

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, September 9, 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., and Director Joseph Donnelly. Freeholder James K. Wujcik was absent.

3 OFFICIALS.

Officials in attendance were: Senior Solicitor Buck, Treasurer Hannigan, Chief Financial Officer Brock, County Engineer Jaggard, Resource Conservation Director Robbie, Superintendent of Roads Somes, Capital Projects Coordinator Smith, Public Safety Director Dreby, Human Resource Director Hornickel, Public Health Coordinator Gogats, Economic Development Director Remsa, Supervising Administrative Analyst Stewart, Public Information Officer Shrom, and Assistant Public Information Officer O'Donnell.

4 APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING OF AUGUST 26, 2009 AND THE CONFERENCE MINUTES OF JULY 15, AND JULY 22, 2009.

It was moved by Mrs. Reinhart, seconded by Mr. Haines that the minutes of the regular board meeting of August 26, 2009, and the conference minutes of July 15 and July 22, 2009 be approved. Mr. Brown abstained from all minutes. Motion carried. Minutes approved.

5 PROCLAMATION – CONSTITUTION WEEK, NATIONAL SOCIETY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION.

Freeholder Haines read and presented and proclamation to Kathleen Regn, Constitution Week Chairman of the National Society Daughters of the American Revolution declaring September 17 through September 23 as Constitution Week. Ms. Regn thanked the Freeholders for recognizing Constitution Week as this is the least known observance.

\*\*\* It was moved by Director Donnelly, seconded by Mr. Haines that the following thirty-five (35) items be approved by unanimous consent. Mr. Brown abstained from agenda items #13 through 19 (Resolution Nos. 565 through 571) and opposed agenda item #29 (Resolution No. 581). Mrs. Reinhart opposed agenda item #12 (Resolution No. 564) and abstained from agenda items 14 through 19 (Resolution Nos. 566 through 571) and opposed agenda item #29 (Resolution 581) and #33 (Resolution No. 585). Motion carried for Resolution Nos. 553 through 580 and 582 through 587 adopted. Resolution No. 581 defeated.

6 **RESOLUTION NO. 553** 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 \$25,248,204.50 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.

7 **RESOLUTION NO. 554** 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 \$54,000.00 FROM THE STATE DEPARTMENT OF LAW AND PUBLIC SAFETY AND APPROPRIATED UNDER THE CAPTION OF STATE FACILITIES EDUCATION ACT.

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 \$54,000.00 which item is now available as revenue from the State of New Jersey, Department of Law and Public Safety, pursuant to the provisions of statute; and

SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$54,000.00 be hereby appropriated under the caption of:

State Facilities Education Act; and

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

- 8 **RESOLUTION NO. 555** 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 \$62,300.00 FROM THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES AND APPROPRIATED UNDER THE CAPTION OF WOMEN, INFANTS, CHILDREN SUPPLEMENTAL FEEDING PROGRAM.

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 \$62,300.00 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 \$62,300.00 be hereby appropriated under the caption of:

Women, Infants, Children Supplemental Feeding Program; and

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

- 9 **RESOLUTION NO. 556** 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 \$56,000.00 FROM BURLINGTON COUNTY COMMUNITY DEVELOPMENT AND APPROPRIATED UNDER THE CAPTION OF RENOVATIONS BUTTWOOD HOSPITAL.

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 \$56,000.00 which item is now available as revenue from the Burlington County Community Development, pursuant to the provisions of statute; and

## SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$56,000.00 be hereby appropriated under the caption of:

Buttonwood Hospital Renovations; and

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

- 10 **RESOLUTION NO. 557** 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 \$423,575.00 FROM THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES AND APPROPRIATED UNDER THE CAPTION OF INFLUENZA PREPAREDNESS.

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 \$423,575.00 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 \$423,575.00 be hereby appropriated under the caption of:

Influenza Preparedness; and

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

- 11 **RESOLUTION NO. 558** 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 \$49,000.00 FROM THE STATE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND APPROPRIATED UNDER THE CAPTION OF PERSONAL ASSISTANCE SERVICE PROGRAM.

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 \$49,000.00 which item is now available as revenue from the State of New Jersey, Department of Human Services, pursuant to the provisions of statute; and

## SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$49,000.00 be hereby appropriated under the caption of:

Personal Assistance Services Program; and

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

- 12 **RESOLUTION NO. 559** 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 \$44,000.00 FROM THE STATE DEPARTMENT OF HEALTH AND HUMAN SERVICES AND APPROPRIATED UNDER THE CAPTION OF SOCIAL SERVICES HOMELESS.

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 \$44,000.00 which item is now available as revenue from the State of New Jersey, Department of Human Services, pursuant to the provisions of statute; and

## SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$44,000.00 be hereby appropriated under the caption of:

CEAS/Family Shelter Strategy; and

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

- 13 **RESOLUTION NO. 560** by Director Donnelly, AUTHORIZATION TO ISSUE A REQUEST FOR QUALIFICATIONS, IN ACCORDANCE WITH N.J.S.A. 44A:20.4 ET SEQ., TO BANKS CAPABLE OF PROVIDING OPERATING BANK ACCOUNT SERVICES FOR THE COUNTY OF BURLINGTON FOR A PERIOD OF TWO YEARS WITH AN OPTION TO EXTEND THE CONTRACT FOR A FURTHER TWO-YEAR PERIOD.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington wishes to obtain the services of a bank capable of providing operating bank account services for the County; and

WHEREAS, the Board of Chosen Freeholders finds that the process described below constitutes a fair and open process, as that term is defined at N.J.S.A. 19:44A-20.7, for obtaining a list of banks qualified to provide said services; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the following fair and open process shall be utilized in obtaining a list of qualified banks capable of providing operating bank account services for Burlington County for a two-year term with an option to extend the term for a further two-year period:

1. A Request for Qualifications shall be prepared and shall include the required qualifications, scope of work, the criteria for award and all other necessary and legal requirements.

2. The Request for Qualifications shall be publicly advertised in a newspaper and on the County's website through a Notice providing the time, date and place responses must be submitted, providing information needed to obtain the Request for Qualifications

document and including a statement that proposals are being solicited through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.

3. A review committee of not less than two persons shall be established to evaluate the Responses received in accordance with the published criteria and to make a recommendation in writing to this Board of the banks qualified to provide said operating bank account services.

14 **RESOLUTION NO. 561** by Director Donnelly, AUTHORIZATION TO ACCEPT \$439,406 FROM THE STATE DIVISION OF ARCHIVES AND RECORDS MANAGEMENT FROM THE PARIS 2009-2010 GRANT PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders (hereinafter "County" or "Board") has received notice from the State of New Jersey, Department of State, Division of Archives and Records Management and the State Records Committee of the County's eligibility to receive the following Public Archives and Records Infrastructure Support Systems (hereinafter "PARIS") Grants:

PROJECT	AWARD
2009-00300-00041: Records Management Administration	\$239,406.00
2009-00300-00043: Shared Services	\$200,000.00
Total	\$439,406.00

WHEREAS, the State of New Jersey has launched its pioneering PARIS grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, it is in the best interests of the County of Burlington to accept the PARIS grant amount of \$439,406.00 to carry out the goals as expressed in the authorization to apply for such grant within Resolution #103 approved by the Board on March 11, 2009; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that the County of Burlington does hereby accept the PARIS grants totaling \$439,406.00, for grant programs to meet the strategic records management, preservation, and storage needs of the County of Burlington; and, be it

FURTHER RESOLVED that the Designated PARIS Grants Project Manager be, and hereby is, authorized to execute a Grant Agreement with the New Jersey Department of State, Division of Archives and Records Management and the State Records Committee on behalf of the County of Burlington, and upon execution of said Agreement, the County of Burlington does accept the Terms and Conditions specified in the Agreement in connection with this grant; and, be it

FURTHER RESOLVED that County Administrator and County Treasurer be authorized to take any and all action necessary to accept and expend such funds in accordance with the Rules of the Board.

15 **RESOLUTION NO. 562** by Director Donnelly, CHANGE ORDER NO. 3 WITH THERMAL PIPING IN AN AMOUNT NOT TO EXCEED \$650.00 FOR ADDITIONAL MATERIALS NEEDED IN CONNECTION WITH THE PROJECT KNOWN AS "PEMBERTON COMPLEX – PHASE I-ENERGY CONSERVATION MEASURE".

WHEREAS, on October 24, 2007, the Board of Chosen Freeholders of the County of Burlington approved the recommendation of the Burlington County Chief Financial Officer to award the contract known as "PEMBERTON COMPLEX – PHASE I – ENERGY CONSERVATION MEASURES" (CPU-07-0102) in an amount of SIX HUNDRED FORTY THOUSAND DOLLARS (\$640,000.00) to Thermal Piping, Inc.. of 493 Sykesville Road, Wrightstown, NJ 08562 in conformance with plans and specifications prepared by Metro Energy Solutions; and

WHEREAS, Change Order No. 1 in the total amount of \$12,796.05 was adopted by the Board on April 23, 2008 by Resolution No. 262; and

WHEREAS, Change Order No. 2 in the total amount of \$22,683.59 was adopted by the Board on November 26, 2008 by Resolution No. 845; and

WHEREAS, various changes to the aforesaid contract as detailed in the attached documentation designated as Change Order No. 3 have been recommended by Metro Energy Solutions; and

WHEREAS, Change Order No. 3 represents a net increase of \$650.00 and no time change to the current contract time; and

WHEREAS, Change Order No. 3 brings the new contract amount to \$676,129.64 which represents an overall 5.65% increase to the original contract amount of \$640,000.00; and

WHEREAS, funds are currently available in Account Number 60-7001-107682 for the additional expenditures set forth in Change Order No. 3 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 Change Order No. 3 dated July 15, 2009 with Thermal Piping, Inc., a copy of which is attached hereto, is hereby approved and the proper County officials are hereby authorized to execute said Change Order.

- 16 **RESOLUTION NO. 563** by Director Donnelly, AGREEMENT WITH BIRDSALL SERVICES GROUP IN THE AMOUNT OF \$166,900 FOR THE PREPARATION OF AN ENERGY MASTER PLAN AND RELATED SERVICES FOR THE DEPARTMENT OF RESOURCE CONSERVATION.

WHEREAS, by Resolution no. 78, adopted on February 25, 2009, the Burlington County Board of Chosen Freeholders ("Board") established, through a fair and open process, an approved list of engineers found to be qualified to provide various engineering services to the Board; and

WHEREAS, the Board needs the services of a consulting engineer to assist it in the development of an energy master plan; and

WHEREAS, Birdsall Services Group is on the Board's list of approved energy consultants/engineers and has offered to provide the services needed by the Board, which services are "professional" in nature as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), for a charge of \$166,900.00; and

WHEREAS, \$166,900.00 is available in account no. 44-5007-101255 to fund an agreement with this firm for this amount, as evidenced by the certification of the County's Chief Financial Officer filed herewith; now therefore, the Board

RESOLVES as follows:

1. The contract described above, which is approved as to form and substance by the County Administrator and County Solicitor, is approved and its execution in accordance with the Rules of the Board is authorized.

2. This contract is awarded pursuant to a fair and open process as a professional service in accordance with the Law.

3. Notice of this action shall be published in accordance with requirements of the Law.

- 17 **RESOLUTION NO. 564** by Director Donnelly, CHANGE ORDER NO. 7 WITH RANCO CONSTRUCTION IN AN AMOUNT NOT TO EXCEED \$13,933.50 FOR ADDITIONAL MATERIALS NEEDED IN CONNECTION WITH THE PROJECT KNOWN AS "BURLINGTON COUNTY ADULT DETENTION CENTER RENOVATIONS". Mrs. Reinhart opposed this item.

WHEREAS, as a result of the County Treasurer's recommendation for Award of Public Advertised Bids on April 14, 2004, Ranco Construction, Inc. of 2800 Sylon Boulevard, Hainesport, New Jersey 08036 is charged with renovations, in a total amount of \$3,531,000.00, of building systems at the Burlington County Adult Detention Center; and

WHEREAS, by Resolution No. 864 adopted on November 10, 2004 the Board of Chosen Freeholders authorized Change Order Number One, in an amount not to exceed \$21,099.50, for a new total sum of \$3,552,099.50; and

WHEREAS, by Resolution No. 36 adopted on January 26, 2005 the Board of Chosen Freeholders authorized Change Order Number Two, in an amount not to exceed \$1,316.61, for a new total sum of \$3,553,416.11; and

WHEREAS, by Resolution No. 127 adopted on March 9, 2005 the Board of Chosen Freeholders authorized Change Order Number Three, in an amount not to exceed \$45,465.01, for a new total sum of \$3,598,881.12; and

WHEREAS, by Resolution No. 564 adopted on July 27, 2005 the Board of Chosen Freeholders authorized Change Order Number Four, in an amount not to exceed \$51,806.14, for a new total sum of \$3,650,687.26; and

WHEREAS, by Resolution No. 148 adopted on March 8, 2006, the Board of Chosen Freeholders authorized Change Order Number Five representing a decrease of \$46,428.00 for a new total sum of \$3,604,259.26; and

WHEREAS, by Resolution No. 137 adopted on February 28, 2007, the Board of Chosen Freeholders authorized Change Order Number Six , in an amount not to exceed \$18,030.62, for a new total sum of \$3,622,289.88; and

WHEREAS, a change to the aforesaid contract as detailed in the attached documentation designated as Change Order Number Seven has been determined by the County to be necessary; and

WHEREAS, the construction covered by this Change Order was unanticipated under the original scope of work this contract was awarded under; and

WHEREAS, Change Order Number Seven represents a net increase of \$13,933.50 to the amended contract amount of \$3622,289.88; and

WHEREAS, Change Order Number Seven brings the new contract amount to \$3,636,223.38 which sum represents an overall increase of 2.98% to the original contract amount of \$3,531,000.00; and

WHEREAS, funds are currently available in Account No. 60-7001-107582 for the additional expenditures set forth in Change Order Number Seven 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 Change Order Number Seven with Ranco Construction, Inc. a copy of which is attached hereto, be and the same is hereby approved; and, be it

FURTHER RESOLVED, that all terms and conditions of the original contract shall remain in place; and be it

FURTHER RESOLVED, that the County Administrator is hereby authorized to execute the Change Order in accordance with the Rules of the Board.

- 18 **RESOLUTION NO. 565** by Director Donnelly, APPROVAL OF SUBSTANTIAL COMPLETION DATE SET AS DECEMBER 3, 2008 FOR MARTELL CONSTRUCTION COMPANY, INC. FOR THE PROJECT KNOWN AS "ELEVATOR UPGRADES AT BUTTONWOOD HOSPITAL". Mr. Brown abstained from this item.

WHEREAS, on December 28, 2007, the Board of Chosen Freeholders of the County of Burlington approved the recommendation of the Burlington County Chief Financial Officer to award the contract known as " ELEVATOR MODERNIZATION AT BUTTONWOOD HOSPITAL" (CPU-07-0110) in an amount of FOUR HUNDRED TWO THOUSAND DOLLARS (\$402,000.00) to Martell Construction Company, Inc. of 15 South Miller Avenue, P.O. Box 326, Penns Grove, NJ 08069 in conformance with plans and specifications prepared by The Vaughn Collaborative; and

WHEREAS, the Board intends, by adoption of this resolution, to establish the date of substantial completion for this project as December 3, 2008; now therefore, be it

RESOLVED that the substantial completion date for this project shall be December 3, 2008 and, be it

FURTHER RESOLVED that the substantial completion of the project in no way limits or alters the terms and conditions of the construction including warranties, latent defects, implied or expressed and/or any other pertinent items to such contract.

- 19 **RESOLUTION NO. 566** by Director Donnelly, APPROVAL OF SUBSTANTIAL COMPLETION DATE SET AS FEBRUARY 6, 2009 FOR LEVY CONSTRUCTION COMPANY, INC. FOR PROJECT KNOWN AS "VERTICAL LIFT – RECORDS STORAGE FACILITY-WESTAMPTON COMPLEX". Mr. Brown and Mrs. Reinhart abstained from this item.

WHEREAS, on May 14, 2008, the Board of Chosen Freeholders of the County of Burlington approved the recommendation of the Burlington County Chief Financial Officer to award the contract known as "WESTAMPTON COMPLEX RECORDS STORAGE FACILITY VERTICAL RECIPROCATING CONVEYOR, WESTAMPTON COMPLEX" (CPU-08-0043) in an amount of SIXTY-TWO THOUSAND THREE HUNDRED DOLLARS (\$62,300.00) to Levy Construction Co., Inc. of 134 Cuthbert Blvd., Audubon, NJ 08106 in conformance with plans and specifications prepared by Vitetta; and

WHEREAS, the Board intends, by adoption of this resolution, to establish the date of substantial completion for this project as February 6, 2009; now therefore, be it

RESOLVED that the substantial completion date for this project shall be February 6, 2009 and, be it

FURTHER RESOLVED that the substantial completion of the project in no way limits or alters the terms and conditions of the construction including warranties, latent defects, implied or expressed and/or any other pertinent items to such contract.

- 20 **RESOLUTION NO. 567** by Director Donnelly, APPROVAL OF SUBSTANTIAL COMPLETION DATE SET AS MARCH 1, 2009 FOR THERMAL PIPING, A DIVISION OF GBI, INC. FOR PROJECT KNOWN AS "ENERGY CONSERVATION MEASURES AT BUTTONWOOD HOSPITAL – PHASE 1". Mr. Brown and Mrs. Reinhart abstained from this item.

WHEREAS, on October 24, 2007, the Board of Chosen Freeholders of the County of Burlington approved the recommendation of the Burlington County Chief Financial Officer to award the contract known as "PEMBERTON COMPLEX – PHASE I – ENERGY CONSERVATION MEASURES" (CPU-07-0102) in an amount of SIX HUNDRED FORTY THOUSAND DOLLARS (\$640,000.00) to Thermal Piping, Inc.. of 493 Sykesville Road, Wrightstown, NJ 08562 in conformance with plans and specifications prepared by Metro Energy Solutions

WHEREAS, the Board intends, by adoption of this resolution, to establish the date of substantial completion for this project as March 1, 2009; now therefore, be it

RESOLVED that the substantial completion date for this project shall be March 1, 2009 and, be it

FURTHER RESOLVED that the substantial completion of the project in no way limits or alters the terms and conditions of the construction including warranties, latent defects, implied or expressed and/or any other pertinent items to such contract.

- 21 **RESOLUTION NO. 568** by Director Donnelly, APPROVAL OF SUBSTANTIAL COMPLETION DATE SET AS JULY 1, 2008 FOR RANCO CONSTRUCTION, INC. FOR PROJECT KNOWN AS "MECHANICAL SYSTEMS AND ELECTRICAL SERVICES UPGRADES AT BUTTONWOOD HOSPITAL". Mr. Brown and Mrs. Reinhart abstained from this item.

WHEREAS, on June 12, 2007, the Board of Chosen Freeholders of the County of Burlington approved the recommendation of the Burlington County Chief Financial Officer to award the contract known as "MECHANICAL SYSTEMS AND ELECTRICAL SERVICES UPGRADES AT BUTTONWOOD HOSPITAL" (CPU-07-0036) in an amount of ONE MILLION THREE HUNDRED NINETY-EIGHT THOUSAND DOLLARS (\$1,398,000.00) to Ranco Construction, Inc. of 2800 Sylon Blvd., Hainesport, NJ 08036 in conformance with plans and specifications prepared by The Vaughn Collaborative; and

WHEREAS, the Board intends, by adoption of this resolution, to establish the date of substantial completion for this project as July 1, 2008; now therefore, be it

RESOLVED that the substantial completion date for this project shall be July 1, 2008 and, be it

FURTHER RESOLVED that the substantial completion of the project in no way limits or alters the terms and conditions of the construction including warranties, latent defects, implied or expressed and/or any other pertinent items to such contract.

- 22 **RESOLUTION NO. 569** by Director Donnelly, APPROVAL OF SUBSTANTIAL COMPLETION DATE SET AS JANUARY 29, 2009 FOR EAGLE CONSTRUCTION SERVICES, INC. FOR PROJECT KNOWN AS "FIRST FLOOR DATA CENTER RENOVATIONS". Mr. Brown and Mrs. Reinhart abstained from this item.

WHEREAS, on May 14, 2008, the Board of Chosen Freeholders of the County of Burlington approved the recommendation of the Burlington County Chief Financial Officer to award the contract known as " BURLINGTON COUNTY ADMINISTRATION BUILDING, FIRST FLOOR DATA CENTER ALTERATIONS" (CPU-08-0015A) in an amount of ONE HUNDRED TEN THOUSAND FIVE HUNDRED FOURTEEN DOLLARS (\$110,514.00) to Eagle Construction Services, Inc. of 1624 Jacksonville Road, Burlington, NJ 08016 in conformance with plans and specifications prepared by Vitetta; and

WHEREAS, the Board intends, by adoption of this resolution, to establish the date of substantial completion for this project as January 29, 2009; now therefore, be it

RESOLVED that the substantial completion date for this project shall be January 29, 2009 and, be it

FURTHER RESOLVED that the substantial completion of the project in no way limits or alters the terms and conditions of the construction including warranties, latent defects, implied or expressed and/or any other pertinent items to such contract.

- 23 **RESOLUTION NO. 570** by Director Donnelly, APPROVAL OF SUBSTANTIAL COMPLETION DATE SET AS OCTOBER 27, 2008 FOR EAGLE CONSTRUCTION SERVICES, INC. FOR PROJECT KNOWN AS "ENERGY CONSERVATION MEASURES AT BUTTONWOOD HOSPITAL – PHASE II". Mr. Brown and Mrs. Reinhart abstained from this item.

WHEREAS, on October 24, 2007, the Board of Chosen Freeholders of the County of Burlington approved the recommendation of the Burlington County Chief Financial Officer to award the contract known as "PEMBERTON COMPLEX – PHASE 2, ENERGY CONSERVATION MEASURES" (CPU-07-0103) in an amount of SEVEN HUNDRED THIRTY-TWO THOUSAND FIVE HUNDRED FOURTEEN DOLLARS (\$732,514.00) to Eagle Construction Services, Inc. of 1624 Jacksonville Road, Burlington, NJ 08016 in conformance with plans and specifications prepared by Metro Energy Solutions, Inc.; and

WHEREAS, the Board intends, by adoption of this resolution, to establish the date of substantial completion for this project as October 27, 2008; now therefore, be it

RESOLVED that the substantial completion date for this project shall be October 27, 2008 and, be it

FURTHER RESOLVED that the substantial completion of the project in no way limits or alters the terms and conditions of the construction including warranties, latent defects, implied or expressed and/or any other pertinent items to such contract.

- 24 **RESOLUTION NO. 571** by Director Donnelly, APPROVAL OF SUBSTANTIAL COMPLETION DATE SET AS JUNE 10, 2009 FOR EAGLE CONSTRUCTION SERVICES, INC. FOR PROJECT KNOWN AS "EMERGENCY GENERATOR AND WATER INFILTRATION REMEDIATION AT PBS". Mr. Brown and Mrs. Reinhart abstained from this item.

WHEREAS, on September 10, 2008, the Board of Chosen Freeholders of the County of Burlington approved the recommendation of the Burlington County Chief Financial Officer to award the contract known as "EMERGENCY GENERATOR AND WATER INFILTRATION REMEDIATION AT PUBLIC SAFETY BUILDING, ACADEMY DRIVE, WESTAMPTON NEW JERSEY" (CPU-08-0078) in an amount of ONE HUNDRED EIGHTY-SEVEN THOUSAND FIVE HUNDRED FOURTEEN DOLLARS (\$187,512.00) to Eagle Construction Services, Inc., of 1624 Jacksonville Road, Burlington, NJ 0816 in conformance with plans and specifications prepared by The Vaughn Collaborative; and

WHEREAS, the Board intends, by adoption of this resolution, to establish the date of substantial completion for this project as June 10, 2009; now therefore, be it

RESOLVED that the substantial completion date for this project shall be June 10, 2009 and, be it

FURTHER RESOLVED that the substantial completion of the project in no way limits or alters the terms and conditions of the construction including warranties, latent defects, implied or expressed and/or any other pertinent items to such contract.

- 25 **RESOLUTION NO. 572** by Director Donnelly, APPROVAL OF A GRANT FOR 1 APPLICANT ELIGIBLE FOR UP TO \$5,000 FOR THE EMERGENCY HEATER REPLACEMENT PROGRAM PURSUANT TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") has received funds from the U.S. Department of Housing and Urban Development through Block Grant #B09-UC-34-0001, which are used to make grants to eligible Burlington County homeowners to replace inefficient and/or inoperable home heating systems; and

WHEREAS, the County's Community Development Office ("CD Office") has recommended that a Heater Replacement Program grant be made, as described below, because the conditions for eligibility for this Program have been satisfied; and

<u>Homeowner</u>	<u>Case no.</u>	<u>Grant Amount</u>
A Gilfillan	HRP05-06-24LH	\$2,487.00

WHEREAS, funds in the amount reported above are available in account no. 31-0701-052008 to make this grant, as evidenced by the certification of the County's Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES, as follows:

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

- 26 **RESOLUTION NO. 573** by Director Donnelly, LOAN AND MORTGAGE APPROVED WITH TWO FIRST TIME HOMEBUYERS IN THE 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 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>Applicant</u>	<u>File no.</u>	<u>Loan Amount</u>
B. L. Day	FTHB10-04-13GS	\$9,000.00
J. M. Zoppina	FTHB10-05-10GS	\$9,000.00

WHEREAS, funds in the amount of \$9,000.00 are available in account no. 42-0709-051200 to make each loan, 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 the loans 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.

27 **RESOLUTION NO. 574** by Director Donnelly, LOAN AND MORTGAGE APPROVED FOR THREE PROPERTY OWNERS FOR A HOME IMPROVEMENT LOAN IN THE AMOUNT OF \$19,897, \$11,120 AND \$19,970 PURSUANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") BLOCK GRANT 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 ("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 eligibility and other uniform and objective 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>
A. Riddick	35-46-38LS	\$19,722.00	\$175.00
B. Jacoby	35-50-19LS	\$10,945.00	\$175.00
J. & P. Masters	35-51-13LS	\$19,795.00	\$175.00

WHEREAS, loans of this type that exceed \$17,500.00 may be subject to provisions of P.L. 2005, c. 271 and N.J.S.A. 19.44A-20.8 because they are not being awarded through a public "fair and open" solicitation as defined therein; and

WHEREAS, each owner has executed a certification pursuant to N.J.S.A. 19:44A-20.8 and P.L. 2005, Chapter 271, reporting that they did not make any reportable contributions to a political or candidate committee or political contributions, expenditures or other things of value to any political party or political committee in the previous year; and

WHEREAS, 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. These loans are being authorized as not made through a "fair and open process" as defined at N.J.S.A.19:44A-20.7, although they are being made in accordance with the requirements for program funding and through application of standard criteria and procedures, which the Board deems as fair and open.
- 3. 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.
- 4. 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.

- 28 **RESOLUTION NO. 575** by Director Donnelly, LOAN AND MORTGAGE APPROVED FOR FAMILY SERVICE OF BURLINGTON COUNTY, INC. IN THE AMOUNT OF \$50,000 TO PARTIALLY FUND ACQUISITION AND SOFT COSTS OF TWO NEW AFFORDABLE RENTAL UNITS IN BURLINGTON TOWNSHIP KNOWN AS BURLINGTON II PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM 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 HOME Investment Partnerships Program Grant Number M-08-UC-34-0212; and

WHEREAS, Family Service of Burlington County, Inc. ("Family Service"), a nonprofit corporation of the State of New Jersey, has submitted an application to the Board for a loan to partially fund the acquisition and soft costs of two new affordable rental units to be located in Burlington Township through a project known as Burlington II; and

WHEREAS, the Board has reviewed and approved the recommendation of the County's Community Development Office (the "CD Office") that a \$50,000.00 loan be made to Family Service for this project; and

WHEREAS, \$50,000 is available to make this loan in account no. 42-0709-080609, as evidenced by the certification of the County's Chief Financial Officer filed herewith;

Now, therefore, the Board

RESOLVES as follows:

1. The above described loan is approved and authorized, the funds for which shall be drawn from the Federal Home Investment Partnerships Program monies.
2. The loan shall not bear interest, shall be disbursed in accordance with the schedule set forth in the Loan Agreement and shall be subject to repayment not later than ten years after disbursement.
3. The project property shall be subject to an affordable housing restriction in effect for not less than ten years.
4. Repayment of the loan shall be secured by a mortgage on the project property.
5. The loan documents shall be prepared by the County Solicitor and the Community Development Office and any documents to be signed by the County shall be executed in accordance with the Rules of the Board.
6. The Board reserves the right to forego repayment of said loan in its sole discretion in accordance with the approved HOME Program design.

- 29 **RESOLUTION NO. 576** by Director Donnelly, AUTHORIZATION TO IMPLEMENT AN INTEREST RATE CHANGE TO THE SMALL BUSINESS LOAN PROGRAM FOR FUTURE SMALL BUSINESS LOANS FUNDED BY THE US DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION GRANT ADMINISTERED THROUGH THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND REGIONAL PLANNING.

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") makes loans to small businesses (the "Program") to businesses operating in or relocating to Burlington County for the purpose of stimulating business growth and the economy through the creation and retention of jobs, which Program is administered by the County's Department of Economic Development and Regional Planning; and

WHEREAS, the Program is funded by a grant from the United States Department of Commerce, Economic Development Administration (the "EDA"), and administered through its Regional Office, which sets standards and terms for the Program; and

WHEREAS, to comply with EDA requirements the Board has determined to modify its policy concerning the rate of interest to be charged to Program loan recipients; now, therefore, the Board

RESOLVES as follows:

1. The interest rate to Program borrowers shall not be lower than the lesser of four percent (4%) or 75 percent of the prime interest rate published in the Wall Street Journal at the time the Board issues a Commitment for Permanent Financing.
2. The interest rate will be fixed for the term of the loan.
3. This action shall apply to all Program loans authorized after this date.

30 **RESOLUTION NO. 577** by Director Donnelly, AGREEMENT WITH OCEAN COUNTY BOARD OF CHOSEN FREEHOLDERS FOR SHARED SERVICES FOR THE IMPLEMENTATION AND RECOMMENDATIONS OF THE JOINT LAND USE STUDY FOR LAKEHURST NAES, FT. DIX AND MCGUIRE AFB AND APPROVAL TO SUBMIT A GRANT REQUIREMENTS TO THE US DEPARTMENT OF DEFENSE, OFFICE OF ECONOMIC ADJUSTMENT ADMINISTERED THROUGH THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND REGIONAL PLANNING.

WHEREAS, on March 21, 2007, the County of Ocean authorized an agreement with the Department of Defense, Office of Economic Adjustment, for the preparation of a Joint Land Use study for the three military installations of Lakehurst NAES, Fort Dix, and McGuire Air Force Base; and

WHEREAS, the three military installations subsequently began consolidation into one facility known as Joint Base McGuire-Dix-Lakehurst; and

WHEREAS, the Joint Land Use Study (JLUS) was completed on April 30, 2009; and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington (the Board) supports the recommendations of the Joint Land Use Study, including measures to protect the public health, safety, and welfare, maintain quality of life, guide incompatible land uses away from inappropriate areas, encourage compatible land uses, maintain economic vitality, and provide for sustainable growth; and

WHEREAS, the Board desires to continue working with its Joint Land Use Study partners to implement study recommendations and seek additional grant funds to assist in this effort; and

WHEREAS, the Board endorsed the findings of the Joint Land Use Study prepared for Joint Base McGuire-Dix-Lakehurst and agreed to work with its Joint Land Use Study partners on implementing the study recommendations on August 26, 2009; and

WHEREAS, the Board with its partner Ocean County has prepared a grant proposal which includes the scope of work for the implementation of the Joint Land Use Study Recommendations; and

WHEREAS, the grant proposal requests a \$781,200.00 grant for a Regional Waste Water Management Plan, Regional Transportation Study for the 2-Mile Joint Base Region, Communication Coordination Plan, and Joint Base McGuire-Dix-Lakehurst (JB MDL) Joint Land Use Study (JLUS) Website Portal; and

WHEREAS, a combined ten percent local match of \$78,120.00 is required, with the Board and Ocean County each responsible for 50% of the \$78,120.00, which amount can be provided in the form of an "in-kind" match; and

WHEREAS, Ocean County will provide "in-kind" matching services in the amount not to exceed 50% of the require match for a grant; and

WHEREAS, the Board must enter into a Shared Services Agreement with Ocean County pursuant to N.J.S.A. 40A:65-1 et seq. in order to carry out the scope of work Ocean County; and

WHEREAS, the Board endorsed the submission of a joint grant application with Ocean County for Joint Land Use implementation funds through the Office of Economic Adjustment in the U.S. Department of Defense for the implementation of the Joint Land Use Study on August 26, 2009; and

WHEREAS, Ocean County will submit the grant application to the Department of Defense Office of Economic Adjustment for the Implementation of the Joint Land Use Study recommendations in the amount of \$781,200.00 and will monitor said grant, if received; now, therefore, be it

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

1. The Board, through its Department of Economic Development and Regional Planning, will provide "in-kind" matching services, the value of which is in the amount not to exceed 50% of the require match for a grant from the Department of Defense Office of Economic Adjustment for the Implementation of the Joint Land Use Study, and will provide the County of Ocean with all required documentation to fulfill the reporting requirements.

2. The Freeholder Director is hereby authorized to enter into a Shared Services Agreement with the County of Ocean to formalize the terms of this cooperative relationship.

3. Certified copies of this resolution will be forwarded to the County Administrator, County of Ocean, the Commander of the Joint Base McGuire-Dix-Lakehurst, members of the Joint Land Use Study Policy Committee, and the U.S. Department of Defense Office of Economic Adjustment.

31 **RESOLUTION NO. 578** by Director Donnelly, COUNTY SOLICITOR'S OFFICE AUTHORIZED TO PROCEED WITH THE ACQUISITION OF A ROADWAY IMPROVEMENT EASEMENT FOR THE REALIGNMENT OF CREEK AND COOPERTOWN ROADS, BLOCK 2000, LOT 8, DELANCO TOWNSHIP IN THE AMOUNT OF \$7,500 FOR THE ENGINEERING DEPARTMENT.

WHEREAS, there exists a need for the County of Burlington to acquire a roadway improvement easement for the proposed realignment of Creek Road (CR625) and Coopertown Road (C624), Delanco Township, Burlington County; and

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

WHEREAS, the property which is required is Block 2000, Lot 8 in Delanco Township, Burlington County and is owned by State of New Jersey Motor Vehicle Commission who has agreed to sell an easement needed for roadway purposes on this property for the amount of \$7,500.00; and

WHEREAS, funds are available in Account No. 60-7001-110282 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 the purchase of the above property easement 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.

32 **RESOLUTION NO. 579** by Director Donnelly, COUNTY SOLICITOR'S OFFICE AUTHORIZED TO PROCEED WITH THE ACQUISITION OF A ROADWAY IMPROVEMENT EASEMENT FOR THE RECONSTRUCTION OF COUNTY BRIDGE D4.81, BLOCK 32, LOT 5.02, LUMBERTON TOWNSHIP IN THE AMOUNT OF \$8,653 FOR THE ENGINEERING DEPARTMENT.

WHEREAS, there exists a need for the County of Burlington to acquire a roadway improvement easement for the reconstruction of County Bridge D4.81, Crispin Road, Lumberton Township, Burlington County; and

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

WHEREAS, a portion of the property which is required is Block 32, Lot 5.02 in Lumberton Township, Burlington County and is owned by Thomas and M. Elizabeth Sweeney who

has agreed to sell an easement needed for roadway purposes on this property for an amount not to exceed \$8,653.00; and

WHEREAS, funds are available in Account No. 60-7001-108582 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 the purchase of the above property easement 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.

33 **RESOLUTION NO. 580** by Director Donnelly, AGREEMENT WITH AT&T/TELEPORT COMMUNICATIONS NEW YORK FOR THE INSTALLATION OF A FIBER OPTIC CABLE ON EXISTING UTILITY POLES ALONG BURLINGTON-BORDENTOWN ROAD (CR 662) FROM WASHINGTON STREET IN FIELDSBORO TO PRINCE STREET IN BORDENTOWN CITY FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the Federal Telecommunications Act of 1996 permits the entry of new competition into the local and long-distance telecommunications markets; and

WHEREAS, pursuant to N.J.S.A. 48:17-10, any telecommunications carrier which seeks to use the County right-of-way for purpose of installing its equipment must apply to the County; and

WHEREAS, by Resolution #663 adopted on October 23, 1996 and Resolution #936 on December 10, 2008, by the Burlington County Board of Chosen Freeholders, the Burlington County Telecommunications Carrier Access to County Right-of-Way Policy and Procedures Resolution (hereinafter "Policy and Procedure") has been duly approved and adopted; and

WHEREAS, Teleport Communication New York (hereinafter "Teleport") with offices located at One AT&T Way, Bedminster, NJ 07921, is a regional competitive telecommunications carrier which owns and operates a digital fiber optic network providing enhanced voice and data communication services to commercial customers in the greater Delaware Valley; and

WHEREAS, Teleport, pursuant to N.J.S.A. 48:17-10 and the "Policy and Procedure", has applied to the County of Burlington for permission to occupy the County right-of-way for the purpose of installing a fiber optic telecommunications line along Burlington-Bordentown Road (CR 662) from Washington Street in Fieldsboro Borough to Prince Street in Bordentown City; and

WHEREAS, Teleport has been authorized by the Board of Public Utilities of New Jersey to provide such services within the State of New Jersey; and

WHEREAS, it is in the best interests of the residents of the County of Burlington for the Board to permit telecommunications companies, such as Teleport, to place fiber optic lines within the County right-of-way, in that the increased competition should result in a wider array of services and at a lower cost for the services; not therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the Agreement with Teleport for access to the County right-of-way is hereby approved;

BE IT FURTHER RESOLVED, that access is granted to Teleport in accordance with the Burlington County Telecommunications Carrier Access to County Right-of-Way Policy and Procedures Resolution duly adopted on October 23, 1996 and amended by Resolution #936 of December 10, 2008.

34 **RESOLUTION NO. 581** by Director Donnelly, AGREEMENT WITH TAYLOR, WISEMAN & TAYLOR IN AN AMOUNT NOT TO EXCEED \$50,000 TO SUPPORT A VARIETY OF DISCIPLINE AREAS FOR PRIORITY BRIDGE REPAIRS, EMERGENCIES

AND SAFETY RELATED WORK FOR THE ENGINEERING DEPARTMENT. Mr. Brown and Mrs. Reinhart opposed this item. **Resolution No. 581 defeated.**

- 35 **RESOLUTION NO. 582** 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 AUGUST 25, 2009.

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>
Bond #B98808-016513	Country Woods Burlington County Woods, LLC Columbus Road Burlington Township	\$63,183.00	B06-06-036
Bond #10476940	Pemberton Woods Baker Residential Pemberton-Browns Mills Road Pemberton Township	\$1,116.00	B04-29-008
Letter of Guarantee	New Upper Elementary School North Hanover Twp. Board of Ed. Monmouth Road North Hanover Township	\$4,083.00	S03-26-038
Bond #B12681192	Bobby's Hunt Procacci Development Co., Inc. Elbo Lane Mt. Laurel Township	\$16,973.00	B01-24-028
IRLOC #40700095	CarSense Auto Dealership McGowen Equity Partners, LLC Burlington-Mt. Holly Road Westampton Township	\$16,845.00	S06-37-099

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>
IRLOC #CLC 2006-08	Eastampton Town Center Sharbell Development Co. Woodlane & Smithville-Jacksonville Rds. Eastampton Township	\$411,249.00	B05-11-092
Bond #6547689	PHI Riverside Telecommunica. Site Cellco Partnership d/b/a Verizon Wireless	\$1,980.00	S08-30-008

Pavilion Avenue  
Riverside Township

- 36 **RESOLUTION NO. 583** by Director Donnelly, AGREEMENT WITH BASS RIVER TOWNSHIP TO LEASE A PORTION OF THE PROPERTY KNOWN AS THE "BURLINGTON COUNTY MOSQUITO DIVISION YARD" FOR THE PERIOD OF JANUARY 1, 2010 THROUGH DECEMBER 31, 2012 IN THE AMOUNT OF \$1.00 PER YEAR FOR THE HIGHWAY DEPARTMENT.

WHEREAS, the Burlington County Board of Chosen Freeholders and the Township of Bass River recognize the need for Bass River Township to use a portion of the County's property located at 42 East Greenbush Avenue, Bass River Township for Bass River's public safety and storage purposes within the Township of Bass River; and

WHEREAS, it is the intention of the Burlington County Board of Chosen Freeholders and the Township of Bass River that the County shall lease to the Township a portion of the County owned property known as the Burlington County Mosquito Division Yard ("Yard") located at 42 East Greenbush Avenue, Bass River Township to the Township of Bass River for a period of three (3) years commencing January 1, 2010 terminating December 31, 2012 for the amount of \$1.00 per year for such purposes; and

WHEREAS, the attached Shared Services Agreement between the County of Burlington and the Township of Bass River establishes the respective rights and obligations of the two public entities regarding the above referenced property and lease; and

WHEREAS, the County of Burlington and the Township of Bass River are authorized by the "Shared Services Act", N.J.S.A. 40A:65-1, N.J.S.A. 40A:12-14(b), to enter into agreement for Township utilization of unneeded County property; now, therefore, be it

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

1. The attached Shared Services Agreement serving as the lease for such public safety purposes for the referenced property is hereby approved.
2. The 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 County and Township agree to abide by all terms and conditions contained in the attached Interlocal Services Agreement which shall serve as the lease between the parties.

- 37 **RESOLUTION NO. 584** 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.

LaVinne E. Clemons, Senior Account Clerk, Health Department. Commenced duties on 6/15/09 at \$38,976 per annum. Demotion.

Joseph St. Clair, Employment Counselor, Economic Development. Commenced duties on 7/13/09 at \$39,712 per annum. Permanent appointment from open competitive certification.

Jeffrey C. Grosser, Environmental Health Specialist, Health Department. Commenced duties on 7/20/09 at \$39,112 per annum. Permanent appointment from open competitive certification.

Brian M. Sheehan, Truck Driver, Highway Department. Commenced duties on 7/13/09 at \$32,459 per annum. Permanent appointment from promotional certification.

Charles F. Winkelspecht, Truck Driver, Highway Department. Commenced duties on 7/13/09 at \$41,668 per annum. Permanent appointment from promotional certification.

- Linda J. Sherpensky, Senior Clerk Typist, Buttonwood Hospital. Commenced duties on 7/12/09 at \$13.93 per hour. Permanent appointment from promotional certification.
- James H. Holloway, Truck Driver, Highway Department. Commenced duties on 7/13/09 at \$34,194 per annum. Permanent appointment from promotional certification.
- Jefferson D. Chastain, Employment Counselor, Economic Development. Commenced duties on 7/13/09 at \$38,487 per annum. Permanent appointment from open competitive certification.
- Shaquana M. Deas, Student Assistant, Information Technology. Commenced duties on 2/23/09 at \$9.50 per hour. Unclassified appointment.
- Jacquelyn S. Lotsey, Secretary, Superintendent of Schools. Commenced duties on 3/2/09 at \$42,072 per annum. Unclassified appointment.
- Elizabeth L. Kleszczelski, Assistant Engineer Bridges, Engineering. Commenced duties on 3/9/09 at \$48,077 per annum. Provisional appointment pending open competitive examination.
- Albert A. Arthur, Narcotics Clinic Supervisor, Health Department. Commenced duties on 3/10/09 at \$17.25 per hour. Temporary appointment six months or less.
- Elizabeth L. Lang, Student Assistant, Health Department. Commenced duties on 3/9/09 at \$8.00 per hour. Unclassified appointment.
- Mary E. Saucier, Supervising Account Clerk, County Clerks Office. Commenced duties on 7/21/09 at \$42,026 per annum. Permanent appointment from promotional certification.
- Ronald J. Venezia, Assistant Superintendent of Weights and Measures, Weights and Measures. Commenced duties on 4/5/09 at \$33,170 per annum. Permanent appointment per NJAC legislation.
- Robert E. Pignatelli, Public Safety Telecommunicator, Public Safety. Commenced duties on 11/30/09 at \$35,020 per annum. Permanent appointment from non-competitive division position.
- Theresa L. Mohr, Public Safety Telecommunicator, Public Safety. Commenced duties on 11/30/08 at \$35,020 per annum. Permanent appointment to non-competitive division position.
- Christopher S. Alustiza, Public Safety Telecommunicator, Public Safety. Commenced duties on 11/30/08 at \$35,020 per annum. Permanent appointment to non-competitive division position.
- Avicious G. Kennedy, Hospital Attendant, Buttonwood Hospital. Commenced duties on 7/12/09 at \$29,234 per annum. Permanent part-time to permanent full-time.
- Joseph P. Lowden, Truck Driver, Highway Department. Commenced duties on 7/13/09 at \$32,459 per annum. Permanent appointment from promotional certification.
- Jeannette Balom, Head Nurse, Buttonwood Hospital. Commenced duties on 6/29/09 at \$34.68 per hour. Permanent appointment from open competitive certification.
- Debra M. Brown, Head Nurse, Buttonwood Hospital. Commenced duties on 6/29/09 at \$33.31 per hour. Permanent appointment from open competitive certification.
- Rebecca J. Thompson, Head Nurse, Buttonwood Hospital. Commenced duties on 6/29/09 at \$57,255 per annum. Permanent appointment from open competitive certification.
- Kelly W. Tabor, Head Nurse, Buttonwood Hospital. Commenced duties on 6/29/09 at \$34.68 per hour. Permanent appointment from open competitive certification.
- Eleanor B. Hoyer, Head Nurse, Buttonwood Hospital. Commenced duties on 6/29/09 at \$32.00 per hour. Permanent appointment from open competitive certification.

38 **RESOLUTION NO. 585** by Director Donnelly, POSITIONS CREATED AND ABOLISHED IN VARIOUS DEPARTMENTS AS PER THE PERSONNEL COMMITTEE APPROVAL 9/2/09. Mrs. Reinhart opposed this item.

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

	RANGE	HOURS
COUNTY CLERK:		
Create:		
03256 1 Senior Clerk Typist	07	35
Abolish: 1 Principal Clerk Typist		
HEALTH:		
Create:		
07530 1 Supervising Environmental Health Specialist	33	40
00470 1 Assistant Director Drug Abuse Program	29	40
02549 1 Narcotics Clinic Supervisor PT	20	24
63114 1 Substance Abuse Counselor 2	19	40
63115 1 Substance Abuse Counselor 1	21	40
02548 1 Narcotic Clinic Aide PT	09	24
Abolish: 1 Senior Environmental Health Specialist		
1 Assistant Director Drug Abuse Program PT		
1 Narcotics Clinic Supervisor		
1 Alcoholism Counselor		
1 Senior Alcoholism Counselor		
PUBLIC SAFETY SERVICES:		
Create:		
01296 4 Public Safety Telecommunicator	20	40
01296 1 Public Safety Telecommunicator PT	20	24
06229 1 Public Safety Telecommunicator Trainee	15	40

and be it,

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

39 **RESOLUTION NO. 586** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR UNIFORMS: WORK AND OTHER CLOTHING ITEMS 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:

UNIFORMS: WORK AND OTHER CLOTHING ITEMS  
(CPU-09-0088)

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, October 20, 2009 at 10:30 a.m. local prevailing time.

40 **RESOLUTION NO. 587** by Director Donnelly, RESOLUTION AUTHORIZING THE AWARD OF VARIOUS 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

1. Bids were received on August 18, 2009 as authorized per Resolution #84 adopted on February 25, 2009 for the solicitation titled "VEHICLE, SERVICE TRUCK WITH SEVERE DUTY 14' CRANE BODY FOR BURLINGTON COUNTY HIGHWAY DEPARTMENT" (CPU-09-0013).

Freedom International Trucks  
6601 New State Road  
Philadelphia, PA 19135

One (1) 2009 or Newer, Service Truck With  
Severe Duty 14' Crane Body or Equal as  
Per Specifications

TOTAL LUMP SUM BID.....\$161,358.00

2. Bids were received on August 18, 2009 as authorized per Resolution #83 adopted on February 25, 2009 for the solicitation titled "VEHICLES, TANDEM WHEEL MULTI-PURPOSE DUMP TRUCKS FOR BURLINGTON COUNTY HIGHWAY DEPARTEMENT" (CPU-09-0011).

Trius, Inc.  
458 Johnson Avenue  
Bohemia, NY 11716-0158

Two (2) 2009 or Newer, Tandem Wheel  
Multi-Purpose Dump Trucks, as Per  
Specifications.....\$179,111.00/each

TOTAL LUMP SUM BID.....\$358,222.00

3. Bids were received on July 21, 2009 as authorized per Resolution #359 adopted on June 24, 2009 for the solicitation titled "TRACTOR WITH ADDITIONAL EQUIPMENT FOR BURLINGTON COUNTY PARK'S DEPARTMENT" (CPU-09-0074).

Farm-Rite, Inc.  
122 Old Cohansey Road  
Shiloh, NJ 08353

One (1) 2009 or Newer, John Deere 110  
Tractor Loader Backhoe with Additional  
Equipment or Equal as Per Specifications

TOTAL LUMP SUM BID.....\$ 70,830.00

\*\*\* It was moved by Mr. Brown, seconded by Mrs. Reinhart that the following five (5) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 588 and 592 adopted.

41 **RESOLUTION NO. 588** by Mr. Brown, AUTHORIZATION TO PURCHASE ONLINE ACCESS FOR WESTLAW SERVICES IN THE AMOUNT OF \$17,832 FOR THE OFFICE OF THE PROSECUTORS APPELLATE UNIT/TRIAL UNIT FROM THOMAS WEST FOR THE PERIOD FEBRUARY 1, 2009 THROUGH JANUARY 31, 2010.

WHEREAS, Burlington County wishes to purchase ONLINE ACCESS for Westlaw Services under the statewide agreement for the Office of the Prosecutor Appellate Unit/Trial Unit; and,

WHEREAS, Thomson West, 610 Opperman Drive, Eagan, MN 55123 has provided a proposal for Westlaw Services to provide ONLINE ACCESS to their Primary Law and Legal Research Library for the Prosecutor's Office, for the period February 1, 2009 through January 31, 2010, Contract No. FAO-09-0010; and,

WHEREAS, the monthly cost of this ONLINE ACCESS is ONE THOUSAND, FOUR HUNDRED, EIGHTY-SIX DOLLARS and 00/100 (\$1,486.00), for a total annual amount of SEVENTEEN THOUSAND, EIGHT HUNDRED, THIRTY-TWO DOLLARS and 00/100 (\$17,832.00); 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, THOMSON WEST 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, THOMSON WEST 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, THOMSON WEST 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 annual cost for this ONLINE ACCESS will not exceed SEVENTEEN THOUSAND, EIGHT HUNDRED, THIRTY-TWO DOLLARS and 00/100 (\$17,832.00), for the period of February 1, 2009 through January 31, 2010; and

WHEREAS, funds are available for this purpose in Account No. 10-0009-033309, as evidenced by the attached certification of the Burlington County Chief Financial Officer; and

WHEREAS, THOMSON WEST 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; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that a purchase order be awarded to Thomson West, 610 Opperman Drive, Eagan, MN 55123, for the purchase of ONLINE ACCESS to their Primary Law and Legal Research Library, in an amount not to exceed SEVENTEEN THOUSAND, EIGHT HUNDRED, THIRTY-TWO DOLLARS and 00/100, (\$17,832.00), and the proper County Officials are hereby authorized to enter into the attached services as described herein with THOMSON WEST 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 Determination of Value be placed on file with this Resolution.

42 **RESOLUTION NO. 589** by Mr. Brown, AMENDMENT TO AGREEMENT WITH CORVEL CORPORATION FOR AN EXTENSION OF TIME FOR A PERIOD NOT EXCEEDING SIX MONTHS COMMENCING SEPTEMBER 1, 2009 THROUGH A PERIOD NOT TO EXCEED FEBRUARY 28, 2010 FOR MEDICAL CLAIMS

ADMINISTRATOR/BILL RE-PRICING SERVICES FOR THE JAIL AND 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 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 proposals; and

WHEREAS, the Burlington County Detention Facilities and Burlington County Juvenile Detention Center has a significant recurring need for services associated with retaining a bill repricing Medical Claims Administrator ("MCA") to provide medical claims administration, bill repricing, and other related services for the Burlington County Detention Facility and Burlington County Juvenile Detention Center; and

WHEREAS, the Board adopted Resolution No. 751 on July 26, 2006 which authorizes the public advertisement of a Request for Qualifications (RFQ) to accept submissions from qualified companies to provide designated services; and

WHEREAS, on August 18, 2006, RFQ packages for such services submitted to Burlington County were publicly opened; and

WHEREAS, the Treasurer's Office Review Committee analyzed and evaluated said RFQ submittals on a competitive contracting basis and, pursuant to the attached written report, found that the following firm: CorVel Corporation, with offices located at 51 Haddonfield Road, Suite 200, Cherry Hill, NJ 08002 substantially complied with the requirements of the submittal and recommends certification of said firm to provide the services of a Medical Claims Administrator to provide medical claims administration and other related services for the Burlington County Detention Facility and Burlington County Juvenile Detention Center for the term September 1, 2006 to August 31, 2009; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that CorVel Corporation is designated to provide the services of a Medical Claims Administrator to provide medical claims administration, bill repricing, and other associated related services for the Burlington County Detention Facility and Burlington County Juvenile Detention Center for the term September 1, 2006 to August 31, 2009; and, be it

FURTHER RESOLVED, that such contract for a Medical Claims Administrator be awarded subject to review on a competitive contracting basis under Burlington County's established fair and open process; and, be it

FURTHER RESOLVED, that the County Administrator, Freeholder Director, County Treasurer and County Solicitor's Office be authorized to take any action and to sign any documents necessary to effectuate the completion of this contract for the referenced term.

43 **RESOLUTION NO. 590** by Mr. Brown, AUTHORIZATION TO REJECT AND RE-ADVERTISE AND RECEIVE PROPOSALS A SECOND TIME FOR A DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY 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, the solicitation of competitive proposals was authorized by Resolution #403 on July 08, 2009 for DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES (RFP-09-0082); and

WHEREAS, no proposals were received; and

WHEREAS, the Burlington County Purchasing Agent recommends to the County Administrator that this proposal be rejected, re-advertise and receive, for the second time, on October 6, 2009; and

WHEREAS, the County Administrator has submitted to the Board of Chosen Freeholders a recommendation to reject this proposal as described hereafter, said recommendation being attached to this Resolution; and

WHEREAS, the County Administrator concurs with the report and recommends this proposal be rejected and received for a second time; and be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the proposal for "DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES", (RFP-09-0082), for Burlington County Correctional Facilities, is hereby rejected and will be received, for a second time, on October 6, 2009.

44 **RESOLUTION NO. 591** by Mr. Brown, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR PROPOSAL FOR LABORATORY SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES.

WHEREAS, LABORATORY SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES (RFP-09-0100) 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 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 at the option of the governing body, N.J.S.A. 40A:11-4.1(e) ; 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 procurement of LABORATORY SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES is hereby authorized; and, be it

RESOLVED that a pre-proposal conference will be held for all proposers in Conference Room "B", on Thursday, October 1, 2009 at 1:00 p.m.; and, be it

RESOLVED that the submissions of proposals for LABORATORY SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES, (RFP-09-0100), will be publicly received in the Freeholders Board Room on Tuesday, October 20, 2009 at 10:30 a.m. local prevailing time; and, be it

FURTHER 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.

45 **RESOLUTION NO. 592** by Mr. Brown, AUTHORIZATION TO ADVERTISE FOR BIDS FOR INMATE CLOTHING AND OTHER ITEMS FOR THE COUNTY DETENTION CENTERS.

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

INMATE CLOTHING AND OTHER ITEMS 2010-2011  
(CPU-09-0087)

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, October 20, 2009 at 10:30 a.m. local prevailing time.

\*\*\* It was moved by Mr. Haines, seconded by Mr. Donnelly that the following thirteen (13) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 593 through 605 adopted.

46 **RESOLUTION NO. 593** by Mr. Haines, PRELIMINARY APPROVAL OF SEVENTEEN (17) FARMS LOCATED IN VARIOUS TOWNSHIPS, AUTHORIZATION FOR APPRAISALS AND AUTHORIZATION TO SUBMIT APPLICATIONS TO THE STATE AGRICULTURE DEVELOPMENT COMMITTEE TO SECURE COST-SHARING GRANTS PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders supports the preservation of farmland within Burlington County through the purchase of land for the purpose of restricting its use to agriculture and through the purchase of development rights to farms by which the property owner agrees to retain land for agricultural use and production and to refrain from development for nonagricultural purposes; and

WHEREAS, on August 13, 2009, the Burlington County Agriculture Development Board (CADB) reviewed and approved seventeen (17) applications to the County's farmland preservation program; and

WHEREAS, the applications include the following properties:

1. Fred & Virginia Detrick – Pemberton Twp – Block 801, Lot 3 ; Block 800, Lot 6.03
2. Howard & JoAnn Stevenson – Pemberton Twp – Block 812, Lot 2.01 & 3 ; Block, 803 Lot 9 ; Block 804, Lots 1 & 2
3. Pearl Abrams – Shamong Twp – Block 18, Lots 11.01 & 12
4. Murphy Trust – Hainesport Twp – Block 110, Lot 16.01 / Lumberton Twp Block 34, Lot 6
5. Harold & Deanna Griffin – Pemberton Twp – Block 839.01, Lots 4.01 & 10
6. Cora Wainwright – Mansfield Twp – Block 59, Lot 6 ; Block 58, Lot 42.01
7. Curtis Wainwright – Mansfield Twp – Block 59, Lot 4.01
8. Nicholas Salenetri – Chesterfield Twp – Block 501, Lot 5
9. Flynn – Tucker LLC – Springfield Twp – Block 1903, Lot 1.01
10. Brian Krause – Chest. Twp – Block 402, Lot 1 / No. Hanover Twp – Block 101, Lot 2
11. Tracey Spotts – Lumberton Twp – Block 31, Lot 4.01
12. Clayton East – New Hanover Twp – Block 7, Lot 2
13. Clayton West – New Hanover Twp – Block 1, Lot 14
14. NAK Realty – Springfield Twp – Block 802, Lot 1.01
15. Dennis & Susan Roohr – New Hanover Twp – Block 5, Lot 10
16. Brick Enterprises – Medford Twp – P/O Block 6605, Lot 1; P/O Block 6802 Lots 1 & 9
17. Harold & Cynthia Sager – Pemberton Twp – Block 848, Lots 1 & 2.01; Block 850, Lots 4.02, 5 & 6 Block 851, Lot 2;

WHEREAS, final approval of the applications within Hainesport, New Hanover and Lumberton Townships will be conditioned upon those municipalities adopting local Right to Farm ordinances; and

WHEREAS, the Board is interested in securing monies from the State Agriculture Development Committee (the "SADC") or other Federal agencies in order to fund a portion of the costs to preserve this farm; now, therefore, be it

RESOLVED by the Burlington County Board of Chosen Freeholders, that the farms described above are hereby granted preliminary approval for processing for the County farmland preservation program, subject to additional review by the CADB with respect to specific conditions of approval in accordance with CADB and County policies; and be it

FURTHER RESOLVED, that the County Department of Resource Conservation, County Treasurer and County Administrator are hereby authorized to submit applications to the State Agriculture Development Committee and any other appropriate State agency to secure cost-sharing grants for purchases on this property.

47 **RESOLUTION NO. 594** by Mr. Haines, AGREEMENT WITH RONALD A. CURINI APPRAISAL COMPANY IN THE AMOUNT OF \$4,000 FOR ONE APPRAISAL PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes Ronald A. Curini Appraisal Co., Inc. as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Nicholas Salenetri Farm (Block 501, Lot 5, Chesterfield Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Nicholas Salenetri Farm - \$4,000

For a total of \$4,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

48 **RESOLUTION NO. 595** by Mr. Haines, AGREEMENT WITH RENWICK & ASSOCIATES IN THE AMOUNT OF \$4,000 FOR ONE APPRAISAL PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes Renwick & Associates as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Murphy Trust Farm (Block 110, Lot 16.01, Hainesport Township and Block 34, Lot 6, Lumberton Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Murphy Trust Farm - \$4,000

For a total of \$4,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

49 **RESOLUTION NO. 596** by Mr. Haines, AGREEMENT WITH J. MCHALE & ASSOCIATES IN THE AMOUNT OF \$10,000 FOR TWO APPRAISALS AND ONE UPDATE PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes J. McHale & Associates, Inc. as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Fred & Virginia Detrick Farm (Block 801, Lot 3 and Block 800, Lot 6.03 Pemberton Township), the Harold & Cynthia Sager Farm (Block 848, Lots 1 & 2.01 and Block 850, Lots 4.02, 5 & 6 and Block 851, Lot 2, Pemberton Township), and the Dennis & Susan Roohr Farm (Block 5, Lot 10, New Hanover Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Fred & Virginia Detrick Farm - \$4,000  
Harold & Cynthia Sager Farm - \$4,000  
Dennis & Susan Roohr Farm - \$2,000 - Update

For a total of \$10,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

50 **RESOLUTION NO. 597** by Mr. Haines, AGREEMENT WITH MARTIN APPRAISAL ASSOCIATES, INC. IN THE AMOUNT OF \$16,000 FOR FOUR APPRAISALS PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes Martin Appraisal Associates, Inc. as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Flynn-Tucker LLC Farm (Block 1903, Lot 1.01, Springfield Township), the Brian Krause Farm (Block 402, Lot 1, Chesterfield Township and Block 101, Lot 2, North Hanover Township), the Curtis Wainwright Farm (Block 59, Lot 4.01, Mansfield Township), and the Cora Wainwright Farm (Block 58, Lot 42.01 and Block 59, Lot 6, Mansfield Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Flynn-Tucker LLC Farm - \$4,000

Brian Krause Farm - \$4,000

Curtis Wainwright Farm - \$4,000

Cora Wainwright Farm - \$4,000

For a total of \$16,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

51 **RESOLUTION NO. 598** by Mr. Haines, AGREEMENT WITH LEGORE AND JONES IN THE AMOUNT OF \$16,000 FOR FOUR APPRAISALS PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes LeGore and Jones Appraisal Services as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Pearl Abrams Farm (Block 18, Lots 11.01 & 12, Shamong Township), the Brick Enterprises Farm (portion of Block 6802, Lots 1 & 9 and portion of Block 6605, Lot 1, Medford Township), the Harold & Deanna Griffin Farm (Block 839.01, Lots 4.01 & 10, Pemberton Township), and the Tracey Spotts Farm (Block 31, Lot 4.01, Lumberton Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Pearl Abrams Farm - \$4,000  
 Brick Enterprises - \$4,000  
 Harold & Deanna Griffin Farm - \$4,000  
 Tracey Spotts Farm - \$4,000

For a total of \$16,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby

approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

52 **RESOLUTION NO. 599** by Mr. Haines, AGREEMENT WITH JOSEPH L. MANZI REAL ESTATE, INC. IN THE AMOUNT OF \$12,000 FOR THREE APPRAISALS PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes Joseph L. Manzi Real Estate, Inc. as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Flynn-Tucker LLC Farm (Block 1903, Lot 1.01, Springfield Township), the Curtis Wainwright Farm (Block 59, Lot 4.01 Mansfield Township), and the Cora Wainwright Farm (Block 58, Lot 42.01 and Block 59, Lot 6, Mansfield Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Flynn-Tucker LLC Farm - \$4,000  
Curtis Wainwright Farm - \$4,000  
Cora Wainwright Farm - \$4,000

For a total of \$12,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

53 **RESOLUTION NO. 600** by Mr. Haines, AGREEMENT WITH INSIGHT APPRAISAL GROUP IN THE AMOUNT OF \$8,000 FOR TWO APPRAISALS PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes Insight Appraisal Group as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Brian Krause Farm (Block 402, Lot 1, Chesterfield Township and Block 101, Lot 2, North Hanover Township), and the NAK Realty farm (Block 802, Lot 1.01, Springfield Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

- Brian Krause Farm - \$4,000
- NAK Realty - \$4,000

For a total of \$8,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

54 **RESOLUTION NO. 601** by Mr. Haines, AGREEMENT WITH EDWARD T. MOLINARI IN THE AMOUNT OF \$20,000 FOR FIVE APPRAISALS PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes Edward T. Molinari as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Pearl Abrams Farm (Block 18, Lots 11.01 & 12, Shamong Township), the Murphy Trust Farm (Block 110, Lot 16.01, Hainesport Township and Block 34, Lot 6, Lumberton Township), the Howard & Jo Ann Stevenson Farm (Block 803, Lot 9 and Block 804, Lots 1 & 2 and Block 812, Lots 2.01 & 3, Pemberton Township), the Nicholas Salenetri Farm (Block 501, Lot 5, Chesterfield Township), and the Tracey Spotts Farm (Block 31, Lot 4.01, Lumberton Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Pearl Abrams Farm - \$4,000  
 Murphy Trust Farm - \$4,000  
 Howard & Jo Ann Stevenson Farm - \$4,000  
 Nicholas Salenetri Farm - \$4,000  
 Tracey Spotts Farm - \$4,000

For a total of \$20,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

55 **RESOLUTION NO. 602** by Mr. Haines, AGREEMENT WITH DEPEW MARTIN REAL ESTATE APPRAISERS IN THE AMOUNT OF \$22,000 FOR FIVE APPRAISALS AND ONE UPDATE PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes Depew / Martin Real Estate Appraisers as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Brick Enterprises Farm (P/O Block 6802, Lots 1 & 9 and P/O Block 6605, Lot 1, Medford Township), the Howard & Jo Ann Stevenson Farm (Block 803, Lot 9 and Block 804, Lots 1 & 2 and Block 812, Lots 2.01 & 3, Pemberton Township), the Clayton East Farm (Block 7, Lot 2, New Hanover Township), the Clayton West Farm (Block 1, Lot 14, New Hanover Township), the NAK Realty Farm (Block 802, Lot 1.01, Springfield Township), and the Dennis & Susan Roohr Farm (Block 5, Lot 10, New Hanover Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and

regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Brick Enterprises Farm - \$4,000  
 Howard & Jo Ann Stevenson Farm - \$4,000  
 Clayton East - \$4,000  
 Clayton West - \$4,000  
 NAK Realty -\$4,000  
 Dennis & Susan Roohr Farm- \$2,000 - Update

For a total of \$22,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

56 **RESOLUTION NO. 603** by Mr. Haines, AGREEMENT WITH CURRAN REALTY ADVISORS, LLC IN THE AMOUNT OF \$12,000 FOR THREE APPRAISALS PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes Curran Realty Advisors, LLC as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Fred & Virginia Detrick Farm (Block 801, Lot 3 and Block 800, Lot 6.03 Pemberton Township), the Harold & Deanna Griffin Farm (Block 839.01, Lots 4.01 & 10, Pemberton Township) and the Harold & Cynthia Sager Farm (Block 848, Lots 1 & 2.01 and Block 850, Lots 4.02, 5 & 6 and Block 851, Lot 2, Pemberton Township) for the County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture

Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Fred & Virginia Detrick Farm - \$4,000  
 Harold & Deanna Griffin Farm. - \$4,000  
 Harold & Cynthia Sager Farm - \$4,000

For a total of \$12,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

57 **RESOLUTION NO. 604** by Mr. Haines, AGREEMENT WITH ASPEN VALUATION GROUP IN THE AMOUNT OF \$8,000 FOR TWO APPRAISALS PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

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

WHEREAS, 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. 1008 on December 14, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

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

WHEREAS, by Resolution No. 855 on November 26, 2008, the Board established an approved list of Qualified Appraisers through a fair and open process which includes Aspen Valuation Group as a contractor qualified to perform real estate appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals for either a fee simple or easement purchase; and

WHEREAS, by resolution being adopted this same date, the Burlington County Board of Chosen Freeholders approved the Clayton East Farm (Block 7, Lot 2, New Hanover Township) and the Clayton West Farm (Block 1, Lot 14, New Hanover Township) for the

County farmland preservation program on certain conditions and also authorized the making of applications to the State Agriculture Development Committee ("SADC") for a grant to partially fund the purchase of an easement on these farms if the owners accept the County's offer; and

WHEREAS, the Board needs two appraisals of the market value for each farm; and

WHEREAS, the above-mentioned consultant has offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with all pertinent SADC and USPAP standards with the needed appraisal services as follows:

Clayton East Farm - \$4,000  
Clayton West Farm - \$4,000

For a total of \$8,000.00; and

WHEREAS, appraisal services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6) of the Local Public Contracts Law (the "Law"), and, under N.J.S.A. 40A:11-5, are not subject to the requirement that the Board solicit competitive bids therefore; and

WHEREAS, there are sufficient monies in account no. 44-5007-100855 to fund the agreements described above, as evidenced by the attached certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, on this day, by the Burlington County Board of Chosen Freeholders, that agreements as described above that have been approved as to form and content by the Burlington County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized; and, be it

FURTHER RESOLVED that this contract be 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.

58 **RESOLUTION NO. 605** by Mr. Haines, APPROVAL TO SUBMIT APPLICATION FOR A GREEN ACRES LOAN IN THE AMOUNT OF \$174,000 AND GRANT IN THE AMOUNT OF \$58,000 FOR THE RANCOCAS POINTE TRAIL PROJECT PURSUANT TO THE COUNTY'S OPEN SPACE PRESERVATION PROGRAM.

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and,

WHEREAS, the County of Burlington desires to further the public interest by obtaining a loan of \$174,000 and a grant of \$58,000 from the State to fund the following project: Rancocas Pointe Trail, Mount Laurel Township; now, therefore be it

RESOLVED, that the Burlington County Board of Chosen Freeholders authorizes that Augustus M. Mosca or the successor to the office of County Administrator is hereby authorized to:

- (a) make application for such a loan and/or such a grant,
- (b) provide additional application information and furnish such documents as may be required, and
- (c) act as the authorized correspondent of the above named applicant; and,

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and,

WHEREAS, the applicant is willing to use the State's funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above named project; now, therefore be it further

RESOLVED by the Burlington County Board of Chosen Freeholders:

1. That the County Administrator is hereby authorized to execute an agreement and any amendment thereto with the State for the Rancocas Pointe Trail project; and,
2. That the applicant has its matching share of the project, if a match is required, in the total amount of \$232,000;
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project; and,
4. That the applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

\*\*\* It was moved by Mrs. Reinhart, seconded by Mr. Brown that the following eleven (11) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 606 through 616 adopted.

59 **RESOLUTION NO. 606** by Mrs. Reinhart, APPROVAL TO SUBMIT AN APPLICATION TO THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS ON BEHALF OF THE BURLINGTON COUNTY MEDICAL RESERVE CORP. (MRC) FOR GRANT FUNDING IN THE AMOUNT OF \$5,000 TO PROVIDE TRAINING MATERIALS AND RELATED SUPPLIES TO THE MRC ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, the Burlington County Board of Chosen Freeholders (the "Board") desires to continually improve its ability to address bioterrorism, outbreaks of infectious disease and other public health threats and emergencies; and

WHEREAS, the County's Health Department (the "Department") is responsible for the management, recruitment, education and training of the Burlington County Medical Reserve Corps ("MRC"), an emergency response unit comprised of volunteer residents of Burlington County and County employees who commit to serve the citizens of Burlington County in the event of a public health emergency; and

WHEREAS, the National Association of County and City Health Officials ("NACCHO") provides capacity-building and technical support to eligible MRC units and NACCHO is making grants available to support the development of MRC units and promote their integration into local public health and emergency response systems; and

WHEREAS, the Board has accepted and approved the Department's recommendation that the Board apply for \$5,000.00 from NACCHO and that the grant funds be used to provide training and purchase supplies to enhance and expand the development of the Burlington County MRC and maintain compliance with National Incident Management System standards; now, therefore, the Board

RESOLVES as follows:

1. The Department and County Administrator are authorized to file a grant application, as described above, with NACCHO.
2. If NACCHO approves the application, a grant agreement approved by the County Administrator and County Solicitor is authorized to be executed in accordance with the Rules of the Board.

60 **RESOLUTION NO. 607** by Mrs. Reinhart, AMENDMENT TO AGREEMENT WITH VIRTUA HOME CARE – COMMUNITY NURSING SERVICES IN THE AMOUNT OF \$2,754 FOR FAMILY PLANNING CLINIC NURSING AND RELATED SUPPORT SERVICES ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, pursuant to use of the "competitive contracting" provisions of the Local Public Contracts law (the "Law") and Resolution no. 966, adopted on November 8, 2006, the Burlington County Board of Chosen Freeholders (the "Board") entered into a contract (the "Agreement") with Virtua Home Care – Community Nursing Services ("CNS") for Family Planning Clinic Nursing and Related Support Services, for a maximum payable of \$211,969.00 for calendar year 2007, which contract was awarded under a "fair and open" process; and

WHEREAS, the solicitation of proposals/contract contemplated an initial contract term of one year, with the Board having the option of renewing the Agreement for up to four additional one-year terms; and

WHEREAS, by a First Amendment this Agreement was extended through December 31, 2008; and

WHEREAS, by a Second Amendment this Agreement was extended through December 31, 2009, which amendment provided for payment of an amount not exceeding \$246,906.00 for services provided during the term of the amendment; and

WHEREAS, the Board has approved the Public Health Officer's recommendation that the Agreement, as amended, be modified to increase the amount payable to CNS by \$2,754.00 for services provided during 2009; and

WHEREAS, \$2,754.00 is available in Account No. 14-5767-053-109, as evidenced by the Certification of the County's Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES that a third Amendment of the above-described Agreement, increasing the amount payable for calendar year 2009 services by \$2,754.00, is approved and its execution in accordance with the Rules of the Board is authorized.

61 **RESOLUTION NO. 608** by Mrs. Reinhart, APPROVAL TO SUBMIT AN APPLICATION TO THE NEW JERSEY JUVENILE JUSTICE COMMISSION FOR GRANT FUNDS IN THE AMOUNT OF \$160,000 AND APPROVAL OF THE 2010 BURLINGTON COUNTY YOUTH SERVICES ADVISORY COUNCIL APPLICATION ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, the Burlington County Youth Services Advisory Council ("YSAC") advises the Burlington County Board of Chosen Freeholders ("Board") on matters pertaining to services for delinquent youth, including planning to meet the future service needs of this target population; and

WHEREAS, the State of New Jersey, Juvenile Justice Commission ("JJC") is responsible for administration of the Juvenile Detention Alternative Initiative ("JDAI") Innovation Funding; and

WHEREAS, the Board is eligible to submit an application for Innovation funding for 2010 and believes that this funding would be helpful in the Board's effort to address and improve services to juveniles; and

WHEREAS, the Board has approved the recommendation of County Human Services staff that it apply to the JJC for \$160,000.00 in 2010 New Jersey Juvenile Detention Alternative Initiative Funding and has reviewed the application prepared by the Burlington County JDAI Steering Committee, including the proposed distribution of funds; now therefore, the Board

RESOLVES as follows:

1. Completion, execution and submission of an application for JDAI Innovations Funding consistent with this Resolution is authorized and approved, which application includes the following proposed use of funds:

<u>Use</u>	<u>Amount</u>
GPS Monitoring	\$55,000
Detention Alternative Beds	\$36,000
Enhanced Probation Supervision Probation	\$61,000
Administration Funds	\$ 8,000
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Total	\$160,000

2. On approval of the application by the JJC, an Agreement between the Board and the JJC that has been approved by the County Administrator and County Solicitor, implementing the terms of the grant, is authorized to be executed in accordance with the Rules of the Board.

62 **RESOLUTION NO. 609** by Mrs. Reinhart, APPROVAL OF THE COMPREHENSIVE YOUTH SERVICES PLAN UPDATE AND THE 2010 APPLICATION TO THE NEW

JERSEY JUVENILE JUSTICE COMMISSION THROUGH STATE/COMMUNITY PARTNERSHIP, FAMILY COURT AND JUVENILE ACCOUNTABILITY BLOCK GRANT FOR GRANT FUNDS IN THE AMOUNT OF \$636,852 ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, the Burlington County Youth Services Advisory Council (“YSAC”) advises the Burlington County Board of Chosen Freeholders (“Board”) on matters pertaining to services for delinquent youth, including planning to meet the future service needs of this target population; and

WHEREAS, the State of New Jersey, Juvenile Justice Commission (“JJC”) is responsible for administration of the State/Community Partnership Grant Program and Family Court Service Funds; and the Juvenile Accountability Block Grant Funds; and

WHEREAS, the JJC requires each county to submit an update for 2010 to the 2009-2011 Comprehensive Youth Services Plan, along with an application for funding; and

WHEREAS, the Board feels that effective implementation of the State/Community Partnership Grant Program, Family Court Services and the Juvenile Accountability Block Grant funds is crucial to the State’s effort to address and improve services to juveniles; and

WHEREAS, the Board wishes to make application to the JJC for (a) funds in the amount of \$607,586 under the 2010 State/Community Partnership Grant Program and Family Court Services Funds; and (b) \$26,339 in Juvenile Accountability Block Grant funds available under the Federal Fiscal Year 2009 Allocation, the County match requirement being \$2,927; and

WHEREAS, the Board has reviewed the application and plan prepared by the YSAC, including a proposed distribution of funds, and believes that both would be beneficial to Burlington County; now therefore, the Board

RESOLVES as follows:

1. An application and plan for State/Community Partnership, Family Court Services and Juvenile Accountability Block Grant Funds consistent with this Resolution is authorized to be completed, executed in accordance with the Rules of the Board and submitted to the JJC, which application includes the following proposed use of funds:

<u>Use</u>	<u>Amount</u>
Diversion, Sheriff’s Youth Development Camp	\$ 30,000
Diversion, Sheriff’s Youth Development Camp Extended Program	\$ 60,430
Diversion, FCIU	\$145,737
Diversion, Disposition-Anger Management	\$ 30,000
Detention, In House Behavioral Health and Substance Abuse	\$ 26,339
Disposition, Afternoon Reporting Center	\$105,065
Disposition, Sex Offender Counseling and Evaluation	\$ 52,500
Disposition, Intensive Case Management Services	\$118,304
Client Specific Services	\$ 10,000
Program Management Funds	\$ 55,550
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Total	\$ 633,925

2. On approval of the application and plan by the JJC, an Agreement between the Board and the JJC that has been approved by the County Administrator and County Solicitor, implementing the terms of the grant, is authorized to be executed in accordance with the Rules of the Board.

63 **RESOLUTION NO. 610** by Mrs. Reinhart, MODIFICATION NO. 1 WITH THE STATE DIVISION OF ADDICTION SERVICES FOR A REDUCTION IN THE AMOUNT OF \$182,648 FOR SIX MONTHS OF DRUG COURT SPECIFIC BEDS AT THE POST HOUSE FOR THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, by Resolution no. 484, adopted on July 9, 2008, the Burlington County Board of Chosen Freeholders (“Board”) authorized the submission of an application to the New Jersey Department of Health, Division of Addiction Services (“DAS”), for a grant to fund

Post House for Drug Treatment, Rehabilitation and Drug Prevention Services in the amount of \$1,348,084.00 for the period July 1, 2008, through December 31, 2009; and

WHEREAS, the New Jersey Department of Human Services ("DHS") approved the application and executed grant agreement #09-465-ADA-0 with the Board, which provided for the above-described grant; and

WHEREAS, DAS has determined to discontinue funding 15 beds on a "slotted" basis as of July 1, 2009, and, instead, to fund them on a "fee-for-service" basis; and

WHEREAS, DAS has computed that this change will result in a reduced need for funding to the Board by \$182,648.00, resulting in a revised award total of \$1,165,436.00; and

WHEREAS, the County Health Department has recommended that the Board approve the proposed amendment to this contract, subject to consultation with the County Solicitor; now, therefore, the Board

RESOLVES that the County Administrator and Chief Financial Officer are authorized to execute such documents approved by the County Solicitor that DHS may require in order to amend the above-described grant agreement.

- 64 **RESOLUTION NO. 611** by Mrs. Reinhart, MODIFICATION NO. 1 WITH THE STATE DEPARTMENT OF DISABILITY SERVICES IN THE AMOUNT OF \$49,000 FOR ADDITIONAL PERSONAL ATTENDANT SERVICES PROGRAM CLIENTS IN 2008 ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, by Resolution no. 878, adopted on November 26, 2008, the Board of Chosen Freeholders of Burlington County ("Board") approved an application to and agreement with the New Jersey Department of Human Services, Division of Disability Services ("State") for a grant in the amount of \$539,532.00 to fund a Burlington County Personal Assistance Services Program ("PASP") for calendar year 2009; and

WHEREAS, by letter dated July 1, 2009, the State has advised that the Board is entitled to an additional \$49,000.00 in supplemental funding for Burlington County's PASP and the Board wishes to accept said funding; now, therefore, the Board

RESOLVES that the attached Modification no. 1 to contract no. 09CYCS, increasing the contract ceiling from \$539,532.00 to \$588,532.00, is authorized to be completed, executed in accordance with the Rules of the Board and submitted to the New Jersey Department of Human Services.

- 65 **RESOLUTION NO. 612** by Mrs. Reinhart, LETTER OF AGREEMENT WITH THE POST HOUSE AND THE STATE DEPARTMENT OF HUMAN SERVICES FOR REIMBURSEMENT OF DRUG COURT REFERRAL BED DAYS AT A RATE OF \$68 PER DAY ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, the New Jersey State Department of Human Services ("DHS") has agreed to continue support for the Burlington County Drug Treatment Rehabilitation Services and Drug Prevention Services known as "Post House" for persons referred for treatment services by the Drug Court for the period July 1, 2009, through June 30, 2010; and

WHEREAS, as a condition to eligibility for this funding the Burlington County Board of Chosen Freeholders ("Board") is required to sign a Letter of Agreement (the "Agreement") with DHS, Division of Addiction Services ("DAS"); and

WHEREAS, the Agreement provides that funds will be provided by DHS on a reimbursement basis, utilizing DAS's Drug Court Reimbursement Rates, to a maximum of \$94,000; and

WHEREAS, the Board has determined that acceptance of these funds for the purposes of continuing to provide these services is in the interest of the County; now, therefore, the Board

RESOLVES that execution of the Agreement, in accordance with the Rules of the Board, following its review by the County Solicitor, is authorized and approved.

- 66 **RESOLUTION NO. 613** by Mrs. Reinhart, APPROVAL TO SUBMIT THE 2009-2010 WORK FIRST NEW JERSEY SPECIAL INITIATIVE AND TRANSPORTATION GRANT

IN THE AMOUNT OF \$244,922 FOR TANF AND POST TANF CLIENTS ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") recognizes the need to provide services to Work First New Jersey ("WFNJ") customers; and

WHEREAS, the Board wishes to secure a 2009 Work First New Jersey Special Initiative and Transportation grant for the July 2009 through June 2010 period and receive \$244,922.00 in funding from the State of New Jersey, Department of Human Services (the "State"); now, therefore, the Board

RESOLVES as follows:

1. Completion, execution and filing of the attached funding application is authorized.
2. On the State's approval of said application and after review and approval by the County Solicitor, an Agreement between the Board and the State, implementing the terms of the grant is authorized to be executed in accordance with the Rules of the Board.

67 **RESOLUTION NO. 614** by Mrs. Reinhart, AUTHORIZATION TO REVISE THE ALCOHOLISM AND DRUG ABUSE TREATMENT GRANT WITH THE DIVISION OF ADDICTION SERVICES TO INCLUDE THE DUTIES OF THE COURT LIAISON PROGRAM STAFF ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, by Resolution No. 877, adopted on November 26, 2008, the Burlington County Board of Chosen Freeholders ("Board") approved the submission of a Comprehensive Alcohol and Drug Abuse Plan (the "Plan") and Application to the New Jersey Department of Human Services ("DHS") to secure grant funds in the amount of \$842,035.00 (the "Grant") for the 2009 calendar year; and

WHEREAS, DHS has recommended that the County modify the Budget portion of its Plan to include Burlington County Court Liaison Program functions; and

WHEREAS, the Burlington County Local Advisory Committee on Alcoholism and Drug Abuse has reviewed the revised 2009 Plan and budget revision and has recommended them to the Board; and

WHEREAS, the Board has reviewed the revised plan and budget revision and approves them; now therefore, the Board

RESOLVES as follows:

1. The attached revised 2009 Comprehensive Alcohol and Drug Abuse Plan and budget revision for the Grant are hereby approved and authorized to be submitted to DHS.
2. On DHS's approval of said revisions, and after review and approval by the County Solicitor, a document reflecting the agreement between the Board and DHS to modify the terms of the Grant is authorized to be executed in accordance with the Rules of the Board.

68 **RESOLUTION NO. 615** by Mrs. Reinhart, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR PROPOSAL FOR ALCOHOLISM AND DRUG ABUSE PREVENTION, EDUCATION AND TREATMENT FOR 2010 FOR THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, ALCOHOLISM AND DRUG ABUSE PREVENTION, EDUCATION AND TREATMENT – 2010, (RFP-09-0078) 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, ALCOHOLISM AND DRUG ABUSE PREVENTION, EDUCATION AND TREATMENT - 2010 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 ALCOHOLISM AND DRUG ABUSE PREVENTION, EDUCATION AND TREATMENT - 2010 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 provision of ALCOHOLISM AND DRUG ABUSE PREVENTION, EDUCATION AND TREATMENT - 2010 is hereby authorized; and be it

RESOLVED that a pre-proposal conference will be held for all proposers in the Freeholder's Board Room, 1<sup>st</sup> Floor, on Thursday, October 1, 2009 at 10:00 a.m.; and be it

RESOLVED that the submissions of proposals for ALCOHOLISM AND DRUG ABUSE PREVENTION, EDUCATION AND TREATMENT – 2010, (RFP-09-0078), will be publicly received in the Freeholder's Board Room on Tuesday, October 20, 2009 at 10:30 a.m. local prevailing time; and be it

FURTHER 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

- 69 **RESOLUTION NO. 616** by Mrs. Reinhart, APPROVAL TO APPLY AND SUBMIT AN APPLICATION FOR THE PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENTS GRANT FOR THE MEDICAL EXAMINERS OFFICE TO APPLY FOR A PORTABLE DIGITAL RADIOGRAPH (X-RAY) MACHINE IN THE AMOUNT OF \$64,807.

WHEREAS, the New Jersey Department of Law and Public Safety, New Jersey Division of State Police has \$64,807.00 in Federal funding available through the Paul Coverdell Forensic Science Improvements Grant (Coverdell Program) to allow the Burlington County Office of the Medical Examiner to purchase a portable digital radiographic machine system, subject to its receipt of an application from the Burlington County Board of Chosen Freeholders (the "Board"); and

WHEREAS, the Board wishes to improve the quality and timeliness of medical examiner services in the County; and

WHEREAS, the Board is authorized to apply for a grant under the Coverdell Program, pursuant to 42 U.S.C.A. §3797k ; be it

RESOLVED, that the attached application for the Paul Coverdell Forensic Science Improvements Grant is hereby approved and authorized for submission to the New Jersey Department of Law and Public Safety, New Jersey Division of State Police in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED that upon the State's approval of said application and after review and approval by the County Solicitor, an Agreement between the Board and the New Jersey Department of Law and Public Safety, New Jersey Division of State Police, implementing the terms of the grant, is authorized to be executed in accordance with the Rules of the Board.

- 70 QUESTIONS FROM THE PRESS.

1) Carole Comegno, Courier Post, addressed the Board regarding the following items:

(a) agenda item #15 (Resolution No. 567) regarding the retroactive dates for substantial completion on construction projects.

(b) agenda item #29 (Resolution No. 581) addressed Mr. Brown and Mrs. Reinhart concerning their "no vote" on agenda item #29 (Resolution No. 581). Mr. Brown responded that the County needs to look into the possibility of doing this work in-house or through a shared services agreement with the Bridge Commission. Mrs. Reinhart stated that the County needs to look at duplication in government to decrease costs of projects, and agreed with Mr. Brown that this project could fall under the jurisdiction of the Bridge Commission. Carole Comegno, Courier Post, addressed the Board regarding agenda item #24 (Resolution No. 576) and the change in interest rate.

- 59 COMMENTS BY FREEHOLDERS.

- 1) Mrs. Reinhart encouraged all homes and businesses to fly the American Flag on September 11, on the 8<sup>th</sup> anniversary of 9-11. Mrs. Reinhart noted that it is National Preparedness Month and asked everyone to prepare for emergencies in your home, town, state and country.
- 2) Mr. Donnelly thanked the staff for their hard work on the Energy Master Plan for the County.

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

Respectfully submitted,

Augustus M. Mosca  
County Administrator/Board Clerk