

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 24, 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, Sheriff Stanfield, County Clerk Tyler, Supervisor of Roads Somes, Acting County Engineer Wright, Resource Conservation Director Robbie, Director of Human Resources Hornickel, Public Health Director Gogats, Information Technology Director Behmke, Capital Projects Coordinator Smith, Supervising Administrative Analyst Stewart, and Public Information Officer Shrom.

4 APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING OF JANUARY 13, 2010.

It was moved by Freeholder Donnelly, seconded by Freeholder O'Brien that the minutes of the regular Board meeting of January 13, 2010 be approved. Freeholder Brown abstained from the minutes. Freeholder Reinhart requested the approval of the minutes be tabled and requested clarification and corrections to the Comments by Freeholders. Minutes were tabled.

5 APPROVAL OF THE CONFERENCE MINUTES OF DECEMBER 16, 2009.

It was moved by Freeholder Donnelly, seconded by Freeholder Brown that the conference minutes of December 16, 2009 be approved. Freeholder O'Brien and Director Garganio abstained from the minutes of December 16, 2009 and Freeholder Reinhart opposed. Motion carried. Minutes approved.

6 **PUBLIC HEARING** -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 (MOTION TO ADOPT ON SECOND READING AND ROLL CALL)

The hour having arrived, Director Garganio stated that this was the time and place for consideration of Bond Ordinance No. 123-10 and requested the Deputy Board Clerk to read said Ordinance by title only.

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

There being no comments, Director Garganio closed the public hearing. It was moved by Freeholder Donnelly, seconded by Freeholder Brown that Bond Ordinance No. 123-10 be finally passed and adopted and that said Bond Ordinance be published by the Clerk in full together with a 20-day notice as provided by law.

On roll call: Ayes – Freeholders Brown, Donnelly, O’Brien and Director Garganio. Nays – Freeholder Reinhart. Motion carried. Ordinance No. 123-10 adopted on second reading and roll call.

7 PUBLIC COMMENTS ON AGENDA ITEMS.

The following members of the public spoke out against agenda item no. 4, introduction of the 2010 County Budget (Resolution No. 154) and addressed the Board:

- 1 - Adam Liebttag, President, CWA Local 1036
- 2 - Howard Roun, Vice-President, CWA Local 1036
- 3 - Michelle Phillips, County employee
- 4 - Georgia Sullivan, Hainesport, Steward, CWA Local 1036
- 5 - Madeline Schultz-Murray, CWA Local 1036
- 6 - Linda McCann, Mansfield Township
- 7 - Rochelle McGuire, CWA 1036, Superintendent of Elections
- 8 - Arlene Warrick-Smith, Mt. Laurel
- 9 - Denise Ellingsworth, CWA Local 1036, Superintendent of Elections
- 10 - Joyce Wimberly-Winfrey, Mt. Holly Township
- 11 - Richard Dow, Mt. Holly Township
- 12 - Julia Baker-DiCamillio, Lumberton Township
- 13 - Lauren Bokhema, CWA Local 1036

8 **RESOLUTION NO. 151** by Director Garganio, BUDGET TRANSFER FOR 2009, moved for adoption by Director Garganio, seconded by Freeholder Brown.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the County Chief Financial Officer be and is hereby authorized and directed to make the following transfers in the 2009 Budget Appropriation Reserves in accordance with N.J.S.A. 40A:4-59:

CURRENT FUND:

FROM:

Buttonwood Hospital	OE	\$ 2,200.00
Health Department	OE	16,000.00
		<hr/>
		\$ 18,200.00

TO:

Human Services	OE	\$ 16,000.00
Extension Services	OE	2,200.00
		<hr/>
		\$ 18,200.00

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

9 **RESOLUTION NO. 152** by Director Garganio, TEMPORARY EMERGENCY APPROPRIATIONS, moved for adoption by Director Garganio, seconded by Freeholder Donnelly.

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 \$ 21,339,927.31 , 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	OE	6,800.00
MILITARY & VETERANS SERVICES	OE	5,000.00

- 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 O’Brien to approve the following twelve (12) items by unanimous consent. Freeholder Reinhart made motion to table agenda item no. 4 (Resolution No. 154), no second, motion failed. Freeholder Reinhart opposed agenda item no. 4 (Resolution No. 154), agenda item no. 6 (Resolution No. 156), agenda item no. 7 (Resolution No. 157), agenda item no. 8 (Resolution No. 158). Motion to approve agenda items 3 through 14 carried. Resolution Nos. 153 through 164 adopted

10 **RESOLUTION NO. 153** by Director Garganio, AUTHORIZATION FOR THE COUNTY TO CONTINUE UTILIZING THE ESTABLISHED CAP BANK.

WHEREAS, N.J.S.A. 40A: 4-45.15b provides that a county, when authorized by resolution, appropriate the difference between the amount of its actual final appropriation or county tax levy and the 3.5 percentage rate as an exception to its final appropriation or county tax levy in either of the next two succeeding years; and,

WHEREAS the Board of Chosen Freeholders hereby determine that any amount authorized hereinabove that is not appropriated or levied as part of the final budget shall be retained as an exception to final appropriations or county tax levy in either or the next two succeeding years; and,

BE IT FURTHER RESOLVED, that any amount authorized hereinabove that is not appropriated or levied as part of the final budget shall be retained as an exception to final appropriation or county tax levy in either of the next two succeeding years; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

11 **RESOLUTION NO. 154** by Director Garganio, FIRST READING AND INTRODUCTION OF THE 2010 COUNTY BUDGET AND AUTHORIZATION TO ADVERTISE THE PUBLIC HEARING ON THE BUDGET. Freeholder Reinhart opposed this agenda item.

BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the County Budget for the Year 2010;

BE IT FURTHER RESOLVED, that said budget summary be published in the Burlington County Times in the issue of April 8, 2010.

Notice is hereby given that the Budget and Tax resolution was approved by the Board of Chosen Freeholders of the County of Burlington on March 24, 2010. A hearing on the Budget and Tax resolution will be held at the County Office Building, Freeholder Board Room 49 Rancocas Rd., Mount Holly, NJ 08060, on April 21, 2010, at 7:00 p.m. at which time and place objections to said Budget and Tax resolution for the year 2010 may be presented by taxpayers or other interested persons.

EXPLANATORY STATEMENT

SUMMARY OF APPROVED BUDGET	YEAR 2010	YEAR 2009
Total of Gen. Appropriations	221,265,141.49	246,539,959.87
Total Appropriations	221,265,141.49	246,539,959.87
Less: Anticipated Revenues	59,967,051.49	84,353,926.87
Amount to be Raised by Taxation-County Purpose Tax	161,298,090.00	162,186,033.00

- 12 **RESOLUTION NO. 155** 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 \$16,814,289.71 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.

- 13 **RESOLUTION NO. 156** by Director Garganio, CHANGE ORDER NO. 1 WITH HESSERT CONSTRUCTION CORP., IN AN AMOUNT NOT TO EXCEED \$15,826.00 FOR ADDITIONAL WORK NEEDED IN CONNECTION WITH THE PROJECT KNOWN AS "50 RANCOCAS ROAD RENOVATIONS". Freeholder Reinhart opposed this agenda item.

WHEREAS, as a result of the Chief Financial Officer's recommendation for Award of Public Advertised Bids on April 14, 2004, Hessert Construction Corp. of 15 West Stow Road, Marlton, NJ 08053 is charged with renovations, in a total amount of \$1,526,000.00, of 50 Rancocas Road, Mount Holly, NJ; and

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

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

WHEREAS, Change Order Number One represents a net increase of \$15,826.00 to the amended contract amount of \$1,526,000.00 and

WHEREAS, Change Order Number One brings the new contract amount to \$1,541,826.00 which sum represents an overall increase of 1.04% to the original contract amount of \$1,526,000.00; and

WHEREAS, funds are currently available in Account No. 60-7001-107582 for the additional expenditures set forth in Change Order Number One as evidenced by the attached certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that Change Order Number One with Hessert Construction Corp., a copy of which is attached hereto, be and the same is hereby approved; and, be it

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

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

- 14 **RESOLUTION NO. 157** by Director Garganio, AGREEMENT WITH SPIEZEL GROUP IN AN AMOUNT NOT TO EXCEED \$137,500.00 FOR ARCHITECTURAL SERVICES NEEDED IN CONNECTION WITH THE CHILD ADVOCACY CENTER AND THE OLDE COURTHOUSE. Freeholder Reinhart opposed this agenda item.

WHEREAS, the Burlington County Board of Chosen Freeholders ("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. 78 adopted February 25, 2009, the Board established an approved list of Qualified Architectural Firms through a fair and open process which includes Spiezle Group (hereinafter "Spiezle") as a firm qualified to perform various architectural services on behalf of the Board for the years 2009-2011; and

WHEREAS, the Administration Office has requested a proposal from Spiezle to provide architectural services for architectural design and construction administration services as outlined in the Olde Courthouse and Child Advocacy Center Study by Vitetta; and

WHEREAS, it has been recommended to the Board that the firm of Spiezle with an address of 120 Sanhican Drive, Trenton, NJ 08618, should be awarded this contract to prepare the needed architectural services; and

WHEREAS, Spiezle has offered to provide the needed architectural services described above which services constitute "professional services" as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the "Law"); and

WHEREAS, the Board wishes to adopt a Resolution authorizing the Agreement with Spiezle under the fair and open process and as a professional service under N.J.S.A. 40A:11-5(1)(a)(i) for the needed architectural services in the amount of \$137,500.00; and

WHEREAS, funds are available for this purpose in the amount of \$137,500.00 in Account No. 60-7001-111582 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED by the Burlington County Board of Chosen Freeholders that the firm of Spiezle Group is retained to provide architectural services for architectural design and construction administration services as outlined in the Olde Courthouse and Child Advocacy Center Study by Vitetta under the Board's fair and open process and as a professional service under N.J.S.A. 40A:11-5(1)(a)(i); and, be it

FURTHER RESOLVED that the attached Agreement with Spiezle Group is hereby approved and its execution in accordance with the Rules of the Board is authorized; 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).

- 15 **RESOLUTION NO. 158** by Director Garganio, AGREEMENT WITH ANDERSON, JACKSON AND METTS FOR INSURANCE BENEFITS BROKER AND ADVISER FOR THE TERM MARCH 1, 2010 THROUGH FEBRUARY 28, 2011. Freeholder Reinhart opposed this agenda item.

WHEREAS, the Burlington County Board of Chosen Freeholders (hereinafter "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 adopted Resolution No. 36 on January 28, 2009 which authorizes the public advertisement of a Request for Qualifications for the services of benefits broker to provide administration of health benefits services without compensation in accordance with the adopted bylaws, rules and regulations of the Board of Chosen Freeholders of Burlington County for the term of one year from March 1, 2009 until February 28, 2010 with an option for two renewals, each of one year; and

WHEREAS, on February 9, 2009, RFQ packages for such services submitted to Burlington County were publicly opened; and

WHEREAS, a review committee analyzed and reviewed said RFQ submittals and, pursuant to a written report, found that Anderson Jackson Metts possessed the requisite skill, ability, and experience to provide the needed insurance services; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the Board appoints the firm of Anderson Jackson Metts to serve as the insurance benefits broker and adviser, and to provide insurance services in accordance with the adopted bylaws, rules and regulations of the Board of Chosen Freeholders of the County of Burlington for a term of one year of a two year renewal option from March 1, 2010 through February 28, 2011; and, be it

FURTHER RESOLVED, that all agreements approved hereunder have been awarded pursuant to a fair and open process pursuant to N.J.S.A. 19:44A-20.4 et seq. and N.J.S.A. 40A:11-5(1)(a); and, be it

FURTHER RESOLVED, that the County Administrator is hereby authorized to execute and deliver such documents as may be necessary to effectuate the terms of this Resolution subject to final approval as to form by the County Solicitor in accordance with the Rules of the Board; and, be it

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

- 16 **RESOLUTION NO. 159** by Director Garganio, SECOND AMENDMENT TO AGREEMENT WITH MADDEN & MADDEN FOR LEGAL REPRESENTATION IN LAND USE MATTERS IN AN AMOUNT NOT TO EXCEED \$5,000.

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. 1033 adopted on December 13, 2006, the Burlington County Board of Chosen Freeholders authorized an agreement with Madden & Madden to provide legal representation for the County with reference to land use matters; and

WHEREAS, pursuant to Resolution no. 154, adopted on March 12, 2008, a First Amendment was entered into with Madden for an amount not to exceed \$15,000.00 bringing the total contract amount to \$65,000.00; and

WHEREAS, additional work is needed in these matters and Madden is agreeable to providing said services for \$5,000.00; and

WHEREAS, Madden & Madden has offered to provide said services for a maximum additional charge of \$5,000.00 bringing the total contract amount to \$70,000.00; and

WHEREAS, there are sufficient monies in account no. 10-0006-033809 to amend the previous contract 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 amended contract 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 amended 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. 160** by Director Garganio, AGREEMENT WITH MADDEN & MADDEN IN AN AMOUNT NOT TO EXCEED \$25,000 FOR LEGAL REPRESENTATION

IN LAND USE MATTERS FOR THE TERM JANUARY 1, 2010 THROUGH DECEMBER 31, 2010.

WHEREAS, the Burlington County Board of Chosen Freeholders (hereinafter "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 County Solicitor's Office ("Solicitor") has significant recurring needs for one or more attorneys, duly licensed in the State of New Jersey, to provide specialized legal services necessary for the proper representation of the County in the pursuit of its business; and

WHEREAS, the Board adopted Resolution No. 1033 on December 13, 2006 and authorized a contract with Madden & Madden to provide specialized legal services to represent Burlington County in land use matters; and

WHEREAS, such previously assigned cases are ongoing and require continued legal representation in such matters; and

WHEREAS, it is in the best interest of the County to allow Madden & Madden to continue to represent the County in these ongoing litigation matters for an amount not to exceed \$25,000.00; and

WHEREAS, sufficient funds are available in Account No. 10-0006-033810 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that Madden & Madden is retained to continue representation of Burlington County in ongoing land use matters for the term January 1, 2010 through December 31, 2010 for an amount not to exceed \$25,000.00.

18 **RESOLUTION NO. 161** 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

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; and, be it

1. Bids were received on February 23, 2010 as authorized per Resolution #60 dated January 27, 2010 for the solicitation titled "HIGH PRESSURE BREATHING AIR SYSTEM FOR BURLINGTON COUNTY EMERGENCY SERVICES TRAINING CENTER" (CPU-10-0028).

Airpower International, Inc.
7303 River Road
Pennsauken, NJ 08110

Purchase and Installation of One (1) New, High Pressure Breathing Air System as per Specifications.

TOTAL LUMP SUM BID.....\$ 37,950.00

- 2. Bids were received on March 2, 2010 as authorized per Resolution #58 dated January 27, 2010 for the solicitation titled "NETWORK EQUIPMENT 2010-2012" (CPU-10-0014).

Graybar Electric Co., Inc.
800 Huyler Street
Teterboro, NJ 07608

Category A.....39%
 Category B.....39%
 Category C.....25%

TOTAL OVERALL HIGHEST DISCOUNT.....103%

- 3. Bids were received on February 23, 2010 as authorized per Resolution #17 dated January 13, 2010 for the solicitation titled "BURLINGTON COUNTY WELL #9 REDRILLING, BLOCK 812, LOT 9.01, PEMBERTON-BROWNS MILL ROAD, PEMBERTON TOWNSHIP" (CPU-10-0020).

A.C. Schultes, Inc.
664 S. Evergreen Avenue
Woodbury Heights, NJ 08097

TOTAL LUMP SUM BID.....\$ 165,925.00

- 4. 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" (RFP-10-0029). The County Purchasing Agent recommends that this solicitation be re-advertised and received, for a second time on April 20, 2010.

19 **RESOLUTION NO. 162** by Director Garganio, AMENDMENT TO AGREEMENTS WITH ELECTION GRAPHICS, INC. AND SEQUOIA VOTING SYSTEMS TO EXTEND THE CONTRACT PERIOD THROUGH JUNE 30, 2010 FOR THE COUNTY CLERK.

WHEREAS, via Resolution Number 245 adopted on April 12, 2006, the Board of Chosen Freeholders of the County of Burlington authorized the issuance of a Request for Proposal for Election Database Coding, Testing and Election Support Services and for Election Ballot Design and Printing Services for the County Clerk's Office through a fair and open process in accordance with N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, Election Database Coding, Testing and Election Support Services and Election Ballot Design and Printing Services are services necessary and required to prepare and conduct elections in the County of Burlington in order to fulfill the election-related responsibilities of the Burlington County Clerk; and

WHEREAS, via Resolution Number 195 on March 22, 2006, the Board of Chosen Freeholders accepted the recommendation of the Review Committee and awarded a contract for Election Database Coding, Testing and Election Support Services to Sequoia Voting Systems, Inc.; and

WHEREAS, via Resolution Number 195 on March 22, 2006, the Board of Chosen Freeholders accepted the recommendation of the Review Committee and awarded a contract for Election Ballot Design and Printing Services to Election Graphics, Inc.; and

WHEREAS, both contracts were thereafter extended for two years in accordance with N.J.S.A. 40A:11-15; and

WHEREAS, rebidding for the two services has been commenced: and

WHEREAS, both Election Graphics, Inc., and Sequoia Voting Systems, Inc., have agreed to further extend their contracts until June 30, 2010 at the same unit prices; and

WHEREAS, funds will be certified as available by the Chief Financial Officer during each election cycle at the unit prices contained in said contract; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the above-described extension of the contracts for Election Database Coding, Testing and Election Support Services with Sequoia Voting Systems, Inc., and for Election Ballot Design and Printing Services with Election Graphics, Inc., are hereby approved, and the proper County Officials are hereby authorized to take all necessary actions to execute the attached Second Amendments to Contract extending said contracts through June 30, 2010 during the rebidding process in accordance with the Rules of the Board.

- 20 **RESOLUTION NO. 163** by Director Garganio, AUTHORIZATION TO ADVERTISE FOR BIDS FOR ELECTION PRINTING AND DATABASE CODING SERVICES FOR THE COUNTY CLERK'S OFFICE.

WHEREAS, ELECTION PRINTING AND DATABASE CODING SERVICES FOR BURLINGTON COUNTY CLERK'S OFFICE, (RFP-10-0062) is to be contracted using competitive contracting; and

WHEREAS, N.J.S.A. 40A:11-4.1 provides that competitive contracting may be used in lieu of public bidding for the procurement of specialized goods and services the price of which exceeds the bid threshold of \$29,000; and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington finds that the use of the competitive contracting process for the procurement of, ELECTION PRINTING AND DATABASE CODING SERVICES FOR BURLINGTON COUNTY CLERK'S OFFICE, will be beneficial to the citizens of this County; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the use of the competitive contracting process for the, ELECTION PRINTING AND DATABASE CODING SERVICES FOR BURLINGTON COUNTY CLERK'S OFFICE, (RFP-10-0062), is hereby authorized; and be it

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

FURTHER RESOLVED that the submissions of proposals for the, ELECTION PRINTING AND DATABASE CODING SERVICES FOR BURLINGTON COUNTY CLERK'S OFFICE, (RFP-10-0062), will be publicly received in the Freeholder's Board Room on TUESDAY, MAY 11, 2010 at 10:30 a.m. local prevailing time.

- 21 **RESOLUTION NO. 164** by Director Garganio, AMENDMENT TO RESOLUTION 133 ADOPTED ON MARCH 10, 2010 TO INCLUDE THE PROCUREMENT OF NATURAL GAS IN THE SERVICES TO BE PROVIDED BY BIRDSALL SERVICES GROUP AND AUTORIZATION FOR THE COUNTY TO PARTICIPATE IN THE STATE DEPARTMENT OF COMMUNITY AFFAIRS E-PROCUREMENT PILOT PROGRAM FOR THE PROCUREMENT OF ELECTRICITY AND NATURAL GAS FOR THE DEPARTMENT OF RESOURCE CONSERVATION.

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

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

WHEREAS, by Resolution No. 133 adopted on March 10, 2010, the Board approved an amendment to the 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 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 wishes to participate in the E-Procurement Pilot Program to purchase electricity and natural gas and wishes to utilize the services of Birdsall for such purpose; now, therefore, be it

RESOLVED as follows:

1. Participation in the E-Procurement Pilot Program for the purchase of both electricity and natural gas is hereby authorized.
2. The proper County officials are hereby authorized to submit the E-Procurement Pilot Program Application for Waiver Request to the Division of Local Government Services, New Jersey Department of Community Affairs.
3. For the purpose of being able to quickly secure the lowest price of the successful bidder during the e-bidding process, the Burlington County Purchasing Agent is hereby authorized to execute a pre-approved contract for the purchase of electricity and/or natural gas with the winning bidder(s).
4. The contract amendment with Birdsall described above 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.
5. 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.
6. Notice of this action shall be published in accordance with requirements of the Law.
7. A copy of this Resolution shall be forwarded to the Division of Local Government Services, New Jersey Department of Community Affairs.

*** It was moved by Freeholder Brown, seconded by Freeholder Reinhart to approve the following two (2) items by unanimous consent. All in favor. Motion carried. Resolution Nos. 165 and 166 adopted.

22 **RESOLUTION NO. 165** by Freeholder Brown, AGREEMENT WITH AMERIHEALTH ADMINISTRATORS FOR PROPOSAL TITLED "THIRD PARTY ADMINISTRATOR SERVICES FOR INMATE MEDICAL CLAIMS" FOR THE COUNTY DETENTION CENTERS.

WHEREAS, the County of Burlington's Jail Administrator has a need for THIRD PARTY ADMINISTRATOR SERVICES FOR INMATE MEDICAL CLAIMS, (RFP-10-0033); and

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

WHEREAS, the solicitation of competitive proposals was authorized by Resolution #698 On September 23, 2009 for "THIRD PARTY ADMINISTRATOR SERVICES FOR INMATE MEDICAL CLAIMS, (RFP-10-0033); and

WHEREAS, the Jail Administrator/Warden recommended that a contract be awarded for the proposal titled "THIRD PARTY ADMINISTRATOR SERVICES FOR INMATE MEDICAL CLAIMS, (RFP-10-0033) (RFP-07-0107), AmeriHealth Administrators, 720 Blair Mill Road, Horsham, PA, 19044, for an estimated amount of \$1,135,239.28, for the contract period May 1, 2010 through December 31, 2010, and for an estimated annual amount of \$1,702,858.93, for the contract period January 1, 2011 through December 31, 2011, with one (1) one-year option; and

WHEREAS, the County Administrator concurred with the recommendation to award a contract, for an estimated amount and contract period noted above; and

WHEREAS, the Administrator of Buttonwood Hospital recommends that a contract for "THIRD PARTY ADMINISTRATOR SERVICES FOR INMATE MEDICAL CLAIMS, (RFP-10-0033), be awarded to AmeriHealth Administrators, 720 Blair Mill Road, Horsham, PA, 19044, for the estimated amounts of noted above, for the contract period May 1, 2010 through December 31, 2011; and

WHEREAS, funds are anticipated to be available for this purpose in the fiscal year 2010 and 2011 temporary and permanent budgets; and

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

RESOLVED by the Burlington County Board of Chosen Freeholders that a contract titled "THIRD PARTY ADMINISTRATOR SERVICES FOR INMATE MEDICAL CLAIMS, (RFP-10-0033), for the County Detention Centers, is hereby be awarded to AmeriHealth Administrators, 720 Blair Mill Road, Horsham, PA, 19044, for an estimated amount of \$1,135,239.28, for the contract period May 1, 2010 through December 31, 2010, and for an estimated annual amount of \$1,702,858.93, for the contract period January 1, 2011 through December 31, 2011, with one (1) one-year option; and be it

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

- 23 **RESOLUTION NO. 166** by Freeholder Brown, APPROVAL TO SUBMIT APPLICATION TO THE NATIONAL CHILDREN'S ALLIANCE FOR A GRANT IN THE AMOUNT OF \$10,000 FOR THE CHILD ADVOCACY CENTER A COOPERATIVE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE AND JUVENILE JUSTICE AND DELINQUENCY PREVENTION FOR THE PROSECUTOR'S OFFICE.

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") and the Child Advocacy Center (hereinafter "Center") recognizes the center's multidisciplinary team approach in working with victims of crimes; and

WHEREAS, the Board in conjunction with the Prosecutor's Office and Center has recognized the need to support the Center's multidisciplinary team approach; and

WHEREAS, the Director of the Center wishes to apply to the National Children's Alliance in Washington, D.C. for continuation funding in an amount up to \$10,000 for the Center's program; and

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

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

1. The Office of the Prosecutor is authorized to submit an application requesting continuation funding to pay a portion of the Advocate's salary assigned at the Burlington County Prosecutor's Office Child Advocacy Center; and
2. 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
3. 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 (4) four items be approved by unanimous consent. Freeholder Reinhart opposed agenda item no. 18 (Resolution No. 168). Motion carried. Resolution Nos. 167 through 170 adopted.

- 24 **RESOLUTION NO. 167** by Freeholder Donnelly, APPROVAL OF A GRANT FOR BARBARA WOODS, RIVERTON BOROUGH, ELIGIBLE FOR UP TO \$5,000 FOR THE EMERGENCY HEATER REPLACEMENT PROGRAM PURSUANT TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

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

WHEREAS, the County’s Community Development Office (“CD Office”) has recommended that a Heater Replacement Program grant be made to the following as eligible therefor; and

<u>Homeowner</u>	<u>Case #</u>	<u>Grant Amount</u>
Barbara Woods Riverton Township	HRP05-35-31LH	\$4,130.00

WHEREAS, the amount reported above is available in account no. 31-0701-052009 to make this grant, as evidenced by the certification of Burlington County’s Chief Financial Officer filed herewith; 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 applicant and his/her heating contactor have been satisfied and (b) County requirements for the processing of payments have been completed.

25 **RESOLUTION NO. 168** by Freeholder Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS AND APPROVAL OF PLANS AND SPECIFICATIONS FOR COOPERTOWN ROAD (CR 624) AND CREEK ROAD (CR 625) INTERSECTION REALIGNMENT PROJECT, DELANCO TOWNSHIP FOR THE ENGINEERING DEPARTMENT. Freeholder Reinhart opposed this agenda item.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the plans and specifications are hereby approved for Coopertown Road (CR 624) and Creek Road (CR 625) Intersection Realignment Project, Delanco Township, Burlington County, New Jersey (CEG-10-0050);

Major Items being:

Hot Mix Asphalt	5,400 Tons
Dense Graded Aggregate,	6” 10,200 S.Y.
Drainage Pipe (Various Sizes)	2,300 L.F.
Concrete Curb	2,800 L.F.
Traffic Striping, 4”	19,000 L.F.
Topsoiling	10,000 S.Y.

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 prequalified in Work Classifications 3a or 5 and in the proper dollar amount with N.J.D.O.T.; 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 the Board Room on Tuesday, April 13, 2010 at 10:30 A.M. local prevailing time.

26 **RESOLUTION NO. 169** by Freeholder Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR GALVANIZED STEEL BEAM GUIDE RAIL 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:

GALVANIZED STEEL BEAM GUIDE RAIL 2010-2012
(4-BUCCP-10035)

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 27, 2010 at 10:30 a.m. local prevailing time.

- 27 **RESOLUTION NO. 170** by Freeholder Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR GLASS BEADS FOR THE ENGINEERING DEPARTMENT.

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

PAINT, THERMOPLASTIC AND GLASS BEADS 2010-2012
(4-BUCCP-10034)

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 27, 2010 at 10:30 a.m. local prevailing time.

- *** It was moved by Freeholder O'Brien, seconded by Freeholder Brown that the following (5) five items be approved by unanimous consent. Freeholder Reinhart opposed agenda item no. 23 (Resolution No. 173). Motion carried. Resolution Nos. 171 through 175 adopted.

- 28 **RESOLUTION NO. 171** by Freeholder O'Brien, FIRST AMENDMENT TO GREENHOUSE LEASE AGREEMENT WITH RUTGERS UNIVERSITY FOR THE INCREASE OF MAINTENANCE RESPONSIBILITIES FOR THE DEPARTMENT OF SOLID WASTE.

WHEREAS, the Burlington County Board of Chosen Freeholders (the "Board") constructed a greenhouse within the confines of the Resource Recovery Complex in Florence Township; and

WHEREAS, pursuant to Resolution No. 441, adopted on June 8, 2005, the Board entered into an agreement with Rutgers, the State University, Cook College ("Rutgers"), by which Rutgers is entitled to use the Greenhouse for a 10-year period for research related to the environment, demonstration projects and business development focusing on controlled environment agriculture, renewable energy and environmental stewardship; and

WHEREAS, Rutgers has agreed to revise the agreement to increase its maintenance responsibilities at the Greenhouse; and

WHEREAS, the Board has reviewed and approved the recommendation of the Director of the Solid Waste office that the agreement be modified accordingly; now, therefore, the Board

RESOLVES as follows:

1. A First Amendment to the agreement with Rutgers to increase its maintenance responsibilities is approved.
2. The Director of the County's Solid Waste office, in consultation with the County Solicitor, is authorized to prepare the amendment.
3. The amendment, when finalized and signed by Rutgers, is authorized to be executed in accordance with the Rules of the Board.

- 29 **RESOLUTION NO. 172** by Freeholder O'Brien, AGREEMENT WITH RUTGERS UNIVERSITY TO PERFORM RESEARCH ON STORMWATER RUN-OFF FROM RECYCLED MATERIAL STOCKPILES FOR THE DEPARTMENT OF SOLID WASTE.

WHEREAS, the Burlington County Board of Chosen Freeholders (the "Board") owns the Resource Recovery Complex (the "Complex"), which is located in Florence and Mansfield Townships; and

WHEREAS, the Complex includes a Class B recycling facility, which would be subject to rules that have been promulgated and adopted, but not implemented, by the NJDEP on stormwater quality from stockpiles at Class B recycling facilities; and

WHEREAS, Rutgers University ("Rutgers"), a specially chartered institution of higher education established in 1766 by Colonial Charter, and an instrumentality of the State of New Jersey, has received a grant from the New Jersey Department of Environmental Protection (the "NJDEP") to perform a study on characteristics of stormwater runoff from stockpiles of recycled material; and

WHEREAS, Rutgers needs a site to conduct this research and the Board has reviewed and approved the recommendation of the Director of the County's solid waste office that Rutgers be permitted to use an area of the Complex for this purpose; now, therefore, the Board resolves as follows:

1. An agreement with Rutgers, as described above, is approved.
2. The Director of the County's Solid Waste office, in consultation with the County Solicitor and County Administrator, is authorized to negotiate the terms and conditions of the agreement with Rutgers.
3. The agreement, when finalized, shall be executed in accordance with the Rules of the Board.

30 **RESOLUTION NO. 173** by Freeholder O'Brien, AGREEMENT WITH THE STATE DEPARTMENT OF TRANSPORTATION FOR THE PROVISION OF STREET SWEEPINGS FOR USE OF DAILY LANDFILL COVER AT THE RESOURCE RECOVERY COMPLEX FOR THE DEPARTMENT OF SOLID WASTE. Freeholder Reinhart opposed this agenda item.

WHEREAS, the Burlington County Board of Chosen Freeholders (the "Board") owns the Resource Recovery Complex (the "Complex") located in Florence and Mansfield Townships, which includes two sanitary landfills; and

WHEREAS, each day the waste delivered to the Complex for landfilling needs to be covered by appropriate material in accordance with regulations adopted by the New Jersey Department of Environmental Protection ("DEP"); and

WHEREAS, street sweepings are authorized to be used as daily landfill cover and the New Jersey Department of Transportation ("DOT") is interested in directing all of the street sweepings it collects to the Complex for use as daily landfill cover; and

WHEREAS, the Board is authorized by the Uniform Shares Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., to enter into agreements with other public bodies without being required to follow a public bidding process; and

WHEREAS, the Board has reviewed and approved the recommendation of the Director of the County's Solid Waste office that an agreement be entered into with DOT for this purpose; now, therefore, the Board

RESOLVES as follows:

1. An agreement with DOT, as described above, is approved.
2. The Director of the County's Solid Waste office, in consultation with the County Solicitor and County Administrator, is authorized to negotiate the terms and conditions of the agreement with DOT.
3. The agreement, when finalized, shall be executed in accordance with the Rules of the Board.

31 **RESOLUTION NO. 174** by Freeholder O'Brien, AUTHORIZATION TO ADVERTISE FOR BIDS FOR LABORATORY TESTING SERVICES FOR THE RESOURCE RECOVERY COMPLEX DEPARTMENT OF SOLID WASTE.

WHEREAS, LABORATORY TESTING SERVICES FOR THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX (RFP-10-0036) is to be contracted using competitive contracting; and

WHEREAS, N.J.S.A. 40A:11-4.1 provides that competitive contracting may be used in lieu of public bidding for the procurement of specialized goods and services the price of which exceeds the bid threshold of 29,000; and

WHEREAS, LABORATORY TESTING SERVICES FOR THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX is one of the specialized goods and/or services which may be procured through the use of the competitive contracting process at the option of the governing body, N.J.S.A. 40A:11-4.1(e) ; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the use of the competitive contracting process for the procurement of LABORATORY TESTING SERVICES FOR THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX is hereby authorized; and, be it

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

FURTHER RESOLVED that the submissions of proposals for LABORATORY TESTING SERVICES FOR THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX, (RFP-10-0036), will be publicly received in the Freeholders Board Room on Tuesday, May 4, 2010 at 10:30 a.m. local prevailing time.

32 **RESOLUTION NO. 175** by Freeholder O'Brien, AUTHORIZATION TO LEASE ONE XEROX 6115 WITH ACCESSORIES, ONE XEROX 459CP WITH ACCESSORIES, ONE DOCUCOLOR 260 WITH ACCESSORIES, AND ONE XEROX D260EF1 BUSTLED DFE FOR A 60 MONTH PERIOD IN AN AMOUNT NOT TO EXCEED \$8,588.29 MONTHLY, AND AUTHORIZATION TO PURCHASE ONE YEAR SERVICE PLAN FOR THE EXISTING MARKEREADY SYSTEM AND CONTROLLER IN AN AMOUNT NOT TO EXCEED \$290.00 PER MONTH FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY FROM XEROX CORPORATION AN AUTHORIZED VENDOR UNDER THE GENERAL SERVICES ADMINISTRATION FEDERAL SUPPLY SCHEDULE.

WHEREAS, Burlington County wishes to LEASE ONE (1) XEROX DOCUTECH 6115 with ACCESSORIES, ONE (1) XEROX 4595CP with ACCESSORIES, ONE (1) DOCUCOLOR 260 with ACCESSORIES and ONE (1) XEROX D260EF1 BUSTLED DFE for a sixty (60) month period with a fair market value (FMV) buyout at the end of the lease and PURCHASE a ONE (1) YEAR SERVICE PLAN for the existing Makeready System and Controller for the Burlington County Information Technology Department, from an authorized vendor under the General Services Administration's (GSA) Federal Supply Schedule for Reprographic Equipment or Services; and

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

WHEREAS, XEROX CORPORATION, 10 Woodbridge Center Drive, Woodbridge, New Jersey, 07095 has a General Services Administration's (GSA) Federal Supply Schedules for Reprographic Equipment or Services contract; Contract GS-25F-0062L with Contract Dates, October 1, 2001 to September 30, 2011; and

WHEREAS, XEROX CORPORATION has a New Jersey State Contract for GSA/FSS Reprographics Schedule Use, Index Number T-2075 with the New Jersey State Contract Number A51145 with Contract Dates, May 1, 2002 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 each month of the Lease for ONE (1) XEROX DOCUTECH 6115 WITH ACCESSORIES, will not exceed \$3,408.00; and

WHEREAS, the actual cost for each month of the Lease for ONE (1) XEROX 4595 CP WITH ACCESSORIES, will not exceed \$1,458.01; and

WHEREAS, the actual cost for each month of the Lease for ONE(1) XEROX DOCUCOLOR 260 WITH ACCESSORIES will not exceed \$3,549.15; and

WHEREAS, the actual cost for each month of the Lease for ONE (1) XEROX D260EF1 BUSTLED DFE, will not exceed \$173.13; and

WHEREAS, the actual cost for each month of the one (1) year service, plan for the Makeready System and Controller, will not exceed \$290.00; and

WHEREAS, funds for the first three (3) months of the lease are available in the temporary budget in Account No. 10-0019-030710, as evidenced by the attached Certification of the Burlington County Chief Financial Officer; and

WHEREAS, funds are anticipated to be available for this purpose in the permanent 2010 budget and in the fiscal years 2011, 2012, 2013, 2014 and 2015 temporary and permanent budgets; and

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

RESOLVED by the County of Burlington that a purchase order be awarded to XEROX CORPORATION, to Lease ONE (1) XEROX DOCUTECH 61115 with ACCESSORIES, ONE (1) XEROX 4595CP WITH ACCESSORIES, ONE (1) XEROX DOCUCOLOR 260 WITH ACCESSORIES, ONE (1) XEROX D260EF1 BUSTLED DFE, and purchase a ONE (1) year SERVICE PLAN for the existing Makeready System and Controller, for the Burlington County Information Technology Department, in an amount not to exceed \$106,539.48 for year one (1) of the 60 month lease.

*** It was moved by Freeholder Reinhart, seconded by Freeholder Brown to approve the following four (4) items by unanimous consent. All in favor. Motion carried. Resolution Nos. 176 through 179 adopted.

33 **RESOLUTION NO. 176** by Freeholder Reinhart, CHANGE ORDER NO. 1 TO CONTRACT TITLED "WASHER EXTRACTORS & NATURAL GAS DRYERS FOR BUTTONWOOD HOSPITAL" WITH W.J. GROSS, INC. IN THE AMOUNT OF \$955.67 TO MOVE ELECTRICAL DISCONNECT AND REPLACE BUILT-IN FIRE SUPPRESSION SYSTEM FOR LINE FOR EXISTING DRYERS AT BUTTONWOOD HOSPITAL.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington entered into a contract titled "WASHER EXTRACTORS & NATURAL GAS DRYERS FOR BUTTONWOOD HOSPITAL " (CPU-09-0058A), per Resolution 858 dated December 09, 2009, with W. J. Gross, Incorporated, 495 Center Street, Sewell, NJ 08080, for an amount not to exceed \$196,000.00; and

WHEREAS, changes to the aforesaid contract, as listed below, have been determined to be necessary by Burlington County's Capital Projects Coordinator, and

WHEREAS, Change Order One (1) represents an increase of \$955.67, resulting in an overall increase of 0.488%, for a new contract amount of \$196,955.67; and

WHEREAS, this Change Order One (1) is required to move one (1) electrical disconnect for easier access to allow service on the equipment, and to replace the line, which is necessary, for the built-in fire suppression system, as the line servicing the existing dryers is the incorrect size; and

WHEREAS, funds are available, for Change Order One (1), in Account No. 60-7001-107682, 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 Change Order One (1) to the contract titled "WASHER EXTRACTORS & NATURAL GAS DRYERS FOR BUTTONWOOD HOSPITAL" (CPU-09-0058A), with W. J. Gross, Incorporated, 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.

34 **RESOLUTION NO. 177** by Freeholder Reinhart, CHANGE ORDER NO. 7 TO CONTRACT TITLED "PERSONAL ASSISTANCE PROGRAM SERVICES 2007-2009" WITH BURLINGTON COUNTY CEREBRAL PALSY ASSOCIATION, INC. T/A GITHENS CENTER IN THE AMOUNT OF \$25,943.17 FOR ADDITIONAL SERVICE HOURS ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, after public bidding, a contract titled "PERSONAL ASSISTANCE SERVICES PROGRAM 2007-2009" (RFP-06-0102) was awarded to Burlington County Cerebral

Palsy Association, Inc., T/A Githens Center, 40 Cedar Street, Mount Holly, New Jersey, 08060 (hereafter Githens), by the Board of Chosen Freeholders of the County of Burlington (hereafter Board) on December 31, 2009 per resolution #1058, for the contract period January 1, 2007 – December 31, 2009, for a maximum amount payable of \$536,475.00; and

WHEREAS, the Board amended the contract on October 24, 2007, per resolution 865, this First (1) Amendment increased the amount payable by \$35,000.00, resulting in a net increase of 6.52% and establishing a new maximum amount payable of \$571,475.00; and

WHEREAS, the Board amended the contract on April 9, 2008 per resolution #249, this Second (2) Amendment increased the amount payable by \$7,207.18, resulting in a net increase of 7.87% and establishing a new maximum payable amount of \$578,682.18; and

WHEREAS, the Board amended the contract on October 8, 2008 per resolution #764, this Third (3) Amendment increased the amount payable by \$87,741.00 resulting in a net increase of 24.22% and establishing a new maximum payable amount of \$666,423.18; and

WHEREAS, the Board amended the contract on March 25, 2009 per resolution #165 this Fourth (4) Amendment increased the amount payable by \$17,047.88, resulting in a net increase of 27.40% and establishing a new maximum payable amount of \$683,471.06; and

WHEREAS, the Board amended the contract on October 28, 2009 per resolution #761, this Fifth (5) Amendment increased the amount payable by \$142,836.00, resulting in a net increase of 54.03% and establishing a new maximum payable amount of \$826,307.06; and

WHEREAS, the Board amended the contract on December 9, 2009 per resolution #875, this Sixth (6) Amendment extended the contract for an additional one (1) year term, January 1, 2010 through December 31, 2010, increasing the amount payable by \$432,618.00 for said term; and

WHEREAS, the Board has approved the recommendation of the Administrator of the County's Human Services Department that the amount payable for Githens, be increased by \$25,943.17 for additional service hours for 2009; and

WHEREAS, this Change Order #7 to increase the amount payable to Githens constitutes a net increase of 139.502% to the original maximum payable, resulting in a new maximum payable of \$1,258,925.06; and

WHEREAS, \$880.86 is available in Account No. 14-5784-033507, \$11,424.91 is available in Account No. 14-5784-033508 and \$13,637.40 is available in Account No. 14-5760-05609 for this increase as evidenced by the certification of Burlington County's Chief Financial Officer filed herewith, now therefore, be it

RESOLVED that the attached Change Order Number Seven to Contract titled "PERSONAL ASSISTANCE SERVICES PROGRAM 2007-2009" (CPU-06-0102) as described above, is approved and its execution in accordance with the Rules of the Board is authorized.

35 **RESOLUTION NO. 178** by Freeholder Reinhart, APPROVAL TO SUBMIT APPLICATION TO THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR GRANT FUNDING UNDER BUILDING A STATE-WIDE INFRASTRUCTURE TO SUSTAIN A COORDINATED SCHOOL HEALTH STSTEM IN JER JERSEY IN AN AMOUNT UP TO \$330,000 ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, the New Jersey Department of Health and Senior Services' ("HSS") has awarded the Burlington County Board of Chosen Freeholders (the "Board") Community Partnership for Healthy Adolescents ("Healthy Adolescents") grant funding since July 1, 2003, which is used by the County's Health Department to facilitate evidence-based programs and activities that have proven successful in improving the overall health and well-being of the County's target adolescent populations; and

WHEREAS, as of June 30, 2010, HSS will discontinue the Healthy Adolescents grant program and has issued a Request for Applications (the "RFA") for a new three-year grant program entitled "Building a State-wide Infrastructure to Sustain a Coordinated School Health System" (the "CSH") in New Jersey based on the performance model created by the Centers for Disease Control; and

WHEREAS, the Board has reviewed and approved the recommendation of the County's Public Health Coordinator that the Board seek first-year funding of up to \$330,000 under this RFA, to be used between July 1, 2010, and June 30, 2011, for the purpose of benefiting eight high schools and/or middle schools within Burlington County; now, therefore, the Board

RESOLVES as follows:

1. The Health Department, with the assistance and support of other County offices, is authorized to complete, sign and submit the application to HSS.
2. Execution of HSS's grant agreement, in accordance with the Rules of the Board, is authorized on its approval by the County Solicitor.

36 **RESOLUTION NO. 179** by Freeholder Reinhart, AUTHORIZATION TO ADVERTISE FOR BIDS FOR LABORATORY SERVICES – WATER TESTING FOR THE HEALTH DEPARTMENT.

WHEREAS, LABORATORY TESTING SERVICES FOR THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX (RFP-10-0036) is to be contracted using competitive contracting; and

WHEREAS, N.J.S.A. 40A:11-4.1 provides that competitive contracting may be used in lieu of public bidding for the procurement of specialized goods and services the price of which exceeds the bid threshold of 29,000; and

WHEREAS, LABORATORY TESTING SERVICES FOR THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX is one of the specialized goods and/or services which may be procured through the use of the competitive contracting process at the option of the governing body, N.J.S.A. 40A:11-4.1(e) ; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the use of the competitive contracting process for the procurement of LABORATORY TESTING SERVICES FOR THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX is hereby authorized; and, be it

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

FURTHER RESOLVED that the submissions of proposals for LABORATORY TESTING SERVICES FOR THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX, (RFP-10-0036), will be publicly received in the Freeholders Board Room on Tuesday, May 4, 2010 at 10:30 a.m. local prevailing time.

37 APPOINTMENTS BY DIRECTOR TO THE SOLID WASTE ADVISORY COUNCIL.

Director Garganio made the following appointments to the Solid Waste Advisory Council:

- William Berry
- Richard Brook
- William Matulewicz
- Beck Kasper
- Mike Murphy
- Tom Getz
- William Dunn
- Donald Yarus
- John Pinto
- David Brogan
- David Specca
- John Butler
- Tom Sahol
- Gina Berg
- Jeff Wright
- Robert Gogats
- Mary Pat Robbie

38 PUBLIC COMMENTS.

1 - Fran Brooks, Tabernacle Township, addressed the Board regarding AmeriCorp programs, Municipal Alliance grants to Municipalities, and at will employees.

2 - Valerie Bruce, Bordentown Township, addressed the Board regarding the Board of Social Services and attendance policies for Board members, and the County Administrator position.

3 - Marge Drazio, Prosecutor's Office, addressed the Board regarding background check and the position of County Administrator.

39 QUESTIONS FROM THE PRESS.

1 - Carole Comegno, Courier Post, questioned the Board regarding the WIC program and funding; Superintendent of Election's staff and the 10 week summer schedule, and the salaries for Administrators, Deputy Administrators, Supervisors and Division and Department Head salaries. Carole Comegno also questioned how many attorney's were present at the meeting with the Union.

2 - Danielle Camilli, Burlington County Times, questioned the Board regarding the plan for the Cultural Affairs and Tourism Office, voluntary furloughs.

40 COMMENTS BY FREEHOLDERS.

1) Freeholder Reinhart apologized to the audience for the fact that the proposed introduction of the budget was not halted. Freeholder Reinhart also spoke about situations in the County that she believes are "inept, ineffective and inefficient". Freeholder Reinhart also stated information is not disseminated in a timely manner. Freeholder Reinhart expressed that she did not agree with layoffs stating in this bad economy it is not the time to cut anyone's job. Freeholder Reinhart shared her thoughts for cost saving measures. Freeholder Reinhart also reported that she sent a complaint to the Inspector General's Office and reiterated concerns she had raised in 2009, and that on March 11, 2010 received confirmation from the Inspector General's Office that the complaint was received and logged into a data base and assigned a file number. Freeholder Reinhart further stated that many questions she raised and information requested was not provided.

2) Freeholder Brown stated that the Board last year spoke about the same issues, 52 jobs were on the line and he fought the layoff because there was no plan in place for the implementation of the layoffs. Freeholder Brown further stated that he decided to work together with the Board and requested information and a meeting with Director Garganio where they sat together and went over the budget. Freeholder Brown stated there is a need to start centralizing departments and downsizing the tax burden and that some of the layoffs are part of reorganization and realizing efficiencies. Freeholder Brown called for the restructuring of County government and working together with the Union to achieve a more efficient government in order to face the challenges of today's economy.

3) Freeholder O'Brien stated that there was one common theme this evening, the budget, and the Board has been working on this since January and every meeting there has been a report on the budget at every conference meeting. Freeholder O'Brien further stated that the Union was asked to consider reopening the contract and that the Board was looking for three things; a wage freeze, a contribution to health benefits, and the elimination of three of fourteen holidays and members of the Union were urged to talk to the leadership. Freeholder O'Brien reported that a letter was sent from Director Garganio to Adam Liebttag reiterating these requests and that in the response from Mr. Liebttag none of these issues were addressed. Freeholder O'Brien commented that tonight is the introduction of the budget, not the passing of the budget. Freeholder O'Brien addressed the issue regarding Mr. Drayton and stated that the Director urged the Freeholders to meet with Mr. Drayton. Freeholder O'Brien reported that she did meet with Mr. Drayton for two hours and that they talked about what was being reported in the newspapers, which are very personal issues and that Mr. Drayton was forthright and explained in great detail everything that had been reported. Freeholder O'Brien also stated that Mr. Drayton recognizes the concerns of the Board and he has expressed a willingness to modify his agreement to a one year term and after meeting with him and this modification to his term, her concerns have been alleviated.

4) Freeholder Donnelly stated that a lot has been said tonight, and that this introduction of the budget begins a vetting process for the County's financial plan for 2010 and agreed with Freeholder Brown that the County needs to take a more "business like" approach in how the County is operated. Freeholder Donnelly also agreed with

something Mr. Liebttag said earlier regarding opening up vendor contracts however purchasing contracts are for a limited term and are required to go to the lowest bidder, and professional services such as engineering and audits they typically are a one year term and are done by a Request for Proposal process. Freeholder Donnelly further stated that one of the County's largest contracts is the collective bargaining unit which the County asked to open last June, July, August and September and then again in January, and was told the contract would not be opened. Freeholder Donnelly further stated that this is one way to contain spending and costs in County government and that the budget is the beginning of the vetting process and urged the Union to consider reopening negotiations.

5) Director Garganio stated he believes in small government and lower taxes and that is how the County can position itself for the recovery that is coming ahead and to not do that would hurt all the residents of the County and every week there is a delay in the layoff equates to \$100,000 so by waiting a week the County is looking at another 2.5 employees being laid off. Director Garganio further stated that it is a very tough time, but 'we need to position ourselves to do the right thing'.

41 ADJOURNMENT.

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

Respectfully submitted,

Paul Drayton
Board Clerk