

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 27, 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, 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 APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING OF DECEMBER 29, 2009.

It was moved by Mrs. Reinhart, seconded by Mr. Donnelly that the minutes of the regular board meeting of December 29, 2009 be approved. Mr. Brown abstained from the minutes. Motion carried. Minutes approved.

5 PRESENTATION – NJAC AND WALMART FOUNDATION SCHOLARSHIPS FOR JONATHAN OXENDINE AND JONATHAN JARZYK BCIT STUDENTS FOR GREEN INTERNSHIPS.

Freeholder Brown read and presented an award from the New Jersey Association of Counties and WalMart, and presented a scholarship check in the amount of \$500 to each student.

6 **RESOLUTION NO. 33** by Director Garganio, BUDGET TRANSFER FOR 2009, moved for adoption by Mr. Brown, seconded by Mr. Donnelly.

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:			
Buttonwood Hospital	S&W	\$	9,000.00
		\$	9,000.00
TO:			
Information Technology	S&W	\$	2,000.00
Health Department	S&W		7,000.00
		\$	9,000.00

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 Donnelly that agenda to approve agenda items 2 through 12 by unanimous consent. Freeholder Brown asked that items 3 and 12 be removed from the unanimous consent. Director Garganio agreed to amend his motion and Freeholder Donnelly agreed to amend his second to this motion. Director Garganio moved for unanimous consent of agenda items 2 through 11, with the exception of item 3, and asked for a roll call vote: On roll call: Ayes – Mr. Brown with an abstention on agenda item no. 5, Mr. Donnelly, Mrs. O'Brien, Mrs. Reinhart and Mr. Garganio. Nays – none. Resolution Nos. 34, and 36 through 43 adopted as follows:

- 7 **RESOLUTION NO. 34** by Director Garganio, PAYMENT OF BILLS AND APPROVAL OF MONTHLY COUNTY INVESTMENT REPORT AND REPORT OF REVENUES AND EXPENDITURES.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the bills presented at this meeting as per the detailed list, amounting to \$11,956,346.16 and be it the same are hereby approved and passed by the Board, and that the Treasurer for the County of Burlington be and he is hereby authorized and directed to issue county checks in payment of same.

FURTHER RESOLVED, that the Board accepts the Treasurer's monthly investment report and report of county revenues and expenditures.

- 8 **RESOLUTION NO. 36** by Director Garganio, AUTHORIZATION TO SELL A 1995 CHEVROLET 3500 DUMP TRUCK TO EASTAMPTON TOWNSHIP FOR THE SUM OF \$1.00.

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(1), the Board of Chosen Freeholders of the County of Burlington (hereinafter "County") is authorized to make available to other units of local government equipment that is no longer needed by the County in a manner which is not inconsistent with the laws of the State of New Jersey and of the United States; and

WHEREAS, Eastampton Township, through the Eastampton Township Manager, 12 Manor House Court, Eastampton, NJ 08060, has requested that the County sell and convey to the Township a 1995 Chevrolet 3500 Dump Truck (Vin#:1GBKC34F1SJ108600) which is no longer in operating condition (hereinafter "truck"); and

WHEREAS, the Township has offered and the County will accept, the sum of One Dollars (\$1.00) in payment to acquire this equipment; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the equipment shall be transferred to Eastampton Township; 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 Eastampton Township Manager, 12 Manor House Court, Eastampton, NJ 08060.

- 9 **RESOLUTION NO. 37** by Director Garganio, CERTIFICATION OF THE QUALIFIED POOL OF ARCHITECTS FOR THE PERIOD OF 2009-2011 AFTER COMPLETION OF THE OPEN ENROLLMENT PERIOD TO INCLUDE THE ADDITION OF NINE FIRMS.

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

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

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

WHEREAS, the Administration Office has significant recurring need for architectural services in connection with the operation of Burlington County; and

WHEREAS, the Board adopted Resolution No. 78 on February 25, 2009 which created a pool of qualified vendors to provide architectural services for the period 2009-2011; and

WHEREAS, on November 30, 2009, RFQ packages for such services submitted to Burlington County were received; and

WHEREAS, a Review Committee has analyzed and evaluated said RFQ submittals and, pursuant to the attached written report, found that the following firms substantially comply with the requirements of the submittal:

1. Buckle Architects
2. Cornerstone Architectural Group
3. Eric Hafer and Associates
4. Fitzgerald Architecture Studio
5. Hammel Associates Architects
6. Kitchen and Associates Architectural Services
7. Mancini and Duffy Architecture
8. Paretta Somjen Architects
9. Sun Architecture LLC

and recommends certification of said firms to augment the existing pool of qualified architects to perform architectural services for Burlington County for the balance of the period 2009-2011; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the firms on the referenced list are certified to also be included in the pool of qualified firms to provide architectural for the various County Departments for the balance of the period 2009-2011; and, be it

FURTHER RESOLVED, that all prior authorizations concerning the balance of this RFQ Pool and prior authorizations shall remain in full force and effect.

- 10 **RESOLUTION NO. 38** by Director Garganio, AUTHORIZATION TO EXECUTE AND FILE THE ANNUAL 2010 CERTIFICATIONS AND ASSURANCES WITH THE FTA FOR FEDERAL GRANTS RECEIVED: FTA SECTION 5316 JARC; FTA SECTION 5311 NONURBANIZED AREA FORMULA PROGRAM; AND FTA SECTION 5310 ELDERLY AND PERSONS WITH DISABILITIES TRANSPORTATION PROGRAM.

WHEREAS, the United States Department of Transportation, Federal Transit Administration, [hereinafter FTA] requires applicants for Federal transportation grants to submit all certifications and assurances pertaining to itself and its projects as required by Federal laws and regulations; and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington applies for and receives FTA transportation grants for the following programs: FTA Section 5316 Job Access and Reverse Commute Program; FTA Section 5311 Nonurbanized Area Formula Program and the FTA Section 5310 Elderly and Persons with Disabilities Transportation Program, and is required, therefore, to submit said certifications and assurances; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the County Administrator and the County Solicitor are hereby authorized to execute and file the required annual certifications and assurances for the year 2010.

- 11 **RESOLUTION NO. 39** by Director Garganio, AGREEMENT WITH BROOKSIDE IN AN AMOUNT NOT TO EXCEED \$2,200 FOR AN ENVIRONMENTAL ASSESSMENT OF THE SILVA PROPERTY LOCATED IN DELANCO TOWNSHIP 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 the possible acquisition of property in Delanco Township adjacent to the Rancocas Creek located at Block 2100, Lot 14, owned by Patricia Silva; and,

WHEREAS, the Board needs an environmental assessment of the area that is to be purchased by the County; and

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

WHEREAS, Brookside has offered to provide the services needed by the Board for a charge of \$2,200, which services constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contracts Law; and

WHEREAS, there are sufficient monies in account no. 44-5007-100755 to fund an agreement with this firm for the above-stated amount, as evidenced by the certification of Burlington County's Chief Financial Officer filed herewith; now therefore be it

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

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

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

- 12 **RESOLUTION NO. 40** by Director Garganio, AGREEMENT WITH J. MCHALE AND ASSOCIATES AND STEVEN BARTELT IN AN AMOUNT NOT TO EXCEED \$5,000 EACH FOR AN APPRAISAL OF THE SILVA PROPERTY LOCATED IN DELANCO TOWNSHIP PURSUANT TO THE COUNTY'S OPEN SPACE PRESERVATION PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") is interested in preserving lands for open space and farmland purposes and,

WHEREAS, the Board has expressed an interest in the possible acquisition of property in Delanco Township adjacent to the Rancocas Creek located at Block 2100, Lot 14, owned by Patricia Silva; and,

WHEREAS, 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. 853 adopted November 26, 2008 established an approved list of Qualified Real Estate Appraisal Firms through a fair and open process which includes Steven W. Bartelt and J. McHale and Associates, Inc. (hereinafter referred to as "Bartelt" and "McHale") as contractors qualified to perform various appraisal services on behalf of the Board; and,

WHEREAS, the Board recognizes the need to retain the services of qualified, licensed appraisal firms for the purpose of preparing appraisals of the above referenced properties; and,

WHEREAS, appraisal 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, Bartelt and McHale have offered to provide the Board with appraisal services for the subject properties in conjunction with all applicable statutes and regulations and in accordance with USPAP requirements, for the maximum sum payable of \$5,000 per firm; and,

WHEREAS, there are sufficient monies in account no. 44-5007-100755 to fund the agreements 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 the attached Agreements with Bartelt and McHale, be and the same are hereby approved and their execution in accordance with the Rules of the Board authorized; and, be it

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

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

13 **RESOLUTION NO. 41** by Director Garganio, FIRST AMENDMENT TO AGREEMENT WITH ENVIRONMENTAL RESOLUTIONS, INC. IN THE AMOUNT OF \$4,500 FOR THE CREATION OF A LANDSCAPE PLAN, SPECIFICATIONS AND FIELD WORK AND INSPECTIONS ASSOCIATED WITH INSTALLATION OF ADDITIONAL PLANTING AND/OR FENCING ASSOCIATED WITH THE RANCOCAS POINTE TRAIL 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 the Rancocas Pointe Trail project in Mount Laurel Township; and

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

WHEREAS, by Resolution No. 494 adopted on August 12, 2009, the Board awarded a contract to provide the requested services to a team led by Environmental Resolutions, 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 Environmental Resolutions, Inc. has offered to provide the needed services for a not to exceed charge of \$4,500.00, raising the contract from \$38,721.50 to \$43,221.50; 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 Environmental Resolutions, 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.

- 14 **RESOLUTION NO. 42** by Director Garganio, AUTHORIZATION FOR THE SHERIFF'S DEPARTMENT TO ENTER INTO THE FEDERAL EQUITABLE SHARING AGREEMENT WITH THE DEPARTMENT OF JUSTICE, ASSET FORFEITURE AND MONEY LAUNDERING SECTION TO BE ABLE TO PARTICIPATE IN RECEIPT OF A PORTION OF PROCEEDS FROM FEDERAL PROSECUTIONS.

WHEREAS, the United States Government provides for the equitable sharing of property that is forfeited, 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 proceeds from federal prosecutions is in the interest of Burlington County; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that the attached Federal Equitable Sharing Agreement for the Reporting Period of January 1, 2010 through December 31, 2010, by and between the Burlington County Board of Chosen Freeholders, the Burlington County Sheriff's Department and the United States Government, be executed, and the same is hereby approved, in accordance with the Rules of the Board, including the preparation of any and all required reports by the Sheriff's Department for signature by the County Administrator.

- 15 **RESOLUTION NO. 43** by Director Garganio, AUTHORIZATION OF PURCHASES UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM FOR THE LIST OF STATE CONTRACT VENDORS FOR THE PURCHASE DOLLARS LISTED FOR THE FISCAL YEAR 2009.

WHEREAS, the County of Burlington has purchased various commodities from authorized vendors under the State of New Jersey Cooperative Purchasing Program 1-NJCP for fiscal year 2009, totaling \$2,062,188.86 as detailed in the attached list which is made a part herein; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts law, N.J.S.A. 40A:11-12; and

WHEREAS, the vendors on the attached list have been awarded New Jersey State Contracts; and

WHEREAS, the County Purchasing Agent recommended the utilization of these contracts; and

WHEREAS, there is no certification of the Chief Financial Officer attached hereto as these contracts were bid as open-end contracts by the State of New Jersey and funds were certified by individual purchase requisition prior to the release of each purchase order to the various vendors; now, therefore, be it

RESOLVED, by the County of Burlington that the listed vendors who were awarded purchase orders for the listed items and dollars are hereby ratified and confirmed by the Board of Chosen Freeholders.

- \*\*\* It was moved by Director Garganio, seconded by Freeholder O'Brien to approve agenda item no. 12. Freeholder Brown asked for clarification from the Chief Financial Officer regarding this agenda item. Director Garganio asked for a roll call vote. On roll call: Ayes – Freeholder Donnelly, Freeholder O'Brien, Freeholder Reinhart and Director Garganio. Abstained – Freeholder Brown. Nays – None. Motion carried. Resolution No. 44 adopted as follows:

- 16 **RESOLUTION NO. 44** 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 February 26, 2008 as authorized per Resolution #31 dated January 23, 2008 for the solicitation titled "PEST CONTROL, EXTERMINATION SERVICE" (CPU-08-0026).

YEAR THREE

E & G Exterminators, Inc.  
122 North Broadway  
South Amboy, NJ 08879

ESTIMATED AMOUNT OF AWARD.....\$ 11,625.60

2. Bids were received on January 5, 2010 as authorized per Resolution #795 dated November 12, 2009, for the solicitation titled "2010 DEMOLITION SPECIFICATION FOR VARIOUS OPEN SPACE PROPERTIES, FOR THE COUNTY OF BURLINGTON, NEW JERSEY" (CPU-10-0008).

Frank Lurch Demolition, Co., LLC  
30A Main Street  
Avon by the Sea, NJ 07717

TOTAL LUMP SUM BID.....\$ 238,900.00

\*\*\* It was moved by Director Garganio, seconded by Freeholder O'Brien to approve agenda item no. 3. Director Garganio asked for a roll call vote. On roll call: Ayes - Freeholder Donnelly, Freeholder O'Brien, Freeholder Reinhart, and Director Garganio. Nays - Freeholder Brown. Motion carried. Resolution No. 35 adopted as follows:

17 **RESOLUTION NO. 35** by Director Garganio, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR QUALIFICATIONS FOR AN OPERATIONAL AUDIT.

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 established the procedures for obtaining said qualifications and/or proposals; and

WHEREAS, the Board needs the services of a professional consulting firm to provide an organizational and operational audit of the County; and

WHEREAS, the Board desires to utilize a publicly advertised Request for Qualifications [hereinafter RFQ] to create a pool of qualified consulting firms; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that the Burlington County Solicitor is hereby authorized to prepare an RFQ for the designated services; and, be it

FURTHER RESOLVED, that the County Solicitor and the County Administrator are hereby authorized to:

- a. Make said RFQ available at no cost to interested consulting firms;
- b. Publish notice of the County's issuance and availability of said RFQ; and
- c. Recommend to the Board a list of qualified consultants capable of conducting the organizational and operational audit.

\*\*\* It was moved by Freeholder Brown, seconded by Freeholder Donnelly that the following item be approved by unanimous consent. Director Garganio asked for a roll call vote. On roll call: Ayes – Freeholder Brown, Freeholder Donnelly, Freeholder O'Brien, Freeholder Reinhart and Director Garganio. Nays – none. Resolution No. 45 adopted as follows.

18 **RESOLUTION NO. 45** by Freeholder Brown, APPROVAL TO APPLY FOR FUNDING THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 STOP VIOLENCE AGAINST WOMEN ACT GRANT PROGRAM FOR AN AWARD OF \$37,025 FOR THE COUNTY PROSECUTOR'S OFFICE OF VICTIM WITNESS ADVOCACY.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington (hereinafter "Board" or "Applicant") on behalf of the Burlington County Prosecutor's Office (hereinafter "Prosecutor's Office") wishes to apply for funds in the amount of \$27,769 with a County Match of \$9,256 of in-kind services, for a total award of \$37,025; for a project entitled "County Office of Victim Witness Advocacy – DV Advocate" in accordance with the American Recovery and Reinvestment Act of 2009, STOP Violence Against Women Act (VAWA) Grant Program administered by the State of New Jersey through the Department of Law and Public Safety, Division of Criminal Justice; and

WHEREAS, such funds may be used to create or retain jobs that address the needs of victims of Domestic Violence through the "Victim Witness Advocacy Unit"; and

WHEREAS, the Board has reviewed the accompanying application and finds approval submission thereof to be in the best interests of the County; and

WHEREAS, said project is a joint project between the State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice and Burlington County for the purpose therein in the application for such grant; now, therefore, be it

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

1. As a matter of public policy, Burlington County wishes to participate to the fullest extent with the Department of Law and Public Safety, Division of Criminal Justice;
2. The State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice shall be responsible for the receipt and review of the application for such funds;
3. The State of New Jersey Division of Criminal Justice shall initiate allocations to each applicant as authorized; and
4. The County Prosecutor's Office and the County Administrator's Office shall be authorized to sign any and all documentation necessary to apply for such funding; and, be it

FURTHER RESOLVED, that the attached application is hereby approved and authorization is hereby provided for the application to be executed sealed and witnessed or attested in accordance with the Rules of the Board.

\*\*\* It was moved by Freeholder Donnelly, seconded by Freeholder O'Brien that the following eleven (11) items be approved by unanimous consent. Freeholder Reinhart asked to pull agenda item no. 18 from the unanimous consent. Freeholder Donnelly and Freeholder O'Brien agreed to amend their motion. Motion was made for approval of agenda items 14 through 17 and 19 through 24. Director Garganio called for a roll call vote. On roll call: Ayes – Freeholder Brown, Freeholder Donnelly, Freeholder O'Brien, Freeholder Reinhart and Director Garganio. Nays – none. Resolution Nos. 46 through 49 and 51 through 56 adopted.

- 19 **RESOLUTION NO. 46** by Freeholder Donnelly, AUTHORIZATION TO ESTABLISH CRITERIA FOR SELECTING APPLICATIONS FOR RECOVERY ZONE FACILITY BOND FUNDING.

WHEREAS, by Resolution no. 905, adopted on December 29, 2009, the Burlington County Board of Chosen Freeholders ("Board") determined to accept allocations of \$15,629,000.00 in Recovery Zone Economic Development Bonds and \$23,443,000.00 in Recovery Zone Facility Bonds made by the U.S. Treasury Department; and

WHEREAS, Recovery Zone Facility ("RZF") Bonds are tax-exempt private activity bonds authorized in the American Recovery and Reinvestment Act of 2009 (the "Act") by amendment to the Internal Revenue Code, which counties and select other governmental entities are empowered to issue for the purpose of stimulating the economy of areas that the public body has designated as a Recovery Zone; and

WHEREAS, by Resolution no. 2009-905 the Board designated certain areas of the County as Recovery Zones; and

WHEREAS, the Board has determined to establish certain criteria for use in reviewing applications for projects which it may be willing to support through the proceeds of RZF Bonds; and

WHEREAS, the following has been recommended for adoption:

### **REQUIREMENTS FOR USE OF BURLINGTON COUNTY'S RECOVERY ZONE FACILITY BOND ALLOCATION**

#### I. Requirements Imposed by the Act.

The project shall comply with all requirements of the Act and with the guidelines and regulations promulgated pursuant to it including, but not limited to, the following:

- It is located within one or more of the Recovery Zones designated by Resolution no. 2009-905 or such additional Recovery Zones as the Board may designate by supplemental resolution.
- Not less than 95% of the net proceeds of the bond issue (as defined in the Internal Revenue Code) shall be used for "Recovery Zone Property" as defined by the Act.
- The project shall be for a "Qualified Business" as defined by the Act.
- The bonds will be designated as "Recovery Zone Facility Bond" on issuance.
- The cost of issue shall not exceed two percent of the bonds' proceeds.
- The bonds shall be issued prior to January 1, 2011.

#### II. Requirements Imposed by the Board.

In order to be eligible for a RZF Bond allocation all applications shall satisfy the following criteria, as well as such additional criteria as may be established by the Steering Committee for reviewing and ranking applications:

The applicant shall be the taxpayer and the owner of the Qualified Business for which RZF Bond proceeds are sought.

The applicant's contributed capital (equity) in the project shall be at least ten percent (10%) of the total cost of the project.

Within the time specified by the Committee, the applicant shall provide a firm commitment from a financial institution or bond underwriter to purchase the bonds, demonstrating that the project is credit worthy.

The applicant is current with all federal, State and municipal real and personal property taxes, service fees and utility fees and assessments.

The project shall create at least twenty-five (25) new permanent full-time jobs within thirty-six (36) months from bond issuance and retain said jobs throughout the duration of the bond.

New, permanent full-time jobs in increments of at least ten (10) in excess of the required twenty-five (25) such jobs shall be considered for phasing the development of large projects. The required increments of new permanent full-time jobs in excess the required twenty-five (25) jobs shall be created within thirty-six (36) months of the completion of construction of and issuance of certificates of occupancy for buildings in each respective phase and shall be retained throughout the duration of the bond.

The applicant shall demonstrate that it has and will have, during the term of the bonds, ownership or control of the project real property. "Ownership or control" shall include an applicant's right to use the project real property pursuant to an agreement with the governing body of the municipality in which the property is located.

The amount of bonding shall be allocated to a project at the rate of up to \$100,000 for each new, permanent full-time job to be created.

The need for Facility Recovery Zone Bond financing is essential for the applicant to undertake the project.

III. The following Factors are particularly favorable to Project funding.

- a. The applicant has significant, successful experience in projects of the type proposed.
- b. The project
  - is located in a local redevelopment area.
  - will reuse, rehabilitate or expand a facility or site.
  - will facilitate the remediation of a contaminated facility or site.
  - will preserve an historic building or site and has cultural value.
  - has access to public transportation.
  - will increase the tax base and increase economic diversity.
  - will attract or retain quality jobs in the County.
  - will stimulate capital investment in the County.
  - furthers "green" energy development.

Now, therefore, the Board

RESOLVES as follows:

1. The "Requirements for Use of Burlington County's Recovery Zone Facility Bond Allocation" stated above are approved.
2. The Freeholder Director is authorized to establish a Steering Committee for the purpose of advising the Board in its implementation of a RZF Bond Program. Said Committee shall include, but not be limited to, the County Solicitor, County Treasurer, Chief Financial Officer, Director of the County's Department of Economic Development and Regional Planning and County Administrator.
3. The Steering Committee shall be responsible for drafting such forms and documents as may be appropriate for the Program, soliciting applications for use of RZF Bond financing and advising the Board on which applications, if any, should be approved.

20 **RESOLUTION NO. 47** by Freeholder Donnelly, AUTHORIZATION FOR THE ENGINEER'S OFFICE TO ADMINISTER AND SUBMIT THE SAGE APPLICATION TO THE STATE DEPARTMENT OF TRANSPORTATION AND APPROVAL OF THE TENTATIVE LIST FOR THE 2010 ROAD RESURFACING PROGRAM FOR FISCAL YEAR 2010.

WHEREAS, the Burlington County Board of Chosen Freeholders have been asked to compile, review and submit projects to the State of New Jersey, Department of Transportation ("NJDOT) for funding under the New Jersey Transportation Trust Fund; and

WHEREAS, the Burlington County Engineer's Office has identified certain projects important to County transportation needs and has included these projects in the attached Tentative list for "2010 Road Resurfacing Program" for Fiscal Year 2010; and

WHEREAS, the NJDOT has approved Burlington County Aid allotment in the amount of \$6,065,500.00 for fiscal year 2010 from the New Jersey Transportation Trust Fund for the improvements of Burlington County roads; now, therefore, be it

RESOLVED that the Board of Chosen Freeholders concurs with and hereby approves the attached Tentative list for "2010 Road Resurfacing Program" for the fiscal year 2010; and, be it

FURTHER RESOLVED by the Board of Chosen Freeholders that the Burlington County Engineer's Office is hereby authorized to administer and submit the grant application using the NJDOT System for Administering Grants Electronically ("SAGE") to the Commissioner of Transportation for the New Jersey Transportation Trust Fund Authority Act in the sum of \$6,065,500.00 for the resurfacing and/or reconstruction of the roads listed in the attached Tentative list for "2010 Road Resurfacing Program" dated January 12, 2010.

21 **RESOLUTION NO. 48** by Freeholder Donnelly, AGREEMENT WITH DEPEW MARTIN REAL ESTATE APPRAISERS IN THE AMOUNT OF \$2,500 FOR APPRAISAL OF BLOCK 110, LOT 1 AND BLOCK 107, LOT 1 LOCATED IN MOUNT LAUREL TOWNSHIP FOR THE ENGINEERING DEPARTMENT.

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

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

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

WHEREAS, by Resolution No. 853 adopted November 26, 2008 the Board established an approved list of Qualified Appraisal Firms through a fair and open process which includes Depew Martin Real Estate Appraisers as a contractor qualified to perform appraisal services on behalf of the Board during 2010; and

WHEREAS, the Board of Chosen Freeholders of Burlington County recognizes the need to retain the services of a qualified, licensed professional firm for the purpose of providing an easement appraisal of:

1. Block 110, Lot 1,  
Creek Road (CR636) & Masonville Road (CR635)  
Mount Laurel Township, Burlington County  
Owner: Virginia Shull

; and

WHEREAS, Depew Martin Real Estate Appraisers has offered to provide the needed services which constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contracts Law; and

WHEREAS, Depew Martin Real Estate Appraisers has agreed to perform these necessary services, as shown in the attached proposal dated January 6, 2010 for an amount not to exceed \$2,500.00; and

WHEREAS, funds are available for this purpose in Account No. 60-7001-000382, as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the attached Agreement for professional services with Depew Martin Real Estate Appraisers is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnessed 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.

22 **RESOLUTION NO. 49** by Freeholder Donnelly, AGREEMENT WITH THE HANSON ORGANIZATION IN THE AMOUNT OF \$4,000 FOR APPRAISAL WORK FOR TWO PROPERTIES FOR THE RECONSTRUCTION OF THE INTERSECTION OF HARTFORD ROAD AND ELBO LANE IN MOUNT LAUREL TOWNSHIP FOR THE ENGINEERING DEPARTMENT.

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

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

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

WHEREAS, by Resolution No. 853 adopted November 26, 2008 the Board established an approved list of Qualified Appraisal Firms through a fair and open process which includes The Hanson Organization as a contractor qualified to perform appraisal services on behalf of the Board during 2009; and

WHEREAS, the Board of Chosen Freeholders of Burlington County recognizes the need to retain the services of a qualified, licensed professional firm for the purpose of providing an easement appraisal of:

1. Block 400, Lot 1, Mount Laurel Township, Burlington County  
Owner: Ten-Gir Corp
2. Block 803.04, Lot 15, Mount Laurel Township, Burlington County  
Owner: Alfred A. & Wendy M. Warner

; and

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

WHEREAS, The Hanson Organization has agreed to perform these necessary services, as shown in the attached proposal dated December 21, 2009 for an amount not to exceed \$4,000.00; and

WHEREAS, funds are available for this purpose in Account No. 60-7001-000382, as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the attached Agreement for professional services with The Hanson Organization is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnessed 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.

23 **RESOLUTION NO. 51** by Freeholder Donnelly, AUTHORIZATION TO AMEND THE 2009 ANNUAL PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO PERMIT THE USE OF \$100,000 OF CDBG FUNDS FOR

ELEVATOR REPLACEMENT IN COUNTY FACILITIES ADMINISTERED THROUGH THE COMMUNITY DEVELOPMENT OFFICE.

WHEREAS, by Resolution n. 194, adopted on April 22, 2009, the Board of Chosen Freeholders of the County of Burlington ("Board") determined to accept a grant in the amount of \$1,600,941 for Fiscal Year 2009 from the U.S. Department of Housing and Urban Development ("HUD") pursuant to the Community Development Block Grant Program (the "Program"), which grant is reflected in Grant Agreement B-09-UC-34-0001; and

WHEREAS, the Board has designated the Community Development Office ("CD Office") to administer the Program, including processing applications for grants to governmental and non-governmental agencies; and

WHEREAS, funds are available from FY 2009 grant funding and may be used for eligible Community Development Burlington County activities; and

WHEREAS, the County proposes use of \$100,000 in Program funds for the purpose of elevator replacement at various county facilities; and

WHEREAS, the CD Office has reviewed the proposal and recommended that the Board approve it as consistent with Program funding eligibility criteria (architectural barrier removal), following compliance with HUD requirements for amending the County's 2009 Annual Plan for use of Program funds; now, therefore, the Board

RESOLVES, as follows:

1. Use of \$100,000 of Program funds for the above-described purpose is approved and authorized, subject to HUD's approval of an amendment to the County's 2009 Annual Plan.
2. The CD Office is authorized to submit an amendment to the 2009 Annual Plan to HUD to include the above-described activity.
3. On HUD's approval of the amendment to the Plan, funds for this grant shall be drawn from the federal Community Development Block Grant Program monies.

24 **RESOLUTION NO. 52** by Freeholder Donnelly, AUTHORIZATION TO INCREASE THE FUNDING IN THE HOME IMPROVEMENT LOAN PROGRAM IN THE AMOUNT OF \$49,000 AVAILABLE IN THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM "UNAPPROPRIATED" FUND ADMINISTERED THROUGH THE COMMUNITY DEVELOPMENT OFFICE.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") has received funds from the U.S. Department of Housing and Urban Development ("HUD") Community Development Block Grant Program ("CDBG") for FY 2009 and has submitted to HUD a Consolidated Plan (the "Plan") which details how the funds will be utilized; and

WHEREAS, HUD has accepted the County's Consolidated Annual Plan of FY 2009, which includes an allocation of \$320,000 for a Home Improvement Loan Program (the "Program"); and

WHEREAS, the County's Community Development Office ("CD Office"), which is responsible for administering the Program, advised the Board that the funds allocation for it will not be sufficient to meet the demand for the Program; and

WHEREAS, the Board has reviewed and approved the CD Office's recommendation that Program funding be increased by \$49,000, for a total amount of \$369,000, in order to provide an opportunity for more eligible homeowners to benefit from it; and

WHEREAS, funds are available in the CDBG "Unappropriated" account that can be utilized for the Program; and

WHEREAS, 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 it and the change in funding does not exceed \$50,000; now, therefore, the Board

RESOLVES, as follows:

1. Funding in the amount of \$49,000 is authorized to be transferred from the County's CDBGP "Unappropriated" account to the Home Improvement Loan Program.
2. Record of this action shall be kept with the Plan.

25 **RESOLUTION NO. 53** by Freeholder Donnelly, AMENDMENT TO THE COMMITMENT FOR A LOAN TO BURLINGTON COUNTY COMMUNITY ACTION PROGRAM TO EXTEND THE DEADLINE FOR COMPLETION OF CONSTRUCTION OF A DWELLING ON RISDON STREET, MOUNT HOLLY TO APRIL 15, 2010, AND TO ALLOW THE SALE OF THE DWELLING TO A BUYER HAVING A HOUSEHOLD INCOME OF UP TO 80% OF MEDIAN INCOME ADMINISTERED THROUGH THE COMMUNITY DEVELOPMENT OFFICE.

WHEREAS, by Resolution no. 1074, adopted on December 13, 2006, the Board of Chosen Freeholders of the County of Burlington ("Board") authorized an \$80,000 loan through the County's HOME Investment Partnerships Program (the "Program") to Burlington County Community Action Program ("BCCAP") for the creation of one residential unit on Risdon Street in Mount Holly (the "Project"); and

WHEREAS, pursuant to said authorization, BCCAP received \$60,000.00 of the loan amount for its acquisition of the Project property and the \$20,000 balance will be payable on BCCAP's completion of the dwelling's construction and compliance with other Program conditions; and

WHEREAS, by Resolution no. 309, adopted on June 10, 2009, the Board authorized extension of the time periods for commencement of Project work and completion of construction to December 31, 2009; extension of the period for sale of the Project dwelling to June 30, 2010, and the use of the \$20,000 balance of loan funds for soft Project costs; and

WHEREAS, by letter dated December 11, 2009, BCCAP asked that the Board extend the date by which it is required to complete construction of the Project to April 15, 2010; and

WHEREAS, BCCAP has also asked that it be authorized to sell to a household having a low/moderate income (not exceeding 80% of median income for the Philadelphia-Camden-Wilmington (PA-NJ-DE-MD) standard metropolitan statistical area ("SMSA")), instead of the requirement that it sell to a household having a very-low income (30-50% median income for the SMSA), as required by the Board's loan commitment; and

WHEREAS, the Housing and Community Development Office ("CD Office") has recommended that the County's loan commitment be amended to (a) extend the deadline for completion of construction to April 15, 2010, and (b) allow sale of the Project property to a household having a low/moderate income; and

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

RESOLVES, as follows:

1. The above-described revisions to the County's loan commitment are authorized and approved.
2. All other conditions of the loan commitment and of Resolutions 2006-1074 and 2008-309 not inconsistent with this Resolution shall remain in effect.

26 **RESOLUTION NO. 54** by Freeholder Donnelly, LOAN AND MORTGAGE APPROVED FOR CARL AND HELEN HELLER, SOUTHAMPTON TOWNSHIP FOR A HOME IMPROVEMENT LOAN IN THE AMOUNT OF \$5,100 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 #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 of the owners' property can be ameliorated with a loan from the County; and

<u>Owner</u>	<u>Property Location</u>	<u>Case no.</u>	<u>Rehab + Title Costs</u>
Carl & Helen Heller	Southampton Twp.	36-13-33LS	\$5,100 / \$175

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, the amount reported above as "Rehab Cost" is available in account no. 31-0707-051209 to fund the housing rehabilitation costs portion of this loan, as evidenced by the certification of the 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 and 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 these loans and protect the County's interest in being repaid.
4. The CD Office and County Treasurer are authorized to send interim payments for completed work to the contractor and owners on (a) the CD Office's determination that conditions of the contract between the owner and contractor have been satisfied and (b) receipt of forms and documents required for the processing of payments.
5. On satisfaction of the conditions of the loan the County Administrator and County Solicitor are authorized to prepare, execute and record appropriate documents to cancel documents filed of record.

27 **RESOLUTION NO. 55** by Freeholder Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR MOSQUITO AERIAL SPRAYING SERVICES FOR THE HIGHWAY DEPARTMENT.

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

MOSQUITO AERIAL SPRAYING SERVICES  
(CPU-10-0011)

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 Freeholders Board Room on Tuesday, March 2, 2010 at 10:30 a.m. local prevailing time.

28 **RESOLUTION NO. 56** by Freeholder Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR HIGH PERFORMANCE COLD PATCH MIX 2010 – 2012 FOR THE HIGHWAY DEPARTMENT.

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

HIGH PERFORMANCE COLD PATCH MIX 2010 – 2012  
(4-BUCCP-10010)

And be it;

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, March 2, 2010 at 10:30 a.m. local prevailing time.

\*\*\* It was moved by Freeholder Donnelly, seconded by Freeholder O'Brien that the following item be approved by unanimous consent. Freeholder Reinhart opposed this resolution. Motion carried. Resolution No. 50 adopted.

29 **RESOLUTION NO. 50** by Freeholder Donnelly, COUNTY SOLICITOR'S OFFICE AUTHORIZED TO PROCEED WITH AN ACQUISITION OR CONDEMNATION OF BLOCK 503, LOT 15, SPRINGFIELD TOWNSHIP IN THE AMOUNT OF \$4,300 FOR THE RECONSTRUCTION OF COUNTY BRIDGE D3.6, JACKSONVILLE-JOBSTOWN ROAD FOR THE ENGINEERING DEPARTMENT.

WHEREAS, it is necessary for the Burlington County Board of Chosen Freeholders to acquire a certain property for the reconstruction of County Bridge D3.6, Jacksonville-Jobstown Road, Springfield Township, Burlington County at the following location:

1. Block 503, Lot 15  
Springfield Township  
Owned by J. Brook Webster  
Amount: \$4,300.00

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

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

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

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

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

1. Block 503, Lot 15  
Springfield Township  
Owned by J. Brook Webster  
Amount: \$4,300.00

WHEREAS, the Burlington County Chief Financial Officer is requested to certify that funds in the amount as stated being the fair market value of this property to be taken, will be available for the acquisition or condemnation of said easement before any action is taken on the part of the Legal Department, and said funds will be charged to Account No. 60-7001-108582; now, therefore, be it

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

1. Block 503, Lot 15  
Springfield Township  
Owned by J. Brook Webster

Amount: \$4,300.00

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

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

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

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

\*\*\* It was moved by Freeholder O'Brien, seconded by Freeholder Donnelly that the following four (4) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 57 through 60 adopted.

30 **RESOLUTION NO. 57** by Freeholder O'Brien, AUTHORIZATION TO RE-ISSUE A PERSONAL PROTECTIVE EQUIPMENT TRAILER FROM VINCENT FIRE COMPANY IN SOUTHAMPTON TO MEDFORD FARMS VOLUNTEER FIRE COMPANY IN TABERNACLE.

WHEREAS, the Burlington County Board of Chosen Freeholders are steadfast in their participation in planning, preparing for and responding to disasters whether from acts of terrorism or by natural events; and

WHEREAS, The State of New Jersey, State Homeland Security Program (SHSP) and the Office of Homeland Security and Preparedness (OHSP) had previously made available to Burlington County personal protective equipment (PPE) for the purpose of enhancing the County's response to chemical or biological incidents; and

WHEREAS, The Medford Farms Volunteer Fire Company at 76 Hawkins Road in Tabernacle New Jersey actively responds to emergency calls within Burlington County, currently houses one of Burlington County's Mass Casualty trailers, and owns a tow vehicle capable of pulling the PPE trailer; now therefore be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that the PPE trailer and equipment will be reissued to Medford Farms Volunteer Fire Company; and, be it

FURTHER RESOLVED that the Interim County Administrator is hereby authorized to complete, sign and seal the attached PPE trailer and equipment program recipient agreement.

31 **RESOLUTION NO. 58** by Freeholder O'Brien, AUTHORIZATION TO ADVERTISE FOR BIDS FOR NETWORK EQUIPMENT 2010 – 2012 FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY.

WHEREAS the attached specification for Network Equipment is specialized and proprietary in nature. The Equipment must communicate, utilizing proprietary protocols, and act in a failover capacity with other proprietary Foundry Networks, Inc. equipment that currently exists in the County's network environment. A copy of the certification is attached in accordance with N.J.A.C. 5:34-9.1(b).

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

NETWORK EQUIPMENT 2010-2012  
(CPU-10-0014)

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, March 2, 2010 at 10:30 a.m. local prevailing time.

- 32 **RESOLUTION NO. 59** by Freeholder O'Brien, AUTHORIZATION TO ADVERTISE FOR BIDS FOR FLASHOVER SIMULATOR WITH SMOKE SCRUBBER FOR THE EMERGENCY SERVICES TRAINING CENTER.

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

FLASHOVER SIMULATOR WITH SMOKE SCRUBBER FOR BURLINGTON COUNTY  
EMERGENCY SERVICES TRAINING CENTER  
(CPU-10-0029)

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 Freeholders Board Room on Tuesday, February 23, 2010 at 10:30 a.m. local prevailing time.

- 33 **RESOLUTION NO. 60** by Freeholder O'Brien, AUTHORIZATION TO ADVERTISE FOR BIDS FOR HIGH PRESSURE BREATHING AIR SYSTEM FOR THE EMERGENCY SERVICES TRAINING CENTER.

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

HIGH PRESSURE BREATHING AIR SYSTEM FOR BURLINGTON COUNTY  
EMERGENCY SERVICES TRAINING CENTER  
(CPU-10-0028)

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 Freeholders Board Room on Tuesday, February 23, 2010 at 10:30 a.m. local prevailing time.

- \*\*\* It was moved by Freeholder Reinhart, seconded by Freeholder Brown that the following five (5) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 61 through 65 adopted.

- 34 **RESOLUTION NO. 61** by Freeholder Reinhart, AGREEMENT WITH HAMPTON MEDICAL BILLING SERVICES IN THE AMOUNT OF \$15,000 TO PROVIDE SERVICES FOR BUTTONWOOD HOSPITAL.

WHEREAS, the Burlington County Board of Chosen Freeholders needs to retain providers of services for Buttonwood which are not professional in nature, the cost of which are less than the amount of contracts for which the Board is required to solicit competitive bids by the Local Public Contracts Law; and

WHEREAS, contracting with such entities is allowed under N.J.S.A. 40A:11-6.1(a) as these contracts are in the aggregate less than the bid threshold, but 15% or more of that amount and may be awarded with soliciting at least two competitive quotations; and

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

WHEREAS, implementation of this contract will be in the best interests of the residents at Buttonwood Hospital; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the existing contract described below is hereby ratified for the term January 1, 2010 through December 31, 2010, which have been approved by the County Solicitor and County Administrator is hereby approved and its execution in accordance with the Rules of the Board is authorized:

Provider / Contract	Amount Not to Exceed
Hampton Medical Billing Services	\$15,000.00

and, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that the attached Agreement is hereby approved and its execution in accordance with the Rules of the Board authorized; and, be it

FURTHER RESOLVED, that notice of the award of the above-described agreement shall be published in the Burlington County Times in accordance with the Law.

35 **RESOLUTION NO. 62** by Freeholder Reinhart, AGREEMENT WITH BC VELLA/PRN MEDICAL TRANSPORT SERVICE IN THE AMOUNT OF \$5,000 TO PROVIDE AMBULANCE AND INVALID SERVCIES FOR BUTTONWOOD HOSPITAL.

WHEREAS, the Burlington County Board of Chosen Freeholders needs to retain providers of services for Buttonwood which are not professional in nature, the cost of which are less than the amount of contracts for which the Board is required to solicit competitive bids by the Local Public Contracts Law; and

WHEREAS, contracting with such entities is allowed under N.J.S.A. 40A:11-6.1(c) as these contracts are in the aggregate less than 15 percent of the bid threshold and may be awarded without soliciting competitive quotations; and

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

WHEREAS, implementation of this contract will be in the best interests of the residents at Buttonwood Hospital; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the existing contract described below is hereby ratified for the term January 1, 2010 through December 31, 2010, which has been approved by the County Solicitor and County Administrator is hereby approved and its execution in accordance with the Rules of the Board is authorized:

Provider / Contract	Amount Not to Exceed
BC Vella/PRN (Ambulance)	\$4,000.00

and, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that the attached Agreement is hereby approved and its execution in accordance with the Rules of the Board authorized; and, be it

FURTHER RESOLVED that notice of the award of the above-described agreement shall be published in the Burlington County Times in accordance with the Law.

36 **RESOLUTION NO. 63** by Freeholder Reinhart, MODIFICATION NO. 2 TO THE POST HOUSE GRANT WITH THE STATE DEPARTMENT OF HEALTH, DIVISION OF ADDICTION SERVICES FOR AN EXTENSION OF THREE MONTHS AND AN INCREASE OF \$115,677 ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, by Resolution no. 484, adopted on July 9, 2008, the Burlington County Board of Chosen Freeholders ("Board") authorized the submission of an application to the New Jersey Department of Health, Division of Addiction Services (the "State"), for a grant to fund Post House for Burlington County Drug Treatment Rehabilitation and Drug Prevention Services (the "Services") in the amount of \$1,348,084.00; and

WHEREAS, following the State's approval of the Board's application, the Board and State entered into grant agreement no. 09-465-ADA-0, by which the State agreed to fund Post House's Services for the period July 1, 2008, through December 31, 2009; and

WHEREAS, by Resolution no. 610, adopted on September 9, 2009, the Board authorized modification #1 to the grant agreement, pursuant to which the State's grant was reduced by \$182,648.00, resulting in a revised award of \$1,165,436.00; and

WHEREAS, the State has determined to extend the term of the grant agreement by three months, to March 31, 2010, and increase the award to the Board by \$115,677.00 to support Post House's services, resulting in a new grant amount of \$1,281,113.00; and

WHEREAS, the County Health Department has recommended that the Board approve the proposed 2<sup>nd</sup> modification to the grant agreement; now, therefore, the Board

RESOLVES, that the County Administrator and Chief Financial Officer are authorized to execute such documents at the State may require that have been approved by the County Solicitor in order to amend the grant agreement.

- 37 **RESOLUTION NO. 64** by Freeholder Reinhart, MODIFICATION NO. 1 TO THE LETTER OF AGREEMENT WITH THE STATE DEPARTMENT OF HUMAN SERVICES FOR AN INCREASE OF \$497,000 TO FUND THE DRUG TREATMENT REHABILITATION SERVICES AND DRUG PREVENTION SERVICES (POST HOUSE) FOR DRUG COURT BEDS ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, by Resolution no. 612, adopted on September 9, 2009, the Burlington County Board of Chosen Freeholders ("Board") authorized a Letter of Agreement with the New Jersey State Department of Human Services ("State") by which the State would provide funding for treatment and rehabilitation services provided at the County facility "Post House" for persons referred to it by the Drug Court for the period July 1, 2009, through June 30, 2010, which agreement had a funding limit of \$94,000.00; and

WHEREAS, the State has determined to make an additional \$497,000.00 available to the Board for this purpose and has transmitted a Contract Modification Form to the Board to sign as a condition to the increase in the funding; and

WHEREAS, the Board has determined to accept the funding; now therefore, the Board

RESOLVES that execution, in accordance with the Rules of the Board, of the State's Contract Modification form is authorized and approved.

- 38 **RESOLUTION NO. 65** by Freeholder Reinhart, CHANGE ORDER NO. 3 FOR 2009 WITH UNITED WAY OF BURLINGTON COUNTY FOR AN INCREASE IN THE AMOUNT OF \$1,256.66 FOR THE CONTRACT TITLED "SOCIAL SERVICES FOR THE HOMELESS" ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, after public bidding, a contract titled "SOCIAL SERVICES FOR THE HOMELESS 2008-2009" (RFP-07-0091) was awarded to United Way of Burlington County, 595 Beverly Rancocas Road, PO Box 226, Rancocas, NJ 08073-0226 (hereafter UWBC) by the Board of Chosen Freeholders of the County of Burlington (hereafter Board) on November 28, 2007 per resolution # 968, for code blue services for the contract period, January 1, 2008 – December 31, 2009 for a maximum amount payable of \$25,000.00 for each year, for a total of \$50,000.00; and

WHEREAS, in order to reallocate the funds to emergency housing services, the Board amended the contract on December 12, 2008, per resolution 959, this Change Order 1 for 2008 decreased the amount payable to UWBC for 2008 services by \$21,085, resulting in a net decrease of 84.34 percent and establishing a new maximum amount payable of \$3,915.00 for 2008; and

WHEREAS, in order to pay for services provided because of the demand that resulted from cold weather in November and December in 2008, the board amended the contract on February 11, 2009 per resolution 69, this Change Order 1 for 2009 (second overall) increased the amount payable to UWBC for 2008 services by \$8,009, resulting in a net decrease of 52.30 percent establishing a new maximum amount payable of \$11,924.00 for 2008; and

WHEREAS, in order the pay for services provided because of the demand that resulted from cold weather in January and February 2009, the board amended the contract on March 11, 2009, per resolution #131, this Change Order 2 for 2009 (third overall) increased the amount payable to UWBC for 2009 services by \$15,000.00, resulting in a net increase of 3.85 percent establishing a new maximum amount payable of \$40,000.00; and

WHEREAS, the Burlington County Human Services Office, Human Services Advisory Council (HSAC) and the Comprehensive Emergency Assistance System (CEAS) have

recommended that the amount payable to UWBC for 2009 services be increased by \$1256.66 in order to pay for services provided in response to the increase in demand that resulted from the extraordinarily cold weather in December 2009; and

WHEREAS, Change Order 3 for 2009 (fourth overall), represents an increase of \$1,256,66 for a net overall increase of 2.51 percent, resulting in a new maximum payable amount to UWBC to \$53,180.66; and

WHEREAS, funds are available for this Change Order in Account No. 10-0503-033609 as evidenced by the Burlington County Chief Financial Officer, and be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the attached Change Order 3 for 2009 (fourth overall) to the Contract "SOCIAL SERVICES FOR THE HOMELESS 2008-2009" (RFP-07-0091), with UWBC, is hereby approved; and be it

FURTHER RESOLVED that the County Administrator and the Chief Financial Officer are hereby authorized to execute the Change Order and the execution of a Fourth Amendment to the contract in accordance with the Rules of the Board is authorized.

39 NOMINATION AND ELECTION OF FIRE MARSHAL FOR A THREE YEAR TERM TO EXPIRE JANUARY 14, 2013.

Freeholder Donnelly placed in nomination the name of Michael Reed for Fire Marshal for a three year term.

Hearing no other nominations, Director Garganio closed the nomination and called for a roll call vote by name: Freeholder Brown – Michael Reed, Freeholder Donnelly - Michael Reed, Freeholder O'Brien – Michael Reed, Freeholder Reinhart – abstained, and Director Garganio – Michael Reed.

Director Garganio declared Michael Reed elected as Fire Marshal for a three year term to expire January 14, 2013.

40 NOMINATION AND ELECTION OF AN ASSISTANT FIRE MARSHAL FOR A THREE YEAR TERM TO EXPIRE JANUARY 14, 2013.

Freeholder Donnelly placed in nomination the name of David Gsell as Assistant Fire Marshal for a three year term.

Hearing no other nominations, Director Garganio closed the nomination and called for a roll call vote by name. Freeholder Brown – abstained, Freeholder Donnelly – David Gsell, Freeholder O'Brien – David Gsell, Freeholder Reinhart – abstained, and Director Garganio – David Gsell.

Director Garganio declared David Gsell elected as Assistant Fire Marshal for a three year term to expire on January 14, 2013.

41 NOMINATION AND ELECTION TO THE BURLINGTON COUNTY LIBRARY COMMISSION FOR A FIVE YEAR TERM TO EXPIRE ON DECEMBER 31, 2014.

Freeholder Donnelly placed in nomination the name of Ethel Brower for the Burlington County Library Commission for a five year term.

Hearing no other nominations, Director Garganio declared the nomination closed and called for a roll call vote by name. Freeholder Brown – Ethel Brower, Freeholder Donnelly – Ethel Brower, Freeholder O'Brien – Ethel Brower, Freeholder Reinhart – Ethel Brower, and Director Garganio – Ethel Brower.

Director Garganio declared Ethel Brower elected to the Burlington County Library Commission for a five year term to expire on December 31, 2014.

42 APPOINTMENTS BY DIRECTOR – ADVISORY COUNCIL ON WOMEN FOR ONE YEAR:

Director Garganio made the following appointments to the Advisory Council on Women for one year:

Linda Bowker	Carla Reinas
Dana Dabek-Milstein	Dolores Szymanski, ED.D

Walt Keiss	Marilyn Williamson
Dianne Mills McKay	Julia Wittenberg
Joanne Marino	Dolores Woodington
Kathleen McGill Gaskill, Esq.	

43 APPOINTMENTS BY DIRECTOR – OFFICE ON AGING ADVISORY COUNCIL FOR ONE YEAR:

Director Garganio made the following appointments to the Office on Aging Advisory Council for one year:

Joseph Donnelly  
Linda Bennett  
Jane Berezow  
T. Lucille Boone  
Ida Bright  
Althea Pennock  
Samuel Podietz  
Walter Trommelen, Jr.  
Janet Smith

44 PUBLIC COMMENTS.

- 1) Adam Leibtag, President CWA 1036, addressed the Board regarding misconceptions in the newspapers the union's willingness to meet with the Freeholders.
- 2) Rich Dow, Mount Holly Township, addressed the Board regarding shared services, televising public meetings, the conviction of the Special Events Coordinator, and the Farm Fair.
- 3) Mr. Milanez, Westampton Township, addressed the Board regarding the Veteran's memorial in Westampton Township.
- 4) Linda Lovendusky, Springfield Township, addressed the Board regarding agenda item no. 18 and the Farm Fair entrance.
- 5) Janet Curran, Westampton Township, addressed the Board regarding County facilities in Westampton, the Bridge on Springside-Rancocas Road, the Centerton Bridge and a traffic study, and the Rowan property.
- 6) Helen Rump, Central Communications, addressed the Board regarding non-represented employees.
- 7) Nick Sadono, Mt. Holly Township, addressed the Board regarding handing out leaflets to employees, and being asked to leave the building and regarding opening up contracts.

45 COMMENTS BY FREEHOLDERS.

- 1) Freeholder Reinhart commended everyone for coming out this evening, stating that it fosters communication. Freeholder Reinhart also commented on agenda item no. 3 operational audit and hopes that once it is completed it will address a lot of the current issues and concerns.
- 2) Freeholder Brown apologized to all, stating that government should be run like a business and is looking for more communication between the managers and the employees, and not more studies. Freeholder Brown stated that now County government is reactive and encouraged the County to become proactive. Freeholder Brown also apologized to everyone and their family and stated that management should never publicize the loss of jobs. Freeholder Brown encouraged everyone to e-mail the Freeholders or call and let the Freeholders know about their ideas to streamline County government.
- 3) Freeholder O'Brien also thanked everyone for coming out tonight. Freeholder O'Brien stated that she is impressed with staff and employees, but the Freeholders have met with several of the residents of Burlington County and they have a unanimous cry, and that cry is for lower taxes. Freeholder O'Brien encouraged everyone to reach out to the County's Consumer Affairs Department to learn about programs available to them regarding foreclosure. Freeholder O'Brien stated that the County needs the help of its employees and urged the members to reach out to the leadership and consider at the very least a contribution towards health benefits.
- 4) Freeholder Donnelly thanked each of the Union employees for coming out tonight. Freeholder Donnelly further stated that the County workforce is remarkable and there is no dissatisfaction there. Departments have been encouraged to reduce their operating

budgets so the County can save jobs. Mr. Donnelly encouraged substantive negotiations with the Union in order to keep the tax rate where it is and save jobs.

5) Director Garganio stated that he is looking for any ideas that anyone has. Director Garganio further stated the best source is our workforce, every dollar makes a difference, we need to be ready for the recovery in this state and also encouraged to work hard and hand and get things done and run better.

46 ADJOURNMENT.

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

Respectfully submitted,

Gina Wheatley  
Deputy Board Clerk