

Regular Meeting
Mount Holly, New Jersey

1 A Regular Meeting of the Board of Chosen Freeholders of the County of Burlington was held in the Board Room, Burlington County Office Building, Mount Holly, New Jersey, on Wednesday, January 13, 2010, at 7:00 P.M. The meeting was opened with the flag salute and prayer by the Deputy 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, Joseph B. Donnelly, Mary Ann O'Brien, Mary Anne Reinhart and Freeholder Director Bruce D. Garganio.

3 OFFICIALS.

Officials in attendance were: County Solicitor Nelson, Interim County Administrator Collins, Chief Financial Officer Brock, Treasurer Hannigan, Sheriff Stanfield, Supervisor of Roads Somes, Acting County Engineer Wright, Capital Projects Coordinator Smith, Resource Conservation Director Robbie, Supervising Administrative Analyst Stewart, and Public Information Officer Shrom and Assistant Public Information Officer O'Donnell.

4 **RESOLUTION NO. 8** by Director Garganio, BUDGET TRANSFER FOR 2009, moved for adoption by Mr. Garganio, seconded by Mr. Brown.

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 Reserves in accordance with N.J.S.A. 40A:4-59:

CURRENT FUND:

FROM:

County Clerk	S&W	\$ 3,500.00
Building and Grounds	S&W	1,500.00
Parks	OE	6,000.00
County Administrator	S&W	1,000.00
Information Technology	S&W	1,000.00
Human Resources	S&W	1,000.00
Prosecutor's Office	OE	3,000.00
Surrogate	S&W	2,000.00
Sheriff's Office	S&W	15,000.00
Weights and Measures	S&W	500.00
Consumer Affairs	S&W	2,500.00
Shade Tree Commission	OE	1,000.00
Board of Elections	S&W	1,500.00
	OE	2,000.00
Public Safety	S&W	5,000.00
	OE	14,000.00
Superintendent of Elections	S&W	3,000.00
Roads and Bridges	S&W	1,000.00
	OE	10,000.00
Jail	S&W	22,700.00
Human Services	S&W	27,000.00
	OE	1,000.00
Extension Service	S&W	2,000.00
Superintendent of Schools	OE	12,000.00
Veterans and Military Affairs	S&W	1,000.00
NJ State Disability		10,000.00
		<hr/>
		\$ 150,200.00

TO:

Telephone	S&W	\$ 58,000.00
Prosecutor's Office	S&W	62,000.00
Land Use	S&W	200.00
Highway Lighting	OE	3,000.00
Health Department	S&W	27,000.00
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		\$ 150,200.00

On roll call: Ayes – Mr. Brown, Mr. Donnelly, Mrs. O'Brien, Mrs. Reinhart and Mr. Garganio. Nays – none. Resolution adopted.

*** It was moved by Director Garganio, seconded by Freeholder Brown that agenda item no. 3 be approved and asked for a roll call vote: On roll call: Ayes – Mr. Brown, Mr. Donnelly Mrs. O'Brien, Mrs. Reinhart and Mr. Garganio. Nays – none. Resolution No. 10 adopted as follows:

5 **RESOLUTION NO. 10** by Director Garganio, RESOLUTION TO ESTABLISH AND ADOPT A RESPONSIBLE CONTRACTOR POLICY.

WHEREAS, the County of Burlington recognizes that there is a need to ensure that all work on significant public construction and maintenance contracts is performed by responsible, qualified firms that maintain the capacity, expertise, personnel, and other qualifications and resources necessary to successfully perform public contracts in a timely, reliable, safe and cost-effective manner; and

WHEREAS, it is a desirable as a matter of public policy that all workers involved in the construction of significant County Projects have the ability to plan for their future retirement by a retirement plan; and

WHEREAS, in order to effectuate the purpose of selecting responsible contractors for significant public contracts and to protect Burlington County's investments in such contracts, prospective contractors and subcontractors should be required to meet pre-established, clearly defined, minimum standards relating to contractor responsibility, including requirements and criteria concerning qualifications, competency, expertise, adequacy of resources, including equipment, financial, personnel, and satisfactory records regarding past project performance, safety, law compliance and business integrity; and

WHEREAS, due to the critical impact that skilled construction craft labor has on public works projects, and due to the limited availability of skilled construction craft labor and imminent craft labor skill shortages, it is necessary to require contractors and subcontractors to participate in established, formal apprenticeship training programs for the purpose of both promoting successful project delivery and ensuring future workforce development; and

WHEREAS, the County of Burlington also recognizes that it is beneficial to their employees to utilize fair business, employment, and training practices that have a positive impact on local communities affected by such contracts; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders as follows:

1. The County of Burlington shall require compliance with the provisions of this Resolution by business entities seeking to provide services to the County of Burlington as specified herein. The requirements of this Resolution are intended to supplement, not replace, existing contractor qualifications and performance standards or criteria currently required by law, public policy or contracting documents.

2. All contractors and subcontractors that perform significant work on any public facility, including construction, alteration, renovation, repair, service, or maintenance work, shall meet the requirements of this Resolution. For purposes of this Resolution, the term "significant work" shall be defined as any work or activity covered under the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.25 et seq.

3. All firms engaged in contracts covered by this Resolution shall be qualified responsible contractors or subcontractors that have sufficient capabilities in all respects to successfully perform contracts on which they are engaged, including the necessary experience, equipment, technical skills and qualifications and organizational, financial and personnel resources. Firms bidding on public contracts shall also be required to have a satisfactory past performance record and a satisfactory record of law compliance, integrity and business ethics. Compliance with these standards shall be established by compliance with the requirements set forth in paragraph 8 of this Resolution.

4. As a condition of performing work on public works contracts in excess of \$2,000.00 but less than \$499,999.00 total cost of project, the contractor shall provide certification that he and each subcontractor when performing work on the project shall have at least one (1) employee who has successfully completed OSHA 10-hour construction safety and health course onsite. As a condition of performing work on public works contracts of \$500,000.00 or more total cost of project, the general contractor shall

provide certification that he and each subcontractor when performing work on the project shall have at least one (1) employee who has successfully completed OSHA 30-hour construction safety and health course onsite.

5. All contractors and subcontractors that perform significant work on any public facility project shall be required to affirmatively provide evidence of and confirm compliance with proof of participation in an Apprenticeship Program currently registered and approved by the United States Department of Labor (USDOL) or the New Jersey Department of Labor or submit a statement of agreement not to employ any worker of less than journeyman status on the project. Additionally, Apprenticeship Programs shall meet the criteria set forth in Section 8(i) of this Resolution.

6. As a condition of performing work on public works contracts subject to this Resolution, a contractor seeking award of a contract shall submit a Contractor Responsibility Certification at the time it submits its bid for contract.

7. The Contractor Responsibility Certification shall be completed on a form provided by the Burlington County Purchasing Department and shall reference the project for which a bid is being submitted by name and contract or project number.

8. In the Contractor Responsibility Certification, contractors shall certify the following facts regarding their past performance and work history and its current qualifications and performance capabilities:

a. The firm has all valid, effective licenses, registrations or certificates required by federal, state, county, or local law, including, but not limited to, licenses, registrations, or certificates required to: (1) do business in the designated locale; and (2) perform the contract work it seeks to perform. These shall include, but not be limited to, licenses, registrations or certificates for any type of trade work or specialty work which the firm proposes to self-perform.

b. The firm meets the bonding requirements for the contract, as required by applicable law or contract specifications and any insurance requirements, as required by applicable law or contract specifications, including general liability insurance, workers compensation insurance and unemployment insurance requirements.

c. The firm has not been debarred by any federal, state or local government agency or authority in the past three years.

d. The firm has not defaulted on any project in the past three years.

e. The firm has not had any type of business, contracting or trade license, registration, or other certification suspended or revoked in the past three years.

f. The firm has not been cited for a willful violation of federal or state safety laws in the past three years.

g. The firm and/or its owners have not been convicted of any crime relating to the contracting business by a final decision of a court or government agency in the past three years.

h. The firm will pay all craft employees that it employs on the project the current wage rates and benefits as required under applicable Federal or State prevailing wage laws.

i. If applicable, the firm participates in an Apprenticeship Program that is currently registered with the United States Department of Labor or a state apprenticeship agency for each craft or trade in which it apprentices. The firm shall provide proof of meeting this qualification standard by submitting appropriate documentation as an attachment to this Certification. The firm shall continue to participate in applicable apprenticeship programs for the full duration of the contract work.

The apprenticeship program in which the firm participates shall meet the following criteria:

1. The program has graduated at least one (1) enrollee in each of the past three years. If the Program has not been in existence for three years, this requirement shall not apply until the Program has been in existence for three years. At that time, compliance with this criteria is required.

2. The program has graduated at least seventy-five (75) percent of program enrollees in each of the past three years.*

* Graduation rates for any particular year shall be calculated based on the number of enrollees who graduated in a given year divided by the total number of enrollees (and former enrollees) who could have been eligible to graduate in that year had they remained enrolled and timely completed the program. The term "total number of enrollees" shall be computed by counting the total number of persons enrolled in approved Apprenticeship Programs for each separate trade or craft approved by the State of New Jersey. For example, the total number of enrollees in the electrical trade would consist of all persons currently enrolled in an approved Apprenticeship Program for electricians in the State of New Jersey. If the New Jersey based trade or craft conducts education classes outside the State, those attendees shall count as enrollees for purposes of this subparagraph. Enrollees who withdraw for reasons of military service, residence relocation, death, sickness, or hardship as approved by the teaching staff shall not be counted as enrollees for the purposes of calculating the graduation rate.

j. The firm provides health and hospital insurance plans, and an ERISA compliant retirement plan.

9. If any provision of this Resolution shall be held to be invalid or unenforceable by a court of competent jurisdiction, any such holding shall not invalidate any other provisions of this Resolution and all remaining provisions shall remain in full force and effect.

10. Resolution numbers 793, adopted 10/8/08 and 997 adopted 12/30/08 are hereby repealed.

*** It was moved by Director Garganio, seconded by Freeholder Donnelly that agenda item nos. 2 through 16 be approved by unanimous consent. Freeholder Brown asked the Director to remove from unanimous consent agenda items 5, 6 and 7. Freeholder Reinhart asked the Director to remove from unanimous consent agenda item no. 15. Director Garganio moved agenda items 2, 4, 8, 9, 10, 11, 12, 13, 14 and 16, seconded by Freeholder Donnelly. Motion carried. Resolution Nos. 9, 11, 15, 16, 17, 18, 19, 20, 21, 23 adopted.

6 **RESOLUTION NO. 9** by Director Garganio, 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 \$13,417,225.43 be and the same are hereby approved and passed by the Board, and that the Treasurer for the County of Burlington be and he is hereby authorized and directed to issue county checks in payment of same.

7 **RESOLUTION NO. 11** by Director Garganio, CREATION OF THE DEPARTMENT OF SOLID WASTE.

WHEREAS, the Office of Solid Waste Management has functioned as a part of the Department of Resource Conservation and has provided for Solid Waste Management including the functioning of the Burlington County Landfill; and

WHEREAS, the Burlington County Board of Chosen Freeholders believes that due to the increased responsibilities of the Office of Solid Waste Management the best interests of the County and its citizens would be served by the establishment of a stand alone Department of Solid Waste; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that there is established within the administration of the County, a Burlington County Department of Solid Waste effective immediately this 13th day of January, 2010 and that the personnel functioning within the Office of Solid Waste Management under the Department of Resource Conservation be and hereby are transferred to the Department of Solid Waste; and, be it

FURTHER RESOLVED, that those assets in the custody and control of the Office of Solid Waste Management as part of the Department of Resource Conservation be and hereby are transferred to the Department of Solid Waste and the records of the County noted accordingly; and, be it

FURTHER RESOLVED, that the Office of Solid Waste Management within the Department of Resource Conservation be and hereby is dissolved and the positions

abolished and its duties and responsibilities subsumed into the Department of Solid Waste Management created under the terms and authority of this Resolution; and, be it

FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Director of Local Government Services, Department of Community Affairs, State of New Jersey, the New Jersey Civil Service Commission, and all other necessary parties.

- 8 **RESOLUTION NO. 15** by Director Garganio, FIRST AMENDMENT TO AGREEMENT WITH VITETTA IN AN AMOUNT NOT TO EXCEED \$6,440.00 FOR ADDITIONAL WORK NEEDED IN CONNECTION WITH THE PROJECT KNOWN AS RENOVATIONS TO THE OLDE COURTHOUSE AND CHILD ADVOCACY CENTER.

WHEREAS, by Resolution No. 542, adopted on August 13, 2008, the Burlington County Board of Chosen Freeholders ("BOARD") authorized an Agreement for professional services with Vitetta, an architectural firm on the 2008 list of qualified architects, of 901 Route 73 Suite 110, Marlton, NJ 08053, ("FIRM") pursuant to which the FIRM would provide professional services to prepare a study of the Olde Courthouse and Child Advocacy Center in an amount not to exceed \$58,300.00; and

WHEREAS, there is a need to amend the said Agreement for a first time for an amount not to exceed \$6,440.00 for additional services to continued professional services for environmental inspections and repairs to the first floor ceiling of the Olde Courthouse; and

WHEREAS, there are sufficient monies available in Account No. 60-7001-111582 to increase the amount payable by said sum, 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 the attached First Amendment to the above-described Agreement, increasing the maximum sum payable by \$6,440.00 for a total contract amount of \$64,740.00 is hereby approved and the proper County officials are hereby authorized to execute said Amendment; and, be it

FURTHER RESOLVED that notice of this action shall be published in accordance with the requirements of the Law.

- 9 **RESOLUTION NO. 16** by Director Garganio, DONATION AUTHORIZED FOR A 1992 CHEVROLET BLAZER TO THE BURLINGTON COUNTY INSTITUTE OF TECHNOLOGY.

WHEREAS, pursuant to N.J.S.A. 40:23-26, the Board of Chosen Freeholders of the County of Burlington (hereinafter, "County") is authorized to donate used equipment to any institution in a manner which is not inconsistent with the laws of the State of New Jersey and of the United States; and

WHEREAS, the Burlington County Institute of Technology, 695 Woodlane Road, Westampton, NJ 08060 has expressed a desire to acquire from the County a used 1992 Chevrolet Blazer VIN# 1GNDT13W7N2178585 which is no longer required for regular departmental use and is suitable for the purposes expressed by the Burlington County Institute of Technology; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that it does hereby donate to the Burlington County Institute of Technology the above-described vehicle; and, be it

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

FURTHER RESOLVED, such equipment is being sold in "as is" condition, with no warranties, expressed or implied, as to the condition, operation, maintenance or mechanics of such equipment; and, be it

FURTHER RESOLVED, that the County Administrator, Clerk of the Board or Freeholder Director take any action necessary to effectuate this transfer; and, be it

FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Burlington County Institute of Technology, 695 Woodlane Road, Westampton, NJ 08060.

- 10 **RESOLUTION NO. 17** by Director Garganio, AUTHORIZATION TO ADVERTISE FOR BIDS FOR BURLINGTON COUNTY WELL #9 RE-DRILLING, PEMBERTON

TOWNSHIP FOR THE DEPARTMENT OF BUILDINGS AND GROUNDS AND THE FREEHOLDERS OFFICE.

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that the plans and specifications prepared and submitted by Environmental Resolutions, Inc., are hereby approved for the following solicitation:

“BURLINGTON COUNTY WELL #9 REDRILLING, PEMBERTON TOWNSHIP
PEMBERTON, NEW JERSEY, 08068”
(CPU-10-0020)

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 at the Buttonwood Hospital Conference Room “B”, on Thursday, February 4, 2010 at 10:00 a.m. local prevailing time; and, be it

RESOLVED that Site Visits will be held for all prospective bidders by appointment only, for an appointment call (609) 265-5011; now, therefore be it

FURTHER RESOLVED that said bids will be publicly received in the Freeholder’s Board Room on Tuesday, February 23, 2010 at 10:30 a.m. local prevailing time.

11 **RESOLUTION NO. 18** by Director Garganio, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR PROPOSALS FOR FINANCIAL CONSULTANT SERVICES FOR THE YEARS 2010 AND 2011 AND AN OPTION FOR ONE ADDITIONAL YEAR.

WHEREAS, FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY, (RFP-10-0031) 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, FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY is one of the specialized services which may be procured through the use of the competitive contracting process (N.J.S.A. 40A:11-4.1(i), that is exempt from bidding pursuant to section 5 of P.L.1971, c. 198, (C.40A;11-5); 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 FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY, 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 FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY, (RFP-10-0031), 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 for the FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY, (RFP-10-0031), will be publicly received in the Freeholder’s Board Room on TUESDAY, February 23, 2010 at 10:30 a.m. local prevailing time.

12 **RESOLUTION NO. 19** by Director Garganio, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR PROPOSALS FOR AN ACCOUNTING FIRM TO

PROVIDE SERVICES AS THE BURLINGTON COUNTY AUDITOR FOR THE YEARS 2010 AND 2011 AND AN OPTION FOR ONE ADDITIONAL YEAR.

WHEREAS, services of a Burlington County Auditor are exempt from public bidding as a professional service pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the services of a Burlington County Auditor are services required by law in the fulfillment of the financial responsibilities of Burlington County; and

WHEREAS, Chapter 19 of the Public Laws of 2005 provides that such contracts with an anticipated value in excess of \$17,500 must be awarded through a Fair and Open Process; and

WHEREAS, the contract with an accounting firm to provide the services of the Burlington County Auditor has an anticipated value in excess of \$17,500; and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington finds that the Fair and Open Process described below is a fair and open process through which a contract with an accounting firm to provide services as the Burlington County Auditor can be made; now, therefore, be it

RESOLVED that the following Fair and Open Process shall be utilized in awarding a two-year contract for Burlington County Auditor for the years 2010 and 2011 with an option for the additional year of 2012:

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

2. The Request for Proposals shall be advertised in accordance with N.J.S.A. 19:44A-20.7 and 20.8 with a Notice describing the services to be provided as the Burlington County Auditor to the Board of Chosen Freeholders; providing the time, date and place proposals must be submitted; providing contact information for obtaining the Request for Proposals document, and including a statement that proposals are being solicited through a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.4 et seq.

3. A Review Committee of not less than two persons, one of whom shall be the Burlington County Chief Financial Officer or his designee, shall be established to evaluate the Proposals received in accordance with the criteria and to make a recommendation in writing to this Board as to the Proposal that is most advantageous, price and other factors considered.

4. The recommendation of the Review Committee, if accepted by the Board, shall be formally adopted and approved by this Board by Resolution awarding a two-year contract for Burlington County Auditor for the years 2010 and 2011 with an option for the additional year of 2012.

13 **RESOLUTION NO. 20** by Director Garganio, AUTHORIZATION TO ADVERTISE FOR BIDS FOR MAINTENANCE OF GROUNDS AND LAWN AREAS FOR THE PARKS DEPARTMENT.

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

MAINTENANCE OF GROUNDS AND LAWN AREAS,
BURLINGTON COUNTY DIVISION OF PARKS
(CPU-10-0009)

And, be it;

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

RESOLVED that a Pre-Bid Conference will be held for all prospective bidders in the Freeholder's Board Room on Thursday, January 28, 2010 at 10:00 a.m. local prevailing time; and, be it

FURTHER RESOLVED that said bid will be publicly received in the Freeholder's Board Room on Tuesday, February 9, 2010 at 10:30 a.m. local prevailing time.

14 **RESOLUTION NO. 21** by Director Garganio, RESOLUTION TO AWARD CONTRACTS THROUGH THE PURCHASING DEPARTMENT.

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

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

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

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

1. Bids were received on November 24, 2009, as authorized per Resolution #709 dated October 14, 2009, for the solicitation titled "AUXILIARY ON-CALL HOSPITAL STAFFING 2010-2012" (CPU-10-0001).

General Healthcare Resources, Inc.
261 Connecticut Drive, Suite 5
Burlington, NJ 08016

Estimated Amount of Award.....\$ 44,313.40

Onward Healthcare, Inc.
64 Danbury Road
Wilton, CT 06897

Estimated Amount of Award.....\$ 46,030.00

ATC Healthcare Services, Inc.
200 Barclay Center, Ste. 250
Cherry Hill, NJ 08034

Estimated Amount of Award.....\$ 46,890.00

Medical Staffing Services, Inc.
557 Cranbury Road
East Brunswick, NJ 08816

Estimated Amount of Award.....\$ 47,335.80

NursePride Care Partners, LLC
152 Garrett Road
Upper Darby, PA 19082

Estimated Amount of Award.....\$ 47,040.00

All American Health Care Services, Inc.
1374 Whitehorse Hamilton Square Road, #103
Hamilton, NJ 08690-3701

Estimated Amount of Award.....\$ 47,525.00

Medtalents, Inc.
155 N. Washington Avenue
Bergenfield, NJ 07621

Estimated Amount of Award.....\$ 47,619.00

ESTIMATED TOTAL AMOUNT OF AWARD.....\$326,753.20

(NOTE: For Years One (1) and Two (2)).

- 15 **RESOLUTION NO. 23** by Director Garganio, 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.

Caryn Cutts, Administrative Clerk, Engineering. Commenced duties on 6/30/08 at \$39,108 per annum. Provisional appointment pending promotional examination.

Hailey A. Danielson, Intern, Resource Conservation. Commenced duties on 6/1/09 at \$11.00 per hour. Temporary appointment six months or less.

Jonathan N. Saloka, Student Assistant, Information Technology. Commenced duties on 8/31/09 at \$8.00 per hour. Unclassified appointment.

Barbara J. Flanagan, Planning Aide, Resource Conservation. Commenced duties on 3/8/09 at \$19.26 per hour. Temporary appointment six months or less.

Sean Eriksson, Intern, Resource Conservation. Commenced duties on 1/28/08 at \$11.50 per hour. Temporary appointment six months or less.

William T. Whitehurst, Food Service Worker, Office on Aging. Commenced duties on 9/9/09 at \$12.52 per hour. Permanent appointment to non-competitive division position.

Nathaniel K. Talbert, Supervising Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 9/6/09 at \$50,358 per annum. Temporary appointment six months or less.

Kristofer M. Oesterle, Senior Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 9/6/09 at \$37,328 per annum. Temporary appointment six months or less.

Yashika L. Carter, Food Service Worker, Buttonwood Hospital. Commenced duties on 9/21/09 at \$26,151 per annum. Permanent part-time to permanent full-time.

James M. Juniak, Recreation Therapy Aide, Buttonwood Hospital. Commenced duties on 9/21/09 at \$29,234 per annum. Temporary appointment six months or less.

Ashiya T. Carter, Food Service Worker, Buttonwood Hospital. Commenced duties on 9/20/09 at \$26,151 per annum. Temporary appointment six months or less.

Sharon S. Atkinson, Clerk, Tax Board. Commenced duties on 9/21/09 at \$26,151 per annum. Temporary appointment six months or less.

Abigail E. Cipriano, Senior Clerk Typist, County Clerks Office. Commenced duties on 9/22/09 at \$29,676 per annum. Permanent appointment from promotional certification.

Holly Funkhouser Cucuzzella, Director of Health Education, Health Department. Commenced duties on 10/6/09 at \$59,438 per annum. Permanent appointment from promotional certification.

Lisa L. Drone, Head Nurse, Buttonwood Hospital. Commenced duties on 9/28/09 at \$55,000 per annum. Permanent appointment from open competitive certification.

Chris Mumma, Clerk, County Clerks Office. Commenced duties on 10/5/09 at \$12.52 per hour. Permanent appointment to non-competitive division position.

Anna Mae V. Powell, Clerk, Election Board. Commenced duties on 10/5/09 at \$12.52 per hour. Temporary appointment six months or less.

Shannon L. Ritter, Institutional Attendant, Buttonwood Hospital. Commenced duties on 10/4/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Nicholas M. Biacco, Assistant Storekeeper, Office on Aging. Commenced duties on 3/23/09 at \$33,360 per annum. Provisional appointment pending qualifying examination.

Jessica L. Truex, Residential Service Worker, Buttonwood Hospital. Commenced duties on 10/19/09 at \$26,151 per annum. Permanent appointment to non-competitive division position.

Roselyn N. Wright, Hospital Attendant, Buttonwood Hospital. Commenced duties on 10/19/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Robert L. Tracy, Boiler Operator/Maintenance Repairer, Buttonwood Hospital. Commenced duties on 10/19/09 at \$32,936 per annum. Provisional appointment pending open competitive examination.

Eileen V. Purifory, Hospital Attendant, Buttonwood Hospital. Commenced duties on 10/19/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Mary E. Palmer, Hospital Attendant, Buttonwood Hospital. Commenced duties on 10/19/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Sarah S. Kitchell, Student Assistant, Buttonwood Hospital. Commenced duties on 10/19/09 at \$9.00 per hour. Unclassified position.

Jasmine O. Gittens, Food Service Worker, Buttonwood Hospital. Commenced duties on 10/19/09 at \$12.52 per hour. Temporary appointment six months or less.

Sabriyyah A. Fienagha, Practical Nurse, Buttonwood Hospital. Commenced duties on 10/19/09 at \$38,628 per annum. Permanent appointment to non-competitive division position.

Marc E. Crabtree, Residential Service Worker, Buttonwood Hospital. Commenced duties on 10/19/09 at \$26,151 per annum. Permanent appointment to non- competitive division position.

Glenn F. Tighe, Assistant Director of Information Technology, Information Technology. Commenced duties on 10/13/09 at \$104,122 per annum. Permanent appointment from promotional certification.

*** It was moved by Director Garganio, seconded by Freeholder Donnelly to approve agenda item no. 5. Freeholder Brown abstained from this agenda item. Motion carried. Resolution No. 12 adopted as follows:

16 **RESOLUTION NO. 12** by Director Garganio, AUTHORIZATION TO APPROVE SALARY AND WAGE INCREASES EFFECTIVE 1/1/10 FOR THE FOLLOWING: CWA LOCAL 1034 COUNTY AND LIBRARY EMPLOYEES; CWA LOCAL 1034 SUPERINTENDENT OF ELECTION EMPLOYEES; CWA LOCAL 1034 PROSECUTOR'S CLERICAL; CWA LOCAL 1034 HIGHWAY SUPERVISORS; PBA LOCAL 320 PROSECUTOR'S LIEUTENANTS AND SERGEANTS; PBA LOCAL 320 PROSECUTOR'S DETECTIVES AND INVESTIGATORS; ONE-STEP SALARY INCREASE FOR FOP LODGE #166 SHERIFF'S OFFICERS; SHERIFF'S INVESTIGATORS AND PBA LOCAL #249 CORRECTIONS OFFICERS AND SUPERIORS.

BE IT RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the County Treasurer is authorized and directed to pay the attached salaries, effective January 1, 2010, in accordance with the following labor agreements:

- CWA Local 1034, County & Library employees
- CWA Local 1034, Superintendent of Elections Employees
- CWA Local 1034, Prosecutor's Clerical
- CWA Local 1034, Highway Supervisors
- PBA Local 320, Prosecutor's Lieutenants and Sergeants
- PBA Local 320, Prosecutor's Detectives and Investigators

and be it,

FURTHER RESOLVED, that the attached salaries for eligible employees to move one-step on the salary scale for FOP Lodge #166, Sheriff's Officers, to include unrepresented Sheriff's Investigators, and, in both PBA Local #249 units are hereby approved to be paid effective January 1, 2010; and

FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the State Civil Service Commission.

*** It was moved by Director Garganio, seconded by Freeholder Donnelly to approve agenda item no. 6. Freeholder Brown abstained from this agenda item. Motion carried. Resolution No. 13 adopted as follows:

17 **RESOLUTION NO. 13** by Director Garganio, RESOLUTION SUPPLEMENTING RESOLUTION NO. 983 ADOPTED ON DECEMBER 30, 2008 AWARDED A CONTRACT TO CAPEHART AND SCATCHARD IN AREA OF PUBLIC SECTOR LABOR LAW FOR THE YEAR 2009 IN THE AMOUNT OF \$4,014.00.

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 Burlington County Solicitor's Office (BCSO) has a significant recurring need for specialized legal services in connection with the proper representation of the County; and

WHEREAS, the Board adopted Resolution No. 800 on November 12, 2008 which authorized the public advertisement of a Request for Qualifications (RFQ) for one or more attorneys, duly licensed in the State of New Jersey, to provide designated specialized legal services; and

WHEREAS, on December 3, 2008, RFQ packages submitted to Burlington County were publicly opened; and

WHEREAS, by Resolution being authorized this date, the Board established Qualified Attorney/Firm Lists for certain areas of specialized legal services; and

WHEREAS, through inadvertence, the firm of Capehart and Scatchard which was listed in Resolution No. 982 adopted December 30, 2008 as one of the attorneys in the public sector labor law pool, but was not listed as a firm to which a contract was awarded in Resolution No. 983 also adopted on December 30, 2008; and

WHEREAS, services were rendered by said Capehart and Scatchard in the area of public sector labor law in the year 2009 in the total sum of \$4,014.00 for which payment is due and owing; and

WHEREAS, funds are available for this purpose in the amount set forth above in Account No. 10-0006-033809 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore, be it

WHEREAS, the Board wishes to supplement Resolution No. 983 by the passage of this Resolution in order to provide for payment of legal services received and for which payment is due and owing; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that the firm of Capehart and Scatchard is appointed by the Board as public sector/labor law attorneys for the year 2009 nunc pro tunc in order to provide for payment of sums due and owing; and, be it

FURTHER RESOLVED, that the County Administrator is hereby authorized to execute and deliver agreements in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED, that this agreement has been awarded to a fair and open process and as a professional service under N.J.S.A. 40A:11-5(1)(a); and, be it

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

*** It was moved by Director Garganio, seconded by Freeholder Donnelly to approve agenda item no. 7. Freeholder Brown abstained from this agenda item. Motion carried. Resolution No. 14 adopted as follows:

18 **RESOLUTION NO. 14** by Director Garganio, SECOND AMENDMENT TO AGREEMENT WITH CAPEHART & SCATCHARD IN THE AMOUNT OF \$23,484.85 FOR ENVIRONMENTAL, LAND USE, REGULATORY AND OTHER RELATED MATTERS.

WHEREAS, by Resolution No. 1061 authorized on December 28, 2007 the Board entered into an agreement with Capehart and Scatchard for legal representation for the County for environmental, land use, regulatory and other related matters for the period January 1, 2008 through December 31, 2008; and

WHEREAS, said agreement was amended for the first time on December 10, 2008 by Resolution No. 916; and

WHEREAS, there exists a need for Burlington County to enter into an Amendment for such professional services; and

WHEREAS, the law firm below is well qualified and the amounts of such agreement and amendments for these firms shall be as follows:

<u>Law Firm</u>	<u>Services</u>	<u>Amendment</u>
Capehart & Scatchard (Second Amendment)	Environmental, land use, regulatory and other related matters	\$23,484.85

WHEREAS, funds will be made available for these purposes in the 2010 budget; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. provides that amendments for professional services such as the one proposed herein may be awarded without competitive bidding; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington as follows:

1. The attached Second Amendment to Agreement between the Board of Chosen Freeholders of the County of Burlington and Capehart and Scatchard is hereby approved.
2. All terms and conditions of the original agreement and amendments, if applicable, between the parties shall remain in full force and effect.
3. The proper County officials of the Board are hereby authorized and directed to execute, attest, seal and deliver the Amendment, in accordance with the Rules of the Board.
4. This Second Amendment is awarded without competitive bidding as professional services in accordance with N.J.S.A. 40A:11-1 et. seq., the Local Public Contracts Law. The services to be performed pursuant to the attached Contract and Amendments are to be performed by a person authorized by law to practice as recognized profession.
5. Notice of this action shall be printed once in the Burlington County Times within ten (10) days of its passage, as required by law.

*** It was moved by Director Garganio, seconded by Freeholder O'Brien to approve agenda item no. 15. Freeholder Brown abstained from this agenda item. Freeholder Reinhart opposed this agenda item. Motion carried. Resolution No. 22 adopted as follows:

19 **RESOLUTION NO. 22** by Director Garganio, POSITIONS CREATED AND ABOLISHED IN VARIOUS DEPARTMENTS AS PER THE PERSONNEL COMMITTEE MEETING 1/6/10.

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

	RANGE	HOURS
RESOURCE CONSERVATION (Parks):		
Create:		
02248 1 Laborer	08	40
Abolish: 1 Senior Maintenance Repairer		
RESOURCE CONSERVATION (Solid Waste):		
Abolish: 1 Confidential Assistant UA		
SOLID WASTE:		
Create:		
05306 1 County Department Head UA		
WEIGHTS & MEASURES:		
Create:		
00445 1 Assistant Superintendent of Weights & Measures	17	40
Abolish: 1 Weights & Measures Apprentice		

and be it,

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

*** It was moved by Freeholder Brown, seconded by Freeholder Reinhart that the following three (3) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 24 through 26 adopted.

20 **RESOLUTION NO. 24** by Freeholder Brown, AUTHORIZATION TO SUBMIT THE EQUITABLE SHARING AGREEMENT AND CERTIFICATION AND PARTICIPATION IN THE SHARING OF FEDERALLY FORFEITED ASSETS FOR THE CALENDAR 2010 CALENDAR YEAR FOR THE PROSECUTOR'S OFFICE.

WHEREAS, the United States Government provides for the equitable sharing of property that is forfeited through the Department of Justice, pursuant to federal administrative and judicial proceedings, with local law enforcement agencies on certain conditions specified in an agreement and standards incorporated therein; and

WHEREAS, participation in receipt of a portion of the proceeds from federal prosecutions is in the best interest of Burlington County; now therefore, be it

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

1. As a matter of public policy, the Burlington County Prosecutor's Office wishes to participate to the fullest extent the United States Departments of Justice.
2. The United States Departments of Justice shall be responsible for the receipt, review and approval for the Burlington County Prosecutor's Office Equitable Sharing Agreement and Annual Certification.
3. The United States Departments of Justice shall initiate shares of forfeited property to each applicant as authorized.
4. The County of Burlington shall, on behalf of the Burlington County Prosecutor's Office, administer the funds it receives from the United States Departments of Justice in accordance with the terms of the agreement.
5. The Burlington County Administrator and the Burlington County Prosecutor shall be authorized to execute any document, application or form necessary to accept funds under the Equitable Sharing Agreement.
6. The Burlington County Treasurer is hereby directed to use the funds it receives from The United States Departments of Justice as permitted by the Equitable Sharing Agreement.

- 21 **RESOLUTION NO. 25** by Freeholder Brown, AUTHORIZATION FOR CONTINUED PARTICIPATION IN THE INSURANCE FRAUD REIMBURSEMENT PROGRAM AND TO ACCEPT AND SIGN THE PROJECT AWARD CONTRACTS FOR CYCLE 10 1/1/10 THROUGH 12/31/10 AWARDED REIMBURSEMENT IN THE AMOUNT OF \$238,512 FOR THE PROSECUTOR'S OFFICE.

WHEREAS, the State of New Jersey, Division of Criminal Justice, Office of the Insurance Fraud Prosecutor, (hereinafter "Office of the Insurance Fraud Prosecutor") has been designated by the New Jersey State Legislature to implement funding reimbursement for anti-insurance fraud activities, pursuant to N.J.S.A. 17:33A-28; and

WHEREAS, by Resolution No. 703 that was passed by the Board of Chosen Freeholders on October 14, 2009, the Burlington County Prosecutor's Office was authorized to apply for funding to implement an action plan under the County Prosecutor Insurance Fund Reimbursement program (hereinafter "the Program"); and

WHEREAS, by letter dated December 09, 2009, the Burlington County Prosecutor's Office was notified by the State of New Jersey Office of the Attorney General that a total funding amount of \$238,512 is to be awarded to the Prosecutor's Office for Cycle 10 of the Program; and

WHEREAS, a resolution authoring the application for continued participation and the acceptance of this funding is required as a prerequisite to the release of Cycle 10 funds; and

WHEREAS, the project is a joint effort between the Office of Insurance Fraud Prosecutor and the Burlington County Prosecutor's Office for the purpose described in the application; now, therefore, be it

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

1. As a matter of public policy, the Burlington County Prosecutor's Office wishes to participate to the fullest extent possible with the Office of the Insurance Fraud Prosecutor.
2. The New Jersey Attorney General has allocated funds dedicated for the purpose of reimbursing County Prosecutors for anti-insurance fraud activities.
3. The Office of the Insurance Fraud Prosecutor shall be responsible for the receipt, review and approval of the application for such funds.
4. The Office of the Insurance Fraud Prosecutor shall initiate allocations to each applicant as authorized.
5. The County of Burlington, on behalf of the Burlington County Prosecutor's Office is authorized to receive the sum of \$238,512 and shall administer the funds it receives from the Office of the Insurance Fraud Prosecutor in accordance with the terms of the proposed Project Budget.
6. The Burlington County Administrator and the Burlington County Prosecutor shall be authorized to execute the Project Award Contract(s) and any other document, including but not limited to, agreements or forms that are required in order to receive funds under the Program.
7. The Burlington County Treasurer is hereby directed to use the funds it receives from the Office of the Insurance Fraud Prosecutor as permitted by the Program.

- 22 **RESOLUTION NO. 26** by Freeholder Brown, AUTHORIZATION TO PURCHASE ONE KM-2560 COPIER WITH ACCESSORIES FOR THE PROSECUTOR'S OFFICE IN AN AMOUNT NOT TO EXCEED \$5,399.00 FROM KYOCERA MITA AMERICA, INC. AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, Burlington County wishes to purchase ONE (1) KM 2560 DIGITAL COPIER with ACCESSORIES for the Burlington County Prosecutor's Office, 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, 2010; 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 ONE (1) KM 2560 DIGITAL COPIER with ACCESSORIES for the Burlington County Prosecutor's Office, will not exceed \$5,399.00; and

WHEREAS, funds are available for this purpose in Account No. 60-7001-109882 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 ONE (1) KM 2560 DIGITAL COPIER with ACCESSORIES, for the Burlington County Prosecutor's Office, in an amount not to exceed \$5,399.00.

*** It was moved by Freeholder Donnelly, seconded by Freeholder O'Brien that the following five (5) items be approved by unanimous consent. Freeholder Brown abstained from this agenda item. Motion carried. Resolution Nos. 27 through 31 adopted.

23 **RESOLUTION NO. 27** by Freeholder Donnelly, LOAN AND MORTGAGE APPROVED WITH TWO FIRST TIME HOMEBUYERS; CANDICE GOLDSMITH, EVESHAM TOWNSHIP, AND JESSICA JEAN-MARIE, WILLINGBORO TOWNSHIP IN THE AMOUNT OF \$9,000 EACH PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") has received funds from the U.S. Department of Housing and Urban Development pursuant to Home Investment Partnership 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>Applicants</u>	<u>File no.</u>	<u>Property Location</u>	<u>Loan Amount</u>
Candice M. Goldsmith	FTHB10-22-13GS	Evesham Twp.	\$9,000.00
Jessica N. Jean-Marie	FTHB10-23-38GS	Willingboro Twp.	\$9,000.00

WHEREAS, the Board has reviewed and approved the Community Development Office's recommendation that loans be made to the Applicants for these purposes; and

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

RESOLVES as follows:

1. The County's 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.

24 **RESOLUTION NO. 28** by Freeholder Donnelly, LOAN AND MORTGAGE APPROVED FOR CATHERINE MANN, WILLINGBORO TOWNSHIP FOR A HOME IMPROVEMENT LOAN IN THE AMOUNT OF \$19,870 PURSUANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") has received funds from the U.S. Department of Housing and Urban Development ("HUD") Block Grant no. 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-applicant satisfies the criteria established for this program, and housing code violations of the owner's property can be ameliorated with a loan from the County; and

<u>Owner</u>	<u>Case no.</u>	<u>Property Location</u>	<u>Rehab Cost</u>	<u>Title Costs</u>
Catherine Mann	36-13-38LS	Willingboro	\$19,695.00	\$175.00

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

WHEREAS, the amount reported as "Rehab Cost" above 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 to make 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 owner on (a) the CD Office's determination that conditions of the contract between the owner and contractor have been satisfied and (b) receipt of forms and documents required for the processing of payments.

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

25 **RESOLUTION NO. 29** by Freeholder Donnelly, APPROVAL OF A GRANT FOR HELEN BOLMER, MT. LAUREL TOWNSHIP, ELIGIBLE FOR UP TO \$5,000 FOR THE EMERGENCY HEATER REPLACEMENT PROGRAM PURSUANT TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BLOCK GRANT

PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") has received funds from the U.S. Department of Housing and Urban Development through Block Grant no. B09-UC-34-0001, funds from which are used to make grants to eligible Burlington County homeowners to replace inefficient and/or inoperable home heating systems; and

WHEREAS, the 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>Property Location</u>	<u>Grant Amount</u>
Helen Bolmer	HRP05-33-24LH	Mount Laurel	\$2,490.00

WHEREAS, the amount reported above is available in account no. 31-0701-052009 to make this grant, as evidenced by the certification of Burlington County's Chief Financial Officer filed herewith; and

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

RESOLVES, as follows:

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

26 **RESOLUTION NO. 30** by Freeholder Donnelly, APPROVAL OF A GRANT FOR KAREN FENTON, WESTAMPTON TOWNSHIP, ELIGIBLE FOR UP TO \$5,000 FOR THE EMERGENCY HEATER REPLACEMENT PROGRAM PURSUANT TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") has received funds from the U.S. Department of Housing and Urban Development through Block Grant no. B09-UC-34-0001, funds from which are used to make grants to eligible Burlington County homeowners to replace inefficient and/or inoperable home heating systems; and

WHEREAS, the County's Community Development Office ("CD Office") found Karen H. Fenton of Westampton Township (Case no. HRP 05-30-37LH) financially eligible for a \$5,000.00 Heater Replacement Program grant; and

WHEREAS, notwithstanding the CD Office's determination of Ms. Fenton's financial eligibility, it rejected her application for the grant because of Ms. Fenton's failure to comply with procedures established for the Program; and

WHEREAS, Ms. Fenton appealed the CD Office's decision to the Board; and

WHEREAS, the Board has reviewed the matter and found that Ms. Fenton (a) is a senior citizen; (b) may not have clearly understood that she was required to wait to replace her existing heater until all Program prerequisites were satisfied and (c) was under certain duress because she had been without heat and hot water since the end of October 2009; and

WHEREAS, in light of the above findings and, in addition, in light of the fact that the average temperature in December 2009 for the Philadelphia region was 36.4 degrees and there were 4 "Code Blue" days in Burlington County prior to December 17 (the start of the boiler replacement work), it has determined to approve Ms. Fenton's application,

subject to the CD Office's confirmation that, in fact, the heating unit in her dwelling had been red-tagged or was at least 25 years old; and

WHEREAS, \$5,000.00 is available in account no. 31-0701-052009 to make this grant, as evidenced by the certification of the County's Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES, as follows:

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

27 **RESOLUTION NO. 31** by Freeholder Donnelly, AGREEMENT WITH THE BURLINGTON COUNTY BOARD OF SOCIAL SERVICES IN AN AMOUNT NOT TO EXCEED \$251,590.00 TO PROVIDE CASE MANAGEMENT FOR THE COUNTY WORK FIRST CUSTOMERS FOR THE CALENDAR YEAR 2010 FOR THE WORKFORCE INVESTMENT BOARD.

WHEREAS, the State of New Jersey, Department of Labor and Workforce Development, has awarded the Burlington County Board of Chosen Freeholders ("Board") \$251,590.00 for Work First Case Management Services in the Burlington County Workforce Investment Board ("WIB") area for calendar year 2010; and

WHEREAS, the Board has determined to allocate \$144,068.00 of these funds for Work First New Jersey Temporary Assistance to Needy Families (TANF) and \$107,522.00 for Food Stamp Employment and Training (FSE&T) and General Assistance recipients not receiving Food Stamps (GA); and

WHEREAS, the Board and WIB have determined that the Burlington County Board of Social Services ("BSS") could best serve as the agency to oversee the case management and service provision to TANF, FSE&T and GA clients, with the Burlington County One-Stop Career Center and the WIB providing necessary assistance, oversight, monitoring, training and education services to ensure that the funds are expended in accordance with the WIB's Comprehensive Five-Year Plan and "To-Work" Consolidation Plan; and

WHEREAS, BSS has indicated its willingness to provide the needed services and the Board, WIB and BSS are authorized by N.J.S.A. 40:65-1 et seq. to enter into contracts for the joint provision of services; and

WHEREAS, \$107,522.00 is available in account no. 13-0686-033609 and \$144,068.00 is available in account no. 13-0681-033709 to fund a contract with BSS for these services, as evidenced by the certification of the County's Chief Financial Officer filed herewith; now therefore, the Board

RESOLVES that an agreement for the above-described purposes, which has been approved as to form and content by the County Solicitor, is approved and its execution in accordance with the Rules of the Board is authorized.

*** It was moved by Freeholder Reinhart, seconded by Freeholder Donnelly that the following item be approved by unanimous consent. All in favor. Motion carried. Resolution No. 32 adopted.

28 **RESOLUTION NO. 32** by Freeholder Reinhart, AGREEMENT WITH CARE PERSPECTIVES, INC. IN THE AMOUNT OF \$9,000.00 TO PROVIDE COMPLIANCE CONSULTING SERVICES FOR BUTTWOOD HOSPITAL FOR THE TERM 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, 657 adopted on September 23, 2009, the Burlington County Board of Chosen Freeholders ("the Board") authorized Buttonwood Hospital of Burlington County to advertise a Request for Qualifications (RFQ) seeking qualified compliance consultant to provide consulting services for the performance of the specified duties for the term of January 1, 2010 through December 31, 2010; and

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

WHEREAS, a committee within Buttonwood Hospital has reviewed and evaluated submissions received in response to the RFQ and has submitted a written report to the Board, advising that Care Perspectives, Inc., with offices located at 1503 South Main Street, Phillipsburg, NJ 08865 the most qualified to provide compliance consulting services to Buttonwood Hospital; and

WHEREAS, the designated review committee negotiated and reached a tentative agreement as to terms with Care Perspectives Inc., 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 Care Perspectives Inc., be awarded a contract to perform the designated compliance consulting; and

WHEREAS, the Board and said compliance consultant 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>
Care Perspectives Inc.	Compliance Consultant	\$ 9,000.00

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 Care Perspectives Inc., 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.

29 APPOINTMENT BY DIRECTOR TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE FOR 2010.

Director Garganio made the following appointments to the Community Development Advisory Committee for 2010:

Jeanne Borkowski	Derrick Bennis
Gary Miller	Matthew Johnson
Robert Santare	Carol Marmero
Vernon Hill	Christopher Baxter

Jeff Wright
 Kenilla Xavier
 Eric Berry
 Matthew Reilly
 Kevin Brown

James Demontigney
 Robert Giacomelli
 Christopher Van Brunt

- 30 NOMINATION AND ELECTION OF KEVIN BROWN AS CITIZEN ALTERNATE TO THE BURLINGTON COUNTY PLANNING BOARD FOR A ONE YEAR TERM TO EXPIRE DECEMBER 31, 2010 AND PATRICIA STEELE AS A CITIZEN ALTERNATE FOR A THREE YEAR TERM TO EXPIRE ON DECEMBER 31, 2012 AND TED D'ANNUNZIO FOR CITIZEN MEMBER FOR A THREE YEAR TERM TO EXPIRE ON DECEMBER 31, 2012.

Freeholder Donnelly placed in nomination the names of Kevin Brown, Patricia Steele and Ted D'Annunzio as members to the Burlington County Planning Board.

The voting being unanimous, Director Garganio declared them elected to the Burlington County Planning Board for the following terms:

Kevin Brown, Citizen Alternate – term to expire December 31, 2010
 Patricia Steele, Citizen Alternate – term to expire December 31, 2012
 Ted D'Annunzio, Citizen Member – term to expire on December 31, 2012

- 31 PUBLIC COMMENTS.

- 1) Rich Dow, Mount Holly Township, addressed the Board regarding agenda item no. 8.
- 2) Richard Young, Lumberton Township, addressed the Board regarding the clean up of the Rancocas Creek.
- 3) Dennis Doyle, representative from the Electrician's Union, thanked the Board for working with the building trades and approving agenda item no. 3 (Resolution no. 10)
- 4) Leon Jones, representative from brick layers, also thanked the Board task force regarding agenda item no. 3 (Resolution no. 10)
- 5) Brian Camp, thanked the Board for the responsible contractor language resolution (no. 10), which enhanced the current resolution.

- 32 COMMENTS BY FREEHOLDERS.

1) Freeholder Reinhart commended and complimented all on the Responsible Contractor Language Task Force and thanked them for all their time. Freeholder Reinhart further stated that she believes the end product is best for everyone. Freeholder Reinhart also reminded everyone about "go red for women" and stated that most people don't realize the impact that heart attacks and strokes have on women today. Freeholder Reinhart announced an event called "Save the Date" February 18, 2010 to be held at the Merion Caterers and reminded everyone that heart disease is the number one killer of women. Freeholder Reinhart also commented on agenda item no. 4 (creation of the Department of Solid Waste), and agenda item no. 9 (donation of vehicle to BCIT) Freeholder Reinhart thanked everyone for attending and asked for ideas and suggestions and whether they are complaints or compliments it helps determine how the Freeholders did a job or could do a better job.

2) Freeholder Brown stated why he abstained from agenda item no. 5 to approve salary and wage increases. Freeholder Brown stated that the increases in the resolution were agreed to under the current union contracts and this resolution was just procedural and didn't feel the resolution was relevant since the County is already obligated. Freeholder Brown also stated regarding the Responsible Contractor Language, that all parties sat together and this Resolution makes safety and fiscal sense, and between the bi-partisan work of Freeholder Reinhart and Freeholder Donnelly as well as the Unions, everyone came together and crafted and finalized a Resolution that enhanced what the County started and added an additional 10% of items in the Resolution that was adopted today. Freeholder Brown commented that he was extremely proud to vote on this and was extremely proud of the private side of the ABC contractors and stated they were active in making sure that jobs are safe and the Resolution also allows Burlington County residents to know that the Board is committed to getting them back to work, and by going through the apprentice program, they are well trained and will not be excluded from the bid process. Freeholder Brown welcomed more ideas to come before the Board.

3) Freeholder O'Brien stated she was happy to vote on the Responsible Contractor Language resolution. Freeholder O'Brien also mentioned the Consumer Affairs Department was participating in a foreclosure forum to be held at the Burlington County

College and urged if you know anyone in that situation who may be facing foreclosure to let them know there will be a lot of information out there tomorrow night at Burlington County College between 7 and 9 p.m.

4) Freeholder Donnelly thanked individuals from the various unions and contractors for good dialogue, and Freeholder Reinhart for dialogue that enhanced the original Responsible Contractor Language Resolution. Freeholder Donnelly also thanked Walt Tafe, Veterans and Military Affairs and staff for bringing in \$7 million of Federal funds for veterans to be used for direct compensation, burial benefits, and survivor benefits.

5) Director Garganio, agreed that Resolution No. 10 resulted from a bi-partisan effort, and agreed with Freeholder Donnelly that apprentices are going to be well trained. Director Garganio further stated he would like to look at work coming out at the military bases and the desire to keep some of those jobs local. Director Garganio asked that a letter be sent to the Base Commander signed by all Freeholders urging the base to use the qualified vendors in Burlington County first to do the job. Freeholder Reinhart agreed with Director Garganio and stated that she would like to incorporate that language in the letter to the Base to urge them to utilize Burlington County vendors first, and if they don't have those resources anywhere then go outside the County for the work. Director Garganio stated a rough draft would be disseminated to the entire Board and asked for their comments and feed back.

33 ADJOURNMENT.

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

Respectfully submitted,

Gina Wheatley
Deputy Board Clerk