

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 Thursday, November 12, 2009, at 11:00 A.M. The meeting was opened with the flag salute and prayer by the Clerk.

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

2 ROLL CALL.

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

3 OFFICIALS.

Officials in attendance were: County Solicitor Nelson, Treasurer Hannigan, Chief Financial Officer Brock, County Engineer Jaggard, County Clerk Tyler, Resource Conservation Director Robbie, Information Technology Director Behmke, Superintendent of Juvenile Detention Center Green, Assistant Solicitor Rocco, Public Health Coordinator Gogats, 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 OCTOBER 28, 2009 AND THE CONFERENCE MINUTES OF SEPTEMBER 23, 2009.

It was moved by Mr. Haines, seconded by Mr. Wujcik that the minutes of the regular board meeting of October 28, 2009, and the conference minutes of September 23, 2009 be approved. Mr. Brown abstained from all minutes. Motion carried. Minutes approved.

5 **RECOGNITION** – TOYOTA N. NIXON-PRIDE, SENIOR JUVENILE DETENTION OFFICER FOR 28 YEARS OF SERVICES UPON RETIRING ON OCTOBER 31, 2009.

Freeholder Brown read a Certificate of Appreciation and presented a clock to Toyota N. Nixon-Pride for her dedicated years of service to the Juvenile Detention Center. Mr. Green, Superintendent of the Juvenile Detention Center spoke about Ms. Nixon-Pride and stated that she is a tireless advocate for the juveniles of the center and Mr. Green wished her health and happiness in her retirement.

6 **PUBLIC HEARING - PUBLIC HEARING - BOND ORDINANCE NO. 723-09 OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF AUTOMATED RECYCLING COLLECTION CONTAINERS FOR THE COUNTY RECYCLING PROGRAM, APPROPRIATING THE SUM OF \$4,565,000 THEREFOR, AUTHORIZING THE ISSUANCE OF UP TO \$4,565,000 IN GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY TO FINANCE THE SAME, MAKING CERTAIN DETERMINATIONS, AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING (MOTION TO ADOPT ON SECOND READING AND ROLL CALL)**

The hour having arrived, Director Donnelly stated that this was the time and place for consideration of Bond Ordinance No. 723-09 and requested the Board Clerk to read said Ordinance by title only.

Director Donnelly then declared the public hearing on said Ordinance open to all officials and persons present and requested anyone desiring to speak for or against the adoption of said Ordinance to do so.

There being no comments, Director Donnelly closed the public hearing. It was moved by Mrs. Reinhart, seconded by Mr. Brown that Bond Ordinance No. 723-09 be finally passed.

On roll call: Ayes – Mr. Brown, Mr. Haines, Mrs. Reinhart, Mr. Wujcik and Director Donnelly. Opposed – none. Motion carried. Bond Ordinance No. 723-09 adopted on second reading and roll call.

7 **RESOLUTION NO. 768** by Director Donnelly, BUDGET TRANSFER FOR 2009, moved for adoption by Director Donnelly, seconded by Mr. Wujcik.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the County Chief Financial Officer be and is hereby authorized and directed to make the following transfers in the 2009 Budget Appropriation in accordance with N.J.S.A. 40A:4-58

CURRENT FUND:

FROM:

| | | | |
|-----------------------------|-----|----|-------------------|
| County Administrator | S&W | \$ | 60,000.00 |
| Information Technology | S&W | | 35,000.00 |
| Land Use | S&W | | 18,000.00 |
| Medical Examiner | S&W | | 30,000.00 |
| Superintendent of Elections | S&W | | 8,000.00 |
| Building & Grounds | OE | | 100,000.00 |
| Public Safety Services | OE | | 100,000.00 |
| Central Mailing | OE | | 50,021.00 |
| Administrative & Executive | OE | | 10,000.00 |
| Board of Taxation | OE | | 2,400.00 |
| Engineering | S&W | | 40,000.00 |
| Buttonwood Hospital | S&W | | 250,000.00 |
| Jail | S&W | | 250,000.00 |
| Sheriff | S&W | | 15,000.00 |
| | | \$ | <u>968,421.00</u> |

TO:

| | | | |
|--|-----|----|-------------------|
| Clerk of the Board | S&W | \$ | 24,000.00 |
| Dept of Economic Development & Regional Planning | S&W | | 117,000.00 |
| Administrative & Executive | S&W | | 6,771.00 |
| Group Insurance | OE | | 370,000.00 |
| County Adjuster | S&W | | 250.00 |
| Tax Board | S&W | | 2,400.00 |
| Consumer Affairs | S&W | | 48,000.00 |
| Jail | OE | | 300,000.00 |
| Extension Services | S&W | | 38,000.00 |
| Parks | S&W | | 62,000.00 |
| | | \$ | <u>968,421.00</u> |

On roll call: Ayes – Mr. Brown, Mr. Haines, Mrs. Reinhart, Mr. Wujcik and Mr. Donnelly. Nays – none. Resolution adopted.

*** It was moved by Director Donnelly, and seconded by Mr. Haines that the following seventeen (17) items be approved by unanimous consent. Mr. Brown abstained from agenda item no. 10 (Resolution No. 777), agenda item no. 11 (Resolution No. 778) and agenda items no. 12 (Resolution No. 779). Mrs. Reinhart opposed agenda item no. 7 (Resolution No. 774) and agenda item no. 8 (Resolution No. 775). Resolutions Nos. 769 through 785 adopted.

8 **RESOLUTION NO. 769** 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 \$17,658,010.57 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.

9 **RESOLUTION NO. 770** 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 \$32,498.00 RECEIVED FROM THE US DEPARTMENT OF JUSTICE AND APPROPRIATED UNDER THE CAPTION OF JUSTICE ASSISTANCE GRANT.

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 \$32,498.00 which item is now available as revenue from the United States Department of Justice, pursuant to the provisions of statute; and

SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$32,498.00 be hereby appropriated under the caption of:

Justice Assistance Grant; and

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

- 10 **RESOLUTION NO. 771** by Director Donnelly, RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE ISSUANCE, SALE AND AWARD OF UP TO \$32,475,000 OF ITS GENERAL IMPROVEMENT BONDS, SERIES 2009; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH AND AUTHORIZING SUCH FURTHER ACTIONS RELATED THERETO.

RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE ISSUANCE, SALE AND AWARD OF UP TO \$32,475,000 OF ITS GENERAL IMPROVEMENT BONDS, SERIES 2009; MAKING CERTAIN DETERMINATIONS AND COVENANTS IN CONNECTION THEREWITH AND AUTHORIZING SUCH FURTHER ACTIONS RELATED THERETO

BACKGROUND

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the Board of Chosen Freeholders ("Board") of the County of Burlington, New Jersey ("County") has, pursuant to Bond Ordinance Nos. 718-92, as amended and supplemented by 669-96; 238-97; 343-00; 475-00; 660-00; 410-01, as amended and supplemented by 42-03; 651-01; 856-01, as amended and supplemented by 672-04 and 118-05; 125-02, as amended and supplemented by 142-06; 243-03; 515-03, as amended and supplemented by 515-04 and 241-06; 80-04, as amended and supplemented by 816-04; 81-04; 923-04; 120-05; 555-05; 557-05; 559-05; 812-05; 144-06; 313-06; 315-06; 317-06, as amended and supplemented by 131-07 and 895-08; 947-06; 125-07; and 127-07 (collectively, the "Bond Ordinances"), each duly and finally adopted by the Board and published in accordance with the requirements of the Local Bond Law, authorized the issuance of general obligation bonds or bond anticipation notes of the County to finance and refinance the costs of construction of various capital improvements and acquisition and installation of equipment set forth in and authorized by the Bond Ordinances; and

WHEREAS, pursuant to the Local Bond Law, the County has heretofore issued \$30,200,000 in aggregate principal amount of its Bond Anticipation Notes of 2008, Series E (Non-Callable) ("2008E Bond Anticipation Notes"), dated December 26, 2008, for the purpose of temporarily financing and/or refinancing certain of the costs of the various capital improvements and equipment authorized by the Bond Ordinances; and

WHEREAS, the County has determined that it is in the best interests of the County to permanently finance, through the issuance of its general obligation bonds, (i) all of the outstanding 2008E Bond Anticipation Notes scheduled to mature on December 23, 2009 ("Refinanced 2008E BANS"), and (ii) the costs of additional capital improvements and equipment for which obligations have been authorized, but not issued, pursuant to the Bond Ordinances in the principal amount of \$2,275,000 ("New Money Borrowing"); and

WHEREAS, as a result of the low interest rates prevailing in the municipal bond market, the County has the opportunity to permanently finance the Refinanced 2008E BANS and the New Money Borrowing; and

WHEREAS, it is the desire of the County to: (i) authorize and approve the issuance, sale and award of its general obligation bonds in the aggregate principal amount of up to \$32,475,000, the proceeds of which will be used to permanently finance the costs of the various capital improvements and equipment authorized by the Bond Ordinances and heretofore either not issued (in the case of the New Money Borrowing) or originally financed with a portion of the proceeds of the Refinanced 2008E BANS in the principal

amount of \$30,200,000 and certain costs and expenses incidental to the issuance and delivery of such general improvement bonds (collectively, the "2009 Project"); and (ii) authorize the Freeholder Director of the Board, Deputy Director of the Board, County Administrator, County Treasurer and County Chief Financial Officer to make certain related determinations and covenants and take certain actions in connection therewith.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO THE PROVISIONS OF THE LOCAL BOND LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Bond Law and the Bond Ordinances, the issuance and sale of negotiable general obligation bonds of the County, to be designated substantially "County of Burlington, New Jersey, General Improvement Bonds, Series 2009", in an aggregate principal amount of up to \$32,475,000 ("Series 2009 Bonds"), is hereby authorized and approved.

Section 2. The Series 2009 Bonds shall be dated the date of issuance and delivery and shall mature on July 15 in the following years and amounts.

| <u>Year</u> | <u>Principal Amount</u> | <u>Year</u> | <u>Principal Amount</u> |
|-------------|-------------------------|-------------|-------------------------|
| 2010 | \$1,130,000 | 2018 | \$2,180,000 |
| 2011 | 1,715,000 | 2019 | 2,260,000 |
| 2012 | 1,775,000 | 2020 | 2,260,000 |
| 2013 | 1,840,000 | 2021 | 2,260,000 |
| 2014 | 1,900,000 | 2022 | 2,260,000 |
| 2015 | 1,970,000 | 2023 | 2,260,000 |
| 2016 | 2,035,000 | 2024 | 2,260,000 |
| 2017 | 2,110,000 | 2025 | 2,260,000 |

The term of the Series 2009 Bonds is equal to or less than the average period of usefulness of the 2009 Project being financed through the issuance of the Series 2009 Bonds. Interest on the Series 2009 Bonds shall be payable initially on July 15, 2010 and semiannually thereafter on January 15 and July 15 in each year (each a "Series 2009 Bond Interest Payment Date") until maturity or earlier redemption.

Section 3. The Series 2009 Bonds maturing prior to July 15, 2020 are not subject to redemption prior to maturity. The Series 2009 Bonds maturing on and after July 15, 2020 shall be subject to redemption prior to their stated maturity dates at the option of the County, upon notice as set forth below, as a whole or in part (and, if in part, such maturities as the County shall determine and within any such maturity by lot) on any date on and after July 15, 2019, at a redemption price equal to one hundred percent (100%) of the principal amount of Series 2009 Bonds to be redeemed, plus accrued interest to the redemption date.

Section 4. Notice of redemption shall be given by mailing first class mail in a sealed envelope with postage pre-paid not less than thirty (30) days nor more than sixty (60) days prior to the redemption date to the owner of every Series 2009 Bond of which all or a portion is to be redeemed at his or her last address, if any, appearing on the registration books of the County. So long as the Series 2009 Bonds are issued in book-entry only form, all notices of redemption will be sent only to the Securities Depository (hereinafter defined) and will not be sent to the beneficial owners of the Series 2009 Bonds. Failure of an owner of the Series 2009 Bonds to receive such notice or of the Securities Depository to advise any participant or any failure of a participant to notify any beneficial owner of the Series 2009 Bonds shall not affect the validity of any proceedings for the redemption of Series 2009 Bonds. Such notice shall specify: (i) the maturity or maturities of the Series 2009 Bonds to be redeemed; (ii) the redemption date and the place or places where amounts that are due and payable upon such redemption will be payable; (iii) if less than all of the Series 2009 Bonds are to be redeemed, the letters and numbers or other distinguishing marks of the Series 2009 Bonds to be redeemed; (iv) in the case of a Series 2009 Bond to be redeemed in part only, the portion of the principal amount thereof to be redeemed; (v) that on the redemption date there shall become due and payable with respect to each Series 2009 Bond or portion thereof to be redeemed the redemption price; and (vi) that from and after the redemption date interest on such Series 2009 Bonds or portion thereof to be redeemed shall cease to accrue and be payable.

Section 5. The Series 2009 Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of the Series 2009 Bonds maturing in each year. Both the principal of and interest on the Series 2009 Bonds will be

payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository ("Securities Depository"). The certificates will be on deposit with DTC. DTC will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Series 2009 Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 through book-entries made on the books and the records of DTC and its participants. The principal of and interest on the Series 2009 Bonds will be paid to DTC by the Paying Agent (as hereinafter defined) on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of DTC as listed on the records of DTC as of each next preceding January 1 and July 1 ("Record Dates" for the Series 2009 Bonds). The Series 2009 Bonds will be executed on behalf of the County by the manual or facsimile signatures of the Freeholder Director of the Board or Deputy Director of the Board and County Treasurer, attested by the Clerk of the Board or Deputy Clerk of the Board (such execution shall constitute conclusive approval by the County of the form of the Series 2009 Bonds), and shall bear the affixed, imprinted or reproduced seal of the County thereon.

Section 6. The County is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with DTC, as may be necessary, in order to provide that the Series 2009 Bonds will be eligible for deposit with DTC and to satisfy any obligation undertaken in connection therewith.

Section 7. In the event that DTC may determine to discontinue providing its services with respect to the Series 2009 Bonds or is removed by the County and if no successor Securities Depository is appointed, the Series 2009 Bonds which were previously issued in book-entry form shall be converted to registered bonds in denominations of \$5,000, or any integral multiple thereof ("Registered Bonds"). The beneficial owner under the book-entry system, upon registration of the Series 2009 Bonds held in the beneficial owner's name, will become the registered owner of the Registered Bonds. The County shall be obligated to provide for the execution and delivery of the Registered Bonds in certified form.

Section 8. The preparation of a preliminary official statement ("Preliminary Official Statement") relating to the Series 2009 Bonds, and the distribution of said Preliminary Official Statement, in electronic and/or physical form, to prospective purchasers of the Series 2009 Bonds and others having an interest therein, is hereby authorized and directed. The Freeholder Director of the Board, Deputy Director of the Board, County Administrator, County Treasurer and County Chief Financial Officer are each hereby authorized to deem the Preliminary Official Statement "final", as contemplated by paragraph (b)(1) of Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as amended ("Rule 15c2-12").

Section 9. The County hereby appoints McElwee & Quinn, LLC, Woodbury, New Jersey ("Printer"), to provide printing and electronic dissemination services for the County with respect to the Preliminary Official Statement and the Official Statement (as hereinafter defined). The County Treasurer is hereby authorized and directed to enter into an agreement with the Printer for the services to be provided.

Section 10. The appointment of Parker McCay P.A., Marlton, New Jersey ("Bond Counsel") to provide bond counsel services for the County in connection with the authorization, issuance, sale and delivery of the Series 2009 Bonds is hereby authorized, approved, ratified and confirmed. The County Treasurer is hereby authorized and directed to enter into an agreement with Bond Counsel for the services to be provided.

Section 11. The appointment of Acacia Financial Group, Inc., Marlton, New Jersey ("Financial Advisor") to provide financial advisory services for the County in connection with the issuance and sale of the Series 2009 Bonds is hereby authorized, approved, ratified and confirmed. The County Treasurer is hereby authorized and directed to enter into an agreement with the Financial Advisor for the services to be provided.

Section 12. The County hereby appoints The Bank of New York Mellon, Woodland Park, New Jersey ("Bank") as paying agent ("Paying Agent") for the Series 2009 Bonds and as dissemination agent ("Dissemination Agent") pursuant to the terms of the Continuing Disclosure Agreement referred to in Section 17 hereof. The County Treasurer is hereby authorized and directed to enter into an agreement with the Bank for the Paying Agent and Dissemination Agent services to be provided.

Section 13. Pursuant to Section 34 of the Local Bond Law, N.J.S.A. 40A:2-34, the County Treasurer and County Chief Financial Officer are hereby authorized and directed to sell and award the Series 2009 Bonds at a public sale. The sale of the Series 2009 Bonds shall be in accordance with the provisions of Sections 27, 30 and 32 of the Local Bond Law, N.J.S.A. 40A:2-27, 30 and 32, and the advertised terms of such public sale. The County Treasurer is hereby authorized and directed to cause a summary notice of sale and a notice of sale for the Series 2009 Bonds to be prepared and published in accordance with Sections 30 and 31 of the Local Bond Law, N.J.S.A. 40A:2-30 and 31. At the next meeting of the Board after the sale and award of the Series 2009 Bonds, the County Treasurer shall report, in writing, to the Board the aggregate principal amount, the rate or rates of interest, the maturity dates, the dates upon which interest on the Series 2009 Bonds shall be paid, the price and the purchaser or purchasers of the Series 2009 Bonds.

Section 14. The utilization of i-Deal LLC, New York, New York, to provide electronic bidding services to the County in connection with the competitive sale of the Series 2009 Bonds ("Bidding Agent") through the use of the Bidding Agent's BiDCOMP/PARITY auction system, pursuant to the Local Bond Law and the regulations promulgated thereunder, is hereby authorized, approved, ratified and confirmed. The County Treasurer is hereby authorized and directed to enter into an agreement with the Bidding Agent for the services to be provided.

Section 15. The preparation of a final official statement ("Official Statement") with respect to the Series 2009 Bonds is hereby authorized and directed. Within seven (7) business days of the sale of the Series 2009 Bonds and in sufficient time to accompany any confirmation that requests payment from a customer, the County will deliver sufficient copies of the Official Statement to the purchaser of the Series 2009 Bonds in order for the same to comply with Paragraph (b)(4) of Rule 15c2-12. The Freeholder Director of the Board, Deputy Director of the Board, County Administrator and County Treasurer are each hereby authorized to execute the Official Statement in final form, and the distribution thereof to purchasers and others is hereby authorized and directed. The execution of the final Official Statement by the Freeholder Director of the Board, Deputy Director of the Board, County Administrator or County Treasurer shall constitute conclusive evidence of approval by the County of the changes therein from the Preliminary Official Statement. The Freeholder Director of the Board, Deputy Director of the Board, County Administrator and County Treasurer are each hereby severally authorized to approve any amendments of or supplements to the Official Statement.

Section 16. The Series 2009 Bonds shall be general obligations of the County. The full faith and credit of the County are irrevocably pledged to the punctual payment of the principal of and interest on the Series 2009 Bonds and, to the extent payment is not otherwise provided, the County shall levy ad valorem taxes on all taxable real property within the jurisdiction of the County without limitation as to rate or amount for the payment thereof.

Section 17. In order to assist the underwriter of the Series 2009 Bonds in complying with the secondary market disclosure requirements of Rule 15c2-12, the Freeholder Director of the Board, Deputy Director of the Board, County Administrator and County Treasurer are each hereby severally authorized to execute on behalf of the County before the issuance of the Series 2009 Bonds a Continuing Disclosure Agreement with the Dissemination Agent, providing for the preparation and filing of the necessary reports in accordance with Rule 15c2-12.

Section 18. The County hereby covenants that it will not make any use of the proceeds of the Series 2009 Bonds or do or suffer any other action that would cause: (i) the Series 2009 Bonds to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Income Tax Regulations promulgated thereunder, (ii) the interest on the Series 2009 Bonds to be included in the gross income of the owners thereof for federal income taxation purposes, or (iii) the interest on the Series 2009 Bonds to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 19. The County hereby further covenants as follows: (i) that it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) that it shall take no action that would cause the Series 2009 Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 20. To the extent not otherwise exempt, the County hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Series 2009 Bonds.

Section 21. Application to Moody's Investors Service, Inc. and Standard & Poor's Ratings Services, a division of The McGraw-Hill Companies, Inc. (each a "Rating Agency"), for ratings on the Series 2009 Bonds and the furnishing of certain information concerning the County and the Series 2009 Bonds for the purpose of qualifying the Series 2009 Bonds for municipal bond insurance, is hereby authorized, ratified, confirmed and approved.

Section 22. All actions heretofore taken and documents prepared or executed by or on behalf of the County by the Freeholder Director of the Board, Deputy Director of the Board, County Administrator, County Treasurer, County Chief Financial Officer, Clerk of the Board, Deputy Clerk of the Board, other County officials or by the County's professional advisors, in connection with the authorization, issuance and sale of the Series 2009 Bonds are hereby ratified, confirmed, approved and adopted.

Section 23. The Freeholder Director of the Board, Deputy Director of the Board, County Administrator, County Treasurer, County Chief Financial Officer, Clerk of the Board and Deputy Clerk of the Board are each hereby authorized to determine all matters and execute all documents and instruments in connection with the Series 2009 Bonds not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinances or by this or any subsequent resolution, and the signatures of the Freeholder Director of the Board, Deputy Director of the Board, County Administrator, County Treasurer, County Chief Financial Officer, Clerk of the Board or Deputy Clerk of the Board on such documents or instruments shall be conclusive as to such determinations.

Section 24. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 25. This resolution shall take effect immediately upon adoption this 12th day of November, 2009.

11 **RESOLUTION NO. 772** by Director Donnelly, RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING AND APPROVING THE ENTERING INTO, EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO THE IMPROVEMENT LEASE AND AGREEMENT, DATED AS OF NOVEMBER 25, 2008, AS AMENDED AND SUPPLEMENTED AS OF OCTOBER 1, 2009, BY AND BETWEEN THE COUNTY AND THE BURLINGTON COUNTY BRIDGE COMMISSION AND A SECOND AMENDMENT TO THE EQUIPMENT LEASE AND AGREEMENT, DATED AS OF NOVEMBER 25, 2008, AS AMENDED AND SUPPLEMENTED AS OF OCTOBER 1, 2009, IN CONNECTION WITH THE COMMISSION'S PROJECT NOTES (SOLID WASTE PROJECT), SERIES 2009.

RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING AND APPROVING THE ENTERING INTO, EXECUTION AND DELIVERY OF A SECOND AMENDMENT TO THE IMPROVEMENT LEASE AND AGREEMENT, DATED AS OF NOVEMBER 25, 2008, AS AMENDED AND SUPPLEMENTED AS OF OCTOBER 1, 2009, BY AND BETWEEN THE COUNTY AND THE BURLINGTON COUNTY BRIDGE COMMISSION AND A SECOND AMENDMENT TO THE EQUIPMENT LEASE AND AGREEMENT, DATED AS OF NOVEMBER 25, 2008, AS AMENDED AND SUPPLEMENTED AS OF OCTOBER 1, 2009, IN CONNECTION WITH THE COMMISSION'S PROJECT NOTES (SOLID WASTE PROJECT), SERIES 2009

WHEREAS, the Burlington County Bridge Commission ("Commission") has been duly created by resolution of the Board of Chosen Freeholders of the County of Burlington, New Jersey ("County"), duly adopted October 22, 1948, as a public body corporate and politic of the State of New Jersey ("State") pursuant to the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934 of the State and the acts amendatory thereof and supplemental thereto ("Act"); and

WHEREAS, pursuant to the terms of the Act, the Commission is authorized to provide within the County public facilities for use by the State, the County or any municipality in the County, or any subdivisions, departments, agencies or instrumentalities of any of the foregoing, for any of their respective governmental purposes; and

WHEREAS, pursuant to the Act and a resolution of the Commission entitled, "Resolution of the Burlington County Bridge Commission Authorizing the Issuance of Project Notes (Solid Waste Project)" adopted on August 18, 2008, as amended and restated on October 21, 2008 (as the same may be further amended, supplemented and restated from time to time, the "Note Resolution"), the Commission issued its \$6,900,000 aggregate principal amount of Project Notes (Solid Waste Project), Series 2008 ("Series 2008 Notes") on November 25, 2008; and

WHEREAS, proceeds of the Series 2008 Notes, in the principal amount of \$3,384,400, were used to temporarily finance an initial portion of the approximately \$29,000,000 estimated costs associated with the design, excavation, construction and equipping by the County of four new landfill cells and related infrastructure improvements at the Burlington County Resource Recovery Complex located in the Townships of Florence and Mansfield, New Jersey ("Landfill Project"), which Landfill Project was leased by the Commission to the County pursuant to the terms of an Improvement Lease and Agreement, dated as of November 25, 2008 ("Improvement Lease Agreement"); and

WHEREAS, proceeds of the Series 2008 Notes, in the principal amount of \$3,502,500, were used to temporarily finance the costs of the acquisition and installation of certain items of capital equipment consisting of automated recycling collection containers, recycling collection vehicles and automated collection arms and tippers (collectively, the "Recycling Project"), which Recycling Project was leased by the Commission to the County for the benefit of and use by the Occupational Training Center of Burlington County, Inc. ("OTC" or the "Project Beneficiary"), a New Jersey non-profit corporation designated as a sheltered workshop by the New Jersey Division on Vocational Rehabilitation Services, in connection with services provided by the Project Beneficiary for the County's recyclable materials collection program pursuant to the terms of an Equipment Lease and Agreement, dated as of November 25, 2008 ("Equipment Lease Agreement" and together with the Improvement Lease Agreement, the "Lease Agreements"); and

WHEREAS, the Lease Agreements provide, among other things, for the County to make Rental Payments to the Commission in an aggregate amount equal to the debt service to be paid by the Commission with respect to the Series 2008 Notes issued on behalf of the County to finance the Landfill Project and the Recycling Project; and

WHEREAS, on October 14, 2009, the Commission issued its \$19,465,000 aggregate principal amount of Project Notes (Solid Waste Project), Series 2009 ("Series 2009 Notes"), the proceeds of which were used, together with other available funds, to provide funds to: (i) refinance the Series 2008 Notes; (ii) temporarily finance additional costs related to the Landfill Project in the amount of \$12,700,000; and (iii) pay certain costs and expenses incidental to the issuance and delivery of the Series 2009 Notes; and

WHEREAS, in connection with the issuance of the Series 2009 Notes, the Commission and the County executed (i) a First Amendment to the Improvement Lease Agreement ("First Amendment to Improvement Lease") to (A) amend the descriptions of the Improvements (as defined in the Note Resolution) and of the Landfill Project (as described in Exhibit A to the Improvement Lease Agreement) to additionally authorize the acquisition by the County of one or more landfill compactors, (B) authorize an additional \$12,700,000 for the costs of the Landfill Project to be financed with a portion of the proceeds of the Series 2009 Notes, and (C) provide for increased Rental Payments by the County in connection with the issuance of the Series 2009 Notes; and (ii) a First Amendment to the Equipment Lease Agreement ("First Amendment to Equipment Lease") to provide for Rental Payments by the County in connection with the issuance of the Series 2009 Notes; and

WHEREAS, the County and the Commission desire to further amend (i) Exhibits A and B of the Equipment Lease Agreement, as amended by the First Amendment to Equipment Lease, to reflect an increase in Rental Payments by the County in connection with an increase in the acquisition cost of the recycling collection vehicles to be funded by reallocating a portion of the proceeds of the Series 2009 Notes, in the amount of \$2,010,000, previously allocated to the Landfill Project, pursuant to a Second Amendment to the Equipment Lease Agreement ("Second Amendment to Equipment Lease") and (ii) Exhibits A and B of the Improvement Lease Agreement, as amended by the First Amendment to Improvement Lease, to reflect a decrease in Rental Payments by the County in connection with a decrease in the cost of the Landfill Project as a result of the reallocation of a portion of the proceeds of the Series 2009 Notes, in the amount of \$2,010,000, to the Recycling Project, pursuant to a Second Amendment to the Improvement Lease Agreement ("Second Amendment to Improvement Lease" and

together with the Second Amendment to Equipment Lease, the "Second Amendments"); and

WHEREAS, the County now desires to approve the Second Amendments and to authorize the entering into, execution and delivery of the Second Amendments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN A MAJORITY OF THE FULL MEMBERSHIP THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. The Board of Chosen Freeholders of the County hereby approves the changes in Exhibits A and B to the Improvement Lease Agreement, as amended, and the Equipment Lease Agreement, as amended, respectively, to re-allocate proceeds of the Series 2009 Notes, in the amount of \$2,010,000, from the Landfill Project to the Recycling Project (specifically, the acquisition of recycling collection vehicles), all as set forth in the Second Amendments and the Second Amendments, as drafted by Commission Bond Counsel and reviewed and approved as to form and substance by County Bond Counsel, are hereby approved.

Section 2. The Freeholder-Director and the Deputy Director of the Board of Chosen Freeholders, County Administrator, County Treasurer or any designee thereof (each an "Authorized Official") are each hereby severally authorized to enter into, execute and deliver, in the name of the County and on its behalf, the Second Amendments and the Clerk and Deputy Clerk of the Board of Chosen Freeholders are each hereby authorized to attest to the validity of such signatures. The execution of the Second Amendments by any Authorized Official shall conclusively evidence the County's approval of the respective terms thereof and no further action therefor shall be required.

Section 3. The Authorized Officials and the Clerk and Deputy Clerk of the Board of Chosen Freeholders are each hereby severally authorized and directed to take all such action as may be necessary to effect the entering into, execution and delivery of the Second Amendments including, but not limited to, execution and delivery, for and on behalf of the County, of any and all agreements, instruments, opinions, affidavits, certificates, documents and other papers, and to do and to perform or cause to be done any and all acts as they may deem necessary or desirable in order to implement the entering into, execution and delivery of the Second Amendments and all matters related thereto.

Section 4. Subject to the provisions of the Local Public Contracts Law and the rules of the Board of Chosen Freeholders of the County, the County Treasurer is hereby authorized to enter into all contracts for the acquisition of the additional recycling collection vehicles and all appropriations heretofore or hereafter made in connection therewith are hereby authorized, approved, ratified and confirmed.

Section 5. The Clerk of the Board of Chosen Freeholders shall forward a certified copy of this resolution to the Commission and to the County Administrator and, upon execution by the Authorized Officials, shall forward executed copies of the Second Amendments to the County Administrator and the Commission.

Section 6. All actions heretofore taken and documents prepared or executed by or on behalf of the County by the Freeholder-Director, Deputy Director, County Administrator, County Treasurer, Clerk and Deputy Clerk of the Board of Chosen Freeholders, other County officials or by the County's professional advisors in connection with the reallocation of the costs of the Recycling Project and the Landfill Project, the Second Amendments, and matters related thereto are hereby authorized, approved, ratified and confirmed.

Section 7. All ordinances and resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 8. This resolution shall take effect immediately upon its adoption on this 12th day of November, 2009.

12 **RESOLUTION NO. 773** by Director Donnelly, RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING AND APPROVING THE ENTERING INTO, EXECUTION AND DELIVERY OF AN AMENDMENT TO THE LEASE AND AGREEMENT, DATED AS OF AUGUST 15, 2005, BY AND BETWEEN THE COUNTY, ON BEHALF OF AND FOR THE BENEFIT OF THE OCCUPATIONAL TRAINING CENTER OF BURLINGTON COUNTY,

INC., AND THE BURLINGTON COUNTY BRIDGE COMMISSION IN CONNECTION WITH THE COMMISSION'S COUNTY-GUARANTEED LEASE REVENUE BONDS (2005 GOVERNMENTAL LEASING PROGRAM), SERIES 2005.

RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING AND APPROVING THE ENTERING INTO, EXECUTION AND DELIVERY OF AN AMENDMENT TO THE LEASE AND AGREEMENT, DATED AS OF AUGUST 15, 2005, BY AND BETWEEN THE COUNTY, ON BEHALF OF AND FOR THE BENEFIT OF THE OCCUPATIONAL TRAINING CENTER OF BURLINGTON COUNTY, INC., AND THE BURLINGTON COUNTY BRIDGE COMMISSION IN CONNECTION WITH THE COMMISSION'S COUNTY-GUARANTEED LEASE REVENUE BONDS (2005 GOVERNMENTAL LEASING PROGRAM), SERIES 2005

WHEREAS, the Burlington County Bridge Commission ("Commission") has been duly created by resolution of the Board of Chosen Freeholders of the County of Burlington, New Jersey ("County"), duly adopted October 22, 1948, as a public body corporate and politic of the State of New Jersey ("State") pursuant to the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934 of the State and the acts amendatory thereof and supplemental thereto ("Act"); and

WHEREAS, pursuant to the terms of the Act, the Commission is authorized to provide within the County public facilities for use by the State, the County or any municipality in the County, or any subdivisions, departments, agencies or instrumentalities of any of the foregoing, for any of their respective governmental purposes; and

WHEREAS, pursuant to the Act and a resolution of the Commission entitled, "Resolution of the Burlington County Bridge Commission Authorizing the Issuance of County-Guaranteed Lease Revenue Bonds (Governmental Leasing Program), Series 2005" adopted on June 21, 2005 (as the same may be amended, supplemented and restated from time to time, the "Bond Resolution"), the Commission issued its \$8,730,000 aggregate principal amount of County-Guaranteed Lease Revenue Bonds (Governmental Leasing Program), Series 2005 ("Series 2005 Bonds") on August 31, 2005; and

WHEREAS, a portion of the proceeds of the Series 2005 Bonds, in the principal amount of \$3,699,000, were used to finance the costs of the acquisition and installation of various capital equipment ("Recycling Equipment") for the Occupational Training Center of Burlington County, Inc., a New Jersey non-profit corporation ("OTC" or the "Project Beneficiary"), in connection with the recyclable marketing, processing and management services provided by OTC for the County's recyclable materials collection program ("Recycling Program") as set forth in the 1994 Operations, Processing and Marketing Agreement between the County and OTC; and

WHEREAS, the Recycling Equipment was leased by the Commission to the County, as a participant in the Commission's 2005 Governmental Leasing Program, pursuant to the terms of an Equipment Lease and Agreement, dated as of August 15, 2005 ("Equipment Lease Agreement"); and

WHEREAS, the Equipment Lease Agreement provides, among other things, for the County to make Rental Payments to the Commission in an amount equal to the debt service to be paid by the Commission with respect to the Series 2005 Bonds issued on behalf of the County and allocable to the costs of financing the Recycling Equipment; and

WHEREAS, the County and OTC entered into a Commission Operations Agreement, dated as of August 15, 2005, relating to, among other things, the allocation of responsibility for certain costs associated with the Recycling Equipment undertaken by the County on behalf of and for the benefit of the Project Beneficiary and for ongoing operation and maintenance of the Recycling Equipment; and

WHEREAS, the County and the Project Beneficiary have determined to make changes in the description of the Recycling Equipment (as described in Exhibit B to the Equipment Lease Agreement) to be financed pursuant to the terms of the Equipment Lease Agreement to additionally authorize the acquisition of automated recycling collection containers for distribution to those municipalities participating in the Recycling Program ("Recycling Carts") and the Commission and the County desire to amend the Equipment Lease Agreement to reflect the County's and Project Beneficiary's changes in the description of the Recycling Equipment to reflect the acquisition of the Recycling Carts, pursuant to a First Amendment to the Equipment Lease Agreement ("First Amendment"); and

WHEREAS, the County now desires to approve the First Amendment and to authorize the entering into, execution and delivery of the First Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN A MAJORITY OF THE FULL MEMBERSHIP THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. The Board of Chosen Freeholders of the County hereby approves the changes in the description of the Equipment as described in Exhibit B to the Equipment Lease Agreement to additionally reflect the acquisition of the Recycling Carts, all as set forth in the First Amendment and the First Amendment, as drafted by Commission Bond Counsel and reviewed and approved as to form and substance by County Bond Counsel, is hereby approved.

Section 2. The Freeholder-Director and the Deputy Director of the Board of Chosen Freeholders, County Administrator, County Treasurer or any designee thereof (each an "Authorized Official") are each hereby severally authorized to enter into, execute and deliver, in the name of the County and on its behalf, the First Amendment and the Clerk and Deputy Clerk of the Board of Chosen Freeholders are each hereby authorized to attest to the validity of such signatures. The execution of the First Amendment by any Authorized Official shall conclusively evidence the County's approval of the terms thereof and no further action therefor shall be required.

Section 3. The Authorized Officials and the Clerk and Deputy Clerk of the Board of Chosen Freeholders are each hereby severally authorized and directed to take all such action as may be necessary to effect the entering into, execution and delivery of the First Amendment including, but not limited to, execution and delivery, for and on behalf of the County, of any and all agreements, instruments, opinions, affidavits, certificates, documents and other papers, and to do and to perform or cause to be done any and all acts as they may deem necessary or desirable in order to implement the entering into, execution and delivery of the First Amendment and all matters related thereto.

Section 4. Subject to the provisions of the Local Public Contracts Law and the rules of the Board of Chosen Freeholders of the County, the County Treasurer is hereby authorized to enter into all contracts for the acquisition of the Recycling Carts and all appropriations heretofore or hereafter made in connection therewith are hereby authorized, approved, ratified and confirmed.

Section 5. The Clerk of the Board of Chosen Freeholders shall forward a certified copy of this resolution to the Commission and to the County Administrator and, upon execution by the Authorized Officials, shall forward an executed copy of the First Amendment to the County Administrator and the Commission.

Section 6. All actions heretofore taken and documents prepared or executed by or on behalf of the County by the Freeholder-Director, Deputy Director, County Administrator, County Treasurer, Clerk and Deputy Clerk of the Board of Chosen Freeholders, other County officials or by the County's professional advisors in connection with the Recycling Equipment description, as amended, the First Amendment, and matters related thereto are hereby authorized, approved, ratified and confirmed.

Section 7. All ordinances and resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 8. This resolution shall take effect immediately upon its adoption on this 12th day of November, 2009.

- 13 **RESOLUTION NO. 774** by Director Donnelly, AMENDMENT TO SUB-GRANT AGREEMENT WITH MOUNT LAUREL TOWNSHIP FOR AN EXTENSION OF TIME THROUGH OCTOBER 31, 2009 AND AN ASSESSMENT OF A 10% PENALTY FOR THE RECONSTRUCTION OF BURNAM WOOD DRIVE AND BURNAM WOOD COURT PURSUANT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Mrs. Reinhart opposed this item.

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

WHEREAS, the Program includes a project for the reconstruction of Burnam Wood Drive and Burnam Wood Court by Mount Laurel Township (the "Township"), as reflected in a Sub-grant Agreement between the County and the Township, which agreement provides for periodic payments to the Township as the work progresses and requires that all requests to the County for funding for the Township's project be submitted no later than the last day of the Sub-grant Agreement, which was September 30, 2009; and

WHEREAS, the Township failed to submit all requests for payment by the end of the Sub-grant Agreement and, by letter dated October 9, 2009, asked that the Agreement be extended to October 31, 2009, and that it be paid for its last request for payment; and

WHEREAS, the County's Community Development Office ("CD Office"), which is responsible for administering the Program, has reviewed the Township's request and advised the Board that the failure of the Township to comply with the Sub-grant Agreement's requirements was not a result of circumstances beyond the Township's control and, as a result, has recommended that the Board impose a ten percent penalty on the amount of the Township's next grant allocation, in accordance with the terms of the Sub-grant Agreement; and

WHEREAS, the Board has reviewed and approved the CD Office's recommendation;

Now, therefore, the Board

RESOLVES as follows:

1. The Township's request for an extension of the term of the Sub-grant Agreement to October 30, 2009, is approved.
2. The CD Office and County Solicitor are authorized to prepare an amendment to the Sub-grant Agreement for this purpose, the execution of which, in accordance with the Rules of the Board is approved.
3. In accordance with policies established for the Program, the next Community Development Block Grant award to the Township shall be reduced by ten percent (10%).

- 14 **RESOLUTION NO. 775** by Director Donnelly, AMENDMENT TO SUB-GRANT AGREEMENT WITH WOODLAND TOWNSHIP FOR AN EXTENSION OF TIME THROUGH OCTOBER 31, 2009 AND AN ASSESSMENT OF A 10% PENALTY FOR THE RECONSTRUCTION OF CEDAR DRIVE, PHASE II, OAK LANE AND LAUREL LANE PURSUANT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Mrs. Reinhart opposed this item.

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

WHEREAS, the Program includes a project for Reconstruction of Cedar Drive, Phase II, Oak Lane and Laurel Lane by Woodland Laurel Township (the "Township"), as reflected in a Sub-grant Agreement between the County and the Township, which agreement provides for periodic payments to the Township as the work progresses and requires that all requests to the County for funding for the Township's project be submitted no later than the last day of the Sub-grant Agreement, which was September 30, 2009; and

WHEREAS, the Township failed to submit all requests for payment by the end of the Sub-grant Agreement but it has asked that the Agreement be extended to October 31, 2009, and that it be paid for its last request for payment; and

WHEREAS, the County's Community Development Office ("CD Office"), which is responsible for administering the Program, has reviewed the Township's request and advised the Board that the failure of the Township to comply with the Sub-grant Agreement's requirements was not a result of circumstances beyond the Township's control and, as a result, has recommended that the Board impose a ten percent penalty on the amount of the Township's next grant allocation, in accordance with the terms of the Sub-grant Agreement; and

WHEREAS, the Board has reviewed and approved the CD Office's recommendation; now, therefore, the Board

RESOLVES as follows:

- 1. The Township's request for an extension of the term of the Sub-grant Agreement to October 30, 2009, is approved.
- 2. The CD Office and County Solicitor are authorized to prepare an amendment to the Sub-grant Agreement for this purpose, the execution of which, in accordance with the Rules of the Board is approved.
- 3. In accordance with policies established for the County's Program, the next Community Development Block Grant award to the Township shall be reduced by ten percent (10%).

15 **RESOLUTION NO. 776** by Director Donnelly, AUTHORIZATION TO INCREASE FUNDING TO THE HEATER REPLACEMENT PROGRAM IN THE AMOUNT OF \$45,000 FROM UN-APPROPRIATED FUNDS PURSUANT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") has approved a Consolidated Plan for use of Community Development Block Grant Program FY 2009 funds submitted by the Board of Chosen Freeholders of the County of Burlington ("Board" or "County"); and

WHEREAS, HUD has accepted the County's Consolidated Annual Plan for FY 2009 (the "Plan"), which provided for funding in the amount of \$58,561 for a Heater Replacement Program (the "Program"); and

WHEREAS, the County's Community Development Office ("CD Office"), which is responsible for administering the Program, advised the Board that this level of funding will not be sufficient to meet the demand for the Program and the Board has approved the CD Office's recommendation that Program funding be increased by \$45,000.00, for a total amount of \$103,561, in order to provide an opportunity for more eligible homeowners to benefit from it; and

WHEREAS, funds are available in the "Unappropriated" account that can be utilized for the Heater Replacement Program and the Board is authorized to take this action without obtaining HUD's approval for a modification to the Plan because the Program is already included in the plan and the change in funding does not exceed \$50,000.00; now, therefore, the Board

RESOLVES as follows:

- 1. Funding in the amount of \$45,000 is authorized to be transferred from the Burlington County "Unappropriated" Account to the Heater Replacement Program.
- 2. Record of this action shall be kept with the Plan.

16 **RESOLUTION NO. 777** by Director Donnelly, LOAN AND MORTGAGE APPROVED FOR ONE PROPERTY OWNER FOR A HOME IMPROVEMENT LOAN IN THE AMOUNT OF \$17,481 PURSUANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Mr. Brown abstained from this item.

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") has received funds from the U.S. Department of Housing and Urban Development ("HUD") Block Grant #B-09-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 a home improvement loan, as described below, be made because the homeowner-applicants satisfy the criteria established for this program and housing code violations on the property can be ameliorated with a loan from the County; and

| | | | |
|---------------|-----------------|-------------------|--------------------|
| <u>Owners</u> | <u>Case no.</u> | <u>Rehab Cost</u> | <u>Title Costs</u> |
|---------------|-----------------|-------------------|--------------------|

T&C Pieczara 35-57-33LS \$17,306.00 \$175.00

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

WHEREAS, \$17,306.00 is available in account no. 31-0707-051209 to fund the housing rehabilitation costs portion of this loan, as evidenced by the certification of Burlington County’s Chief Financial Officer filed herewith, with the balance of the loan amount 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 loan (the sum of the “Rehab Cost” and the “Title Costs”) is approved, funds for which are to be drawn from federal Community Development Program moneys.
2. This loan is being authorized as not made through a “fair and open process” as defined at N.J.S.A.19:44A-20.7, although it is 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 for this loan 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 contractor and owners on (a) the CD Office’s determination that conditions of the contract between the owners 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.

17 **RESOLUTION NO. 778** by Director Donnelly, APPROVAL OF A GRANT FOR 3 APPLICANTS 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. Mr. Brown abstained from this item.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington (“Board”) has received funds from the U.S. Department of Housing and Urban Development 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 to the following because they satisfy the County’s eligibility criteria therefor; and

| <u>Homeowner</u> | <u>Case No.</u> | <u>Grant Amount</u> |
|------------------|-----------------|---------------------|
| H. Pogson | HRP 05-20-24LH | \$2,490.00 |
| S. Kinney | HRP 05-23-24LH | \$2,490.00 |
| E. Demi | HRP 05-25-24LH | \$2,490.00 |

WHEREAS, the amounts reported above are available in account no. 31-0701-052009 to make these grants, as evidenced by the certifications of Burlington County’s Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES as follows:

1. The above-described grants are approved.
2. Funds to make the grants shall be drawn from federal Community Development Program moneys.

3. Each grant is authorized to be disbursed on (a) the CD Office's receipt and approval of notification that all conditions of the contract between the grant applicant and his/her heating contractor have been satisfied and (b) County requirements for the processing of payments have been completed.

- 18 **RESOLUTION NO. 779** by Director Donnelly, LOAN AND MORTGAGE APPROVED WITH FIVE FIRST TIME HOMEBUYERS IN THE AMOUNT OF \$9,000 EACH PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Mr. Brown abstained from this item.

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") has received funds from the U.S. Department of Housing and Urban Development pursuant to Home Investment Partnerships Program grant no. M-09-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> |
|-----------------------|-----------------|--------------------|
| H. T. Jackson | FTHB 10-14-38GS | \$9,000.00 |
| M. D. Hanuschik, Jr. | FTHB 10-15-18GS | \$9,000.00 |
| G. M. Brickhouse | FTHB 10-16-06GS | \$9,000.00 |
| C. R. & G. B. Bayliss | FTHB 10-17-38GS | \$9,000.00 |
| D. M. Ball | FTHB 10-18-05GS | \$9,000.00 |

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

RESOLVES as follows:

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

- 19 **RESOLUTION NO. 780** by Director Donnelly, APPROVAL OF POLICY FOR THE USE OF VARIABLE MESSAGE SIGNS MAINTAINED BY THE ENGINEERING AND HIGHWAY DEPARTMENTS.

WHEREAS, the County Engineer has determined that a Freeholder Policy is needed on the use of Variable Message Signs (VMS) maintained by the Engineering and Highway Departments; and

WHEREAS, the Burlington County Engineering Department maintains VMS trailers, and the Highway Department maintains VMS trailers; and

WHEREAS, these VMS trailers are used principally for maintenance and protection of traffic along County roads to ensure the safety of the traveling public; and

WHEREAS, each time the signs are deployed in the field, such action requires County personnel to transport them to and from the site and program the sign for use at that location; and

WHEREAS, priorities need to be set for use of the trailers with the first priority being for maintaining safe work zones for construction and maintenance of the County roads; now, therefore, be it

RESOLVED that the "Policy on Use of Variable Message Signs" for the Engineering and Highway Departments dated October 29, 2009 is hereby approved by the Board of Chosen Freeholders.

- 20 **RESOLUTION NO. 781** by Director Donnelly, AGREEMENT WITH SPRINGFIELD TOWNSHIP AND JACKSONVILLE FIRE COMPANY FOR THE INSTALLATION OF A DRAFTING HYDRANT AT THE BRIDGE ON JACKSONVILLE-JOBSTOWN ROAD IN SPRINGFIELD TOWNSHIP FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the Burlington County Board of Chosen Freeholders is participating in a Federally Funded bridge replacement project on Jacksonville-Jobstown Road at Bridge No. D3.6 in Springfield Township; and

WHEREAS, the Jacksonville Fire Department and Springfield Township have requested that the County install a dry hydrant on the new bridge in order to facilitate fire fighters in filling up their tankers with water to fight fires; and

WHEREAS, the County Board of Chosen Freeholders recognizes the need for the hydrant and is willing to include that in the design of the bridge for safety reasons to benefit the residents of Springfield Township; and

WHEREAS, a Shared Services Agreement is needed with Springfield Township and the Fire Department for future maintenance of the dry hydrant; now, therefore, be it

RESOLVED, that the Board of Chosen Freeholders approves a Shared Services Agreement with Springfield Township and the Fire Department and hereby authorizes the County Administrator to execute said Agreement.

- 21 **RESOLUTION NO. 782** by Director Donnelly, AGREEMENT WITH BORDENTOWN CITY FOR THE INSTALLATION OF FLASHING PEDESTRIAN BEACONS ON CROSSWICKS STREET TO ENHANCE SAFETY ALONG THE COUNTY ROAD AT THE SCHOOL CROSSING FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington and the City of Bordentown recognize the need for the installation of a flashing pedestrian beacon on Crosswicks Street (CR 528) & Hopkinson Street, Bordentown City; and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington did on September 26, 1990 adopt Resolution #572 setting forth the policy and procedures whereby the County of Burlington would participate in the installation, operation and maintenance of traffic control signals; and

WHEREAS, the attached proposed written agreement between the City of Bordentown and this Board, providing for the implementation of the County policy enumerated in this aforementioned resolution, has been approved and executed by the City of Bordentown; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the attached written agreement between the Board of Chosen Freeholders and the City of Bordentown for the installation of a flashing pedestrian beacon at the intersection of Crosswicks Street (CR 528) & Hopkinson Street, Bordentown City is hereby approved; and, be it

FURTHER RESOLVED, that the County Administrator is hereby authorized and directed to execute, attest, seal and deliver the same on behalf of the Board.

- 22 **RESOLUTION NO. 783** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR AUTOMATED DATA PROCESSING SYSTEM FOR THE BOARD OF TAXATION.

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

AUTOMATED DATA PROCESSING SYSTEM FOR BOARD OF TAXATION
(CPU-10-0002)

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, December 15, 2009 at 10:30 a.m. local prevailing time.

23 **RESOLUTION NO. 784** 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.

Roni L. Detrick, Director of Social Work Services, Buttonwood Hospital. Commenced duties on 8/25/09 at \$67,678 per annum. Permanent appointment from promotional certification.

Carrie S. Gregory, Principal Clerk Typist, Resource Conservation. Commenced duties on 8/17/09 at \$31,527 per annum. Permanent appointment from promotional certification.

Andrzej Staniec, Truck Driver, Highway Department. Commenced duties on 8/24/09 at \$31,085 per annum. Permanent appointment from open competitive certification.

Claire T. Conlon, Administrative Supervisor of Nurses, Buttonwood Hospital. Commenced duties on 8/31/09 at \$59,000 per annum. Provisional appointment pending open competitive examination.

Kelly H. Davis, Head Nurse, Buttonwood Hospital. Commenced duties on 8/24/09 at \$32.00 per hour. Provisional appointment pending open competitive examination.

Robert F. Higgins, Mental Health Worker, Buttonwood Hospital. Commenced duties on 8/24/09 at \$37,254 per annum. Permanent appointment from open competitive certification.

Tammy L. Moore, Hospital Attendant, Buttonwood Hospital. Commenced duties on 8/24/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Marichu F. Palas, Head Nurse, Buttonwood Hospital. Commenced duties on 8/24/09 at \$32.00 per hour. Provisional appointment pending open competitive examination.

Danielle L. Kirby, Head Nurse, Buttonwood Hospital. Commenced duties on 8/24/09 at \$32.00 per hour. Provisional appointment pending open competitive examination.

James W. Webb, Building Maintenance Worker, Buildings and Grounds. Commenced duties on 7/27/09 at \$27,376 per annum. Voluntary demotion.

Phillip P. Morris, Jr., County Correction Sergeant, County Jail. Commenced duties on 8/23/09 at \$64,010 per annum. Permanent appointment from promotional certification.

Lisa L. Drone, Head Nurse, Buttonwood Hospital. Commenced duties on 8/23/09 at \$55,000 per annum. Provisional appointment pending open competitive examination.

Michele A. Kerk, Graduate Nurse, Buttonwood Hospital. Commenced duties on 8/23/09 at \$57,000 per annum. Permanent appointment to non-competitive division position.

Sharese N. Porter, Home Economist, Extension Services. Commenced duties on 2/6/06 at \$15,500 per annum. Unclassified position.

Irene Cozens, Senior Clerk Typist, County Clerks Office. Commenced duties on 7/12/09 at \$29,126 per annum. Provisional appointment pending promotional examination.

Erica J. Brech, Principal Clerk Typist, Economic Development. Commenced duties on 3/9/09 at \$33,109 per annum. Provisional appointment pending promotional examination.

Raymond G. Webb, Laborer, Veterans Services. Commenced duties on 4/6/09 at \$13.70 per hour. Temporary appointment six months or less.

Perry A. Wright, Site Manager Nutrition Project, Office on Aging. Commenced duties on 6/29/09 at \$14.30 per hour. Temporary appointment six months or less.

Colleen A. Treusch, Senior Clerk Typist, Resource Conservation. Commenced duties on 7/12/09 at \$33,025 per annum. Provisional appointment pending promotional examination.

Joseph F. Polino, Attorney, Surrogates Office. Commenced duties on 7/27/09 at \$39.95 per hour. Unclassified position.

Deborah A. Johnson, Assistant Director Drug Abuse Program, Health Department. Commenced duties on 6/15/09 at \$44,858 per annum. Temporary appointment six months or less.

Rashid Ahmad, County Correction Officer, County Jail. Commenced duties on 6/16/09 at \$60,387 per annum. Temporary appointment six months or less.

Shane R. Heisler, County Correction Officer, County Jail. Commenced duties on 6/1/09 at \$38,020 per annum. Temporary appointment six months or less.

Edgardo G. Calansingin, Food Service Worker, Office on Aging. Commenced duties on 6/1/09 at \$12.52 per hour. Permanent appointment to non-competitive division position.

Karen E. Shannon, Clerk, Clerk of the Board. Commenced duties on 3/9/09 at \$12.52 per hour. Temporary appointment six months or less.

Edward A. Reynolds, Clerk, Public Safety. Commenced duties on 1/13/09 at \$18.79 per hour. Temporary appointment six months or less.

Timothy D. Tyler, County Clerk, County Clerks Office. Commenced duties on 1/1/09 at \$107,115 per annum. Unclassified position.

Frances M. Benedict, Principal Payroll Clerk, Human Resources. Commenced duties on 11/30/08 at \$39,101 per annum. Provisional appointment pending promotional examination.

Thomas N. Verna, General Supervisor ME, Highway Department. Commenced duties on 1/26/09 at \$54,018 per annum. Temporary appointment six months or less.

Daniel J. Constanza, Geographic Information Systems Specialist Trainee, Information Technology. Commenced duties on 4/6/09 at \$33,553 per annum. Provisional appointment pending open competitive examination.

Colleen C. Lybarger, Head Nurse, Buttonwood Hospital. Commenced duties on 8/24/09 at \$32.00 per hour. Provisional appointment pending open competitive examination.

Cleopatra E. Patterson, Narcotics Clinic Aide, Health Department. Commenced duties on 8/29/09 at \$14.00 per hour. Temporary appointment six months or less.

Tracy A. Sunderland, Animal Attendant, Health Department. Commenced duties on 8/24/09 at \$13.71 per hour. Permanent appointment to non-competitive division position.

Donna S. Williams, Animal Attendant, Health Department. Commenced duties on 8/24/09 at \$13.71 per hour. Permanent appointment to non-competitive division position.

Cecelia A O'Gara, Building Maintenance Worker, Office on Aging. Commenced duties on 6/29/09 at \$12.52 per hour. Permanent appointment to non-competitive division position.

William M. Weisgarger, Program Manager Disease Prevention Control, Health Department. Commenced duties on 7/7/09 at \$35.40 per hour. Temporary appointment six months or less.

William T. Whitehurst, Food Service Worker, Office on Aging. Commenced duties on 8/17/09 at \$12.52 per hour. Temporary appointment six months or less.

Thomas H. Boesch, Investigator County Medical Examiner Office. Commenced duties on 6/29/09 at \$37,871 per annum. Temporary appointment six months or less.

Kelly V. Donnelly, Animal Attendant, Health Department. Commenced duties on 7/13/09 at \$12.52 per hour. Permanent appointment to non-competitive division position.

Joseph A. Lehmann, Jr., Data Processing Systems Programmer, Information Technology. Commenced duties on 8/10/09 at \$50,000 per annum. Permanent appointment to non-competitive division position.

Erin M. Kelly, Secretarial Assistant, Clerk of the Board. Commenced duties on 6/30/08 at \$34,001 per annum. Provisional appointment pending promotional examination.

Pauline Toby, Hospital Attendant, Buttonwood Hospital. Commenced duties on 9/21/09 at \$29,234 per annum. Permanent appointment to non-competitive division position.

Jose R. King, Institutional Attendant, Buttonwood Hospital. Commenced duties on 9/7/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Jessica L. Homan, Hospital Attendant, Buttonwood Hospital. Commenced duties on 9/14/09 at \$29,234 per annum. Permanent appointment to non-competitive division position.

Reginald N. Person, Narcotics Clinic Aide, Health Department. Commenced duties on 9/7/09 at \$29,234 per annum. Permanent appointment to non-competitive division position.

Denise H. Allen, Training Aide, Human Resources. Commenced duties on 9/8/09 at \$26.00 per hour. Temporary appointment six months or less.

Michael A. DeFrank, Computer Service Technician, Information Technology. Commenced duties on 9/8/09 at \$38,487 per annum. Temporary appointment six months or less.

Sherry D. Bell, Narcotics Clinic Aide, Health Department. Commenced duties on 9/14/09 at \$14.00 per hour. Temporary appointment six months or less.

Nancy S. Tunney, Clerk, County Clerks Office. Commenced duties on 9/21/09 at \$12.52 per hour. Permanent appointment to non-competitive division position.

Karen A. Chadwick, Head Nurse, Buttonwood Hospital. Commenced duties on 9/21/09 at \$32.00 per hour. Provisional appointment pending open competitive examination.

Margaret V. Loring, Practical Nurse, Buttonwood Hospital. Commenced duties on 9/21/09 at \$21.00 per hour. Permanent appointment to non-competitive division position.

Keila M. Mateo, Hospital Attendant, Buttonwood Hospital. Commenced duties on 9/21/09 at \$29,234 per annum. Permanent appointment to non-competitive division position.

Telisa Page, Hospital Attendant, Buttonwood Hospital. Commenced duties on 9/21/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Debra A. Stanley, Head Nurse, Buttonwood Hospital. Commenced duties on 9/21/09 at \$32.00 per hour. Provisional appointment pending open competitive examination.

Queta J. Tokpah, Hospital Attendant, Buttonwood Hospital. Commenced duties on 9/21/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Joseph J. Jara, Senior Building Maintenance Worker, Buildings and Grounds. Commenced duties on 8/10/09 at \$32,335 per annum. Provisional appointment pending promotional examination.

Scott Ayers, Heating and Air Conditioning Mechanic, Buildings and Grounds. Commenced duties on 5/18/09 at \$35,403 per annum. Provisional appointment pending open competitive examination.

Stephanie A. Matheson, Clerk Typist, Public Safety. Commenced duties on 7/20/09 at \$12.53 per hour. Temporary appointment six months or less.

Bridgett A. Sheridan, Senior Clerk Typist, Legal Department. Commenced duties on 7/12/09 at \$31,176 per annum. Provisional appointment pending promotional examination.

Cynthia Zacharkow, Senior Data Processing Systems Programmer, Information Technology. Commenced duties on 7/12/09 at \$51,188 per annum. Provisional appointment pending promotional examination.

Susan B. Butrymowicz, Principal Data Control Clerk Typing, Tax Board. Commenced duties on 7/12/09 at \$35,425 per annum. Provisional appointment pending promotional examination.

Elaine C. Cesaretti, Senior Clerk, Tax Board. Commenced duties on 7/12/09 at \$29,475 per annum. Provisional appointment pending promotional examination.

Lisa A. Dries, Senior Clerk Typist, Juvenile Detention Center. Commenced duties on 7/12/09 at \$29,676 per annum. Provisional appointment pending promotional examination.

Theresa A. Sherwood, Account Clerk, Office on Aging. Commenced duties on 7/12/09 at \$28,776 per annum. Provisional appointment pending promotional examination.

Anthony P. Ragucci, County Correction Officer, County Jail. Commenced duties on 6/1/09 at \$38,020 per annum. Temporary appointment six months or less.

Dexter R. Marshall, County Correction Officer, County Jail. Commenced duties on 6/1/09 at \$38,020 per annum. Temporary appointment six months or less.

John W. Rye, Truck Driver, Highway Department. Commenced duties on 7/13/09 at \$31,085 per annum. Temporary appointment six months or less.

Keith Fooks, Residential Service Worker, Buttonwood Hospital. Commenced duties on 9/7/09 at \$27,376 per annum. Permanent appointment to non-competitive division position.

Susan R. Quick, Head Nurse, Buttonwood Hospital. Commenced duties on 7/31/09 at \$33.31 per hour. Permanent appointment from regular re-employment certification.

Orin H. Morrison, Jr., Narcotics Clinic Aide, Health Department. Commenced duties on 9/20/09 at \$29,234 per annum. Permanent appointment from open competitive certification.

Claire M. Heron, Substance Abuse Counselor 1, Health Department. Commenced duties on 6/11/07 at \$37,862 per annum. Lateral title change per Department of Personnel.

Rhonda M. Walker, Substance Abuse Counselor 2, Health Department. Commenced duties on 4/2/07 at \$36,628 per annum. Lateral title change per Department of Personnel.

Heather E. Danley, Clerk Typist, Legal Department. Commenced duties on 9/21/09 at \$26,151 per annum. Permanent appointment to non-competitive division position.

James B. McCullough, Narcotics Clinic Supervisor, Health Department. Commenced duties on 9/6/09 at \$36,020 per annum. Permanent appointment from open competitive certification.

24 **RESOLUTION NO. 785** by Director Donnelly, POSITIONS CREATED AND ABOLISHED PER PERSONNEL COMMITTEE MEETING OCTOBER 7, 2009.

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

| | RANGE | HOURS |
|--|-------|-------|
| HEALTH: | | |
| Create: | | |
| 01268 1 Clerk Typist | 04 | 35 |
| Abolish: 1 Research Assistant | | |
| PROSECUTOR: | | |
| Create: | | |
| 24831 1 Legal Secretary 2 | 14P | 35 |
| Abolish: 1 Principal Clerk Transcriber | | |

and be it,

RESOLVED, that the following range change be approved:
 Graduate Nurse changed from R.16 to R.28

and be it,

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

*** It was moved by Mr. Brown, seconded by Mrs. Reinhart that the following three (3) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 786 and 788 adopted.

25 **RESOLUTION NO. 786** by Mr. Brown, AGREEMENT WITH CORRECTIONAL DENTAL ASSOCIATES FOR AN HOURLY RATE OF \$189.24 FOR THE DENTIST AND \$312.00 FOR THE ORAL SURGEON FOR THE CONTRACT TITLED "DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES (RFP-09-0082A)" FOR THE PERIOD OF DECEMBER 1, 2009 THROUGH NOVEMBER 30, 2010.

WHEREAS, the County of Burlington's Correctional Facilities has a need for Dental Service agencies to perform Patient Care Services, by contracted Medical Staff, at the County Correction Facilities; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-4.1 et seq. provides for the solicitation of competitive proposals for such services; and

WHEREAS, the solicitation of competitive proposals was authorized by Resolution #590 on September 9, 2009 for "DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES" (RFP-09-0082A); and,

WHEREAS, One (1) competitive proposal was received; and

WHEREAS, the Acting Warden recommends that a contract be awarded to Correctional Dental Associates, 192 West State Street, Trenton, NJ, 08608, at an hourly rate of \$189.24 for Dentist and \$312.00 for Oral Surgeon, for an estimated amount of 5 hours per week, for the contract period of December 1, 2009 through November 30, 2010, with two (2) one-year options beginning on December 1, 2010 expiring on November 30, 2012; and

WHEREAS, the County Administrator concurs with the recommendation that a contract be awarded to Correctional Dental Associates, 192 West State Street, Trenton, NJ, 08608, for the amounts and contract period noted above; and,

WHEREAS, funds are available, for the 2009 portion, in Account Number 10-0410-032209, as evidenced by the attached certification of the Burlington County Chief Financial Officer; now, therefore be it

WHEREAS, funds are anticipated to be available, for the contract period January 1, 2010 though November 30, 2010, in the fiscal year 2010, temporary and permanent budget and is further subject to the certification of funds by the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that a contract for "DENTIST AND ORAL SURGEON SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES" (RFP-09-0082A), for the County Correctional Facilities, is hereby awarded to the noted Proposer, for the hourly amounts, services and contract period, as noted above; and, be it

FURTHER RESOLVED that the Burlington County Purchasing Agent shall publish a notice in the official newspaper of the Board of Chosen Freeholders summarizing the award of contracts, which shall include, but not be limited to, the nature, duration and amount of the contracts, the name of the vendors and a statement that this Resolution and the contracts are on file and available for public inspection in the Division of Purchase Office of the County of Burlington.

26 **RESOLUTION NO. 787** by Mr. Brown, AGREEMENT WITH BIO-REFERENCE LABORATORIES, INC. FOR THE CONTRACT TITLED "LABORATORY SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES (RFP-09-0100)" FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 ON AN "AS NEEDED BASIS".

WHEREAS, the County of Burlington's Correctional Facilities has a need for Laboratory Services for the County Correction Facilities; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-4.1 et seq. provides for the solicitation of competitive proposals for such services; and

WHEREAS, the solicitation of competitive proposals was authorized by Resolution #590 on September 9, 2009 for "LABORATORY SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES" (RFP-09-0100); and,

WHEREAS, Two (2) competitive proposals were received; and

WHEREAS, the Jail Administrator/Acting Warden recommends that a contract be awarded to Bio-Reference Laboratories, Inc., 481 Edward H. Ross Drive, Elmwood Park, NJ 07407, for the contract period of January 1, 2010 through December 31, 2010; and

WHEREAS, the County Administrator concurs with the recommendation that a contract be awarded to Bio-Reference Laboratories, Inc., 481 Edward H. Ross Drive, Elmwood Park, NJ 07407, for the contract period January 1, 2010 through December 31, 2010; and,

WHEREAS, funds are anticipated to be available for this purpose in the fiscal year 2010, temporary and permanent budget and is further subject to the certification of funds by the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that a contract for "LABORATORY SERVICES FOR BURLINGTON COUNTY CORRECTIONAL FACILITIES" (RFP-09-0100), for the County Correctional Facilities, is hereby awarded to the above proposer on an as needed basis, for the contract period January 1, 2010 through December 31, 2010; and, be it

FURTHER RESOLVED that the Burlington County Purchasing Agent shall publish a notice in the official newspaper of the Board of Chosen Freeholders summarizing the award of contracts, which shall include, but not be limited to, the nature, duration and amount of the contracts, the name of the vendors and a statement that this Resolution and the contracts are on file and available for public inspection in the Division of Purchase Office of the County of Burlington.

27 **RESOLUTION NO. 788** by Mr. Brown, AGREEMENT WITH MOBILEX IN THE AMOUNT OF \$7,000.00 FOR RADIOLOGY SERVICES FOR THE BURLINGTON COUNTY DETENTION CENTER AND THE JUVENILE DETENTION CENTER FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010.

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

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

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

WHEREAS, by Resolution No. 530 adopted on August 26, 2009, the Burlington County Board of Chosen Freeholders ("the Board") authorized the Burlington County Detention Center ("BCDC") and the Juvenile Detention Center ("JDC") to advertise a Request for Qualifications (RFQ) seeking qualified radiology service providers duly licensed in the State of New Jersey for the performance of the specified duties for the term of January 1, 2010 through December 31, 2010; and

WHEREAS, the BCDC and JDC did not receive a response to the two advertisements placed in the Burlington County Times; and

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

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

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

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

WHEREAS, the Board and said radiology services provider have come to agreement by which the provider will render its services on the terms and conditions specified in the proposed agreement, which agreement will be effective for the term January 1, 2010 through December 31, 2010 and may be summarized as follows:

| <u>Provider</u> | <u>Services</u> | <u>Amount Not to Exceed</u> |
|-----------------|--------------------|-----------------------------|
| Mobilex, USA | Radiology Services | \$7,000.00 |

and,

WHEREAS, funds are anticipated to be available in the 2010 temporary and permanent budgets and these contracts are further subject to certification of funds; and

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the attached agreement for professional services with Mobilex USA, for the term January 1, 2010 through December 31, 2010, is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnesses or attested to in accordance with the Rules of the Board; and, be it

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

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

*** It was moved by Mr. Haines, seconded by Mr. Wujcik that the following seven (7) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 789 through 795 adopted.

28 **RESOLUTION NO. 789** by Mr. Haines, AUTHORIZATION TO EXECUTE GRANT AGREEMENT WITH THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR ADDITIONAL GRANT FUNDING OF NOT LESS THAN \$7,142.85 AND NOT MORE THAN \$50,000.00 FOR SUPPORT PREPARATION OF A COUNTY-WIDE WASTEWATER MANAGEMENT PLAN FOR THE DEPARTMENT OF RESOURCE CONSERVATION.

WHEREAS, on July 8, 2009, the Burlington County Board of Chosen Freeholders adopted Resolution #406 authorizing an application for a grant from the State of New Jersey Department of Environmental Protection (NJDEP) in the amount of \$100,000 through the American Recovery and Restoration Act (ARRA) to supplement other grant funds for development of a wastewater management plan for the County of Burlington; and

WHEREAS, the NJDEP has provided notice of additional funds through the ARRA for a County-wide Wastewater Management Plan with the inclusion of at least 20% Green Infrastructure Planning Objectives; and

WHEREAS, no change in the scope of work is necessary to address requirements for the additional grant funding; now, therefore, be it

RESOLVED, that the Board of Chosen Freeholders of the County of Burlington authorizes Augustus Mosca, the County Administrator, and appropriate County staff to succeed him to execute a grant agreement, in an amount not less than \$107,142.85 and not more than \$150,000.00 and to execute any amendments thereto in which the County agrees to comply with all applicable federal, State, and municipal laws, rules, and regulations in accordance with the Rules of the Board.

- 29 **RESOLUTION NO. 790** by Mr. Haines, FIRST AMENDMENT TO AGREEMENT WITH STANTEC CONSULTING SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$95,000.00 FOR CONSTRUCTION INSPECTION AND ADMINISTRATION SERVICES FOR THE COUNTY FAIRGROUNDS PROJECT PURSUANT TO THE COUNTY'S OPEN SPACE 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. 17 on January 12, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, the Board has expressed an interest in developing a portion of the Sod Farm property in Springfield Township for use as a County Fairgrounds park; and

WHEREAS, the Board needs a qualified engineering team to complete construction administration and inspection services for this project; and

WHEREAS, by Resolution No. 819 adopted on November 12, 2008, the Board awarded a contract to provide the requested services to a team led by Stantec Consulting Services, Inc.; and

WHEREAS, a contract amendment is necessary to complete additional work outside the scope of the original contract; and

WHEREAS, the team led by Stantec Consulting Services, Inc. has offered to provide the needed services for a not to exceed charge of \$95,000.00, raising the contract from \$395,150 to \$490,150; and

WHEREAS, architectural and engineering services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6), the Local Public Contracts Law (the "Law"); and,

WHEREAS, there are sufficient monies in account no. 44-5007-101255 to fund the amendment described above, as evidenced by the attached Certification of the Burlington County Treasurer filed herewith; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that Contract Amendment #1 with the consultant team led by Stantec Consulting Services, Inc. which is approved as to form and substance by the County Solicitor and County Administrator, be and the same is hereby approved and its execution in accordance with the Rules of the Board authorized; and, be it

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

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

- 30 **RESOLUTION NO. 791** by Mr. Haines, AGREEMENT WITH STANTEC CONSULTING SERVICES, INC. IN THE AMOUNT OF \$37,000.00 FOR THE UTILITY DISTRIBUTION DESIGN AND PREPARATION OF PUBLIC BIDDING DOCUMENTS FOR THE COUNTY FAIRGROUNDS PROJECT PURSUANT TO THE COUNTY'S OPEN SPACE 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. 17 on January 12, 2005 which establishes the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, the Board has expressed an interest in developing a portion of the Sod Farm property in Springfield Township for use as a County Fairgrounds park; and

WHEREAS, the Board needs a qualified engineering team to prepare electrical distribution plans, permit applications and construction documents for this project; and

WHEREAS, by Resolution No. 996 adopted by the Board on December 30, 2008 an approved list established Qualified Engineering Firms through a fair and open process which includes Stantec Consulting Services, Inc. ("Stantec"), as a contractor qualified to perform various engineering services on behalf of the Board from 2009 through 2011; and

WHEREAS, the team led by Stantec has offered to provide the needed services for a not to exceed charge of \$37,000.00; and

WHEREAS, engineering services are "professional" in nature, as defined in N.J.S.A. 40A:11-2(6), the Local Public Contracts Law (the "Law"); and,

WHEREAS, there are sufficient monies in account no. 44-5007-101255 to fund the agreement described above, as evidenced by the attached Certification of the Burlington County Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that a contract agreement with the consultant team led by Stantec which is approved as to form and substance by the County Solicitor and County Administrator, be and the same is hereby approved and its execution in accordance with the Rules of the Board authorized; and, be it

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

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

31 **RESOLUTION NO. 792** by Mr. Haines, CHANGE ORDER NO. 1 WITH E. SAMBOL CORPORATION FOR A DECREASE IN THE AMOUNT OF \$38.85 FOR CONSTRUCTION OF THE COUNTY FAIRGROUNDS PURSUANT TO THE COUNTY'S OPEN SPACE PRESERVATION PROGRAM.

WHEREAS, E. Sambol Corporation of 1033 North Maple Avenue, Toms River, New Jersey is charged with the construction of the County Fairgrounds, Phase I, Park Improvement Project (County Contract CPU-08-0109) in conformance with plans and specifications prepared by Stantec Consulting Services, Inc., the Project Consultant; and

WHEREAS, the Project Consultant has recommended changes to the aforesaid contract, as detailed in Change Order Number One dated October 28, 2009; and

WHEREAS, the change order provides for a decrease of \$38.85, bringing the new contract amount to \$6,177,408.65, which represents an overall decrease of 0.0006 percent in the original contract amount of \$6,177,447.50; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that Change Order Number One to the contract with E. Sambol Corporation, a copy of which is filed herewith, is hereby approved and its execution in accordance with the Rules of the Board is authorized.

32 **RESOLUTION NO. 793** by Mr. Haines, AUTHORIZATION TO ADVERTISE FOR BIDS FOR SENIOR NUTRITION SERVICES (RFP-10-0013) FOR THE OFFICE ON AGING.

WHEREAS, SENIOR NUTRITION SERVICES– OFFICE ON AGING –2010 (RFP-10-0013) 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, SENIOR NUTRITION SERVICES– OFFICE ON AGING –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 of a social service program, 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 Social Services 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 SENIOR NUTRITION SERVICES– OFFICE ON AGING –2010, (RFP-10-0013), is hereby authorized; and be it

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

FURTHER RESOLVED that the submissions of proposals titled SENIOR NUTRITION SERVICES– OFFICE ON AGING –2010, (RFP-10-0013), will be publicly received in the Freeholder’s Board Room on Tuesday, December 8, 2009 at 10:30 a.m. local prevailing time.

- 33 **RESOLUTION NO. 794** by Mr. Haines, AUTHORIZATION TO ADVERTISE FOR BIDS FOR PENNINGTON PARK, PHASE II DEVELOPMENT LOCATED IN DELANCO TOWNSHIP (CPU-09-0104) FOR THE DEPARTMENT OF RESOURCE CONSERVATION/OPEN SPACE.

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

“PENNINGTON PARK PHASE II, DELANCO TOWNSHIP,
BURLINGTON COUNTY, NEW JERSEY”
(CPU-09-0104)

And, be it;

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

RESOLVED that the Freeholder Director is hereby authorized to sign the title sheet of the plans for said project. Plans and specification charge is \$50.00 per set, which is non-refundable; and, be it

RESOLVED that a Pre-Bid Conference will be held for all prospective bidders in Conference Room “B” on Wednesday, December 2, 2009 at 10:00 a.m. local prevailing time; and be it

FURTHER RESOLVED that said bids will be publicly received in the Freeholder’s Board Room on Tuesday, December 15, 2009 at 10:30 a.m. local prevailing time.

- 34 **RESOLUTION NO. 795** by Mr. Haines, AUTHORIZATION TO ADVERTISE FOR BIDS FOR DEMOLITION OF VARIOUS OPEN SPACE PROPERTIES FOR 2010 (CPU-10-0008) FOR THE DEPARTMENT OF RESOURCE CONSERVATION/OPEN SPACE.

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that the plans and specifications prepared and submitted by Remington and Vernick Engineer’s, are hereby approved for the following solicitation:

“2010 DEMOLITION OF VARIOUS OPEN SPACE PROPERTIES
IN BURLINGTON COUNTY, NEW JERSEY”
(CPU-10-0008)

And, be it;

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

RESOLVED that the Freeholder Director is hereby authorized to sign the title sheet of the plans for said project. Plans and specification charge is \$50.00 per set, which is non-refundable; and, be it

RESOLVED that a Pre-Bid Conference will be held for all prospective bidders in Conference Room "B" on Thursday, December 3, 2009 at 10:00 a.m. local prevailing time; and be it

RESOLVED that Site Visits will be held for all prospective bidders on Tuesday, December 8, 2009, by appointment only; now, therefore be it

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, January 5, 2010 at 10:30 a.m. local prevailing time.

*** It was moved by Mrs. Reinhart, seconded by Mr. Brown that the following six (6) items be approved by unanimous consent. Motion carried. Resolution Nos. 789 through 795 adopted.

35 **RESOLUTION NO. 796** by Mrs. Reinhart, AGREEMENT WITH SELECT MEDICAL REHABILITATION SERVICES, INC. FOR AN ESTIMATED AMOUNT OF \$870,000.00 FOR THE CONTRACT TITLED "THERAPY SERVICES FOR BUTTONWOOD HOSPITAL (RFP-07-0093)" FOR THE PERIOD DECEMBER 31, 2010 THROUGH JANUARY 1, 2010.

WHEREAS, the County of Burlington's Buttonwood Hospital has a need for Therapy Services Program; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-4.1 et seq. provides for the solicitation of competitive proposals for such services; and

WHEREAS, the solicitation of competitive proposals was authorized by Resolution #619 dated August 8, 2007 for "THERAPY SERVICES FOR BUTTONWOOD HOSPITAL" (RFP-07-0093), for the contract period January 1, 2008 through December 31, 2008 with four (4) one-year options beginning on January 1, 2009 expiring December 31, 2012; and

WHEREAS, the Administrator of Buttonwood Hospital recommended that a contract be awarded, for the proposal noted above, authorized by Resolution # 823 dated October 10, 2007, to Select Medical Rehabilitation Services, Inc., 1747 Hooper Avenue, Ste. 14, Toms River, NJ 08753, for the period January 1, 2008 through December 31, 2008; and

WHEREAS, the Administrator of Buttonwood Hospital recommended that a contract be awarded, for the proposal noted above, for the second (2) year, authorized by Resolution #824 dated November 12, 2008, to Select Medical Rehabilitation Services, Inc., 1747 Hooper Avenue, Ste. 14, Toms River, NJ 08753, for the period January 1, 2009 through December 31, 2009; and

WHEREAS, the Administrator of Buttonwood Hospital recommends that a contract be awarded, for the proposal noted above, for the third (3) year, to Select Medical Rehabilitation Services, Inc., 1747 Hooper Avenue, Ste. 14, Toms River, NJ 08753, for an estimated amount of \$ 870,000.00, for the period January 1, 2010 through December 31, 2010; and

WHEREAS, funds are anticipated to be available for this purpose in the fiscal year 2010 temporary and permanent budgets; and

WHEREAS, the certification of the availability of funds will be issued, at that time, by the Burlington County Chief Financial Officer; now, therefore be

RESOLVED by the Burlington County Board of Chosen Freeholders that the proposal titled "THERAPY SERVICES FOR BUTTONWOOD HOSPITAL" (RFP-07-0093), is hereby awarded for the third (3) year, to Select Medical Rehabilitation Services, Inc., for the estimated amount noted above, for the contract period January 1, 2010 through December 31, 2010; and be it

FURTHER RESOLVED that the Burlington County Purchasing Agent shall publish a notice in the official newspaper of the Board of Chosen Freeholders summarizing the award of contract, which shall include, but not be limited to, the nature, duration and amount of the contract, the name of the vendor and a statement that this Resolution and the contract is on file and available for public inspection in the Division of Purchase Office of the County of Burlington.

- 36 **RESOLUTION NO. 797** by Mrs. Reinhart, AGREEMENT WITH LESTER A. DRENK BEHAVIORAL HEALTH CENTER FOR AN ESTIMATED AMOUNT OF \$105,065.00 FOR THE CONTRACT TITLED "2009-2011 AFTERNOON/EVENING REPORTING CENTER PROGRAM (RFP-09-0091) FOR THE DEPARTMENT OF HEALTH/HUMAN SERVICES.

WHEREAS, the County of Burlington's Human Services Department has a need for social service agencies to perform SOCIAL SERVICES for the residents of Burlington County; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-4.1 et seq. provides for the solicitation of competitive proposals for such services; and,

WHEREAS, the solicitation of competitive proposals was authorized by Resolution #499 on August 12, 2009 for "2009-2011 AFTERNOON/EVENING REPORTING CENTER PROGRAM" (RFP-09-0091); and

WHEREAS, Two (2) competitive proposals were received; and

WHEREAS, an evaluation team, assembled to review and recommend the most advantageous proposals, submitted a report with their findings and with a recommendation to the County Administrator for the selection of Social Service Agencies; and

WHEREAS, the County Administrator concurs with the report and has submitted to the Board of Chosen Freeholders a recommendation to award a contract to The Lester A. Drenk Behavioral Health Center, 1289 Route 38, West, Suite 203, Hainesport, NJ 08036-2730, for an estimated amount of \$105,065.00, for the contract period November 1, 2009 through December 31, 2010; and

WHEREAS, funds are available, for this purpose, in Account Number 14-5748-033709 as evidenced by the attached certification of the Burlington County Chief Financial Officer; and

WHEREAS, funds for the contract period January 1, 2011 through December 31, 2011 are contingent upon funding; and

WHEREAS, funds are anticipated to be available for the period January 1, 2011 through December 31, 2011 in the fiscal year 2011 temporary and permanent budgets; and

WHEREAS, the certification of the availability of funds, for the above named contract, will be issued at that time by the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that a contract for the proposal titled "2009-2011 AFTERNOON/EVENING REPORTING CENTER PROGRAM" (RFP-09-0091), for the County of Burlington's Human Service Department, is hereby awarded to The Lester A. Drenk Behavior Health Center, for an estimated amount of \$105,065.00, for the contract period of November 1, 2009 through December 31, 2010; and be it

FURTHER RESOLVED that the Burlington County Purchasing Agent shall publish a notice in the official newspaper of the Board of Chosen Freeholders summarizing the award of contracts, which shall include, but not be limited to, the nature, duration and amount of the contracts, the names of the vendors and a statement that this Resolution and the contracts are on file and available for public inspection in the Division of Purchase Office of the County of Burlington.

- 37 **RESOLUTION NO. 798** by Mrs. Reinhart, AGREEMENT WITH PASCALE BASTIEN, MD FOR CONTRACT TITLED "CLINIC PHYSICIANS AND MEDICAL PROFESSIONAL FOR THE BURLINGTON COUNTY HEALTH DEPARTMENT (RFP-06-0107A) FOR THE HOURLY RATE OF \$115.00 FOR AN ESTIMATED TOTAL AMOUNT \$2,760.00 FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010.

WHEREAS, the County of Burlington's Health Department has a need for Physician Services for Burlington County Pediatric Well Baby Clinics; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-4.1 et seq. provides for the solicitation of competitive proposals for such services; and

WHEREAS, the solicitation of competitive proposals was authorized by Resolution #914 on October 25, 2006 for "MEDICAL DIRECTOR, CLINIC PHYSICIANS AND MEDICAL PROFESSIONALS FOR BURLINGTON COUNTY HEALTH DEPARTMENT (CPU-06-0107); and

WHEREAS, no proposals were received for Pediatric Clinic Services, to be held on Wednesdays, in response to said solicitation for proposals; and

WHEREAS, the solicitation of competitive proposals titled "CLINIC PHYSICIANS AND MEDICAL PROFESSIONALS FOR BURLINGTON COUNTY HEALTH DEPARTMENT" (RFP-06-0107A) was received, for a second time, on February 27, 2007; and

WHEREAS, in accordance with N.J.S.A. 40A:11-5(3), a contract may be negotiated and awarded after no proposals are received on both occasions in response to the request; and

WHEREAS, the competitive proposal was negotiated and the contract titled "CLINIC PHYSICIANS AND MEDICAL PROFESSIONALS FOR BURLINGTON COUNTY HEALTH DEPARTMENT" (RFP-06-0107A) was awarded to Pascale Bastien, M.D., authorized by Resolution #752 dated September 26, 2007, for the contract period March 1, 2007 through December 31, 2007 with four (4) one- year options expiring on December 31, 2011 for; and

WHEREAS, the Public Health Coordinator recommended that a contract be awarded, for the proposal noted above, for the second (2) year, authorized by Resolution #1015 dated December 12, 2007, to Pascale Bastien, M.D., for Well Baby Clinics on Wednesday's, for the contract period January 1, 2008 through December 31, 2008; and

WHEREAS, the Public Health Coordinator recommended that a contract be awarded, for the proposal noted above, for the third (3) year, authorized by Resolution #830 dated November 12, 2008, to Pascale Bastien, M.D., 8008 Rt. 130, Ste. 204, Delran, NJ 08074, for Well Baby Clinics on Wednesday's, for the contract period January 1, 2009 through December 31, 2009; and

WHEREAS, the Public Health Coordinator recommends that a contract be awarded, for the proposal noted above, for the fourth (4) year, to Pascale Bastien, M.D., 8008 Rt. 130, Ste. 204, Delran, NJ 08074, for Well Baby Clinics on Wednesday's, for a contracted rate of \$115.00/per hour, for the contract period January 1, 2010 through December 31, 2010; and

WHEREAS, funds are anticipated to be available for this purpose in the fiscal years 2009 temporary and permanent budgets; and

WHEREAS, the certification of the availability of funds, for the above named contract, will be issued at that time by the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that a contract for "CLINIC PHYSICIANS AND MEDICAL PROFESSIONALS FOR BURLINGTON COUNTY HEALTH DEPARTMENT" (RFP-06-0107A), for the County Health Department is hereby awarded, for the fourth (4) year, to Pascale Bastien, M.D., to provide Pediatric Well Baby Clinic Services on Wednesdays, for a contracted rate of \$115.00/per hour, for the period January 1, 2010 through December 31, 2010, noting that year 2011 is optional, expiring December 31, 2011; and be it

FURTHER RESOLVED that the Burlington County Purchasing Agent shall publish a notice in the official newspaper of the Board of Chosen Freeholders summarizing the award of contract, which shall include, but not be limited to, the nature, duration and amount of the contract, the name of the vendor and a statement that this Resolution and the contract is on file and available for public inspection in the Division of Purchase Office of the County of Burlington.

UMDNJ-PEDIATRICES FOR THE CONTRACT TITLED "MEDICAL DIRECTOR, CLINIC PHYSICIANS AND MEDICAL PROFESSIONALS FOR BURLINGTON COUNTY HEALTH DEPARTMENT (RFP-01-0107) FOR THE ESTIMATED AMOUNTS OF \$25,000.00, \$19,684.00, AND \$15,000.00 RESPECTIVELY FOR THE PERIOD OF JANUARY 1, 2010 THROUGH DECEMBER 31, 2010.

WHEREAS, the County of Burlington has a need for Physician Services to perform services for various Burlington County Health Clinics; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-4.1 et seq. provides for the solicitation of competitive proposals for such services; and

WHEREAS, the solicitation of competitive proposals was authorized by Resolution #914 dated October 25, 2006, for "MEDICAL DIRECTOR, CLINIC PHYSICIANS AND MEDICAL PROFESSIONALS FOR BURLINGTON COUNTY HEALTH DEPARTMENT" (RFP-06-0107), for the contract period of January 1, 2007 through December 31, 2007 with the option of four (4) one-year extensions, expiring on December 31, 2011; and

WHEREAS, the Public Health Coordinator recommended that contracts be awarded, for the proposal noted above, authorized by resolution #16 dated January 10, 2007, to Infectious Disease Physicians, 1001 Briggs Road, Suite 250, Mount Laurel, NJ 08054, and to Pulmonary and Sleep Physicians of South Jersey, Larchmont Medical Center., Ste. 204, Rt. 38 & Ark Road, Mount Laurel, NJ 08054, for the contract period January 1, 2007 through December 31, 2007; and

WHEREAS, the Public Health Coordinator recommended that a contract be awarded, for the proposal noted above, authorized by resolution #292 dated April 25, 2007, to UMDNJ-Pediatrics, 42 E. Laurel Road, Stratford, NJ 08084, for the period of January 1, 2007 through December 31, 2007; and

WHEREAS, the Public Health Coordinator recommended that contracts be awarded, for the proposal noted above, for a second (2) year, authorized by resolution #920 dated November 14, 2007, to Infectious Disease Physicians, to Pulmonary and Sleep Physicians of South Jersey, and to UMDNJ-Pediatrics 42 E. Laurel Road, Stratford, NJ 08084, for the period of January 1, 2008 through December 31, 2008; and

WHEREAS, the Public Health Coordinator recommends that contracts be awarded, for the proposal noted above, for the third (3) year, authorized by resolution #829 dated November 12, 2008, to Infectious Disease Physicians, to Pulmonary and Sleep Physicians of South Jersey, and to UMDNJ-Pediatrics 42 E. Laurel Road, Stratford, NJ 08084, for the period of January 1, 2009 through December 31, 2009; and

WHEREAS, the Public Health Coordinator recommends that a contract be awarded, for the fourth (4) year, to Infectious Disease Physicians 1001 Briggs Road, Suite 250, Mount Laurel, NJ 08054, at the rate of \$225.00/per hour, for the Medical Director, for the contract period of January 1, 2010 through December 31, 2010; and

WHEREAS, the Public Health Coordinator recommends that a contract be awarded, for the fourth (4) year, to Pulmonary and Sleep Physicians of South Jersey, Larchmont Medical Center, Ste. 204, Rt. 38 & Ark Road, Mount Laurel, NJ 08054, at the rate of \$305.50/per hour, for the Tuberculosis Program, for the contract period of January 1, 2010 through December 31, 2010; and

WHEREAS, the Public Health Coordinator recommends that a contract be awarded, for the fourth (4) year, to UMDNJ-Pediatrics, 42 E. Laurel Road, Stratford, NJ 08084, at the rate of \$225.00/per hour, for the Well Child Clinic, for the period of January 1, 2010 through December 31, 2010; and

WHEREAS, funds are anticipated to be available for this purpose in the fiscal year 2010 temporary and permanent budgets; and

WHEREAS, these competitive proposals are further subject to the certification of funds by the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that the contracts for "MEDICAL DIRECTOR, CLINIC PHYSICIANS AND MEDICAL PROFESSIONALS FOR BURLINGTON COUNTY HEALTH DEPARTMENT" (RFP-06-0107) for the County of Burlington Health Department is hereby awarded, for year four (4), to the Proposers, for the hour rates noted above, for the contract period January 1,

2010 through December 31, 2010, noting that year 2011 is optional, expiring on December 31, 2011; and be it

FURTHER RESOLVED that the Burlington County Purchasing Agent shall publish a notice in the official newspaper of the Board of Chosen Freeholders summarizing the award of contracts, which shall include, but not be limited to, the nature, duration and amount of the contracts, the names of the vendors and a statement that this Resolution and the contracts are on file and available for public inspection in the Division of Purchase Office of the County of Burlington.

39 **RESOLUTION NO. 800** by Mrs. Reinhart, AGREEMENTS WITH DAVID ZELNICK, VMD FOR VETERINARIAN OF RECORD AND ACE OF SPAYS, LLC FOR VETERINARIAN SERVICES FOR CONTRACT TITLED "VETERINARIAN OF RECORD FOR BURLINGTON COUNTY ANIMAL SHELTER (RFP-07-0096) FOR AN ESTIMATED AMOUNT OF \$125,000.00 AND \$10,000.00 RESPECTIVELY FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010.

WHEREAS, the County of Burlington has a need for VETERINARIAN OF RECORD SERVICES for Burlington County Health Department/ Animal Shelter; and

WHEREAS, the Local Public Contracts Law at N.J.S.A. 40A:11-4.1 et seq. provides for the solicitation of competitive proposals for such services; and

WHEREAS, the solicitation of competitive proposals was authorized by Resolution #754 on September 26, 2007 for the contract titled "VETERINARIAN OF RECORD FOR BURLINGTON COUNTY ANIMAL SHELTER" (RFP-07-0096) for the contract period January 1, 2008 through December 31, 2008 with the option of three (3) one-year extensions expiring on December 31, 2011; and

WHEREAS, the award of competitive proposals was authorized by resolution #1018 dated December 12, 2007 for the contract titled "VETERINARIAN OF RECORD FOR BURLINGTON COUNTY ANIMAL SHELTER" (RFP-07-0096) for Veterinarian Services to David Zelnick, V.M.D., 406 Gatewood Road, Cherry Hill, NJ 08003, for Veterinarian of Record including Spay/Neuter Services and to Ace of Spays, LLC, P.O. Box 238, Medford, NJ 08055-0238, for Veterinarian Services, for the contract period January 1, 2008 through December 31, 2008; and

WHEREAS, the Public Health Coordinator recommended that a contract be awarded, for the second (2) year, for the proposal noted above, authorized by resolution # 826 dated November 12, 2008 to David Zelnick, V.M.D, and awarded to Ace of Spays, LLC, P.O. Box 238, Medford, NJ 08055-0238, for Veterinarian Services, for the contract period January 1, 2009 through December 31, 2009; and

WHEREAS, the Public Health Coordinator recommends that a contract be awarded, for the third (3) year, for the proposal titled "VETERINARIAN OF RECORD FOR BURLINGTON COUNTY ANIMAL SHELTER" (RFP-07-0096), to David Zelnick, V.M.D., 406 Gatewood Road, Cherry Hill, NJ 08003, for Veterinarian of Record including Spay/Neuter Services, for the contract period January 1, 2010 through December 31, 2010; and Maximum Price (per animal) noted below:

| | | |
|-----------------------------|----------------------|----------|
| Veterinarian of Record: | Maximum Hourly Rate: | \$100.00 |
| Veterinarian Technician: | Maximum Hourly Rate: | \$ 22.00 |
| Spay/Neuter Services: | Male Cat | \$ 14.00 |
| | Female Cat | \$ 24.00 |
| | Male Dog | \$ 24.00 |
| | Female Dog | \$ 30.00 |
| Dogs – Removal of Dewclaws: | Bilateral | \$ 60.00 |
| | Single Side | \$ 30.00 |

WHEREAS, the Public Health Coordinator recommends that a contract be awarded, for the third (3) year, to Ace of Spays, LLC, P.O. Box 238, Medford, NJ 08055-0238, for Veterinarian Services, for the contract period January 1, 2010 through December 31, 2010; and Maximum Price (per animal) as followed:

| | | |
|-----------------------|-------------|----------|
| Spay/Neuter Services: | Male Cat | \$ 14.00 |
| | Female Cat: | \$ 24.00 |
| | Male Dog: | \$ 24.00 |
| | Female Dog: | \$ 30.00 |

| | | |
|-----------------------------|-------------|----------|
| Dogs – Removal of Dewclaws: | Single Side | \$ 30.00 |
| | Bilateral | \$ 60.00 |

WHEREAS, funds are anticipated to be available for this purpose in the fiscal year 2010 temporary and permanent budgets; and be it

WHEREAS, these competitive proposals are further subject to the certification of funds by the Burlington County Chief Financial Officer; now therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that a contract for “VETERINARIAN OF RECORD FOR BURLINGTON COUNTY ANIMAL SHELTER” (RFP-07-0096), for the County of Burlington Health Department/Animal Shelter is hereby awarded for year third (3), to the Proposers, for the hour rates noted above, for the contract period January 1, 2010 through December 31, 2010; and

FURTHER RESOLVED that the Burlington County Purchasing Agent shall publish a notice in the official newspaper of the Board of Chosen Freeholders summarizing the award of contracts, which shall include, but not be limited to, the nature, duration and amount of the contracts, the name of the vendor and a statement that this Resolution and the contracts are on file and available for public inspection in the Division of Purchase Office of the County of Burlington.

40 **RESOLUTION NO. 801** by Mrs. Reinhart, AUTHORIZATION TO PURCHASE COMPUTER SOFTWARE TO INCLUDE INSTALLATION AND SUPPORT FOR THE ACCELERATED H1N1 VACCINATION PROGRAM FOR THE HEALTH DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$91,251.24 FROM DELL MARKETING, LP AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, Burlington County has a need for the purchase of COMPUTER SOFTWARE, to include INSTALLATION and SUPPORT, for the Accelerated H1N1 Vaccination Program, for the County Health Department, from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP: and

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

WHEREAS, Dell Marketing, LP, One Dell Way, Round Rock, TX, 78682, has a New Jersey State Contract for SOFTWARE LICENSE, MAINT., SUPPORT, Term Contract M-0003 with the New Jersey State Contract Number A72727; Contract Dates: November 1, 2008 to June 30, 2010; and

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

WHEREAS, the actual cost for the purchase of COMPUTER SOFTWARE, to include INSTALLATION and SUPPORT, for the County Health Department, will not exceed \$91,251.24; and

WHEREAS, funds are available for this purpose in Account No. 14-5846-032209, as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the County of Burlington that a purchase order be awarded to Dell Marketing, LP, One Dell Way, Round Rock, TX, 78682, for the purchase of COMPUTER SOFTWARE, to include INSTALLATION and SUPPORT, for the Accelerated H1N1 Vaccination Program, for the County Health Department, in an amount not to exceed \$91,251.24.

*** It was moved by Mr. Wujcik, seconded by Mr. Brown that the following two (2) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 802 and 803 adopted.

41 **RESOLUTION NO. 802** by Mr. Wujcik, AUTHORIZATION TO PURCHASE HARDWARE AND SOFTWARE FOR THE INSTALLATION, CONFIGURATION, TESTING AND TRAINING OF RIM MEETING MANAGER MODULE FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED

\$80,141.39 FROM DELL MARKETING, LP AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, Burlington County wishes to purchase HARDWARE and SOFTWARE for the Installation, Configuration, Testing and Training of RIM Meeting Manager Module, for the Burlington County Information Technology Department, from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

WHEREAS, the purchase of goods and services by local contracting units through Two (2) New Jersey State Contracts entered into by the Division of Purchase and Property in the New Jersey Department of the Treasury is authorized by the Local Public Contract Law at N.J.S.A. 40A:11-12; and

WHEREAS, DELL Marketing, LP, One Dell Way, Round Rock, TX 78682, has a New Jersey State Contract for WSCA Computer Contract, Term Contract M-0483 with the New Jersey State Contract Number A70265; Contract Dates: October 17, 2007 to August 31, 2014; and

WHEREAS, DELL Marketing, LP, One Dell Way, Round Rock, TX 78682, has a New Jersey State Contract for Software License, Maint., Support, Term Contract M-0003 with the New Jersey State Contract Number A72727; Contract Dates: November 1, 2008 to June 30, 2010; and

WHEREAS, the Director of Information Technology has reviewed and approved the request for the purchase of HARDWARE and SOFTWARE for the Installation, Configuration, Testing and Training of RIM Meeting Manager Module; and

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

WHEREAS, the actual cost for the purchase of HARDWARE and SOFTWARE for the Installation, Configuration, Testing and Training of RIM Meeting Manager Module, for the Burlington County Information Technology Department, will not exceed \$80,141.39; and

WHEREAS, funds are available for this purpose in Account No. 60-7001-113482 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the County of Burlington that a purchase order be awarded to DELL Marketing, LP, One Dell Way, Round Rock, TX 78682 for the purchase of HARDWARE and SOFTWARE for the Installation, Configuration, Testing and Training of RIM Meeting Manager Module for the Burlington County Information Technology Department.

42 **RESOLUTION NO. 803** by Mr. Wujcik, AUTHORIZATION TO PURCHASE ONE KM 4050 DIGITAL COPIER WITH ACCESSORIES FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED \$8,015.00 FROM KYOCERA MITA AMERICAN INC., AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, Burlington County wishes to purchase ONE (1) KM 4050 DIGITAL COPIER with ACCESSORIES for the Burlington County Information Technology Department, from an authorized vendor under the General Services Administration's (GSA) Federal Supply Schedule for Reprographic Equipment or Services; and

WHEREAS, the use of the General Services Administration's (GSA) Federal Supply Schedules for the purchase of Reprographic Equipment or Services by local contracting units is authorized by the New Jersey Administrative Code, N.J.A.C. 5:34-9.7; and

WHEREAS, KYOCERA MITA AMERICA INCORPORATED, P.O. Box 40008, 225 Sand Road, Fairfield, New Jersey, 07004-0008 has a General Services Administration's (GSA) Federal Supply Schedules for Reprographic Equipment or Services contract; Contract GS-25F-0062M with Contract Dates, May 20, 2002 to September 30, 2011; and

WHEREAS, KYOCERA MITA AMERICA INCORPORATED has a New Jersey State Contract for GSA/FSS Reprographics Schedule Use, Index Number T-2075 with the New Jersey State Contract Number A53090 with Contract Dates, May 1, 2002 to December 31, 2009; and

WHEREAS, HERITAGE BUSINESS SYSTEMS, INCORPORATED, 1263 Glen Avenue, Moorestown, New Jersey 08057 is an authorized distributor for Kyocera Mita America, Incorporated; and

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

WHEREAS, the actual cost for the purchase of ONE (1) KM 4050 DIGITAL COPIER, with ACCESSORIES, will not exceed \$8,015.00, for the County Information Technology Department; and

WHEREAS, funds are available for this purpose in Account No. 60-7001-113482 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the County of Burlington that a purchase order be awarded to KYOCERA MITA AMERICA INCORPORATED, for the purchase of ONE (1) KM 4050 DIGITAL COPIER with ACCESSORIES, for the County Information Technology Department, in an amount not to exceed \$8,015.00.

43 APPOINTMENTS BY DIRECTOR -STORMWATER MANAGEMENT COMMITTEE FOR ONE YEAR.

Director Donnelly made the following appointments to the Stormwater Management Committee for a one year term for the period January 1, 2010 through December 31, 2010

TED D'ANNUNZIO
R. THOMAS JAGGARD
GINA BERG
MICHAEL GAVIO
WILLIAM STEWART
JOHN ENGLE
DAVID CIHOCKI

44 NOMINATION AND ELECTION – BOARD OF SOCIAL SERVICES.

Director Donnelly opened the nomination and election of the Board of Social Services. Mr. Haines placed the following names into nomination.

DENNIS R. DUGAN, 5 YEAR TERM TO EXPIRE 6/1/2014
DOMINICK J. FERRELLI, 5 YEAR TERM TO EXPIRE 6/1/2014
VICTORIA I. FAY, TO FILL THE UNEXPIRED TERM OF LOIS DOWNEY,
TERM TO EXPIRE ON 6/1/2011

There being no further nominations, Director Donnelly closed the nomination and asked the County Administrator to poll the Board, the voting as follows:

| | | |
|----------------------|--------------------------|-----|
| | Aye | Nay |
| Dennis Dugan, | WSH, MAR, JKW, JBD | CJB |
| Dominick J. Ferrelli | CJB, WSH, MAR, JKW, JBD | |
| Victoria I. Fay | CJB, WSH, MAR, JKKW, JBD | |

Director Donnelly declared the three members appointed to the Board of Social Services.

45 NOMINATION AND ELECTION – BURLINGTON COUNTY COLLEGE BOARD OF TRUSTEES

JOHN HANUSCIN, 4 YEAR TERM TO EXPIRE 11/1/2013

There was no nomination for this appointment at this time.

46 NOMINATION AND ELECTION – CONSTRUCTION BOARD OF APPEALS.

Director Donnelly opened the nomination and election to the Construction Board of Appeals. Mr. Wujcik placed the following names into nomination:

MICHAEL REED, 4 YEAR TERM TO EXPIRE 12/31/2013
MARLIN GENE BLAIR, 4 YEAR TERM TO EXPIRE 12/31/2013
BRADLEY REGN, 4 YEAR TERM TO EXPIRE 12/31/2013

DESIGNATION OF MICHAEL REED AS CHAIRMAN 1 YEAR
 DESIGNATION OF MARLIN GENE BLAIR AS VICE-CHAIRMAN 1 YEAR

There being no further nominations, Director Donnelly closed the nominations and asked the County Administrator to poll the Board, the voting as follows:

| | Aye | Nay |
|-----|---------------------|-----|
| CJB | All names as listed | |
| WSH | All names as listed | |
| MAR | All names as listed | |
| JKW | All names as listed | |
| JBD | All names as listed | |

47 RESIGNATION ACCEPTED - CONSTRUCTION BOARD OF APPEALS.

Director Donnelly accepted the resignation of Ed Kensler, Construction Board of Appeals, and thanked him for his dedicated work.

48 QUESTIONS FROM THE PRESS.

1) Carole Comegno, Courier Post, questioned the Board regarding the Public Hearing on Bond Ordinance No. 723-09 and agenda item no. 22.

49 COMMENTS BY FREEHOLDERS.

1) Freeholder Brown announced that additional vaccines have just been received and Mr. Gogats, Public Health Coordinator, has set up 2 clinics for tomorrow, one in the Burlington Center Mall, and one in the Moorestown Mall.

2) Freeholder Reinhart asked that everyone keep the military in their prayers especially after the incident at Ft. Hood. Mrs. Reinhart also stated that the Health Department does not know from day to day when the vaccines will be coming in. She commended the Health Department for doing a great job in setting up the two clinics at the Malls.

3) Freeholder Wujcik stated his thoughts and prayers are with Dianne Allen and her family.

4) Freeholder Haines stated that in response to agenda item no. 22, \$250,000 is not enough money to complete the Wastewater Management Plan and stated it is another unfunded mandate from the State.

5) Director Donnelly echoed Mrs. Reinhart regarding Ft. Hood, and wished Senator Allen a speedy recovery.

50 ADJOURNMENT.

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

Respectfully submitted,

Augustus M. Mosca
 County Administrator/Board Clerk