENT TO AGREEMENT WITH KLEINFELDER EAST, INC. IN AN AMOUNT NOT TO EXCEED \$237,500 FOR ADDITIONAL ENVIRONMENTAL REMEDIATION SERVICES AT 9 MAPLE AVENUE IN HAINESPORT FOR THE DEPARTMENT OF BUILDINGS AND GROUNDS, was moved for adoption by Mr. Donnelly and seconded by Mr. Haines. Mr. Brown opposed this item. Motion carried. Resolution No. 383 as follows:

WHEREAS, the Burlington County Board of Chosen Freeholders ("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. 1130 on December 29, 2006, which establishes the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, by Resolution No. 69 adopted by the Burlington County Board or Chosen Freeholders on February 13, 2008 the Board did authorize Kleinfelder East Inc. to conduct environmental remediation services at 9 Maple Avenue, Hainesport Township, Burlington County, New Jersey; and

WHEREAS, a First Amendment is needed to prepare additional environmental remediation analysis for this project, that being 9 Maple Avenue, Hainesport Township; and

WHEREAS, Kleinfelder East Inc. has offered to provide said additional services for an amount not to exceed \$237,500.00 bringing their contract total amount to \$484,500.00; and

WHEREAS, funds for the additional work are available in Account No. 60-7001-080782; and

WHEREAS, this work continues to constitute a professional service under N.J.S.A. 40A:11-5 (1)(a)(i) et seq. and Kleinfelder East Inc. is a qualified member of the 2009 Certified Pool of Engineers pursuant to the Board's fair and open process as set forth under in Resolution No. 996 approved on December 30, 2008; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that:

1. This First Amendment to Agreement with Kleinfelder East Inc. in the amount of \$237,500.00 bringing the total contract amount to \$484,500.00 is hereby approved for the property at 9 Maple Avenue, Hainesport Township;
2. This First Amendment to Agreement 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;

3. Notice of this First Amendment shall be published in accordance with the requirements of the Law;
4. All terms and conditions of the original agreement between Kleinfelder East Inc. and the Board remain in full force and effect;
5. The County Administrator is hereby authorized to execute the First Amendment needed for this work in accordance with the Rules of the Board.

\*\*\* It was moved by Director Donnelly, seconded by Mr. Haines that the following nineteen (19) items be approved by unanimous consent. Mr. Brown abstained from items 12, 13, 14 and 15. Motion carried. Resolution Nos. 384 through 402 adopted.

18 **RESOLUTION NO. 384** by Director Donnelly, LOAN AND MORTGAGE APPROVED FOR TWO PROPERTY OWNERS FOR A HOME IMPROVEMENT LOAN IN THE AMOUNT OF \$9,870 AND \$13,681 PURSUANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (“HUD”) BLOCK GRANT ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Mr. Brown abstained from this item.

WHEREAS, the Burlington County Board of Chosen Freeholders (“Board”) has received funds from the U.S. Department of Housing and Urban Development (“HUD”) Block Grant #B-08-UC-34-0001, which the Board uses to make loans to eligible County property owners for the purpose of repairing dwellings to improve their habitability and satisfy housing code requirements; and

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

<u>Owner</u>	<u>Case no.</u>	<u>Rehab Cost</u>	<u>Title Costs</u>
R. Mee	35-47-33LS	\$ 9,695.00	\$175.00
A. Baird	35-32-12LS	\$13,681.00	\$175.00

WHEREAS, the amounts reported as “Rehab Cost” are available in account no. 31-0705-051285 to fund the housing rehabilitation costs portion of these loans, as evidenced by the certifications of Burlington County’s Chief Financial Officer filed herewith, with the balance of the loan amounts being a cost separately incurred by the CD Office for which the owner is responsible; now, therefore, the Board

RESOLVES, as follows:

1. The above-described loans (the sum of the “Rehab Cost” and the “Title Costs”) are approved, funds for which are to be drawn from federal Community Development Program moneys.
2. The CD Office and County Solicitor are authorized to prepare and record loan, mortgage and other appropriate documents to make these loans and protect the County’s interest in being repaid.
3. The CD Office and County Treasurer are authorized to send interim payments for completed work to the contractors and owners on (a) the CD Office’s determination that conditions of the contract between the owner and contractor have been satisfied and (b) receipt of forms and documents required for the processing of payments.
5. On satisfaction of the conditions of each loan the County Administrator and County Solicitor are authorized to prepare, execute and record appropriate documents to cancel documents filed of record.

19 **RESOLUTION NO. 385** by Director Donnelly, LOAN AND MORTGAGE APPROVED WITH THREE FIRST TIME HOMEBUYERS IN THE AMOUNT OF \$9,000 EACH PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Mr. Brown abstained from this item.

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 Partnership Program grant no. M-07-UC-34-0212; and

WHEREAS, the County’s 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>
A. C. Hamilton	FTB9-33-06GS	\$9,000
R. J. Pierone / N. M. Ott	FTB9-32-27GS	\$9,000
K. F. Barther	FTB9-31-37GS	\$9,000

WHEREAS, there are sufficient monies in account no. 42-0709-051200 to make the above-described loans, 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 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. 386** by Director Donnelly, LOAN AND MORTGAGE APPROVED WITH QUALITY MANAGEMENT ASSOCIATES REALTY, INC. IN THE AMOUNT OF \$150,000 TO PARTIALLY FUND REHAB OF FOUR NEW AFFORDABLE RENTAL UNITS AS PART OF A PROPOSED RENOVATION OF A SINGLE FAMILY HOME CREATING AFFORDABLE HOUSING FOR SPECIAL NEEDS PERSONS IN RIVERTON PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Mr. Brown abstained from this item.

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 pursuant to HOME Investment Partnerships Program Grant Number M-08-DC-34-0212; and

WHEREAS, Quality Management Associates Realty, Inc. (“QMAR”) has submitted an application to the Board for a loan to partially fund the acquisition, rehabilitation and soft costs of four new, affordable rental units as part of a proposed renovation of a single family home to create four units of affordable single-room-occupancy rental housing for special needs persons in Riverton, New Jersey; and

WHEREAS, the Board has reviewed and approved the recommendation of the County’s 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: \$150,000
- Use: Moderate rehabilitation and soft costs
- Loan Term: 15 years
- Interest Rate: One percent (1%) payable annually
- Affordability Term: 15 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 provides for County payment in excess of \$17,500.00 and is not being awarded through a public “fair and open” process, but is being awarded after application of qualification and eligibility criteria consistent with HOME Program funding; and

WHEREAS, the Board has received a Business Entity Disclosure Certification pursuant to N.J.S.A. 19:44A-20.8 in which QMAR 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, in addition, a Certification Concerning Political Contributions pursuant to P.L. 2005, Chapter 271, in which QMAR 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 Community Development Office are authorized to prepare documents for 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, 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.

21 **RESOLUTION NO. 387** by Director Donnelly, AUTHORIZATION TO RELEASE CERTAIN PERFORMANCE AND MAINTENANCE GUARANTEES AS SUBMITTED TO AND APPROVED BY THE BURLINGTON COUNTY PLANNING BOARD AT ITS MEETING HELD JUNE 23, 2009. Mr. Brown abstained from this item.

WHEREAS, the Burlington County Planning Board lawfully imposed the requirement that Planning Board applicants submit performance guarantees as a condition of approval to insure the satisfactory completion of improvements required by the Planning Board; and

WHEREAS, the Burlington County Planning Board lawfully imposed the requirement that certain Planning Board applicants submit maintenance guarantees as a condition to Planning Board approval to insure that improvements installed by said applicants remain in satisfactory condition for a period of one year; and

WHEREAS, the Burlington County Planning Board has determined that certain performance and maintenance guarantees are no longer required and may be released as more specifically set forth below; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the maintenance guarantee(s) submitted by the below-named Planning Board applicant(s) be released:

<u>Maintenance Guarantee(s)</u>	<u>Developer/Site</u>	<u>Amount</u>	<u>Plann.Bd. File No.</u>
IRLOC #136192070049	DiCristo Office/Apartments Christopher DiCristo Medford-Mt. Holly Road Medford Township	\$1,655.00	S04-20-031
Bond #104742699	WaWa Store #943 WaWa, Inc. Burlington-Mt. Holly Road Burlington Township	\$11,342.00	S05-06-048
Bond #S12361	TCM Contractors L.P.G. Properties, LLC Neck Road Burlington Township	\$2,516.00	S06-06-058
Bond #SB331356	Tabernacle Alarm Monitoring Sta. Jerryl J. Songhurst Carranza Road Tabernacle Township	\$1,305.00	S05-35-038

and, be it

FURTHER RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the following bond(s) be and hereby are released and maintenance bond(s), where appropriate, shall become effective on the date of the adoption of this Resolution:

<u>Performance Guarantee(s)</u>	<u>Developer/Site</u>	<u>Amount</u>	<u>Plann.Bd. File No.</u>
Bond #929447308	Mount Holly Marketplace, LLC Rancocas Road & Mt. Holly ByPass Mt. Holly Township	\$48,162.00	S04-23-101
Bond #105186858	CVS Pharmacy Mt. Holly Equities, LLC High Street Mount Holly Township	\$64,419.00	S08-23-060
Bond #5859755	Ryan's Cove Gaetano P. Giordano Bldrs., LLC Church Road Mount Laurel Township	\$21,497.00	B05-24-048

22 **RESOLUTION NO. 388** by Director Donnelly, AGREEMENT WITH WRIGHTSTOWN BOROUGH TO PARTICIPATE IN THE WRIGHTSTOWN STREETScape PROJECT ALONG FORT DIX STREET FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the Burlington County Board of Chosen Freeholders (hereinafter the "Board") recognizes the need to provide residents of the County and its various townships with appropriate cost saving measures for the benefit of all residents of the County; and

WHEREAS, Burlington County ("County"), has requested Wrightstown Borough ("Borough") to participate in the "Wrightstown Streetscape Project" along Fort Dix Street (CR545) to place improvements to Fort Dix Street which would include replacing the drainage system, replacing the curb and resurfacing the road; and

WHEREAS, this request to Borough will allow cost savings in allowing this work to be done while the Borough does other work on Fort Dix Street with no negative affect to the Borough; and

WHEREAS, the Borough shall evidence its desire to enter into such Agreement through passage of an appropriate resolution/ordinance document, such approval and implementation of this Agreement is contingent upon receipt of such Borough Resolution/Ordinance; and

WHEREAS, the County and the Borough are authorized by the "Shared Services Act" N.J.S. 40A:65-4, et seq. to enter into any Agreement with joint provision of any service which any party to the agreement is authorized to render within its own jurisdiction; and

WHEREAS, the parties have agreed to participate as documented in the attached Shared Services Agreement between the County of Burlington and the Borough establishing the respective rights and obligations of the parties regarding the referenced Agreement; now, therefore, be it

RESOLVED by the Burlington County Board of Chosen Freeholders that:

1. The attached Shared Services Agreement between Burlington County and Wrightstown Borough to promote the Wrightstown Streetscape Project is hereby approved.
2. The Burlington County Administrator is hereby authorized to sign, seal, execute and witness/attest the Agreement on behalf of the Board of Chosen Freeholders of the County of Burlington in accordance with the Rules of the Board.
3. The Burlington County Engineer and Administrative staff are authorized to take any action necessary to implement the terms of the Shared Services Agreement.
4. This authorization shall apply, for the term of the Agreement to any other Municipality, Municipal Utilities Authority or other governmental Entity provided that such Entity supply appropriate documents to Burlington County and the Burlington County Solicitor's office.

23 **RESOLUTION NO. 389** by Director Donnelly, FINAL CHANGE ORDER NO. 1 WITH S. BATATA CONSTRUCTION IN THE AMOUNT OF \$4,474.50 FOR THE COMPLETION

OF THE MOUNT HOLLY COMPLEX SIDEWALK AND LIGHTING PROJECT FOR THE ENGINEERING DEPARTMENT.

WHEREAS, S. Batata Construction, whose address is 11 Jackson Street, Suite 2G, South River, NJ 08882, has a contract with the Burlington County Board of Chosen Freeholders for the Mount Holly Complex Sidewalk & Lighting Contract CEG-08-0082; and

WHEREAS, the project is now completed; and

WHEREAS, the attached Final Change Order No. 1 for this project involves the following changes:

Original Contract Amount:	\$112,900.00
Increase:	\$4,747.50
Adjusted Contract Amount:	\$117,647.50

WHEREAS, this Final Change Order No. 1 results in a 4.2% increase to the original contract amount of \$112,900.00 thereby increasing the contract to \$117,647.50; and

WHEREAS, funds are available for this purpose in Account No. 60-7001-107582 as evidenced by the attached Certification of the Burlington County and Chief Financial Officer; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the said Final Change Order No. 1 dated June 18, 2009, which is attached hereto, be hereby approved; and, be it

RESOLVED, that the contract acceptance date of the whole project shall be recognized as April 10, 2009 and that this acceptance of this work in no way limits or alters the terms and conditions of this contract for construction including rights of retainage and warranties, implied or expressed and/or any other pertinent items to such contract; and, be it

FURTHER RESOLVED, that the County Administrator of the Board is hereby authorized and directed to execute, seal and deliver the change order according to the Rules of the Board.

24 **RESOLUTION NO. 390** by Director Donnelly, AGREEMENT WITH TRAP ROCK INDUSTRIES, INC. IN THE AMOUNT OF \$4,369,311.19 FOR THE 2009 STATE FUNDED OVERLAY PROGRAM FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the Burlington County Board of Chosen Freeholders approved the plans and specifications for the 2009 State Funded Overlay Program in various townships, Burlington County, New Jersey, Contract No. CEG-09-0035 by Resolution #308; and

WHEREAS, said Resolution authorized the advertisement and receipt of bids for said Project, and

WHEREAS, the NJDOT requires that a resolution authorizing the awarding of the 2009 State Funded Overlay Program contract be adopted by resolution, as it is a state funded project; and

WHEREAS, on June 30, 2009 the County Purchasing Agent publicly received and opened sealed bids for the 2009 State Funded Overlay Program as authorized by said Resolution, and

WHEREAS, Trap Rock Industries, Inc. has submitted a price of \$4,369,311.19 to do the work needed for the roads mentioned; and

WHEREAS, there are sufficient funds available in Account No. 14-5312-033708, coupon 87988, and Account No. 60-7001-112582, coupon 99407 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:

- 1) The contract for the 2009 State Funded Overlay, a state funded project, be and the same is hereby awarded to Trap Rock Industries, Inc. in the amount of \$4,369,311.19, subject to the approval of the Commissioner of the New Jersey Department of Transportation; and

2) The Director and/or the County Administrator of this Board are hereby authorized to sign said contract for the County of Burlington; and

3) The certified check and bid bonds of the unsuccessful bidders be returned.

25 **RESOLUTION NO. 391** by Director Donnelly, AGREEMENT WITH E. SAMBOL CORPORATION OF TOMS RIVER, NEW JERSEY IN THE AMOUNT OF \$1,119,665.75 FOR THE RECONSTRUCTION OF COUNTY BRIDGE NO. C3.39 SPRINGSIDE-RANCOCAS ROAD OVER MILL CREEK LOCATED IN BURLINGTON, WESTAMPTON AND WILLINGBORO TOWNSHIPS FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the New Jersey Department of Transportation (NJDOT) has allocated \$1,000,000 in State funds from the 2009 Local Bridge, Future Needs Program for the Reconstruction of County Bridge No. C3.39 Springside-Rancocas Road (C.R. 635) over Mill Creek, Burlington, Westampton, & Willingboro Townships (CEG-09-0044); and

WHEREAS, the Burlington County Board of Chosen Freeholders approved the plans and specifications and authorized the advertisement and receipt of bids for said project by Resolution No. 1000 on May 13, 2009, and

WHEREAS, on June 23, 2009 the County Purchasing Agent publicly received and opened sealed bids for said project as authorized by said Resolution, and

WHEREAS, E. Sambol Corporation of Toms River, New Jersey, is the lowest responsible bidder and has submitted a price of \$1,119,665.75 to construct said project; and

WHEREAS, the NJDOT requires that a resolution authorizing the award of the, Reconstruction of County Bridge No. C3.39 Springside-Rancocas Road (C.R. 635) over Mill Creek, Burlington, Westampton, & Willingboro Townships (CEG-09-0044) be adopted by resolution as it is both a County Bond and State funded project with State funds being administered by the NJDOT; and

WHEREAS, there are sufficient funds available in Account No. 60-7001-110382, coupon 89034 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:

1. The contract for the Reconstruction of County Bridge No. C3.39 Springside-Rancocas Road (C.R. 635) over Mill Creek, Burlington, Westampton, & Willingboro Townships (CEG-09-0044), a County Bond and State funded improvement project with \$1,000,000 in State funds being administered by the NJDOT be and same is hereby awarded to E. Sambol Corporation of Toms River, New Jersey, for the amount of \$1,119,665.75; and
2. Award of this contract to E. Sambol Corporation of Toms River, New Jersey is also subject to the review and approval of the Commissioner of the New Jersey Department of Transportation; and
3. The Director and/or the County Administrator of this Board are hereby authorized to sign said contract for the County of Burlington; and
4. The certified checks and bid bonds of the unsuccessful bidders be returned.

26 **RESOLUTION NO. 392** by Director Donnelly, AUTHORIZATION TO ACCEPT THE DEDICATION OF A PARCEL OF PROPERTY KNOWN AS BLOCK 102.06, LOT 1 IN BURLINGTON TOWNSHIP FOR THE ENGINEERING DEPARTMENT.

WHEREAS, there exists a need for the County of Burlington to acquire a property to facilitate the future reconstruction and widening of the intersection of Sunset Road and Campus Drive, Burlington Township, Burlington County; and

WHEREAS, the Board is authorized to acquire the right to enter upon the property for roadway widening and improvement purposes and acquire properties for roadway improvement purposes per the authority of N.J.S. 27:16-16 and 27:16-2; and

WHEREAS, one of the properties required is Block 102.06, Lot 1 in Sunset Road and Campus Drive, Burlington Township, Burlington County and is owned by Beneficial Bank who has agreed to sell this property to Burlington County for the amount of \$1.00; and

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the purchase of the above property is hereby approved; and be it

FURTHER RESOLVED that the County Solicitor's Office and the County Treasurer's Office are authorized to complete any documents needed for this transaction; and be it

FURTHER RESOLVED that the Director of the Board and the County Administrator are authorized to execute any documents needed for this transaction; and be it

FURTHER RESOLVED that this transaction shall be completed in accordance with the Rules of the Board.

- 27 **RESOLUTION NO. 393** by Director Donnelly, AGREEMENT WITH NJ TRANSIT FOR REIMBURSEMENT OF \$409,246 FOR THE FFY 2007 ROUND 9 JOB ACCESS REVERSE COMMUTE OPERATING GRANT FOR THE PEMBERTON, WILLINGBORO, BEVERLY/EDGEWATER PARK AND RIVERSIDE BURLINK ADMINISTERED THROUGH THE TRANSPORTATION OFFICE.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has submitted project proposals to New Jersey Transit Corporation [hereinafter NJ TRANSIT] for inclusion in NJ TRANSIT's FFY 2007 Consolidated Job Access and Reverse Commute Grant Program, submitted to the Federal Transit Administration [hereinafter FTA], an operating administration of the United States Department of Transportation, authorized by Section 5316 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) 49 U.S.C. § 5316; and

WHEREAS, through NJ TRANSIT, the FTA has approved the following Burlington County projects to receive grant and other funds:

Pemberton, Willingboro, Beverly/Edgewater Park and Riverside BurLink; and

WHEREAS, it is necessary for the Board of Chosen Freeholders to execute one contract with NJ TRANSIT, an instrumentality of the State of New Jersey with offices at One Penn Plaza East, Newark, New Jersey 07105, prior to the receipt of funds for the operation for the aforesaid project, the term of the contract being January 1, 2009 through midnight December 31, 2011; and

WHEREAS, the total amount to be reimbursed to the Board of Chosen Freeholders pursuant to the contract for the operation of the Pemberton, Willingboro, Beverly/Edgewater Park and Riverside BurLink is \$409,246.00 (FOUR HUNDRED NINE THOUSAND TWO HUNDRED FORTY-SIX DOLLARS) comprised of federal funds in the amount of \$31,623.00 (THIRTY-ONE THOUSAND SIX HUNDRED TWENTY-THREE DOLLARS) and \$173,000.00 (ONE HUNDRED SEVENTY-THREE THOUSAND DOLLARS) in matching funds provided by NJ TRANSIT and \$204,623.00 (TWO HUNDRED FOUR THOUSAND SIX HUNDRED TWENTY-THREE DOLLARS) in matching funds provided by the Burlington County Board of Chosen Freeholders and the Burlington County Department of Human Services; and

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the attached Job Access: Reverse Commute (Section 3037) Operating and Non-Operating Agreements with New Jersey Transit Corporation for the Pemberton, Willingboro, Beverly/Edgewater Park and Riverside BurLink be executed, sealed and attested by the proper County Officials in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED that the County Administrator is authorized to execute and file the annual certifications and assurances and other documents NJ TRANSIT requires in accordance with the Federal Transit Administration requirements for awarding Federal assistance via a pass through agreement.

- 28 **RESOLUTION NO. 394** by Director Donnelly, AUTHORIZATION FOR AN EXTENSION OF THE LANDFILL OPERATION AND MAINTENANCE AGREEMENT WITH WASTE MANAGEMENT, INC. UNTIL MARCH 31, 2010 FOR THE DEPARTMENT OF RESOURCE CONSERVATION/DIVISION OF SOLID WASTE.

WHEREAS, after open public bidding for contract entitled "LANDFILL OPERATION AND MAINTENANCE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX" (CPU-04-0010A) [hereinafter Contract] was awarded to Waste Management of New Jersey Incorporated, 107 Silvia Street, Ewing, NJ 08628, [hereinafter Waste Management] by the Board of Chosen Freeholders of the County of Burlington [hereinafter Board] on

August 25, 2004 for an amount not to exceed Eleven Million, Two Hundred Forty-One Thousand, Six Hundred and Twenty-Eight Dollars (\$11,241,628.00) for the contract period October 1, 2004 through September 30, 2007; and

WHEREAS, the Landfill Operation and Maintenance contract contains a provision allowing the County to extend the term of the contract for two one- year periods or one two-year period; and

WHEREAS, the Board amended the contract on October 10, 2007 per resolution #837; and

WHEREAS, this First Amendment to the contract extended the contract for one (1) year, for the period October 1, 2007 through September 30, 2008, in an amount not to exceed Three Million, Seven Hundred Seventy-Three Thousand, Four Hundred Thirty-Nine Dollars and Seventy Cents (\$3,773,439.70), for a new total contract amount, not to exceed Fifteen Million, Fifteen Thousand, Sixty-Seven Dollars and Seventy Cents, (\$15,015,067.70); and

WHEREAS, the Board amended the contract on October 8, 2008 per resolution #758; and

WHEREAS, this Second Amendment to the contract extended the term and the contract amount for this second, one year extension, for the period October 1, 2008 through September 30, 2009, in an amount not to exceed Three Million, Seven Hundred Forty-Two Thousand, Seven Hundred Twenty-Five Dollars and Ten Cents (\$3,742,725.10) for a new total contract amount, not to exceed Eighteen Million, Seven Hundred Fifty-Seven Thousand, Seven Hundred Ninety-Two Dollars and Eighty Cents (\$18,757,792.80); and

WHEREAS, the above reference contract may be extended while in the process of bidding in accordance with N.J.S.A 40A:11-15; and

WHEREAS, the Board of Chosen Freeholders and Waste Management have agreed to extend the term of the contract for a six (6) month period October 1, 2009 – March 31, 2010; and

WHEREAS, a Third Amendment to the contract is required to increase the term of the contract for six (6) months, in an amount of One Million, Eight Hundred Seventy-One Thousand, Three Hundred, Sixty-Two Dollars and 55/100 (\$1,871,362.55), for a new total contract amount of Twenty Million, Six Hundred Twenty-Nine Thousand, One Hundred, Fifty-Five Dollars and 35/100 (\$20,629,155.35); and

WHEREAS, funds are available for October, November and December 2009 for the extension period in Account Number 75-0712-040109 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; and

WHEREAS, funds are anticipated to be available for the 2010 portion of this contract extension upon adoption of the 2010 temporary and permanent budgets, at which time certification of funds will be approved by the Burlington County Chief Financial Officer; and

WHEREAS, all other terms and conditions of said Contract shall continue in full force and effect except as superseded by the Third Amendment to Contract; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the attached Third Amendment to Contract is hereby approved and the proper County Officials are hereby authorized to execute said Third Amendment to Contract in accordance with the Rules of the Board.

29 **RESOLUTION NO. 395** by Director Donnelly, AUTHORIZATION TO PURCHASE AND DELIVERY OF A REPLACEMENT MOTOR FOR THE LOWER BANK BRIDGE IN THE AMOUNT OF \$21,335 FROM WHITING CORPORATION FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has a need to purchase and have delivered a REPLACEMENT MOTOR for the Lower Bank Bridge for the Engineering Department; and

WHEREAS, pursuant to N.J.S.A. 40A:11-6.1 Two (2) quotes were solicited for the purchase and delivery of the required REPLACEMENT MOTOR; and

WHEREAS, Whiting Corporation, 26000 Whiting Way, Monee IL 60449 was the only vendor able to provide a quote, dated July 1, 2009, for the purchase and delivery of a REPLACEMENT MOTOR, for an amount not to exceed TWENTY-ONE THOUSAND, THREE HUNDRED, THIRTY-FIVE DOLLARS AND 00/100 (\$21,335.00), contract number FAO-09-0008; and

WHEREAS, Whiting Corporation 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, Whiting Corporation 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, in accordance with N.J.S.A. 19:44A-20.4, Whiting Corporation has completed and submitted a Chapter 19 Business Entity Disclosure Certification which certifies that neither the corporation nor any of the stockholders of the corporation have made any reportable contributions during the preceding one-year period 1) to any political party serving in the elective public offices of Burlington County Freeholders, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract is awarded or 2) to any candidate committee of any person serving as Burlington County Freeholders, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract is awarded; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4, Whiting Corporation is precluded from making any such reportable contributions during the term of the contract to any county committee of a political party in Burlington County if a member of that political party is serving in the elective public offices of Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract was awarded; and

WHEREAS, the actual cost for the purchase and delivery of the REPLACEMENT MOTOR for the Lower Bank Bridge for the Engineering Department, will not exceed TWENTY- ONE THOUSAND, THREE HUNDRED, THIRTY-FIVE DOLLARS AND 00/100, (\$21,335.00); and

WHEREAS, funds are available for this purpose in Account No.30-3001-035755, 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 Whiting Corporation, 26000 Whiting Way, Monee, IL 60499 for the purchase and delivery of the REPLACEMENT MOTOR, for the Lower Bank Bridge for the Engineering Department, in an amount not to exceed TWENTY- ONE THOUSAND, THREE HUNDRED, THIRTY-FIVE DOLLARS AND 00/100 (\$21,335.00), 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.

30 **RESOLUTION NO. 396** by Director Donnelly, AUTHORIZATION TO PURCHASE THE SERVICES FOR MAILING OF SAMPLE BALLOTS FOR THE ANNUAL SCHOOL ELECTION FROM REDMOND BCMS IN AN AMOUNT NOT TO EXCEED \$19,115 FOR THE COUNTY CLERK'S OFFICE.

WHEREAS, Burlington County wishes to purchase services for the MAILING OF SAMPLE BALLOTS for the Annual School Election, for the County Clerk's Office; and,

WHEREAS, REDMOND BCMS, 495 Route 53 South, Denville, NJ 07834 has provided a quotation to provide the necessary MAILING OF THE SAMPLE BALLOTS for the Annual School Election; and,

WHEREAS, in accordance with per N.J.S.A. 40A11-5(l), the purchase of goods or services necessary or required to prepare and conduct an election are exempt from public bidding; and

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

WHEREAS, REDMOND BCMS 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, in accordance with N.J.S.A. 19:44-20.4, REDMOND BCMS has Completed and submitted a chapter 19 Business Entity Disclosure Certification which certifies that neither the corporation nor any of the stockholders of the corporation have made any reportable contributions during the preceding one-year period 1) to any political party is serving in the elective public offices of Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract is awarded or 2) to any candidate committee of any person serving as Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract is awarded; and

WHEREAS, in accordance with N.J.S.A. 19:44-20.8, REDMOND BCMS is precluded from making any such reportable contribution during the term of the contract to any county committee of a political party In Burlington County if a member of that political party is serving in the elective public offices of Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract was awarded or to any candidate committee of any person serving as Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract was awarded or to any candidate committee of any person serving as Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract was awarded; and

WHEREAS, the actual cost for the MAILING OF SAMPLE BALLOTS for the Annual School Election, will not exceed NINETEEN THOUSAND, ONE HUNDRED FIFTEEN DOLLARS and 00/100 (\$19,115.00); and

WHEREAS, funds are available for this purpose in Account No.10-2008-100155 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; and

WHEREAS, REDMOND BCMS 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 be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the proper County Officials are hereby authorized to enter into the attached services as described herein with REDMOND BCMS in accordance with the Rules of the Board; and be it

RESOLVED by the County of Burlington that a purchase order be awarded to REDMOND BCMS for MAILING OF SAMPLE BALLOTS for the Annual School Election, for the County Clerk's Office, in the amount of NINETEEN THOUSAND, ONE HUNDRED FIFTEEN DOLLARS and 00/100 (\$19,115.00), Contract Number FAO-09-0006; now, therefore be it,

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

31 **RESOLUTION NO. 397** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR JANITORIAL, TRASH CAN LINERS 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:

JANITORIAL, TRASH CAN LINERS  
(CPU-09-0071)

And, be it;

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, August 4, 2009 at 10:30 a.m. local prevailing time.

- 32 **RESOLUTION NO. 398** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR LEASE OF REAL PROPERTY (ROOFTOP WIRELESS FACILITY) LOCATED IN WESTAMPTON TOWNSHIP FOR THE FREEHOLDER'S OFFICE.

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

LEASE OF REAL PROPERTY (ROOFTOP WIRELESS FACILITY)  
LOCATED IN WESTAMPTON TOWNSHIP  
(CPU-09-0090)

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 a pre-bid conference will be held for all prospective bidders on Thursday, July 30, 2009 at 11:00 a.m., in the Freeholder's Board Room. Immediately following the pre-bid conference, a site visit will be held; now, therefore be it

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, August 18, 2009 at 10:30 a.m. local prevailing time.

- 33 **RESOLUTION NO. 399** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR LUMBER AND BUILDING MATERIALS 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:

LUMBER AND BUILDING MATERIALS  
(CPU-09-0079)

And, be it;

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, August 11, 2009 at 10:30 a.m. local prevailing time.

- 34 **RESOLUTION NO. 400** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR VEHICLES, MULTI-PURPOSE DUMP TRUCKS FOR THE HIGHWAY DEPARTMENT.

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

"VEHICLES, MULTI - PURPOSE DUMP TRUCKS FOR  
BURLINGTON COUNTY HIGHWAY DEPARTMENT"  
(CPU-09-0084)

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, August 11, 2009 at 10:30 a.m. local prevailing time.

35 **RESOLUTION NO. 401** by Director Donnelly, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR PROPOSALS FOR A SANITARY LANDFILL OPERATOR AT THE RESOURCE RECOVERY COMPLEX.

WHEREAS, the contract between the Burlington County Board of Chosen Freeholders (the "Board") and the operator of the County's landfill is due to expire in September 2009; and

WHEREAS, by letter dated April 28, 2009, the Director of the Division of Local Government Services, within the Department of Community Affairs (the "Director") approved the Board's request to utilize N.J.S.A. 40A:11-5(5), a provision of the Local Public Contracts Law, providing a procedure for securing the services needed by the Board; and

WHEREAS, pursuant to Resolution no. 214, adopted on April 22, 2009, the Board issued a Request for Qualifications ("RFQ") for a landfill operator; and

WHEREAS, submissions responsive to the RFQ were reviewed and the Board has approved the recommendation of the Solid Waste staff concerning the companies deemed qualified to provide these services; now therefore, the Board

RESOLVES, that the County Department of Resource Conservation is authorized to issue a Request for Proposals for a landfill operator to those vendors that have been deemed qualified through the RFQ process.

36 **RESOLUTION NO. 402** 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, 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; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that award of the contracts listed below are 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; and be it

FURTHER RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the following recommendations of the Burlington County Purchasing Agent are hereby approved, and that the proper County Officials are hereby authorized to take all necessary actions to effectuate the rejections in accordance with the Rules of the Board.

1. Bids were received on June 23, 2009 as authorized per Resolution #246 adopted on May 13, 2009 for the solicitation entitled "REPLACEMENT OF COUNTY BRIDGE NO. C3.39, SPRINGSIDE-RANCOCAS ROAD (CR 635), OVER MILL CREEK, WESTAMPTON, BURLINGTON & WILLINGBORO TOWNSHIPS, BURLINGTON COUNTY, NEW JERSEY", (CEG-09-0044).

E. Sambol Corporation  
P.O. Box 5110  
1033 N. Maple Avenue  
Toms Rivers, NJ 08754-5110

TOTAL LUMP SUM BID.....\$1,119,665.75

2. Bids were received on June 30, 2009 as authorized per Resolution #308 adopted on June 10, 2009 for the solicitation entitled "2009 STATE FUNDED OVERLAY PROGRAM, BURLINGTON COUNTY, NEW JERSEY", (CEG-09-0035).

Trap Rock Industries, Inc.

P.O. Box 419  
Kingston, NJ 08628

TOTAL LUMP SUM BID.....\$4,369,311.19

3. Bids were received on June 23, 2009, for the second time, as authorized per Resolution #278 adopted on May 27, 2009 for the solicitation entitled "VEHICLE, TRUCK FOR BURLINGTON COUNTY WEIGHTS & MEASURES", (CPU-09-0036A).

Hertrich Fleet Services, Inc.  
1427 Bay Road  
Milford, DE 19963

Purchase one (1) 2010 or newer Ford Sport Trac XLT Truck or equal, as per specifications, to include cap and trailer tow package options.

TOTAL LUMP SUM BID.....\$ 22,773.00

4. No bids were received on June 23, 2009 for the solicitation entitled "ENCLOSURE CANOPIES FOR HOSPITAL BEDS-BUTTONWOOD HOSPITAL", (CPU-09-0052), as authorized per Resolution #298 adopted on May 27, 2009. The Purchasing Agent recommends this solicitation be re-advertised for the second time, and received on August 4, 2009.

5. Bids were received, for a second time, on June 16, 2009, for the solicitation entitled "AIR CONDITIONING AND REFRIGERATION MAINTENANCE" (CPU-09-0019A), as authorized per Resolution #238 adopted on May 13, 2009. The Purchasing Agent recommends this solicitation be rejected and re-bid, at a later date, for specification clarification and revision.

\*\*\* It was moved by Mr. Brown, seconded by Mrs. Reinhart that the following two (2) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 403 and 404 adopted.

37 **RESOLUTION NO. 403** by Mr. Brown, AUTHORIZATION TO ADVERTISE FOR BIDS FOR DENTIST AND ORAL SURGEON SERVICES FOR THE CORRECTIONAL FACILITIES.

WHEREAS, DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES (RFP-09-0082) 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, DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES is one of the specialized goods and/or services which may be procured through the use of the competitive contracting process on the performance of patient care services by contracted medical staff at County Hospitals, Correctional Facilities, and Long Term Care Facilities, N.J.S.A. 40A:11-4.1(h); 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 DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES, (RFP-09-0082) 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 Board Room, on Thursday, July 30, 2009 at 10:00 a.m.; now, therefore be it

FURTHER RESOLVED that the submissions of proposals for DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES, (RFP-09-0082), will be publicly received in the Freeholder's Board Room on Tuesday, August 18, 2009 at 10:30 a.m. local prevailing time.

- 38 **RESOLUTION NO. 404** by Mr. Brown, AUTHORIZATION TO ADVERTISE FOR BIDS FOR UNIFORMS, CORRECTION OFFICERS 2009 – 2011 FOR THE COUNTY DETENTION AND JUVENILE DETENTION CENTERS.

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

UNIFORMS, CORRECTION OFFICERS 2009 – 2011  
(CPU-09-0072)

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, August 11, 2009 at 10:30 a.m. local prevailing time.

- \*\*\* It was moved by Mr. Haines, seconded by Mr. Wujcik that the following three (3) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 405 through 407 adopted.

- 39 **RESOLUTION NO. 405** by Mr. Haines, AMENDMENT TO AGREEMENT WITH BUTTONWOOD HOSPITAL AND PEMBERTON TOWNSHIP TO PROVIDE MEALS TO THE TOWNSHIP ADMINISTERED THROUGH THE OFFICE ON AGING.

WHEREAS, the Board adopted Resolution No. 13 on January 9, 2008, which approved an agreement between Buttonwood Hospital and Pemberton Township wherein Buttonwood Hospital agreed to prepare meals to participants of the Pemberton Township Senior Citizens Club at a designated cost to Pemberton Township; and

WHEREAS, the Burlington County Office on Aging has received funds through the American Recovery and Reinvestment Act (hereinafter 'ARRA'); and

WHEREAS, these funds are designated to be used to provide meals to senior citizens; and

WHEREAS, the Burlington County Office on Aging, Buttonwood Hospital and Pemberton Township have come to an agreement wherein the Burlington County Office of Aging would provide the funding for the cost of the meals provided to the Pemberton Township Senior Citizens Club by Buttonwood Hospital; and

WHEREAS, the Burlington County Office on Aging will reimburse Buttonwood Hospital per meal per program agreement participant for each meal prepared by Buttonwood Hospital; and

WHEREAS, the agreement between Buttonwood Hospital and Pemberton Township needs to be amended to reflect that the Burlington County Office on Aging will reimburse Buttonwood Hospital for the cost of the meals at no charge to Pemberton Township; and

WHEREAS, the term of this Agreement shall be from June 1, 2009 to September 30, 2010, contingent upon availability of ARRA funds; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that the attached Amended Agreement in regard to Buttonwood Hospital's preparation of meals for the Pemberton Township Senior Citizen Center is hereby approved.

- 40 **RESOLUTION NO. 406** by Mr. Haines, AGREEMENT WITH THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE TOTAL AMOUNT OF \$200,000 FOR A GRANT TO SUPPORT THE PREPARATION OF A COUNTY-WIDE WASTEWATER MANAGEMENT PLAN FOR THE DEPARTMENT OF RESOURCE CONSERVATION.

Whereas on July 9, 2008, the Burlington County Board of Chosen Freeholders adopted Resolution #464 authorizing an application for a grant from the State of New Jersey Department of Environmental Protection (NJDEP) in the amount of \$100,000 to fund development of a wastewater management plan for the County of Burlington;

Whereas on June 5, 2009, the NJDEP forwarded an amended scope of work and grant documents to provide an additional \$100,000 to complete the wastewater management plan;

Whereas, in view of the revised and reduced scope of work and the additional grant funding, it has become feasible for the County of Burlington to assume responsibility for preparation of the county-wide wastewater management plan as described by the revised scope of work;

Whereas, a county-wide plan will provide a cost-savings to municipalities as part of a shared service provided through the County of Burlington;

Whereas, the Board intends to proceed immediately with preparation of the wastewater management plan; now therefore be it

RESOLVED, the Board of Chosen Freeholders of the County of Burlington authorizes Augustus Mosca, the County Administrator, and appropriate County staff to succeed him to execute two grant applications, each in an amount not less than \$100,000 and any amendments thereto in which the County agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in accordance with the Rules of the Board.

41 **RESOLUTION NO. 407** by Mr. Haines, AMENDMENT TO AGREEMENT WITH SOUTH JERSEY RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL FOR AN EXTENSION OF TIME THROUGH DECEMBER 31, 2009 FOR THE DEPARTMENT OF RESOURCE CONSERVATION.

WHEREAS, on June 12, 2007, the Burlington County Board of Chosen Freeholders previously passed resolution #448 authorizing an application for a grant from the State of New Jersey in the amount of \$362,230 to fund development of a watershed restoration plan for the headwaters of the Annaricken Brook and Barkers Brook and a segment of the Assiscunk Creek;

WHEREAS, on April 9, 2008, the Burlington County Board of Chosen Freeholders passed resolution #236 authorizing a contract with the South Jersey Resource Conservation And Development Council (SJRCDC) to develop and implement an education program related to best management practices that will affect phosphorus and fecal coliform contributions to the project area streams;

WHEREAS, those services were contracted for a 12 month period, payment not to exceed \$10,000;

WHEREAS, the initial tasks within the SJRCDC Scope of Work are 90% complete, but additional education and outreach tasks have been identified that would offer education on no-till agricultural practices not just within the project watershed, but also to other farmers in the region;

WHEREAS, the additional tasks would also support efforts by the SJRCDC and Rutgers Cooperative extension to implement the no-till project;

WHEREAS, funds remain within the original budget and no additional funds are needed beyond the original \$10,000 contract to implement the additional tasks;

WHEREAS, an agreement with South Jersey Resource Conservation and Development Council provides those additional services as outlined by the Scope of Work;

RESOLVED, that an agreement as described above has been approved as to form and content by the Burlington County Board of Chosen Freeholders and the same is hereby approved and their execution authorized in accordance with the Rules of the Board.

\*\*\* It was moved by Mrs. Reinhart, seconded by Mr. Brown that the following five (5) items be approved by unanimous consent. All in favor. Motion carried. Resolutions No. 408 through 412 adopted.

42 **RESOLUTION NO. 408** by Mrs. Reinhart, FIRST AMENDMENT TO AGREEMENT WITH MOBILEX USA IN THE AMOUNT \$3,200 FOR RADIOLOGY SERVICES NEEDED FOR PATIENTS AND RESIDENTS AT BUTTONWOOD HOSPITAL.

WHEREAS, by Resolution No. 717, adopted on September 12, 2007, the Burlington County Board of Chosen Freeholders (the "Board") authorized an Agreement with

Mobilex USA, in which they agreed to provide the needed x-ray services to the patients and residents of Buttonwood Hospital between January 1, 2008 through December 31, 2008, which services come within the meaning of "professional services" as defined in N.J.S.A. 40A11-5(1)(a)(i) of the Local Public Contracts Law (the "Law"); and

WHEREAS, there is a need to amend the Agreement to increase the original contract amount from \$8,000.00 to \$11,200.00; and

WHEREAS, the Board is required to have the x-ray services at Buttonwood and Mobilex USA had fulfilled their obligation to Buttonwood Hospital; and

WHEREAS, the County Solicitor has received a Business Entity Disclosure Certification pursuant to N.J.S.A. 19:44A-20.8, from Mobilex USA in which they certify that they have not made reportable contributions to a political or candidate committee in the previous year and they will not make such reportable contributions through the term of the contract; and

WHEREAS, the County Solicitor has also received a Certification Concerning Political Contributions pursuant to P.L. 2005, Chapter 271, in which Mobilex USA reports that they made no political contributions, expenditures or other things of value to any political party or political committee during the preceding year; and

WHEREAS, \$3,200.00, the amount needed to fund this amendment is available in account no. 10-0504-032208, as evidenced by the Certification of Burlington County's Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES as follows:

1. The above-described First Amendment to Mobilex USA contract is approved and its execution in accordance with the Rules of the Board is authorized.
2. Notice of this action shall be published in accordance with the requirements of the Law.

43 **RESOLUTION NO. 409** by Mrs. Reinhart, APPROVAL TO SUBMIT AN APPLICATION TO THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS FOR FUNDING IN THE AMOUNT OF \$49,422 FOR THE PERIOD AUGUST 1, 2009 THROUGH MAY 31, 2010 FOR THE BUILDING CAPACITY FOR INTEGRATING CLIMATE CHANGE AND PUBLIC HEALTH PROGRAMS AT LOCAL HEALTH DEPARTMENTS GRANT TO SUPPORT THE EFFORTS OF THE BURLINGTON COUNTY ENVIRONMENTAL HEALTH COMMITTEE ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, the Burlington County Board of Chosen Freeholders (the "Board") supports the promotion of the health of the residents and communities of Burlington County, with the goal of assuring the highest quality of life; and

WHEREAS, in response to findings and recommendations made pursuant to the Protocol for Assessing Community Excellence in Environmental Health (the "PACE-EH"), the Burlington County Health Department (the "Department") convened a countywide Environmental Health Committee (the "Committee") to serve as a community-based participatory research group; and

WHEREAS, the Department's and Committee's mission includes the improvement of the environmental health of the County through efforts to enhance ecology and environmental education; and

WHEREAS, the Board wishes to enhance the ability of the Department and Committee to educate County residents on how the environment might be improved through modification of daily activities that impact it; and

WHEREAS, the National Association of County and City Health Officials ("NACCHO") has issued a Request for Proposals entitled, "Building Capacity for Integrating Climate Change and Public Health Programs at Local Health Departments" ("Climate Change"), announcing its intention to award six grants of \$50,000.00 for the establishment and implementation of climate change demonstration projects for the period August 1, 2009 through May 31, 2010; and

WHEREAS, the Department has recommended that the Board apply for NACCHO Climate Change Program funding to support the Department's and the Committee's missions; and

WHEREAS, the Department has completed the grant application outlining the goals, methods and objectives of the Committee along with budgetary requirements; now, therefore, the Board

RESOLVES as follows:

1. The completion, execution and submission of the above-described application is approved and authorized.
2. Execution, in accordance with the Rules of the Board, of a grant agreement with NACCHO that has been reviewed and approved by the County Solicitor is authorized if the County's application is approved for funding.

44 **RESOLUTION NO. 410** by Mrs. Reinhart, APPROVAL TO SUBMIT A BUDGET REVISION REQUEST TO THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES, DIVISION OF HIV/AIDS SERVICES FOR ADDITIONAL GRANT FUNDING IN THE AMOUNT OF \$36,804 FOR THE PERIOD SEPTEMBER 30, 2009 THROUGH JUNE 30, 2010 ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, the State of New Jersey, Department of Health and Senior Services, Division of HIV/AIDS Services (the "State"), has notified the Burlington County Board of Chosen Freeholders (the "Board") that additional grant funds are available to continue to support Human Immunodeficiency Virus ("HIV") Testing Services in the Burlington County Correctional Facility; and

WHEREAS, the County Health Department has recommended that the Board approve a Budget Revision Request in the amount of \$36,804 to fund these services for the period September 1, 2009, through June 30, 2010, and the Board believes that continuation of this program would benefit the citizens of Burlington County; now therefore, the Board

RESOLVES, as follows:

1. The completion, execution and submission to the State of the above-described Budget Revision Request prepared by County officers and employees and submitted to the County Administrator is authorized.
2. On the State's approval of said Budget Revision Request, the County Administrator is authorized to sign an agreement with the State approved by the County Solicitor that is required as a condition to the grant.

45 **RESOLUTION NO. 411** by Mrs. Reinhart, APPROVAL TO SUBMIT A BUDGET MODIFICATION TO THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES, CHILD AND ADOLESCENT HEALTH PROGRAM FOR A RENEWAL GRANT IN THE AMOUNT OF \$67,200 FOR THE PERIOD JULY 1, 2009 THROUGH FEBRUARY 28, 2010 FOR THE CONTINUING SUPPORT AND EXPANSION OF SERVICES PROVIDED BY THE BURLINGTON COUNTY COMMUNITY PARTNERSHIP FOR HEALTHY ADOLESCENTS ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, the New Jersey Department of Health and Senior Services Child and Adolescent Health Program (the "State") has announced the availability of \$67,200.00 for an eight-month extension of the Burlington County Community Partnership for Healthy Adolescents (the "Partnership") Grant for the period July 1, 2009, through February 28, 2010; and

WHEREAS, the Partnership provides programs designed to give County adolescents the knowledge, skills and resources to attain and maintain positive health habits and reduce harmful risk-taking behaviors; and

WHEREAS, the Board believes that the Partnership's programs benefit the residents of Burlington County and has approved the Public Health Coordinator's recommendation that a Budget Modification Request be submitted to the State for eight-month program funding; now, therefore, the Board

RESOLVES as follows:

1. The Public Health Coordinator and County Administrator are authorized to prepare and submit a Budget Modification Request to the State for grant funds for the above-stated period.

2. On the State's approval of the County's Budget Modification Request the making and execution, in accordance with the Rules of the Board, of a Budget Modification agreement with the State that has been reviewed and approved by the County Administrator and County Solicitor is authorized.

46 **RESOLUTION NO. 412** by Mrs. Reinhart, AGREEMENTS WITH VARIOUS FORENSIC PATHOLOGISTS WHO WILL BE USED ON A STAND-BY/PER DIEM BASIS WHEN THE MEDICAL EXAMINER IS NOT AVAILABLE FOR THE MEDICAL EXAMINER'S DEPARTMENT.

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. 720 on September 24, 2008 which establishes the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, by Resolution No. FILL IN adopted on June 24, 2009, the Burlington County Board of Chosen Freeholders ("the Board") authorized the certification of the annual pool of qualified physicians to provide pathology services when the Chief Medical Examiner is unavailable; and

WHEREAS, the Board and said physicians have come to an agreement by which the providers will render their services on a per diem basis, which agreement will be effective for the term July 1, 2009 through June 30, 2010, and may be summarized as follows:

<u>Provider</u>	<u>Pathology Services</u>	<u>Amount Per Case</u>
1. Diagnostic Pathology Consultants (William Manion, M.D.)	Stand-By Scene	\$150.00 \$200 + Stand-By
2. Daksha R. Shah, M.D.	View	\$200 + Stand-By
3. Forensic Pathology Services (Edward S. Chmara, M.D.)	Partial Post Exam Full Post Exam	\$450 + Stand-By \$600 + Stand-By

now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the attached agreements for pathology services are hereby approved and authorization is hereby provided for the agreements to be executed, sealed and witnesses or attested to in accordance with the Rules of the Board; and, be it

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

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

\*\*\* It was moved by Mr. Wujcik, seconded by Mr. Haines that the following item be approved by unanimous consent. All in favor. Motion carried. Resolution No. 413 adopted.

47 **RESOLUTION NO. 413** by Mr. Wujcik, AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE TRANSPORTABLE GAMMA PORTAL MONITORS FOR THE PUBLIC SAFETY SERVICES/DIVISION OF EMERGENCY MANAGEMENT FOR THE DEPARTMENT OF PUBLIC SAFETY.

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

"TRANSPORTABLE GAMMA PORTAL MONITORS FOR BURLINGTON COUNTY"  
PUBLIC SAFETY SERVICES/DIVISION OF EMERGENCY MANAGEMENT"  
(CPU-09-0073)

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, August 11, 2009 at 10:30 a.m. local prevailing time.

48 PUBLIC COMMENTS.

1) Mr. Miessler, Core Mechanical addressed the Board regarding the HVAC contract and the low bidder.

49 ADJOURNMENT.

It was moved by Director Donnelly, seconded by Mrs. Reinhart, that the meeting be adjourned. All in favor. Motion carried.

Respectfully submitted,

Augustus M. Mosca  
County Administrator/Board Clerk