

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, March 10, 2010 at 7:00 PM. 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 C. O'Brien, Mary Anne Reinhart and Freeholder Director Bruce D. Garganio.

3 OFFICIALS.

Officials in attendance were: County Solicitor Nelson, County Administrator Drayton, Chief Financial Officer Brock, Supervisor of Roads Some, Acting County Engineer Wright, Resource Conservation Director Robbie, Director of Human Resources Hornickle, Public Health Director Gogats, Information Technology Director Behmke, Capital Projects Coordinator Smith, Director of Economic Development Remsa, 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 JANUARY 6, 2010.

It was moved by Freeholder Reinhart, seconded by Freeholder O'Brien that the minutes of the regular Board meeting of January 6, 2010 be approved. Freeholder Brown abstained from the minutes. Motion carried. Minutes approved.

5 RECOGNITION – ROMONA V. MILLER, HOSPITAL ATTENDANT FOR 32 YEARS OF SERVICE UPON RETIRING ON FEBRUARY 28, 2010

Freeholder Reinhart presented Ms. Miller with a clock and read a certificate of appreciation for her dedicated service of 32 years to Burlington County.

6 PUBLIC COMMENTS ON AGENDA ITEMS.

Director Garganio read a statement addressing the 2010 County Budget and Rutgers' 4-H program. Director Garganio stated the Board is committed to the program however every department is experiencing cuts in order to reduce taxes and spending. Director Garganio further stated that there would be a reduction of \$19,000 for this year.

1) Linda McCann, Mansfield Township, addressed the Board regarding agenda item no. 23 (Resolution No. 142).

7 **RESOLUTION NO. 120** by Director Garganio, BUDGET TRANSFER FOR 2009, moved for adoption by Director Garganio, seconded by Freeholder 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	OE	\$ 18,200.00	<hr/>
		\$ 18,200.00	
TO:			
Sheriff's Office	S&W	\$ 3,200.00	
Maintenance of Patients in Other Than			
State Institutions	OE	15,000.00	<hr/>
		\$ 18,200.00	

On roll call: Ayes – Freeholders Brown, Donnelly, O'Brien, Reinhart and Director Garganio. Resolution adopted.

8 **RESOLUTION NO. 121** by Director Garganio, TEMPORARY EMERGENCY APPROPRIATIONS, moved for adoption by Director Garganio, seconded by Freeholder Brown.

WHEREAS, with the delay in the adoption of the 2010 County Budget, an emergent condition has arisen with respect to the operating expenses of various County Departments, and N.J.S.A.40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS the total emergency temporary resolutions adopted in the year 2010 pursuant to the provisions of N.J.S.A. 40A:4-20 (chapter 96, P.L. 1951 as amended) including this resolution total \$ 21,328,127.31 , and

NOW, THEREFORE, BE IT RESOLVED, (not less than two thirds of all members thereof affirmatively concurring) that in accordance with N.J.S.A. 40A:4-20.

1. An emergency temporary appropriation be and the same is hereby made for:

CURRENT FUND:

ADMINISTRATIVE & EXECUTIVE	S&W	5,000.00
DEPARTMENT OF FINANCE	S&W	10,000.00
	OE	3,000.00
LEGAL DEPARTMENT	S&W	25,000.00
ECONOMIC DEVELOPMENT	S&W	41,000.00
COUNTY ADJUSTER	S&W	5,000.00
CLERK OF THE BOARD	S&W	22,000.00
COUNTY ADMINISTRATOR	S&W	10,000.00
CENTRAL MAILING	OE	40,000.00
HUMAN RESOURCES	S&W	9,000.00
INFORMATION TECHNOLOGY	S&W	75,000.00
	OE	188,000.00
RESOURCE CONSERVATION		
PARKS	S&W	18,000.00
COUNTY CLERK	S&W	56,000
PROSECUTOR'S OFFICE	S&W	421,547.00
BUILDING & GROUNDS	S&W	145,000.00
GROUP INSURANCE		1,500,000.00
LIABILITY INSURANCE		134,000.00
WORKERS COMPENSTATION		184,000.00
SURROGATE'S OFFICE	S&W	21,000.00
SHERIFF'S OFFICE	S&W	126,000.00
WEIGHTS & MEASURES	S&W	3,000.00
CONSUMER AFFAIRS	S&W	33,000.00
BOARD OF TAXATION	S&W	13,000.00
MEDICAL EXAMINER	S&W	5,000.00
BOARD OF ELECTIONS	S&W	10,000.00
SUPERINTENDENT OF ELECTIONS	S&W	20,000.00
PUBLIC SAFETY SERVICES	S&W	165,000.00
ROADS & BRIDGES	S&W	200,000.00
	OE	25,000.00
ENGINEERING DEPARTMENT	S&W	36,000.00
JAIL	S&W	400,000.00
JUVENILE DETENTION CENTER	S&W	30,000.00
HEALTH DEPARTMENT	S&W	40,000.00
HUMAN SERVICES	S&W	100,000.00
BOARD OF SOCIAL SERVICES		590,605.00
BUTTONWOOD HOSPITAL	S&W	300,000.00
MILITARY & VETERANS SERVICES	S&W	3,000.00
	OE	7,000.00
SUPERINTENDENT OF SCHOOLS	S&W	8,000.00
BURLINGTON COUNTY		
INSTITUTE OF TECHNOLOGY		3,374,583.02
EXTENSION SERVICE	S&W	16,000.00
BURLINGTON COUNTY		
COMMUNITY COLLEGE		2,253,333.36

BURLINGTON COUNTY SPECIAL SERVICES SCHOOL		2,150,000.00
SICK & TERMINAL LEAVE	S&W	100,000.00
PUBLIC EMPLOYEES RETIREMENT SYSTEM		4,042,044.00
POLICE & FIREMEN'S PENSION SYSTEM		4,262,274.00
SOCIAL SECURITY SYSTEM		500,000.00
SOLID WASTE UTILITY:		
PUBLIC EMPLOYEES RETIREMENT SYSTEM		98,740.93

2. That said emergency temporary appropriation will be provided for in the 2010 budget.
3. That two certified copy of this resolution be filed with the Director of Local Government Services

On roll call: Ayes – Freeholders Brown, Donnelly, O’Brien, Reinhart and Director Garganio. Resolution adopted.

*** It was moved by Director Garganio, seconded by Freeholder Brown to approve the following eighteen (18) items by unanimous consent. All in favor. Motion carried. Resolution Nos. 122 through 139 adopted.

9 **RESOLUTION NO. 122** by Director Garganio, 2010 TEMPORARY CAPITAL BUDGET.

WHEREAS, the need has arisen to introduce a bond ordinance to provide funds for Capital purpose, and;

WHEREAS, the regulations of the Local Finance Board (N.J.A.C. 5:30-4.3(b)) of the Division of Local Government Services, Department of Community Affairs requires that a county adopt a temporary capital budget if a bond ordinance is passed prior to adoption of the Annual Capital Budget, and;

WHEREAS, the ordinance provides a total appropriation as follows:

Description	Total Appropriations	Bonds or Notes	Down Payment From Capital Improvement Fund	Grants In Aid and Other Funding
Providing for the Design, Construction, Reconstruction and Resurfacing of Various Roadways, Bridges and Drainage Systems, Including Acquisition of Various Right-of-Way Easements Therefor, With the County, and Acquisition of Traffic Signal and Other Capital Equipment	\$8,035,818			\$8,035,818

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Burlington that:

- (1) Providing for the Design, Construction, Reconstruction and Resurfacing of Various Roadways, Bridges and Drainage Systems, Including Acquisition of Various Right-of-Way Easements Therefor, With the County, and Acquisition of Traffic Signal and Other Capital Equipment \$8,035,818
- (2) These projects will be included in the Annual Capital Budget, and

- (3) One certified copy be forwarded to the Director of the Division of Local Government Services immediately after passage.

10 **RESOLUTION NO. 123** by Director Garganio, BOND ORDINANCE NO. 123-10 OF THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 75-09 OF THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED ON MARCH 11, 2009, AND ENTITLED: "BOND ORDINANCE OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE DESIGN, CONSTRUCTION, RECONSTRUCTION AND RESURFACING OF VARIOUS ROADWAYS, BRIDGES AND DRAINAGE SYSTEMS, INCLUDING ACQUISITION OF VARIOUS RIGHT-OF-WAY EASEMENTS THEREFOR, WITHIN THE COUNTY, AND ACQUISITION OF TRAFFIC SIGNAL AND OTHER CAPITAL EQUIPMENT, AND APPROPRIATING THE SUM OF \$9,461,000 THEREFOR, AUTHORIZING THE ISSUANCE OF UP TO \$9,010,000 IN GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY TO FINANCE THE SAME", INCREASING THE APPROPRIATION TO \$17,496,818 AND THE EXPENSES PERMITTED UNDER *N.J.S.A. 40A:2-20* TO \$2,865,000, AND AMENDING THE PURPOSES TO INCLUDE A TRAFFIC SIGNAL UPGRADE AND COORDINATION PROJECT.

BE IT ORDAINED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

Section A. The title and Sections 1, 2, 3(a), 3(c), 6(d) and 7 of Bond Ordinance No. 75-09 finally adopted on March 11, 2009 and entitled "BOND ORDINANCE OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE DESIGN, CONSTRUCTION, RECONSTRUCTION AND RESURFACING OF VARIOUS ROADWAYS, BRIDGES AND DRAINAGE SYSTEMS, INCLUDING ACQUISITION OF VARIOUS RIGHT-OF-WAY EASEMENTS THEREFOR, WITHIN THE COUNTY, AND ACQUISITION OF TRAFFIC SIGNAL AND OTHER CAPITAL EQUIPMENT, AND APPROPRIATING \$9,461,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF UP TO \$9,010,000 IN BONDS OR NOTES OF THE COUNTY TO FINANCE THE SAME", are amended and restated in their entirety to read as follows:

Title: "Bond Ordinance of the County of Burlington, New Jersey, Providing for the Design, Construction, Reconstruction and Resurfacing of Various Roadways, Bridges and Drainage Systems, Including Acquisition of Various Right-of-Way Easements Therefor, Within the County, and Acquisition of Traffic Signal and Other Capital Equipment, and Acquisition and Installation of a Traffic Signal Upgrade and Coordination Project, and Appropriating \$17,496,818 Therefor, and Providing for the Issuance of \$9,010,000 in Bonds or Notes of the County to Finance the Same".

Section 1. The improvements or purposes described in Section 3(a) of this bond ordinance are hereby authorized to be undertaken by the County of Burlington, New Jersey ("County") as general improvements. For the improvements or purposes described in Section 3(a) hereof, there is hereby appropriated the sum of \$17,496,818 (including \$9,010,000, to be raised by the issuance of bonds or bond anticipation notes), together with the sum of \$451,000 (which amount represents the required down payment) and the aggregate sum of \$8,035,818 (which amount represents two (2) grants for certain Federal Aid American Recovery and Reinvestment Act ("ARRA") projects heretofore approved by the Federal Highway Administration through the New Jersey Department of Transportation). The down payment has been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvements or purposes and to meet the \$17,496,818 appropriation, negotiable bonds or notes of the County are hereby authorized to be issued in the principal amount of \$9,010,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes of the County are hereby authorized to be issued in a principal amount not exceeding \$9,010,000 pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued are for the design, construction, reconstruction and resurfacing of various roadways, bridges and drainage systems, including the acquisition of various right-of-way easements therefor and acquisition of traffic signal and other capital equipment, and the acquisition and installation of a traffic signal upgrade and coordination project, within the County, including all work and materials necessary therefor or incidental thereto, all as more fully described in the County's capital budget

and in plans and specifications on file therefor in the County Engineering Department as set forth in the table below.

	Total Project <u>Cost</u>	Down Payment	Federal Aid ARRA Grant <u>Appropriated</u>	Bonds/Notes <u>Authorized</u>
Project I. Various County Road, Bridge and Drainage Improvements: Road Resurfacing for Various County Roadways; Crispin Road Bridge Replacement, Including Pedestrian Path (Lumberton Twp.); Marne Highway/Hartford Road Intersection Improvements, Including New Traffic Signal Equipment (Mt. Laurel Twp.); Bridge and Culvert Improvements (Various Municipalities); and County Roadway Reconstruction and Repair (Various Municipalities).	\$8,841,818	\$326,000	\$2,595,818	\$5,920,000
Project II. Right-Of-Way Acquisitions for Various County Roads and Bridges: Intersection Improvements – Stokes Road/Dixontown Road/Skeet Road (Medford Twp.), Creek Road/Masonville Road (Mt. Laurel Twp.), Elbo Lane/Hartford Road (Mt. Laurel Twp.), Elbo Lane/Moorestown-Mt. Laurel Road (Mt. Laurel Twp.), Marne Highway/Hartford Road (Mt. Laurel Twp.), Church Road/New Freedom Road/Wilkins Station Road (Medford Twp.) and Elbo Lane Curve (Mt. Laurel Twp.); Drainage – Bridgeboro Road (Delran Twp.); Bridges – Bispham Street Bridge (D.4.11) (Mount Holly Twp.); and Culverts – Tuckerton Road Culvert (D5.141) (Medford Twp.).	\$1,215,000	\$25,000	\$-0-	\$1,190,000
Project III. Various County Drainage and Bridge Deck Reconstruction Improvements: Guiderail (Various County Roadways); Timber Bridge Deck Repair (Various Bridges); Corrugated Steel Deck Panels (Centerton and Fork Landing Bridges); Structural Steel Repair (Various Bridges); and Various Concrete, Hot	\$650,000	\$50,000	\$-0-	\$600,000

	<u>Total Project Cost</u>	<u>Down Payment</u>	<u>Federal Aid ARRA Grant Appropriated</u>	<u>Bonds/Notes Authorized</u>
Mixed Asphalt, Stone and Pipe Projects.				
	<u>Total Project Cost</u>	<u>Down Payment</u>	<u>Federal Aid ARRA Grant Appropriated</u>	<u>Bonds/Notes Authorized</u>
Project IV. Traffic Signal Upgrade and Coordination Project	\$5,440,000	\$-0-	\$5,440,000	\$-0-
Acquisition of Equipment for and Installation of Traffic Signal Improvements at Various Intersections throughout the County (Burlington, Westampton, Willingboro and Medford Twps. and Medford Lakes Borough).				
Project V. Engineering and Design of Various County Bridge, Drainage and Road Improvements:	\$1,350,000	\$50,000	\$-0-	\$1,300,000
Guiderail Evaluation and Replacement (Countywide); Hot Mixed Asphalt Inspection and Testing; Emergency Bridge/Culvert Engineering Services; Church Road Bridge (D4.47) Replacement (Medford & Southampton Twps.); Appraisal Services (Property Acquisitions & Easements); Title Search Services (Property Acquisitions & Easements); and Environmental Consulting Services (Phase I Reports).				
TOTAL	\$17,496,818	\$451,000	\$8,035,818	\$9,010,000

(c) The estimated cost of the improvements or purposes is \$17,496,818, the amount of the appropriation herein made therefor.

Section 6. (d) An aggregate amount not exceeding \$2,865,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the improvements or purposes.

Section 7. In addition to the two (2) Federal Aid ARRA Grants identified in Section 1 and Section 3(a) above, any other funds from time to time received by the County on account of any grant in aid of financing the improvements or purposes described in Section 3(a) of this bond ordinance or from any other source shall be applied either to direct payment of the cost of the improvements or to payment of the obligations of the County authorized to be issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section B. The capital budget is hereby amended to conform with the provisions of this amendatory bond ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing in full detail the amended capital budget and capital improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk of the Board of Chosen Freeholders and available for public inspection.

Section C. Except as provided herein, Bond Ordinance No. 75-09 finally adopted on March 11, 2009, as amended and supplemented by this amendatory bond ordinance, remains as finally adopted on March 11, 2009 and otherwise remains in full force and effect.

Section D. This amendatory bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by the Local Bond Law.

- 11 **RESOLUTION NO. 124** by Director Garganio, RESOLUTION TO SET PUBLIC HEARING FOR BOND ORDINANCE OF THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 75-09.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the Ordinance entitled, " BOND ORDINANCE NO. OF THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 75-09 OF THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED ON MARCH 11, 2009, AND ENTITLED: "BOND ORDINANCE OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE DESIGN, CONSTRUCTION, RECONSTRUCTION AND RESURFACING OF VARIOUS ROADWAYS, BRIDGES AND DRAINAGE SYSTEMS, INCLUDING ACQUISITION OF VARIOUS RIGHT-OF-WAY EASEMENTS THEREFOR, WITHIN THE COUNTY, AND ACQUISITION OF TRAFFIC SIGNAL AND OTHER CAPITAL EQUIPMENT, AND APPROPRIATING THE SUM OF \$9,461,000 THEREFOR, AUTHORIZING THE ISSUANCE OF UP TO \$9,010,000 IN GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY TO FINANCE THE SAME", INCREASING THE APPROPRIATION TO \$17,496,818 AND THE EXPENSES PERMITTED UNDER N.J.S.A. 40A:2-20 TO \$2,865,000, AND AMENDING THE PURPOSES TO INCLUDE A TRAFFIC SIGNAL UPGRADE AND COORDINATION PROJECT" was introduced on March 10, 2010, and having been read by title only by the County Administrator/Board Clerk, does now pass on first reading, and that said Ordinance be further considered for final passage at the meeting of the said Board to be held on the 24th day of March, 2010 at 7:00 P.M., prevailing time or as soon as this matter can be reached at the regular meeting room of the Board of Chosen Freeholders in the Township of Mount Holly, New Jersey, and that at such time and place all persons interested be given an opportunity to be heard concerning the same, and that the County Administrator/Board Clerk be and he is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading in the Burlington County Times, a legal newspaper published in the County of Burlington.

- 12 **RESOLUTION NO. 125** 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 \$23,825,026.29 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.

- 13 **RESOLUTION NO. 126** by Director Garganio, SUBSTANTIAL COMPLETION DATE ESTABLISHED AS JANUARY 19, 2010 FOR PROJECT KNOWN AS "FIRE TRAINING SIMULATOR AND BURN BUILDING REPAIRS, WESTAMPTON, NJ" WITH W.J. GROSS, INC.

WHEREAS, on November 26, 2008, the Board of Chosen Freeholders of the County of Burlington approved the recommendation of the Burlington County Chief Financial Officer to award the contract known as "FIRE TRAINING SIMULATOR AND BURN BUILDING REPAIRS, WESTAMPTON, NJ" (CPU-08-0111) in an amount of TWO MILLION SIX HUNDRED FORTY-NINE THOUSAND DOLLARS (\$2,649,000.00) to W.J. Gross, Inc. of 495 Center Street, Sewell, NJ 08080 in conformance with plans and specifications prepared by The Vaughn Collaborative; and

WHEREAS, the Board intends, by adoption of this resolution, to establish the date of substantial completion for this project as January 19, 2010; now therefore, be it

RESOLVED that the substantial completion date for this project shall be January 19, 2010 and, be it

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

14 **RESOLUTION NO. 127** by Director Garganio, AUTHORIZATION TO EXECUTE SUBGRANT AGREEMENTS WITH LOCAL ARTS ORGANIZATIONS IN THE AMOUNT OF \$37,427 AND \$37,427 TO THE DIVISION OF CULTURAL AFFAIRS & TOURISM FOR PROGRAM, PROJECTS AND SERVICES THROUGH THE GRANT WITH THE STATE COUNCIL ON THE ARTS FOR RESOURCE CONSERVATION/DIVISION OF CULTURAL AFFAIRS AND TOURISM.

WHEREAS, by Resolution No. 170 adopted on March 12, 2008, the Burlington County Board of Chosen Freeholders (“Board”) approved the submission of an application by the Burlington County Office of Cultural & Heritage Affairs, now known as Burlington County Division of Cultural Affairs & Tourism (“Office”) to the New Jersey State Council on the Arts (“Council”) for grant funds to be allocated in State Fiscal Years 2009-2011; and

WHEREAS, by letter dated July 28, 2009, the Council approved a grant to the Board in the amount of \$74,854 for year 2010 (Grant Award No. 1013A060021) of which \$37,427 would be distributed to local arts groups through subgrantee agreements and \$37,427 would be used to support County arts and cultural programs and projects; and

WHEREAS, upon thorough review of application for arts programs submitted to the Office, the Burlington County Cultural and Heritage Advisory Committee recommends grant funding to agencies named below; and

WHEREAS, there are funds available to make subgrantee agreements with the agencies named below in Account No. 14-5797-033710 as evidenced by the Certification of the Burlington County Treasurer; now, therefore, be it

RESOLVED, by Burlington County Board of Chosen Freeholders that subgrantee agreements with the agencies named below awarding Council grant funds be and the same hereby are approved and their execution in accordance with the Rules of the Board authorized.

<u>Recipient</u>	<u>Activity</u>	<u>Award</u>
Bridge Players Theatre Company	Special Arts Project Community Theater	\$3,879
Burlington County Footlighters	Special Arts Project Community Theater	\$3,879
Burlco Lyceum of History & Natural Sciences/Mt. Holly Lib.	Special Arts Project Art Beyond the Classroom	\$1,629
Center for the Arts in SNJ	Special Arts Project Arts Center	\$3,637
Friends of Medford Art Council	General Operating Support Arts Center	\$3,879
Golden Eagle Community Band	Special Arts Project Community Band	\$3,879
Main Street Mount Holly	Special Arts Project Mural Project	\$1,629
Mill Race Village Arts & Preservation	Special Arts Project Ice Carving Festival	\$2,879
Moorestown Theater Co.	Special Arts Project Community Theater	\$ 500
Philharmonic of Southern NJ	General Operating Support Community Symphony Orchestra	\$3,879
Servicios Latinos	Special Arts Project Latino Celebration	\$3,879
Whitesbog Preservation Trust	Special Arts Project Blueberry Festival	\$3,879

- 15 **RESOLUTION NO. 128** by Director Garganio, AGREEMENTS WITH CURRAN REALTY ADVISORS FOR THE APPRAISAL OF THE GAFFENY PROPERTY, BLOCK 47, LOT 1 AND BLOCK 120, LOTS 1, 1.01 AND 1.02 LOCATED IN HAINESPORT TOWNSHIP IN AN AMOUNT NOT TO EXCEED \$3,500 AND CURRAN REALTY ADVISORS AND BARTELT ASSOCIATES FOR AN APPRAISAL OF THE FLO'S TAVERN PROPERTY, BLOCK 68, LOTS 8, 9 AND 10 LOCATED IN HAINESPORT TOWNSHIP FOR AN AMOUNT NOT TO EXCEED \$4,000 EACH 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 Hainesport Township adjacent to the Rancocas Creek located at Block 47, Lot 1; Block 120, Lots 1, 1.01 and 1.02, owned by Linda Gaffney and Block 68, Lots 8, 9 and 10, owned by Jerry Gehrand; 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 Curran Realty Advisers (hereinafter referred to as "Bartelt" and "Curran") 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 Curran 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 as follows: \$4,000 for Bartelt (Gehrand property only) and \$7,500 for Curran (\$3,500 for Gaffney property and \$4,000 for Gehrand property) 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 Curran, 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.

- 16 **RESOLUTION NO. 129** by Director Garganio, AGREEMENT WITH BRINKERHOFF FOR AN ENVIRONMENTAL ASSESSMENT OF THE GAFFENY PROPERTY, BLOCK 47, LOT 1, BLOCK 120, LOTS 1, 1.01 & 1.02, LOCATED IN HAINESPORT TOWNSHIP AND FLO'S TAVERN PROPERTY, BLOCK 68, LOTS 8, 9 & 10, HAINESPORT TOWNSHIP FOR AN AMOUNT NOT TO EXCEED \$2,000 EACH 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 Hainesport Township adjacent to the Rancocas Creek located at Block 47, Lot 1; Block 120, Lots 1, 1.01 and 1.02, owned by Linda Gaffney and Block 68, Lots 8, 9 and 10, owned by Jerry Gehrand; 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 Brinkerhoff Environmental Services, Inc. ("Brinkerhoff"), as a contractor qualified to perform various environmental services on behalf of the Board from 2009-2011; and

WHEREAS, Brinkerhoff has offered to provide the services needed by the Board for a charge of \$4,000, 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.

- 17 **RESOLUTION NO. 130** by Director Garganio, AUTHORIZATION TO PURCHASE THE OLIVE WHITEHEAD PROPERTY, BLOCK 1301, LOT 10 LOCATED IN EASTAMPTON TOWNSHIP IN THE AMOUNT OF \$40,000 PURSUANT TO THE COUNTY'S OPEN SPACE PRESERVATION PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders is interested in preserving lands for open space and farmland purposes, particularly lands which are located within project areas identified in the Burlington County Parks and Open Space Master Plan; and

WHEREAS, the Olive Whitehead property is located at Block 1301, Lot 10, Eastampton Township; and

WHEREAS, the property owner has agreed to sell this parcel to the County for the sum of \$40,000.00, subject to the ultimate agreement of the parties with respect to the terms and conditions of a contract to be reviewed and approved by the County Administrator and the County Solicitor; and

WHEREAS, there are sufficient monies in account no. 44-5007-100755 to fund purchase of the subject property, as evidenced by the certification of the Burlington County Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that Agreements and any amendments thereto as may be determined to be necessary for the purchase of

said property be and the same are hereby approved and their execution in accordance with the Rules of the Board are authorized; and, be it

FURTHER RESOLVED, that the Freeholder Director, County Chief Financial Officer, County Administrator/Clerk of the Board and County Solicitor are hereby authorized to take such further actions and sign such documents as may be needed to conclude this purchase.

- 18 **RESOLUTION NO. 131** by Director Garganio, AUTHORIZATION TO PURCHASE THE DANA HANCOCK PROPERTY, BLOCK 301, LOT 32 LOCATED IN SOUTHAMPTON TOWNSHIP IN THE AMOUNT OF \$155,000 PURSUANT TO THE COUNTY'S OPEN SPACE PRESERVATION PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders is interested in preserving lands for open space and farmland purposes, particularly lands which are located within project areas identified in the Burlington County Parks and Open Space Master Plan; and

WHEREAS, the Dana Hancock property is located at Block 201, Lot 32, Southampton Township; and

WHEREAS, the property owner has agreed to sell this parcel to the County for the sum of \$155,000.00, subject to the ultimate agreement of the parties with respect to the terms and conditions of a contract to be reviewed and approved by the County Administrator and the County Solicitor; and

WHEREAS, there are sufficient monies in account no. 44-5007-100755 to fund purchase of the subject property, as evidenced by the certification of the Burlington County Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that Agreements and any amendments thereto as may be determined to be necessary for the purchase of said property be and the same are hereby approved and their execution in accordance with the Rules of the Board are authorized; and, be it

FURTHER RESOLVED, that the Freeholder Director, County Chief Financial Officer, County Administrator/Clerk of the Board and County Solicitor are hereby authorized to take such further actions and sign such documents as may be needed to conclude this purchase.

- 19 **RESOLUTION NO. 132** by Director Garganio, AUTHORIZATION TO PURCHASE THE THOMAS PRAY PROPERTY, BLOCK 1300, LOT 46 LOCATED IN EASTAMPTON TOWNSHIP IN THE AMOUNT OF \$135,000 PURSUANT TO THE COUNTY'S OPEN SPACE PRESERVATION PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders is interested in preserving lands for open space and farmland purposes, particularly lands which are located within project areas identified in the Burlington County Parks and Open Space Master Plan; and

WHEREAS, the Thomas Pray property is located at Block 1300, Lot 46, Eastampton Township; and

WHEREAS, the property owner has agreed to sell this parcel to the County for the sum of \$135,000.00, subject to the ultimate agreement of the parties with respect to the terms and conditions of a contract to be reviewed and approved by the County Administrator and the County Solicitor; and

WHEREAS, there are sufficient monies in account no. 44-5007-100755 to fund purchase of the subject property, as evidenced by the certification of the Burlington County Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that Agreements and any amendments thereto as may be determined to be necessary for the purchase of said property be and the same are hereby approved and their execution in accordance with the Rules of the Board are authorized; and, be it

FURTHER RESOLVED, that the Freeholder Director, County Chief Financial Officer, County Administrator/Clerk of the Board and County Solicitor are hereby authorized to

take such further actions and sign such documents as may be needed to conclude this purchase.

20 **RESOLUTION NO. 133** by Director Garganio, FIRST AMENDMENT TO AGREEMENT WITH BIRDSALL SERVICES GROUP FOR ADDITIONAL SERVICES NECESSARY TO PREPARE AND CONDUCT AN ON-LINE AUCTION FOR THE PURCHASE OF ELECTRICITY FOR THE DEPARTMENT OF RESOURCE CONSERVATION.

WHEREAS, by Resolution No. 88, adopted on February 25, 2009, the Burlington County Board of Chosen Freeholders ("Board") established, through a fair and open process, an approved list of engineers found to be qualified to provide energy consulting services to the Board; and

WHEREAS, by Resolution No. 563 adopted on September 9, 2009, the Board retained Birdsall Services Group ("Birdsall"), a firm on the list of approved energy consultants/engineers, to develop an energy master plan for Burlington County; and

WHEREAS, P.L. 2001, c. 30 established the E-Procurement Pilot Program that allows local government units to purchase certain commodities, including electricity, under the aegis of the New Jersey Division of Local Government Services through means of the Internet and related technologies, and

WHEREAS, Birdsall has been approved by the Department of Community Affairs to serve in the capacity of the on-line purchasing agent on behalf of local government units wishing to purchase energy on-line; and

WHEREAS, the Board desires to amend its contract with Birdsall to increase the scope of services to include work necessary to prepare for and conduct an on-line auction for the purchase of electricity to serve the needs of the County; and

WHEREAS, Birdsall has offered to provide the services needed by the Board and has agreed to be compensated for such services by the selected supplier of electricity based upon a portion of the savings realized; now, therefore, be it

RESOLVED as follows:

1. The contract amendment described above, which shall be approved as to form and substance by the County Administrator and County Solicitor and then executed in accordance with the Rules of the Board.
2. This amendment to contract is awarded pursuant to P.L. 2001, c. 30 and the E-Procurement Pilot Program of the Division of Local Government Services.
3. Notice of this action shall be published in accordance with requirements of the Law.
4. A copy of this Resolution shall be forwarded to the Division of Local Government Services, New Jersey Department of Community Affairs.

21 **RESOLUTION NO. 134** by Director Garganio, AUTHORIZATION FOR THE RECOVERY OF COSTS INCURRED BY THE COUNTY IN RESPONDING TO HAZARDOUS SUBSTANCE DISCHARGES.

WHEREAS, the Burlington County Health Department (the "Department") is responsible for administration of the County's Environmental Health Act ("CEHA") Program, pursuant to N.J.S.A. 26:3A2-21 et seq.; and

WHEREAS, Department of Environmental Protection ("DEP") has certified its approval of Burlington County's Environmental Health Work Plan for hazardous materials emergency response actions and enforcement; and

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") has approved the recommendation of the County Health Officer and Department that the Board adopt a resolution to establish standard procedures and provisions for the recovery from the responsible party of costs of responses to hazardous materials emergency spills and situations resulting from unpermitted discharges that occur throughout the County of Burlington; now, therefore, the Board

RESOLVES and ORDAINS the Burlington County Emergency Response Cost Recovery Resolution is as follows:

Section I – Authority.

This Resolution is enacted pursuant to and consistent with the County Environmental Health Act, N.J.S.A. 26:3A2-21 et seq. and the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq., and the rules and regulations adopted thereunder.

Section II – Purpose.

Unauthorized and unpermitted discharges of hazardous substances within the jurisdictional confines of the County of Burlington are prohibited. This Resolution establishes procedures and protocols for emergency response and provides for the recovery of costs incurred by the County of Burlington and its approved agents in an emergency response action to unauthorized and unpermitted discharges and, as such, supplements the provisions of the Burlington County Environmental Health Work Plan as approved by the DEP.

Section III – Definitions.

The words and terms used in this resolution shall have the following meaning:

"Agents of the County" shall include, for purposes of this resolution, the Burlington County Department of Public Safety, a municipality, public entity or other entity which executes a Shared Services agreement with the County pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. or like predecessor laws for the purpose of providing emergency response services within the geographical boundaries of the County, provided such agreement is incorporated into the County's Work Plan pursuant to N.J.S.A. 26:3A2-33 and approved by DEP.

"County" means the County of Burlington, its employees, agents, officers and officials.

"DEP" means the New Jersey Department of Environment Protection.

"Discharge" means an intentional or unintentional act or omission, unless pursuant to and in compliance with the conditions of a valid and effective State or Federal permit, resulting in the releasing, spilling, pumping, pouring, emitting, emptying or dumping of a hazardous substance into the waters or onto the land of the County, or into waters outside the County, or into waters outside of the County when damage may result to the lands, waters or natural resources within the jurisdiction of the County. This definition does not include any "leak."

"Emergency response action" means any action taken by the County, its employees, agents or contractors in response to a discharge or threatened discharge of a hazardous substance for the purpose of:

(1) investigating its cause, source or effect; (2) conducting or overseeing a remedial action; (3) initiating any action to prevent or mitigate any risk or threat to public health, safety or welfare arising out of a discharge; and (4) to prevent or mitigate any damage or injury to public or private property or natural resources.

"Emergency response action costs" means all costs reasonably incurred by the County of Burlington, its employees, approved agents and contractors hired in connection with an emergency response action, including overtime costs for appropriately deployed emergency response personnel and expendable items. Excluded are costs to pay volunteer responders, and costs associated with fire fighting and police support.

"Expendable items" means any items used to prevent, mitigate or contain any discharge or threatened discharge, which cannot be reused or replenished or replaced without cost after use or employment in an emergency response action. Expendable items shall include, but are not limited to, chemical extinguishing agents, absorbents and absorbent materials, sand, recovery drums, protective equipment and clothing, including such items as disposable chemical protective suits, gloves, boots, and goggles. Items not compensable include those items typically employed to fight fires and not to mitigate a discharge.

"Hazardous substances" means all substances included within the definition of "hazardous substances" under N.J.A.C. 7:1E-1.7, including all amendments and supplements thereto.

"Leak or leaking" means any escape of a hazardous substance from the ordinary containers employed in the normal course of storage, transfer, processing or use into a secondary containment or diversion system or onto a surface from which it is cleaned-up and removed prior to its escape into the waters or onto the lands of the State.

"Municipality" means any of the incorporated municipalities within the County of Burlington, including their employees, officers and officials.

"Owner or operator" means, with respect to a vessel, any person owning or operating or chartering by demise such vessel; with respect to any facility or vehicle, any person or owner operating such facility or vehicle, whether by lease, contract or any other form of agreement; with respect to abandoned facilities or vehicles the person who owned or operated the facility or vehicle immediately prior to such abandonment; the owner or operator at the time of the discharge.

"Person" means any entity or natural person, including without limitation, any of the following: public or private corporations, companies, associations, societies, firms, partnerships, joint stock companies, individuals, interstate subdivisions or agents, the State of New Jersey and any of its political subdivisions or agents.

"Responsible party" means a person who is in any way responsible for discharge, including each owner and operator and any other person obligated by law to clean up and remove contaminants.

Section IV – Prohibition.

The discharge of a hazardous substance is prohibited, except this prohibition shall not apply to discharges conducted in compliance with the conditions of valid Federal or State permit or otherwise authorized, by law.

Section V – Notification.

Any person who is in any way responsible for a discharge of a hazardous substance shall immediately notify the DEP pursuant to N.J.A.C. 7:1E-5.3.

Section VI – Liability.

Any person who is in any way responsible for the discharge of a hazardous substance is liable strictly, jointly and severally for all emergency response action costs reasonably incurred by the County, its agents, employees, and contractors, and any personal or property damage incurred by the County, its agents, employees and contractors.

Section VII - Emergency Response.

The County may initiate and conduct an emergency response action in response to a discharge that has occurred, is occurring or threatens to occur within the geographical boundaries of the County, in accordance with the provisions of the DEP's Order of Certification.

Section VIII - Cost Recovery.

a. The County may recover all costs reasonably incurred by the County, its employees, agents and contractors hired in connection with an emergency response action, including the overtime costs of deployed emergency response personnel costs incurred by the County in the recovery of these costs, and the costs of expendable items.

b. Whenever the County seeks to recover costs pursuant to "a" above, the County shall send by certified and regular mail a demand letter to the responsible party or parties, which shall contain:

1. The date and time of the discharge;
2. The basis for liability;
3. A detailed narrative description of the costs incurred by the County, its employees, agents, contractors and authorized political subdivisions in responding to the discharge;
4. A calculation sheet, including hours and personnel charged, salary rates and any overhead rates;
5. An explanation of the procedures to be followed to pay the costs demanded or to appeal the demand.

Payment shall be remitted within 45 days of receipt of the demand letter.

c. Whenever the County issues a demand letter to a responsible party and the responsible party fails to remit payment within 45 days as prescribed herein, the County may bring an action in a court of competent jurisdiction to recover the costs incurred in the emergency response action, reasonable litigation costs and interest on the outstanding amount due calculated from the 46th day following the receipt of the demand letter to the date judgment is rendered at the interest rate set forth in the Rules governing the Courts of New Jersey.

d. In accordance with N.J.S.A. 26:3A2-34 and N.J.S.A. 26:3A2-35, amounts collected pursuant to this Resolution shall be deposited into the County Environmental Quality and Enforcement Fund.

Section IX - Inspection, Right of Entry.

Authorized representatives of the County shall have the same right as an authorized representative of the DEP to enter and inspect any premises, facility, site, vessel, or building when there is an emergency condition, for the purpose of ascertaining compliance or non-compliance with the provisions of this resolution and the provisions set forth at N.J.A.C. 7:1E-1 et seq.

Section X - Construction and Severability.

a. This Resolution is to be liberally construed to effectuate the purposes herein described. Nothing herein is to be construed as repealing or abridging the emergency powers of any agency of government except to the extent expressly set forth herein.

b. This Resolution shall be implemented and enforced in accordance with the terms and conditions herein set forth, the County Plan and the DEP's Order of Certification.

c. If any section, subsection, paragraph, sentence, clause, phrase, or word contained in this Resolution shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Resolution which shall remain in full force and effect.

d. This Resolution shall be deemed to include any additions or amendments that may be required by the Commissioner of the DEP as a condition of approval.

e. Nothing herein is intended to limit the powers, rights or authority of the County. The County reserves unto itself any and all rights it has under all applicable laws and regulations with respect to preserving and protecting Burlington County residents and property.

Section XI – Repealer.

Any resolution, resolution or portion thereof enacted by the County, any municipality, board of health, or other public entity within the County of Burlington that contains any subject matter governed by this resolution that is not consistent with or which stands as an obstacle to the effective implementation of this Resolution shall be superseded by this Resolution and is hereby repealed and set aside.

Section XII - Effective Date.

This Resolution shall take effect on adoption.

A certified copy shall be mailed to the DEP within five working days after adoption.

22 **RESOLUTION NO. 135** by Director Garganio, POSITIONS CREATED AND ABOLISHED IN VARIOUS DEPARTMENTS AS PER THE PERSONNEL COMMITTEE MEETING 3/3/2010.

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

	RANGE	HOURS
BUTTONWOOD HOSPITAL:		
Create:		
01960 1 Head Nurse PT	32	24

Abolish: 1 Graduate Nurse PT

CLERK OF THE BOARD:

Abolish: 1 Construction Management Specialist 4

ENGINEERING: (title code correction)

02795 1 Principal Engineer-Bridges	31	40
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RESOURCE CONSERVATION (Parks):

Create:

30800 1 Construction Management Specialist 4	21	40
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and be it,

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

23 **RESOLUTION NO. 136** 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.

Kristina E. Thompson, Practical Nurse, Buttonwood Hospital. Commenced duties on 12/14/09 at \$21.00 per hour. Permanent appointment to non-competitive division position.

Sharon J. Seamon, Practical Nurse, Buttonwood Hospital. Commenced duties on 12/14/09 at \$38,628 per annum. Temporary appointment six months or less.

James H. Farrell, Jr., Hospital Attendant, Buttonwood Hospital. Commenced duties on 12/14/09 at \$29,234 per annum. Permanent appointment to non-competitive division position.

Roselyn N. Wright, Hospital Attendant, Buttonwood Hospital. Commenced duties on 11/29/09 at \$14.00 per hour. Permanent appointment to non-competitive division position.

Latasha S. Bailey, Senior Hospital Attendant, Buttonwood Hospital. Commenced duties on 11/15/09 at \$31,009 per annum. Temporary appointment six months or less.

John M. Quinn, Assistant Storekeeper, Buildings and Grounds. Commenced duties on 4/5/09 at \$29,844 per annum. Individual transfer.

Raul A. Negron, Jr., Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 8/23/09 at \$34,778 per annum. Permanent appointment from open competitive certification.

Keith R. Frank, Jr., Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 8/23/09 at \$33,553 per annum. Permanent appointment from open competitive certification.

Joshua A. Fekete, Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 8/23/09 at \$33,553 per annum. Permanent appointment from open competitive certification.

Kevin C. Reilly, Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 8/23/09 at \$33,553 per annum. Permanent appointment from open competitive certification.

Reginald W. Scott, Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 8/23/09 at \$33,553 per annum. Permanent appointment from open competitive certification.

Brandon, C. Tolbert, Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 8/23/09 at \$33,553 per annum. Permanent appointment from open competitive certification.

Robert M. Tydeman, Maintenance Repairer, Resource Conservation. Commenced duties on 11/2/09 at \$32,319 per annum. Provisional appointment pending re-employment certification.

Dawn Ware, Hospital Attendant, Buttonwood Hospital. Commenced duties on 10/4/09 at \$29,234 per annum. Permanent appointment to non-competitive division position.

Darrah L. Delorenzo, Principal Clerk Typist, Engineering. Commenced duties on 1/26/10 at \$33,076 per annum. Permanent appointment from promotional certification.

Elisabeth L. Kleszczelski, Assistant Engineer Bridges, Engineering. Commenced duties on 1/25/10 at \$48,077 per annum. Permanent appointment from open competitive certification.

Kristen A. Bacher, Assistant Engineer Bridges, Engineering. Commenced duties on 1/25/10 at \$48,317 per annum. Permanent appointment from open competitive certification.

Gina M. Parker, Hospital Attendant, Buttonwood Hospital. Commenced duties on 1/11/10 at \$30,234 per annum. Permanent appointment to non-competitive division position.

Sharon S. Atkinson, Clerk Typist, Health Department. Commenced duties on 1/11/10 at \$27,151 per annum. Temporary appointment six months or less.

Michael C. Reynolds, Equipment Operator, Highway Department. Commenced duties on 1/11/10 at \$35,960 per annum. Permanent appointment from promotional certification.

Raymond J. Clevenger, Equipment Operator, Highway Department. Commenced duties on 1/11/10 at \$35,960 per annum. Permanent appointment from promotional certification.

Jeffrey A. Clayton, Director of Narcotics Clinic, Health Department. Commenced duties on 12/28/09 at \$63,350 per annum. Temporary appointment six months or less.

Robert M. Tydeman, Maintenance Repairer, Resource Conservation. Commenced duties on 12/16/09 at \$32,319. Permanent appointment from re-employment certification.

Brenda A. Antwi, Psychiatric Aide, Buttonwood Hospital. Commenced duties on 1/5/10 at \$32,744 per annum. Permanent appointment from promotional certification.

Bobbi Jo Westmoreland, Principal Account Clerk, Buttonwood Hospital. Commenced duties on 1/28/10 at \$35,294 per annum. Permanent appointment from promotional certification.

Joshua P. Friedrich, Public Safety Telecommunicator Trainee, Public Safety. Commenced duties on 1/25/10 at \$33,936 per annum. Permanent appointment to non-competitive division position.

Thomas V. Kozub, Public Safety Telecommunicator, Public Safety. Commenced duties on 1/25/10 at \$33,936 per annum. Permanent appointment to non-competitive division position.

Stephanie A. Matheson, Clerk Typist, Public Safety. Commenced duties on 1/26/10 at \$12.53 per hour. Temporary appointment six months or less.

Nicholas M. Biacco, Assistant Storekeeper, Office on Aging. Commenced duties on 11/20/09 at \$33,360 per annum. Permanent appointment from qualifying certification.

Megan M. Middleton, Public Safety Telecommunicator Trainee, Public Safety. Commenced duties on 1/25/10 at \$33,936 per annum. Permanent appointment to non-competitive division position.

Matthew C. Plowman, Public Safety Telecommunicator Trainee, Public Safety. Commenced duties on 1/25/10 at \$33,936 per annum. Permanent appointment to non-competitive division position.

Erica L. Smith, Public Safety Telecommunicator Trainee, Public Safety. Commenced duties on 1/25/10 at \$33,936 per annum. Permanent appointment to non-competitive division position.

Elizabeth P. Paye, Practical Nurse, Buttonwood Hospital. Commenced duties on 1/25/10 at \$21.00 per hour. Permanent appointment to non-competitive division position.

Cheryl E. McCoy, Narcotics Clinic Aide, Health Department. Commenced duties on 4/6/09 at \$14.00 per hour. Temporary appointment six months or less.

Nicoletta Turner-Foster, Physician, Health Department. Commenced duties on 12/19/07 at \$90.00 per hour. Unclassified position.

Thomas A. Fox, Supervising Environmental Health Specialist, Health Department. Commenced duties on 4/17/09 at \$48,566 per annum. Provisional appointment pending promotional examination.

Raymond W. Perkins, Narcotics Clinic Aide, Health Department. Commenced duties on 11/2/09 at \$14.00 per hour. Temporary appointment six months or less.

Shannon L. Ritter, Psychiatric Aide, Buttonwood Hospital. Commenced duties on 11/1/09 at \$30,469 per annum. Permanent part-time to temporary full-time.

Cheryl A. Wallace, Clinic Attendant, Health Department. Commenced duties on 10/5/09 at \$32,427 per annum. Temporary appointment six months or less.

Angela G. Matthews, Senior Practical Nurse, Buttonwood Hospital. Commenced duties on 12/13/09 at \$54,443 per annum. Provisional appointment pending promotional examination.

Mary E. Palmer, Hospital Attendant, Buttonwood Hospital. Commenced duties on 12/13/09 at \$29,234 per annum. Permanent part-time to permanent full-time.

Amanda R. Pierce, Practical Nurse, Buttonwood Hospital. Commenced duties on 12/13/09 at \$36,637 per annum. Permanent part-time to temporary full-time.

Latasha S. Bailey, Senior Hospital Attendant, Buttonwood Hospital. Commenced duties on 12/13/09 at \$33,009 per annum. Permanent appointment to non-competitive division position.

Anthony V. Miranda, Storekeeper, Buttonwood Hospital. Commenced duties on 9/6/09 at \$29,852 per annum. Provisional appointment pending open competitive examination.

Ronald A. Cox, Jail Administrator/Warden, County Jail. Commenced duties on 12/29/09 at \$101,120 per annum. Unclassified position.

Jeffrey E. Wright, County Engineer, Engineering. Commenced duties on 1/1/10 at \$105,000 per annum. Unclassified position.

Joseph J. Loricco, Confidential Assistant, Engineering. Commenced duties on 1/1/10 at \$95,000 per annum. Unclassified position.

Brian M. Dunlap, Public Safety Telecommunicator, Public Safety. Commenced duties on 6/28/09 at \$36,020 per annum. Permanent appointment from NJAC legislation.

Erica N. Timmons, Public Safety Telecommunicator, Public Safety. Commenced duties on 6/28/09 at \$36,020 per annum. Permanent appointment from NJAC legislation.

Douglas Oratz, Public Health Nurse, Health Department. Commenced duties on 12/14/09 at \$46,570 per annum. Temporary appointment six months or less.

Zakiyah Burns, Clerk Typist, Health Department. Commenced duties on 12/14/09 at \$26,151 per annum. Temporary appointment six months or less.

Janine L. Osmundson, Senior Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 12/1/09 at \$48,546 per annum. Voluntary demotion.

Raul A. Negron, Jr., Senior Juvenile Detention Officer, Juvenile Detention Center. Commenced duties on 11/15/09 at \$36,778 per annum. Temporary appointment six months or less.

Tami A. Crisci, Clerk Typist, Health Department. Commenced duties on 11/17/09 at \$26,151 per annum. Temporary appointment six months or less.

Valerie A. Leon, Public Health Nurse, Health Department. Commenced duties on 11/17/09 at \$46,570 per annum. Temporary appointment six months or less.

Takia K. Powell, Investigator Communicable Disease, Health Department. Commenced duties on 7/13/09 at \$32,936 per annum. Temporary appointment six months or less.

Dana M. Tozzi, Senior Clerk Typist, Health Department. Commenced duties on 7/12/09 at \$29,126 per annum. Provisional appointment pending promotional examination.

Kathy L. Fine, Account Clerk, Health Department. Commenced duties on 4/20/09 at \$27,393 per annum. Provisional appointment pending promotional examination.

Karen J. Trommelen, Supervising Administrative Analyst, Community Development. Commenced duties on 11/3/08 at \$47,370 per annum. Provisional appointment pending promotional examination.

24 **RESOLUTION NO. 137** by Director Garganio, RESOLUTION AUTHORIZING THE AWARD OF VARIOUS 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, New Jersey Business Registration Certificates, Public Works Contractor Certifications and evidence of affirmative action compliance.

1. Bids were received on February 26, 2010 as authorized per Resolution #855 dated December 9, 2009 for the solicitation titled "HAZARDOUS WASTE DISPOSAL 2010-2012" (CPU-10-0006).

Maumee Express, Incorporated
26319 Old Trail Road
Abingdon, VA 24210

Estimated Amount of Award – Category 1.....\$ 96,000.00
(For Years One (1) and Two (2))

Ross Incineration Services, Incorporated
36790 Giles Road
Grafton, OH 44044

Estimated Amount of Award – Category 2.....\$285,976.60
(For Years One (1) and Two (2))

ESTIMATED TOTAL AMOUNT OF AWARD\$381,976.60

(NOTE: The lowest bidder for Category 2, Maumee Express, Inc. had material deviations)

2. Bids were received on January 26, 2010 as authorized per Resolution #861 dated December 9, 2009 for the solicitation titled " COMMISSARY SERVICES FOR BURLINGTON COUNTY DETENTION FACILITIES 2010-2012" (CPU-10-0005).

Keefe Commissary Network
301 Mill Road
Edison, NJ 08837

PERCENT OF GROSS SALES TO BE RETURNED TO
THE COUNTY (For Years One (1) and Two (2)) 74.6%

(NOTE: The apparent highest bidder, Aramark Correctional Services, Inc., contained material deviations)

3. No bids were received on February 23, 2010, as authorized by Resolution #59 dated January 27, 2010 for the solicitation titled "FLASHOVER SIMULATOR WITH SMOKE SCRUBBER FOR BURLINGTON COUNTY EMERGENCY SERVICES TRAINING CENTER (CPU-10-0029), therefore, it is recommended this solicitation be rebid and readvertised for a second time at a later date.

25 **RESOLUTION NO. 138** by Director Garganio, AUTHORIZATION TO ADVERTISE FOR BIDS FOR PRISONER TRANSPORTATION FOR THE SHERIFF'S DEPARTMENT.

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

PRISONER TRANSPORTATION 2010 -2012
(CPU-10-0026)

And, be it;

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, April 20, 2010 at 10:30 a.m. local prevailing time.

26 **RESOLUTION NO. 139** by Director Garganio, AUTHORIZATION TO ADVERTISE FOR BIDS FOR COMPUTERIZED MICROFILMING SERVICES FOR THE COUNTY CLERK'S OFFICE.

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

COMPUTERIZED MICROFILMING SERVICES FOR
COUNTY CLERK'S OFFICE 2010-2012
(CPU-10-0024)

And, be it;

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

RESOLVED, that a Pre-Bid Conference will be held for all prospective bidders in Conference Room B on Thursday, April 1, 2010 at 2:00 p.m.; and be it

RESOLVED, that a Site Visit will be held immediately following the Pre-Bid Conference; now, therefore be it

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, April 20, 2010 at 10:30 a.m. local prevailing time.

*** It was moved by Freeholder Donnelly, seconded by Freeholder O'Brien to approve the following eight (8) items by unanimous consent. Freeholder Brown abstained from agenda items 21 (Resolution No. 140), 22 (Resolution No. 141), and 24 (Resolution No. 143). Freeholder Reinhart opposed agenda item no. 25 (Resolution No. 144). Motion carried. Resolution Nos. 140 through 147 adopted.

27 **RESOLUTION NO. 140** by Freeholder Donnelly, LOAN AND MORTGAGE APPROVED FOR LANCE BARRETT, MOUNT HOLLY TOWNSHIP FOR A HOME IMPROVEMENT LOAN IN THE AMOUNT OF \$12,515 PURSUANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") BLOCK GRANT

PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Freeholder Brown abstained from this item.

WHEREAS, the Burlington County Board of Chosen Freeholders (“Board”) has received funds from the U.S. Department of Housing and Urban Development (“HUD”) Block Grant #B-09-UC-34-0001, which the Board uses to make loans to eligible County property owners for the purpose of repairing dwellings to improve their habitability and satisfy housing code requirements; and

WHEREAS, the County’s Community Development Office (“CD Office”) has recommended that a home improvement loan, as described below, be made because the homeowner-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>Rehab Cost</u>	<u>Title Costs</u>
Lance Barrett Mount Holly Twp	36-26-23LS	\$12,340	\$175

WHEREAS, the owner has executed a certification pursuant to N.J.S.A. 19:44A-20.8 and P.L. 2005, Chapter 271, reporting that he 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” 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 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/Chief Financial Officer 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.

28 **RESOLUTION NO. 141** by Freeholder Donnelly, LOAN AND MORTGAGE APPROVED FOR APRIL BROWN, MOUNT LAUREL TOWNSHIP FOR A FIRST TIME HOMEBUYER LOAN IN THE AMOUNT OF \$9,000 EACH PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Freeholder Brown abstained from this item.

WHEREAS, the Burlington County Board of Chosen Freeholders (“Board”) has received funds from the U.S. Department of Housing and Urban Development pursuant to Home Investment Partnerships Program grant no. M-09-UC-34-0212; and

WHEREAS, the County’s Community Development Program staff have reviewed and approved an application for assistance made by the below-named first-time homebuyer as eligible for closing costs and down payment assistance in the reported amount; and

<u>Applicant</u>	<u>File no.</u>	<u>Loan Amount</u>
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April N. Brown, Mount Laurel FTHB10-27-24GS \$9,000.00

WHEREAS, \$9,000.00 is available in account no. 42-0709-051200 to make this loan, as evidenced by the certification of the County 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 case.
2. Funds for the 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.

29 **RESOLUTION NO. 142** by Freeholder Donnelly, ACCEPTANCE OF A GRANT IN THE AMOUNT OF \$18,500 FROM THE OFFICE OF ECONOMIC ADJUSTMENT, UNITED STATES DEPARTMENT OF DEFENSE, THROUGH OCEAN COUNTY, AND AUTHORIZATION TO UTILIZE FUNDING FOR THE COMMUNITIES AND PROCEDURES MANUAL PROJECT FOR THE DEPARTMENT OF ECONOMIC DEVELOPMENT AND REGIONAL PLANNING.

WHEREAS, the 2009 Joint Base McGuire-Dix-Lakehurst Joint Land Use Study (the "Study") recommended development of a Communication and Coordination Manual (the "Manual") for the purpose of facilitating communication and collaboration between the military and civilians; and

WHEREAS, pursuant to Resolution no. 577, adopted on September 9, 2009, the Burlington County Board of Chosen Freeholders ("Board") has entered into an agreement with Ocean County for the purpose of implementing recommendations of the Study and securing funding therefor; and

WHEREAS, the Director of the County's Department of Economic Development and Regional Planning ("EDRP") has advised the Board that the U.S. Defense Department has approved a grant request made by Ocean County for the purpose of implementing recommendations of the Study and that the approval includes a \$18,500.00 budget line item for development of the Manual; and

WHEREAS, the Board believes that this project will be beneficial to the citizens of Burlington County; now, therefore, the Board

RESOLVES as follows:

1. The Board agrees to undertake development of the Manual in consideration of its receipt of the above-referenced funds from Ocean County.
2. EDRP shall be responsible for taking such actions as may be needed for development of the Manual including, but not limited to, soliciting proposals from persons able and willing to assist the County in this endeavor.

30 **RESOLUTION NO. 143** by Freeholder Donnelly, APPROVAL OF A GRANT FOR JESSE AND YVONNE STANCIL, WILLINGBORO 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. Freeholder Brown abstained from this item.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington ("Board") has received funds from the U.S. Department of Housing and Urban Development through Block Grant #B09-UC-34-0001, 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; and

<u>Homeowner</u>	<u>Case #</u>	<u>Grant Amount</u>
Jesse & Yvonne Stancil Willingboro Township	HRP05-37-38LH	\$3,300.00

WHEREAS, \$3,300.00 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. 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 grant applicants and their heating contractor have been satisfied and (b) County requirements for the processing of payments have been completed.

- 31 **RESOLUTION NO. 144** by Freeholder Donnelly, CHANGE ORDER NO. 2 WITH TRAP ROCK INDUSTRIES IN THE AMOUNT OF \$220,000 FOR THE 2009 STATE FUNDED OVERLAY CONTRACT FOR THE ENGINEERING DEPARTMENT. Freeholder Reinhart opposed this item.

WHEREAS, the Burlington County Board of Chosen Freeholders has awarded the contract for 2009 State Funded Overlay Program to Trap Rock Industries, Inc. in the amount of \$4,369,311.19 by Resolution No. 390 dated July 8, 2009; and

WHEREAS, the New Jersey Department of Transportation has allotted the State Aid to Burlington County in the amount of \$4,504,000; and

WHEREAS, Change Order No. 1 dated July 16, 2009 was approved by the Board of Chosen Freeholders by Resolution No. 477 dated August 12, 2009 to extend the limits of three (3) roads for resurfacing under this contract to Trap Rock Industries, Inc. and the original contract amount of \$4,369,311.19 was increased by \$650,000 to the first amended contract amount of \$5,019,311.19; and

WHEREAS, the attached Change Order No. 2 involves the drainage reconstruction, handicap ramps; reconstruction of Ramblewood Parkway in Mount Laurel Township and construction of Speed Humps at B.C.I.T., Medford Complex, resulting in a \$220,000 increase to the first amended contract amount of \$5,019,311.19 to the second amended contract amount of \$5,239,311.19 (Change Order No. 2); now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the said Change Order No. 2 dated January 28, 2010 be and the same is hereby approved.

- 32 **RESOLUTION NO. 145** by Freeholder Donnelly, APPROVAL OF PLANS AND SPECIFICATIONS FOR THE BURLINGTON COUNTY SAFETY PROJECT, PHASE II AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE ENGINEERING DEPARTMENT.

WHEREAS the County Engineer's Office has completed plans and specifications for the construction of the "BURLINGTON COUNTY SAFETY PROJECT, PHASE II"; and

WHEREAS the plans and specifications require that certain electronic hardware and software pay items to be proprietary in nature. The acquisition of non-proprietary hardware and software would be a detriment to the County due to the substantial investment in existing hardware and software which would need to be replaced and/or reconfigured across the entire "Advanced Transportation Management System"; and

WHEREAS the purchase of proprietary hardware and software is in accordance with N.J.S.A. 40A:11-5(1)(dd) and the County Engineer and County Purchasing Agent have certified which pay items are required to be proprietary which is attached hereto; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the plans and specifications are hereby approved for "BURLINGTON COUNTY SAFETY PROJECT, PHASE II" (CEG-10-0044); and, be it

FURTHER RESOLVED, that the Freeholder Director is hereby authorized to sign the title sheet of the plans for said project. There is a non-refundable charge of \$40.00 for each set of plans and specifications. All bidders must be pre-qualified in work classification 7 or 7C and proper dollar amount with N.J.D.O.T; and, be it

FURTHER RESOLVED, that the County Administrator is authorized to execute a "FEDERAL AID AGREEMENT" which will provide the County with a minimum of \$368,600.00 of Federal money for construction; and, be it

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

FURTHER RESOLVED that said bids will be publicly received in Board Room on Tuesday, April 6, 2010 at 10:30 a.m. local prevailing time.

- 33 **RESOLUTION NO. 146** by Freeholder Donnelly, APPROVAL OF PLANS AND SPECIFICATIONS FOR THE BURLINGTON COUNTY TRAFFIC SIGNAL UPGRADE AND COORDINATION PROJECT AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE ENGINEERING DEPARTMENT.

WHEREAS the County Engineer's Office has completed plans and specifications for the construction of the "BURLINGTON COUNTY TRAFFIC SIGNAL UPGRADE & COORDINATION PROJECT, VARIOUS TOWNSHIPS"; and

WHEREAS the plans and specifications require that certain electronic hardware and software pay items to be proprietary in nature. The acquisition of non-proprietary hardware and software would be a detriment to the County due to the substantial investment in existing hardware and software which would need to be replaced and/or reconfigured across the entire "Advanced Transportation Management System"; and

WHEREAS the purchase of proprietary hardware and software is in accordance with N.J.S.A. 40A:11-5(1)(dd) and the County Engineer and County Purchasing Agent have certified which pay items are required to be proprietary which is attached hereto; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the plans and specifications are hereby approved for "BURLINGTON COUNTY TRAFFIC SIGNAL UPGRADE & COORDINATION PROJECT, VARIOUS TOWNSHIPS" (CEG-10-0023); and, be it

FURTHER RESOLVED, that the Freeholder Director is hereby authorized to sign the title sheet of the plans for said project. There is a non-refundable charge of \$100.00 for each set of plans and specifications. All bidders must be pre-qualified in work classification 7 or 7C and proper dollar amount with N.J.D.O.T; and, be it

FURTHER RESOLVED, that the County Administrator is authorized to execute a "FEDERAL AID AGREEMENT" which will provide the County with a minimum of \$5,440,000.00 of Federal money for construction; and, be it

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

FURTHER RESOLVED, that said bids will publicly received in Board Room on Tuesday, April 13, 2010 at 10:30 a.m. local prevailing time.

- 34 **RESOLUTION NO. 147** by Freeholder Donnelly, APPROVAL TO SUBMIT APPLICATION TO THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR A GRANT IN THE AMOUNT OF \$3,000 TO SUPPORT THE SENIOR FARMER'S MARKET PROGRAM ADMINISTERED THROUGH THE OFFICE ON AGING.

WHEREAS, the Burlington County Board of Chosen Freeholders ("the Board") wishes to render assistance to the elderly residents of Burlington County; and

WHEREAS, the New Jersey Department of Health and Senior Services has made available, through the Burlington County Office on Aging, the Senior Farmer's Market Program whereby low-income senior citizens may receive vouchers to purchase locally grown fresh fruits and vegetables; and

WHEREAS, funds are needed in the amount of \$3,000 to provide support for the Senior Farmer's Market Program for May 1, 2010 through November 30, 2010; and

WHEREAS, it is necessary for the County of Burlington to file an Application for a Health Services Mini-Grant with the New Jersey Department of Health and Senior Services for funding support in the program as noted above; and

WHEREAS, upon acceptance of said Application by the State, a Notice of Grant Award from the State of New Jersey to the County of Burlington will be issued for the period May 1, 2010 through November 30, 2010; now therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the attached Application for Health Service Mini-Grant, Senior Farmer's Market Program, be completed, executed in accordance with the Rules of the Board, and submitted to the New Jersey State Department of Health and Senior Services; and, be it

FURTHER RESOLVED that, upon the State's approval of said Application and after review and approval by the County Solicitor, an Agreement between the Board and the New Jersey State Department of Health and Senior Services implementing the terms of the grant is hereby authorized to be executed in accordance with the Rules of the Board.

*** It was moved by Freeholder O'Brien, seconded by Freeholder Donnelly that the following item be approved by unanimous consent. All in favor. Motion carried. Resolution No. 148 adopted.

35 **RESOLUTION NO. 148** by Freeholder O'Brien, AUTHORIZATION TO PURCHASE SOFTWARE MAINTENANCE AND SUPPORT FOR THE SUNRISE RIM SYSTEM FOR INFORMATION TECHNOLOGY IN AN AMOUNT NOT TO EXCEED \$30,000 FROM DELL MARKETING, LLP AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY PURCHASING PROGRAM.

WHEREAS, Burlington County wishes to purchase SOFTWARE MAINTENANCE AND SUPPORT for the Sunrise Rim System for the Burlington County information Technology Department for a one year agreement expiring on August 31, 2010, from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and

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

WHEREAS, Dell Marketing, LP, One Dell Way, Round Rock, TX, 78682 has a New Jersey State Contract for Software License, Maintenance and Support Term Contract M-0003 with the New Jersey State Contract Number 72727; Contract Dates: November 1, 2008 to June 30, 2010; and

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

WHEREAS, the actual cost for the purchase of the SOFTWARE MAINTENANCE AND SUPPORT for the Sunrise Rim System for the Burlington County Information Technology Department, from Dell Marketing, LLP, One Dell Way, Round Rock, TX, 78682, will not exceed \$30,000.00; and

WHEREAS, funds are available for this purpose in Account No. 14-5864-033609 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the County of Burlington that a purchase order be awarded to Dell Marketing, LLP, One Dell Way, Round Rock, TX, 78682, for the purchase of SOFTWARE MAINTENANCE AND SUPPORT for the Sunrise Rim System for the Burlington County Information Technology Department, in an amount not to exceed \$30,000.00.

*** It was moved by Freeholder Reinhart, seconded by Freeholder Brown to approve the following two (2) items by unanimous consent. All in favor. Motion carried. Resolution Nos. 149 and 150 adopted.

36 **RESOLUTION NO. 149** by Freeholder Reinhart, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR QUALIFICATION FOR CERTIFIED AND EXPERIENCED FORENSIC PATHOLOGISTS TO BE USED ON A STAND-BY/PER DIEM BASIS FOR THE MEDICAL EXAMINER.

WHEREAS, the Burlington County Board of Chosen Freeholders (hereinafter "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 Office of the Burlington County Medical Examiner (the "OBCME") has a significant recurring need for the services of pathologists, duly licensed in the State of New Jersey to provide forensic pathology services when the Chief Medical Examiner is unavailable; and

WHEREAS, the OBCME, desires to utilize a publicly advertised Request for Qualifications ("RFQ") to create a pool of qualified pathologist for the stated services as they arise for the term of July 1, 2010 through June 30, 2013; and

WHEREAS, the Board seeks to publicly advertise the RFQ in order to establish a pool of qualified pathologist; now, therefore, be it

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

FURTHER RESOLVED, that the Office of the Burlington Medical Examiner, County Solicitor and County Administrator shall be responsible for:

a. Making said RFQ available at no cost to pathologists that provide forensic pathology services;

b. Publishing notice of the County's issuance and availability of said RFQ; and

c. In accordance with requirements of Resolution No. 17 adopted January 12, 2005, the Office of the Burlington County Medical Examiner shall establish a committee to review responses to the RFQ, identify the best qualified responders, negotiate with those best qualified responders and submit a written report to the Freeholder Board making a recommendation as to which responding forensic pathologist shall be included in the yearly pool of forensic pathology service providers for the Office of the Burlington County Medical Examiner for July 1, 2010 through June 30, 2013.

37 **RESOLUTION NO. 150** by Freeholder Reinhart, CHANGE ORDER NO. 1 WITH DRENK BEHAVIORAL HEALTH CENTER, INC. FOR THE CONTRACT TITLED "2009-2011 STATE COMMUNITY PARTNERSHIP AND FAMILY COURT SERVICES PROGRAM" IN AN AMOUNT NOT TO EXCEED \$2,604 FOR INTENSIVE CASE MANAGEMENT-DISPOSITION SERVICES AND ANGER MANAGEMENT DIVERSION SERVICES ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, after public bidding, a contract titled " 2009-2011 STATE COMMUNITY PARTNERSHIP & FAMILY COURT SERVICES PROGRAM" (RFP-08-0096) was awarded to Lester A. Drenk Behavioral Health Center, Inc., 1289 Route 38 W., Suite 203, Hainesport, NJ 08036 (hereafter Drenk) by the Board of Chosen Freeholders of the County of Burlington (hereafter Board) on November 12, 2008 per resolution # 831, for Family Crisis Intervention, Intensive Case Management and Case Management Services for the contract period , January 1, 2009 – December 31, 2011 for an annual amount of \$296,041.00; and

WHEREAS, the Burlington County Human Services Office and the Youth Services Advisory Council have recommended that the amount payable to Drenk for Intensive Case Management - Disposition Services be increased by \$2,388.00 and Anger Management - Diversion Services be increased in the amount of \$216.00 in order to pay for services provided in response to an increase in demand in 2009; and

WHEREAS, Change Order 1 for 2009, represents a total increase of \$2,604.00 for a net overall increase of 0.88 percent, resulting in a new maximum payable amount to Drenk of \$298,645.00; and

WHEREAS, funds are available for this Change Order in Account No. 14-5748-033709 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 1 for 2009 to the Contract titled " 2009-2011 STATE COMMUNITY PARTNERSHIP & FAMILY COURT SERVICES PROGRAM" (RFP-08-0096), with Drenk, 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 First Amendment to the contract in accordance with the Rules of the Board is authorized.

38 APPOINTMENTS BY DIRECTOR TO THE EMERGENCY SERVICES ADVISORY BOARD.

Director Garganio made the following appointments to the Emergency Services Advisory Board for one year:

Lee Ann Parry
George H. Jackson, Jr.
Phil Drangula

39 PUBLIC COMMENTS.

The following members of the public spoke on behalf of the 4-H program:

Roger Kumpel, Southampton Township
Kirsten Jeansson, Tabernacle Township
Wayne Wharton, Cookstown
Augusta Lord, Moorestown Township
Clare Gallogly, Moorestown Township
Lois Tranio, Evesham Township
Loretta Marshall, Evesham Township
Meredith McBride, Medford Township
Jennifer Knox, Shamong Township
George Fries, Medford Township
Rose Pullen, Pemberton Township
Marie Aspen, Hainesport Township
Elizabeth Titus, Medford Township
Alexis Arnell, Burlington Township
Richard Titus, Medford Township
Dottie Allen, Moorestown Township
Ken Traino, Evesham Township
Bill Spicer, Westampton Township
Wendy Hale, Jobstown
Bernie Donaghue, Chatsworth
Jim Massay, Southampton Township
Connie Cooper, Mt. Laurel Township
Tony Price, Tabernacle Township
Annemarie Guest, Chatsworth

The following members of the public also addressed the Board:

- 1) Linda McCann, Mansfield Township addressed the Board regarding meeting conduct, and the recent appointment of Mr. Drayton.
- 2) Fran Brooks, Tabernacle Township addressed the Board regarding part-time employees and benefits, and an editorial on February 25, 2010 regarding the name change from Freeholders to Commissioners.

3) Richard Dow, Mt. Holly Township addressed the Board regarding arrangements for a larger meeting place, bipartisanship, and the Police Academy

40 COMMENTS BY FREEHOLDERS.

1) Freeholder Reinhart thanked everyone for attending the meeting and stated there is a need for better communication. Freeholder Reinhart reminded everyone about the Census and encouraged the public to reach out to the Board regarding County matters.

2) Freeholder Brown spoke in favor of the farming community and 4-H. Freeholder Brown further stated that it was a great exercise today. In response to the hiring of Mr. Drayton, Freeholder Brown stated that a process was followed but that he did not participate in that process but he will not publically chastise an employee and called for a more bipartisan effort.

3) Freeholder O'Brien stated she felt badly that there was so much concern regarding 4-H but there was never an issue and feels strongly about the program. Freeholder O'Brien also invited all back to the Board meetings.

4) Freeholder Donnelly stated he was sorry everyone had to be here, but was truly impressed with the young people who spoke tonight. Freeholder Donnelly further stated that Burlington County has a long, proud and well deserved tradition of agriculture, of preserving our agricultural heritage. Freeholder Donnelly also commented that preserving agriculture is closely tied to the County's design to keep the mega-base in Burlington County, and that Freeholder Haines did a remarkable job as Freeholder sustaining the preservation program and taking it to the four corners of the County. Freeholder Donnelly stated once again that the Freeholders stand behind the 4-H program.

5) Director Garganio was truly impressed with the turn out this evening.

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

Respectfully submitted,

Paul Drayton
Board Clerk