

Regular Meeting  
Mount Holly, New Jersey

1 A Regular Meeting of the Board of Chosen Freeholders of the County of Burlington was held in the Board Room, Burlington County Office Building, Mount Holly, New Jersey, on Wednesday, April 28, 2010 at 7:00 PM. The meeting was opened with the flag salute and prayer by the Board 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 Director Bruce D. Garganio.

3 OFFICIALS.

Officials in attendance were: County Solicitor Nelson, County Administrator Drayton, Chief Financial Officer Brock, Solid Waste Coordinator Sheehan, Warden Cox, Sheriff Stanfield, County Clerk Tyler, Acting County Engineer Wright, Superintendent of Roads Somes, Librarian Sweet, Public Health Coordinator Gogats, Community Development Coordinator Trommelen, Public Safety Director Dreby, Buttonwood Hospital Administrator Cullinan, Tax Administrator Nuzzo, Resource Conservation Director Robbie, Human Resource Director Hornickel, Information Technology Director Behmke, Capital Projects Coordinator Smith, Transportation Coordinator Wyche, Consumer Affairs Director Borstad, Veteran's Officer Tafe, Supervising Administrative Analyst Stewart, and Public Information Officer Shrom and Clerk Wirth.

4 Director Garganio asked for a motion to approve agenda items d – g, approval of the minutes of the regular board meeting of February 17, 2010 and conference minutes of January 13, January 20, and January 27, 2010. Freeholder Donnelly made motion to approve said minutes, seconded by Freeholder O'Brien. Freeholder Reinhart voted no to all minutes and Freeholder Brown abstained from all minutes. Motion carried. Minutes approved.

5 RECOGNITION – ROCCO MINERVINO ASSISTANT PROSECUTOR, FOR 31 YEARS OF SERVICE UPON RETIRING ON APRIL 30, 2010.

Freeholder Brown read and presented a certificate of appreciation and a clock to Rocco Minervino for his 31 years of dedicated service to Burlington County. Prosecutor Bernardi congratulated Mr. Minervino and said a few words on his behalf. Mr. Minervino thanked the Board and reflected on his rewarding experience meeting the needs of the victims that came to the Prosecutor's office and thanked Prosecutor Bernardi for the opportunity to serve the public over the years.

6 PUBLIC HEARING ON THE 2010-2014 FIVE YEAR CONSOLIDATED PLAN AND THE 2010 ANNUAL PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND HOME FUNDING.

The hour having arrived, Director Garganio stated that this was the time and place for consideration of the 2010-2014 Five Year Consolidated Plan and the 2010 Annual Plan for the Community Development Block Grant Program and HOME Funding.

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

There being no comments, Director Garganio closed the Public Hearing.

6 PUBLIC COMMENTS ON AGENDA ITEMS.

1) Adam Liebttag, President CWA Local 1036 addressed the Board regarding the adoption of the Budget and letters that were sent to provisional employees who are being demoted. Mr. Liebttag expressed his dismay that the Union was not notified and requested a copy of those notices. Mr. Liebttag further stated that the Union was informed of the approval of the lay off plan by the Civil Services Commission through the Burlington County Times article and commented that this was poor communication on the County's part and he felt it was disrespectful to the Union and the employees and stated he hoped that communication would improve in the future.

\*\*\* It was moved by Director Garganio, seconded by Freeholder Donnelly to approve agenda item no. 1. Freeholder Brown questioned if at any time any amendments were presented to Mr. Drayton. Mr. Drayton responded that no amendments were received.

9 **RESOLUTION NO. 233** by Director Garganio, ADPTION OF THE 2010 COUNTY BUDGET, moved for adoption by Director Garganio, seconded by Freeholder Donnelly.

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of (item 2 below) \$160,172,090.00 to be raised by taxation for County Tax Purposes and certification to the County Board of Taxation of the following summary of general revenues and appropriations:

	AYES	NAYS	ABSENT
Brown			
Recorded Vote	Donnelly	Reinhart	
(Insert Last Names)	O'Brien		
	Garganio		
 GENERAL REVENUES:			
Surplus Anticipated			\$7,610,000.00
Miscellaneous Revenue Anticipated			53,483,051.49
AMOUNT TO BE RAISED BY TAXATION FOR COUNTY PURPOSES			<u>160,172,090.00</u>
TOTAL GENERAL REVENUES			\$221,265,141.49 =====
 GENERAL APPROPRIATIONS:			
(a & b) Operations including Contingent			\$171,796,269.15
(c) Capital Improvements			450,000.00
(d) Debt Service			31,456,400.00
(e) Deferred Charges and Statutory Expenditures			<u>17,562,472.34</u>
TOTAL GENERAL APPROPRIATIONS			\$221,265,141.49 =====

It is hereby certified that the budget is a true copy of the budget finally adopted by resolution of the Board of Chosen Freeholders on the 28th day of April 2010. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2010 approved budget and all amendments thereto, if any, which is being reviewed by the Director of Local Government Services.

On roll call: Ayes – Freeholders Brown, Donnelly, O'Brien, and Director Garganio. Nays – Freeholder Reinhart. Resolution 233 adopted.

\*\*\* **NOTE:** The 2010 County Budget as adopted is printed in its entirety and is attached as Exhibit A.

\*\*\* It was moved by Director Garganio, seconded by Freeholder Brown to approve the following 10 (ten) items by unanimous consent. Freeholder Reinhart opposed agenda item no 3 (Resolution No. 235), agenda item no. 5 (Resolution No. 237), agenda item no. 7 (Resolution No. 239), agenda item no. 9 (Resolution No. 241) and agenda item no. 11 (Resolution No. 243) and Freeholder Reinhart abstained from agenda item no. 10 (Resolution no. 242): Motion carried. Resolution Nos. 234 through 243 adopted.

10 **RESOLUTION NO. 234** 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 \$17,194,670.26 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.

- 11 **RESOLUTION NO. 235** by Director Garganio, FIRST AMENDMENT TO AGREEMENT WITH PINO CONSULTING GROUP, INC. EXTENDING THE CONTRACT PERIOD THROUGH JUNE 30, 2010 AT THE 2009 CONTRACTED RATES FOR CONTRACT TITLED "FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY 2007-2009" FOR VARIOUS COUNTY FACILITIES. Freeholder Reinhart opposed this agenda item.

WHEREAS, after open public bidding, a contract titled "FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY 2007-2009, (RFP-07-0020) [hereinafter Contract], was awarded to Pino Consulting Group, Inc., 8 Snowbird Court, West Windsor, New Jersey, 08550, [hereinafter Pino], by the Board of Chosen Freeholders of the County of Burlington [hereinafter Board] on January 24, 2007, for the contract period February 1, 2007 through December 31, 2009, at the contracted rates, for the years 2007, 2008, and 2009, for Various County Facilities; and

WHEREAS, the above referenced contract can be extended while in the process of bidding in accordance with N.J.S.A. 40A:11-15; and

WHEREAS, a First (1) Amendment to the contract is required to extend the term of the contract through June 30, 2010, at the 2009 contracted rates; and

WHEREAS, funds will be certified, on an as needed basis, by the Burlington County Chief Financial Officer; and

WHEREAS, all other terms and conditions of said contract shall continue in full force and effect except as superseded by the First (1) Amendment to Contract; now therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the attached First (1) Amendment to Contract is hereby approved and the proper County Officials are hereby authorized to execute said First (1) Amendment to Contract, in accordance with the Rules of the Board.

- 12 **RESOLUTION NO. 236** by Director Garganio, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR QUALIFICATIONS FOR THE BURLINGTON COUNTY AUDITOR.

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

WHEREAS, Chapter 19 of the Public Laws of 2004 provides that such contracts with an anticipated value in excess of \$17,500 must be awarded through a Fair and Open Process; and

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

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

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

1. A Request for Qualifications shall be prepared and shall include the required qualifications, scope of work, the criteria for placement on the list of Qualified Auditors and all other necessary and legal contractual requirements for the term July 1, 2010 through June 30, 2012.

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

3. A Review Committee of not less than two persons, one of whom shall be the Burlington County Chief Financial Officer or his designee, shall be established to evaluate the responses to the Request for Qualifications received in accordance with the criteria and to make a recommendation in writing to this Board as to those Accounting firms to be placed on the list of Qualified Auditors.

4. The recommendation of the Review Committee, if accepted by the Board, shall be formally adopted and approved by this Board by Resolution establishing the list of Qualified Auditors.

5. All proposals submitted in response to a Request for Proposals authorized by Resolution Number 19 adopted on January 13, 2010 are hereby rejected for the purpose of rewriting the specifications for Burlington County Auditor as the above-described Request for Qualifications.

- 13 **RESOLUTION NO. 237** by Director Garganio, FIRST AMENDMENT TO AGREEMENT WITH BOWMAN & CO., LLP FOR AN EXTENSION THROUGH JUNE 30, 2010. Freeholder Reinhart opposed this agenda item.

WHEREAS, by Resolution 1119 adopted on December 29, 2006, the Board of Chosen Freeholders of the County of Burlington awarded a contract for the performance of Burlington County Auditor services to Bowman & Company LLP for the years 2007-2009; and

WHEREAS, it is necessary to extend said contract through June 30, 2010 during a rebidding process for said contract; and

WHEREAS, the attached First Amendment to Contract so extends the contract for Burlington County Auditor services with all other terms of the Contract remaining in full force and effect; now, therefore, be it

RESOLVED that the attached First Amendment to Contract is hereby approved and authorization is hereby given for the First Amendment to be executed by the proper County officials in accordance with the Rules of the Board.

- 14 **RESOLUTION NO. 238** by Director Garganio, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR QUALIFICATIONS FOR FINANCIAL CONSULTANT SERVICES.

WHEREAS, the services of Financial Consultants are services necessary to the fulfillment of the financial responsibilities of various Burlington County Departments; and

WHEREAS, Chapter 19 of the Public Laws of 2004 provides that such contracts with an anticipated value in excess of \$17,500 must be awarded through a Fair and Open Process; and

WHEREAS, the contracts with providers of Financial Consultant Services have an anticipated value in excess of \$17,500; and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington finds that the Fair and Open Process described below is a fair and open process through which a contract with providers of Financial Consultant Services can be made; now, therefore, be it

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

1. A Request for Qualifications shall be prepared for providers of Financial Consultant Services for Cost Allocation Plan and Hospital Cost Reports; Trust Fund Open Space, Recreation and Farmland and Historic Preservation, and Solid Waste Utility and General Capital and shall include the required qualifications, scope of work, the criteria for placement on the lists of Qualified Financial Consultants and all other necessary and legal contractual requirements for the term July 1, 2010 through June 30, 2012.

2. The Request for Qualifications shall be advertised in accordance with N.J.S.A. 19:44A-20.7 and 20.8 with a Notice describing the services to be provided as the Financial Consultant for Cost Allocation Plan and Hospital Cost Reports; Trust Fund Open Space, Recreation and Farmland and Historic Preservation, and Solid Waste Utility and General Capital, providing the time, date and place proposals must be submitted; providing contact information for obtaining the Request for Qualifications, and including a

statement that the Request for Qualifications is being solicited through a Fair and Open Process in accordance with N.J.S.A. 19:44A-20.4 et seq.

3. A Review Committee of not less than two persons shall be established to evaluate the responses to the Request for Qualifications received in accordance with the criteria and to make a recommendation in writing to this Board as to those entities to be placed on the list of Qualified Financial Consultants..

4. The recommendation of the Review Committee, if accepted by the Board of Chosen Freeholders, shall be formally adopted and approved by this Board by Resolution establishing the list of Qualified Financial Consultants.

15 **RESOLUTION NO. 239** by Director Garganio, POSITIONS CREATED AND ABOLISHED IN VARIOUS DEPARTMENTS. Freeholder Reinhart opposed this agenda item.

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

	RANGE	HOURS
<b>AGING:</b>		
Abolish: 1 Coordinator Community Health Program		
<b>BUTTONWOOD HOSPITAL:</b>		
Abolish: 1 General Supervisor Building Service		
<b>BUILDINGS &amp; GROUNDS:</b>		
Abolish: 1 Senior Maintenance Repairer		
<b>COUNTY CLERK:</b>		
Abolish: 1 Clerk to the Constitutional Officer		
<b>ECONOMIC DEVELOPMENT:</b>		
Abolish: 1 Asst. Director, Economic & Industrial Development		
1 Principal Planner		
<b>ECONOMIC DEVELOPMENT (Community Dev.):</b>		
Abolish: 1 Director, Community Development Program		
1 Loan Advisor		
1 Accountant		
<b>ENGINEERING:</b>		
Abolish: 1 Laborer		
2 Principal Engineering Aide		
1 Traffic Analyst		
1 Traffic Maintenance Worker		
<b>FINANCE:</b>		
Abolish: 1 Accountant		
1 Budget Officer		
1 Head Audit Account Clerk		
<b>HEALTH:</b>		
Abolish: 1 Coordinator Community Health Project 3		
1 Health Educator		
<b>HEALTH: (cont.)</b>		
Abolish: 1 Senior Clerk Bilingual		
<b>HIGHWAY:</b>		
Create:		
04222 4 Truck Driver	12	40
Abolish:		
1 Bridge Repairer		
1 Heavy Equipment Operator		
1 Tree Trimmer		
1 Assistant Superintendent Mosquito Extermination		
1 Heavy Equipment Operator/Inspector Mosquito Exterm.		
1 Inspector, Mosquito Extermination		

## INFORMATION TECHNOLOGY:

Abolish: 1 Data Control Clerk, Typing

## JAIL:

Abolish: 1 Correction Lieutenant  
1 Correction Sergeant

## PROSECUTOR:

Abolish: 2 Investigator UA  
1 Clerk Transcriber

## PUBLIC SAFETY SERVICES:

Create:

01296 4 Public Safety Telecommunicator 20 40

Abolish: 4 Public Safety Telecommunicator Trainee  
1 Secretarial Assistant, Typing

## RESOURCE CONSERVATION (CA&amp;T):

Abolish: 1 Program Coordinator Special Events

## SHERIFF:

Abolish: 1 Clerk Typist  
2 Sheriff Officer

and be it,

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

- 16 **RESOLUTION NO. 240** by Director Garganio, FIRST AMENDMENT TO AGREEMENT WITH GEORGE J. DONOVAN, AIA & ASSOCIATES IN THE AMOUNT OF \$1,860.00 FOR DESIGN AND CONSTRUCTION MANAGEMENT SERVICES ASSOCIATED WITH THE REPLACEMENT OF CEDAR ROOFS ON THE STABLE/BARN AND SCHOOLHOUSE MUSEUM AT SMITHVILLE HISTORIC PARK.

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.160 adopted on March 25, 2009, the Board awarded a professional services agreement to George J. Donovan, AIA & Associates for the design and administration of a cedar roof replacement for the barn/stable and schoolhouse museum at Smithville Historic Park; and

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

WHEREAS, George J. Donovan, AIA & Associates has offered to provide the needed services for a not to exceed charge of \$1,860.00, raising the amount of compensation for the professional services provided from \$14,335 to \$16,195; and

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

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

RESOLVED, by the Burlington County Board of Chosen Freeholders, that Contract Amendment #1 with George J. Donovan, AIA & Associates which is approved as to form

and substance by the County Solicitor and County Administrator, be and the same is hereby approved and its execution in accordance with the Rules of the Board authorized; and, be it

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

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

17 **RESOLUTION NO. 241** by Director Garganio, RESOLUTION AUTHORIZING AWARD OF CONTRACTS THROUGH THE PURCHASING DEPARTMENT. Freeholder Reinhart opposed this agenda item.

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 and evidence of affirmative action compliance; and, be it

FURTHER RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the following recommendations of the Burlington County Purchasing Agent are hereby approved, and that the proper County Officials are hereby authorized to take all necessary actions to effectuate the rejections in accordance with the Rules of the Board.

1. Bids were received on March 16, 2010 as authorized per Resolution #118 dated February 24, 2010 for the solicitation titled "PURCHASE AND INSTALLATION OF FIBER OPTIC CABLE AT BUTTONWOOD HOSPITAL" (CPU-10-0043).

Kane Communications, LLC.  
572 Whitehead Road, Suite 201  
Trenton, NJ 08619

TOTAL LUMP SUM BID.....\$ 48,023.00

(NOTE: The apparent low bidder, AROSE, Inc. was disqualified due to material deviations).

2. Bids were received on March 23, 2010, as authorized per Resolution #76 dated February 17, 2010, for the solicitation titled "SMITHVILLE HISTORIC PARK-RESTORATION OF HOUSES 8 & 9 PARK AVENUE AND 34 MAPLE AVENUE", (CPU-09-0063). The Purchasing Agent recommends this solicitation be rejected, as all responsive bids received exceed the budgeted amount, and for the revision to the specifications and drawings. It is further recommended to re-advertise and receive this solicitation, for a second time, at a later date.

18 **RESOLUTION NO. 242** by Director Garganio, AUTHORIZATION TO REJECT PROPOSAL TITLED "FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY" FOR THE PURPOSE OF SUBSTANTIALLY REVISING THE SPECIFICATIONS. Freeholder Reinhart abstained from this agenda item.

WHEREAS, FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY (RFP-10-0031) is to be contracted using competitive contracting; and

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

WHEREAS, the solicitation of competitive proposals was authorized by Resolution #18 dated January 13, 2010 for FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY (RFP-10-0031); and

WHEREAS, the Burlington County Purchasing Agent recommends to the County Administrator that this proposal be rejected, re-advertise and receive, at a later date; and

WHEREAS, the County Administrator has submitted to the Board of Chosen Freeholders a recommendation to reject this proposal as described hereafter, said recommendation being attached to this Resolution; and

WHEREAS, the County Administrator concurs with the report and recommends this proposal be rejected and received, for a second time, at a later date; now, therefore be it

FURTHER RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the proposal for FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY, (RFP-10-0031) is hereby rejected and will be received, for a second time, at a later date.

- 19 **RESOLUTION NO. 243** by Director Garganio, FIRST AMENDMENT TO AGREEMENT WITH EVERGREEN CAPITAL ADVISORS, INC. EXTENDING THE CONTRACT PERIOD THROUGH JUNE 30, 2010 AT THE 2009 CONTRACTED HOURLY RATE FOR CONTRACT TITLED "FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY 2007-2009" FOR THE DEPARTMENT OF RESOURCE CONSERVATION. Freeholder Reinhart opposed this agenda item.

WHEREAS, after open public bidding, a contract titled "FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY 2007-2009, (RFP-07-0020) [hereinafter Contract], was awarded to Evergreen Capital Advisors, Inc., 32 Nassau Street, Princeton, New Jersey, 08542, [hereinafter Evergreen], by the Board of Chosen Freeholders of the County of Burlington [hereinafter Board] on January 24, 2007 for the contract period February 1, 2007 through December 31, 2009, at the contracted hourly rates, for the years 2007, 2008, and 2009, for the Resource Conservation Department; and

WHEREAS, the above referenced contract can be extended while in the process of bidding in accordance with N.J.S.A. 40A:11-15; and

WHEREAS, a First (1) Amendment to the contract is required to extend the term of the contract through June 30, 2010, at the 2009 contracted hourly rates; and

WHEREAS, funds will be certified, on an as needed basis, by the Burlington County Chief Financial Officer; and

WHEREAS, all other terms and conditions of said contract shall continue in full force and effect except as superseded by the First (1) Amendment to Contract; now therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the attached First (1) Amendment to Contract is hereby approved and the proper County Officials are hereby authorized to execute said First (1) Amendment to Contract, in accordance with the Rules of the Board.

- \*\*\* It was moved by Freeholder Brown, seconded by Freeholder Reinhart to approve the following agenda item by unanimous consent. All in favor. Motion carried. Resolution No. 244 adopted.

- 20 **RESOLUTION NO. 244** by Freeholder Brown, AUTHORIZATION TO ACCEPT THE \$46,400 AWARDED TO THE COUNTY IN SEPTEMBER 2008 TO FUND COUNTYWIDE PARTICIPATION IN THE NEW JERSEY DATA EXCHANGE INFORMATION SHARING PROGRAM AMONG LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE ADMINISTERED THROUGH THE PROSECUTOR'S OFFICE.

Whereas, the Board of Chosen Freeholder's of the County of Burlington (hereinafter called the "Board" or "Applicant") on behalf of the Burlington County Prosecutor's Office (hereinafter "Prosecutor's Office") and the Burlington County Department of Information Technology (hereinafter "Technology Department") wishes to accept funds from the State

of New Jersey Office of Homeland Security and Preparedness (hereinafter "Homeland Security"); and

Whereas, by letter dated June 22, 2009, the Prosecutor's Office was notified by the State of New Jersey Office of Homeland Security and Preparedness, that a total funding amount of \$46,400 is awarded to the Prosecutor's Office for participation in the New Jersey Data Exchange (NJDEx) initiative, which will facilitate Records Management Systems (RMS) data sharing, allowing law enforcement agencies across New Jersey to connect / interface their RMS to the State; and

Whereas, in May 2009, the Burlington County Administrator / Board Clerk, Augustus M. Mosca authorized participation and signed the Additional Software License Agreement; and

Whereas, the implementation of the countywide NJDEx initiative has resulted; and

Whereas, a resolution authorizing the acceptance of this funding is required; and

Whereas, the project is a joint effort among Homeland Security, the Prosecutor's Office, local law enforcement agencies, and the four papooses described; and, now be it

Resolved, by the Board of Chosen Freeholders of the County of Burlington, that

1. As a matter of public policy, the Board wishes to participate to the fullest extent possible with the State of New Jersey Office of Homeland Security and Preparedness;
2. The State of New Jersey, Office of Homeland Security and Preparedness was responsible for the receipt and review of the applications for said funds;
3. The State of New Jersey, Office of Homeland Security and Preparedness shall initiate allocations to each applicant as authorized;
4. The Burlington County Administrator and the Burlington County Prosecutor's Office shall be authorized to execute any document, application or form necessary to accept said funding; and, be it

Further Resolved, that the receipt of such funding 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 Brown to approve the following nine (9) agenda items by unanimous consent. Freeholder Reinhart abstained from agenda item no. 14 (Resolution No. 246). Motion carried. Resolution Nos. 245 through 253 adopted.

21 **RESOLUTION NO. 245** by Freeholder Donnelly, APPROVAL OF THE 2010-2014 FIVE YEAR CONSOLIDATED PLAN AND 2010 ANNUAL PLAN FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAM FUNDING IN THE AMOUNT OF \$2,785,510.

WHEREAS, as a qualified urban county/Home consortium Burlington County is entitled to apply for certain federal funds commonly known as Community Development Block Grants ("CDBG") and HOME Investment Partnerships Program ("HOME") grants pursuant to, respectively, Title I of the Housing and Community Development Act of 1974 and the Cranston Gonzalez National Affordable Housing Act; and

WHEREAS, the U.S. Department of Housing and Urban Development ("HUD") has notified the County that it is eligible to receive a Fiscal Year 2010 consolidated formula allocation of \$2,785,510, comprised of \$1,723,823.00 CDBG funds and \$1,061,687.00 HOME funds; and

WHEREAS, the County anticipates earning \$250,000.00 in program income during the 2010 Program year; and

WHEREAS, the 2010 fiscal year formula allocations may be available to the County on HUD's approval of an application describing the housing and community development programs that the Burlington County Board of Chosen Freeholders ("Board") would implement with the funds as part of the County's Annual Housing and Community Development Plan ("2010 Plan"); and

WHEREAS, the Board has reviewed the proposed 2010-2014 Consolidated Plan and the 2010 Plan and has approved the use of grant funds and program income in accordance therewith; now, therefore, the Board

RESOLVES, as follows:

1. The Board hereby adopts the 2010-2014 Consolidated Plan and the 2010 Annual Housing and Community Development Plan filed herewith.
2. The County Administrator and other appropriate County officials and employees are authorized and directed to complete, sign, and file the application for use of Fiscal Year 2010 funds with HUD, with allocations of said funds to be as set forth in the 2010 Plan, and to execute such related documents as may be necessary and appropriate in connection therewith.

- 22 **RESOLUTION NO. 246** by Freeholder Donnelly, RESOLUTION 213 RESCINDED AND AGREEMENT WITH ARAWAK PAVING COMPANY, INC. IN THE AMOUNT OF \$2,292,000.00 FOR THE 2009 FEDERALLY FUNDED OVERLAY PROJECT SUBJECT TO APPROVAL FROM THE COMMISSIONER OF THE STATE DEPARTMENT OF TRANSPORTATION FOR THE ENGINEERING DEPARTMENT. Freeholder Reinhart abstained from this agenda item.

WHEREAS, the Burlington County Board of Chosen Freeholders approved the plans and specifications for the 2009 Federally Funded Overlay Program in various townships, Burlington County, New Jersey, Contract No. CEG-09-0034 by Resolution #114; and

WHEREAS, said Resolution authorized the advertisement and receipt of bids for said Project; and

WHEREAS, on March 30, 2010 the County Purchasing Agent publicly received and opened sealed bids for the 2009 Federally Funded Overlay Program as authorized by said Resolution; and

WHEREAS, the NJDOT requires that a resolution authorizing the awarding of the 2009 Federally Funded Overlay Program contract be adopted by the Board of Chosen Freeholders; and

WHEREAS, a contract was conditionally awarded to the low bidder, American Asphalt Company, Inc., on April 14, 2010 by Resolution #213 subject to the approval of the Commissioner of the New Jersey Department of Transportation; and

WHEREAS, subsequently, American Asphalt Company was determined to be unqualified as their bid, in the amount of \$2,138,580.75 exceeded their maximum NJDOT Project Rating in Work Classification 3A of \$2,000,000.00; and

WHEREAS, there are sufficient funds available in Account No. 60-7001-113982, coupon 09660, 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:

- 1) Resolution # 213 conditionally awarding the contract to American Asphalt Company, Inc. is hereby rescinded.
- 2) The contract for the 2009 Federally Funded Overlay is hereby conditionally awarded to Arawak Paving Company, Inc., in the amount of \$2,292,000.00 subject to the approval of the Commissioner of the New Jersey Department of Transportation.
- 3) The proper County Officials are hereby authorized in accordance with the Rules of the Board, to execute said contract after all the requirements of the bid specifications are met by the bidder, including, but not limited to the submission of the required performance bond, insurance certificate and evidence of affirmative action compliance.

- 23 **RESOLUTION NO. 247** by Freeholder Donnelly, FIRST AMENDMENT TO AGREEMENT WITH PHILLIPS PREISS SHAPIRO ASSOCIATES IN THE AMOUNT OF \$4,000 FOR WORKABLE RELOCATION ASSISTANCE PROGRAM FOR PROPERTY LOCATED AT BLOCK 401.09, LOT 63 MOUNT LAUREL TOWNSHIP.

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.933 adopted on December 10, 2008, the Board authorized the award of a contract to Phillips Preiss Shapiro Associates to prepare a Workable Relocation Assistance Plan (“WRAP”) known as Block 401.09, Lot 63, Mount Laurel Township, Burlington County; and

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

WHEREAS, the team led by Phillips Preiss Shapiro Associates has offered to provide the needed services for a not to exceed charge of \$4,000.00, raising the contract from \$3,000.00 to \$7,000.00; and

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

WHEREAS, there are sufficient monies in account no. 60-7001-107082 to fund the amendment described above, as evidenced by the attached Certification of the Burlington County Treasurer filed herewith; now, therefore, be it

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

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

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

24 **RESOLUTION NO. 248** by Freeholder Donnelly, AGREEMENT WITH EDWARD H. CRAY, INC. IN THE AMOUNT OF \$291,525.60 ADMINISTERED BY THE STATE DEPARTMENT OF TRANSPORTATION FOR THE SAFETY PROJECT, PHASE II FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the State of New Jersey, Department of Transportation (NJDOT) has allocated certain Federal funds for the Burlington County Safety Project, Phase II, Burlington County, New Jersey (CEG-10-0044); and

WHEREAS, the Burlington County Board of Chosen Freeholders approved the plans and specifications and authorized the advertisement and receipt of bids for said project by Resolution No. 145 on March 10, 2010 and

WHEREAS, on April 6, 2010, the County Purchasing Agent publicly received and opened sealed bids for said project as authorized by said Resolution, and

WHEREAS, Edward H. Cray, Inc. of Trenton, New Jersey, is the lowest responsible bidder and has submitted a price of \$291,525.60 to construct said project; and

WHEREAS, the NJDOT requires that a resolution authorizing the award of the Burlington County Safety Project, Phase II, be adopted by resolution as it is a Federally funded improvement project with funds being administered by the NJDOT; and

WHEREAS, there are sufficient funds available in Account number 60-7001-113882 coupon number 09659 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:

1. The contract for the Burlington County Safety Project, Phase II, Burlington County, New Jersey (Contract No. CEG-10-0044), a Federally funded improvement project with funds being administered by the NJDOT be and same is hereby awarded to Edward H. Cray, Inc., for the amount of \$291,525.60; and
2. Award of this contract to Edward H. Cray, Inc. is also subject to the review and approval of the Commissioner of the New Jersey Department of Transportation; and
3. The Director and/or the County Administrator of this Board are hereby authorized to sign said contract on behalf of the County of Burlington; and
4. The certified checks and bid bonds of the unsuccessful bidders shall be returned.

25 **RESOLUTION NO. 249** by Freeholder Donnelly, AGREEMENT WITH EDWARD H. CRAY, INC. IN THE AMOUNT OF \$4,413,450 ADMINISTERED BY THE STATE DEPARTMENT OF TRANSPORTATION FOR THE TRAFFIC SIGNAL UPGRADE AND COORDINATION PROJECT FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the State of New Jersey, Department of Transportation (NJDOT) has allocated certain Federal funds for the Burlington County Traffic Signal Upgrade & Coordination Project, Burlington County, New Jersey (CEG-10-0023); and

WHEREAS, the Burlington County Board of Chosen Freeholders approved the plans and specifications and authorized the advertisement and receipt of bids for said project by Resolution No. 146 on, March 10, 2010 and

WHEREAS, on April 13, 2010, the County Purchasing Agent publicly received and opened sealed bids for said project as authorized by said Resolution, and

WHEREAS, Edward H. Cray, Inc. of Trenton, New Jersey, is the lowest responsible bidder and has submitted a price of \$4,413,450.00 to construct said project; and

WHEREAS, the NJDOT requires that a resolution authorizing the award of the Burlington County Traffic Signal Upgrade & Coordination Project, be adopted by resolution as it is a Federally funded improvement project with funds being administered by the NJDOT; and

WHEREAS, there are sufficient funds available in Account number 60-7001-114082 and coupon number 09661, 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:

1. The contract for the Burlington County Traffic Signal Upgrade & Coordination Project, Burlington County, New Jersey (Contract No. CEG-10-0023), a Federally funded improvement project with funds being administered by the NJDOT be and same is hereby awarded to Edward H. Cray, Inc., for the amount of \$4,413,450.00; and
2. Award of this contract to Edward H. Cray, Inc. is also subject to the review and approval of the Commissioner of the New Jersey Department of Transportation; and
3. The Director and/or the County Administrator of this Board are hereby authorized to sign said contract on behalf of the County of Burlington; and
4. The certified checks and bid bonds of the unsuccessful bidders shall be returned.

26 **RESOLUTION NO. 250** by Freeholder Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR SNOW PLOW AND SPREADER REPAIR PARTS 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:

SNOW PLOW AND SRPEADER REPAIR PARTS  
(CPU-10-0055)

And, be it;

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder’s Board Room on Tuesday, May 25, 2010 at 10:30 a.m. local prevailing time.

27 **RESOLUTION NO. 251** by Freeholder Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR PIPE, POLYMER COATED 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:

PIPE, POLYMER COATED 2010-2012  
(4-BUCCP-10051)

And, be it;

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder’s Board Room on Tuesday, May 25, 2010 at 10:30 a.m. local prevailing time.

28 **RESOLUTION NO. 252** by Freeholder Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR DENSE GRADED AGGREGATE 2010 - 2012 FOR THE HIGHWAY DEPARTMENT.

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

DENSE GRADED AGGREGATE 2010-2012  
(4-BUCCP-10052)

And, be it;

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder’s Board Room on Tuesday, May 25, 2010 at 10:30 a.m. local prevailing time.

29 **RESOLUTION NO. 253** by Freeholder Donnelly, AUTHORIZATION TO PURCHASE 7 DAY BREAKFAST SHELF STABLE MEAL BOXES FROM J&R PACKAGING IN AN AMOUNT NOT TO EXCEED \$17,915 FOR THE OFFICE ON AGING.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has a need to purchase 7 DAY BREAKFAST SHELF STABLE MEAL BOXES, for the Meals on Wheels Program, for the Office on Aging; and

WHEREAS, said purchase of perishable foods as a substance supply is exempt from public bidding by N.J.S.A. 40A:11-5 (1)(e); and

WHEREAS, pursuant to N.J.S.A. 40A:11-6.1, Two (2) quotes were solicited for the purchase of the 7 DAY BREAKFAST SHELF STABLE MEAL BOXES; and

WHEREAS, J&R Packaging, 455 Post Road, Buchanan, MI 49107 provided the lowest quote for the purchase of the 7 DAY BREAKFAST SHELF STABLE MEAL BOXES, for an amount not to exceed SEVENTEEN THOUSAND, NINE HUNDRED FIFTEEN DOLLARS AND 00/100 (\$17,915.00), contract number FAO-10-0004: and

WHEREAS, J&R Packaging has completed and submitted to the County a Business Entity Disclosure Certification pursuant to N.J.S.A. 19:44A-20.8, certifying that it has not made any reportable contributions to a political or candidate committee in the previous year and certifying that it will not make such reportable contributions through the term of the contract; and

WHEREAS, J&R Packaging, has completed and submitted a Certification Concerning Political Contributions pursuant to P.L. 2005, Chapter 271, reporting that it made no political contributions, expenditures or other things of value to any political party or political committee during the twelve months prior to submission of the Certification and has completed and submitted a Stockholder Disclosure Certification; and

WHEREAS, in accordance with N.J.S.A. 19:44-20.4, J&R Packaging has completed and submitted a Chapter 19 Business Entity Disclosure Certification which certifies that neither the corporation nor any of the stockholders of the corporation have made any reportable contributions during the preceding one-year period 1) to any political party serving in the elective public offices of Burlington County Freeholders, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract is awarded or 2) to any candidate committee of any person serving as Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate, when the contract is awarded; and

WHEREAS, in accordance with N.J.S.A. 19:44A-20.4 J&R Packaging is precluded from making any such reportable contributions during the term of the contract to any county committee of a political party in Burlington County if a member of that political party is serving in the elective public offices of Burlington County Freeholders, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract was awarded; and

WHEREAS, the actual cost for the purchase of the 7 DAY BREAKFAST SHELF STABLE MEAL BOXES, will not exceed SEVENTEEN THOUSAND, NINE HUNDRED FIFTEEN DOLLARS AND 00/100, (\$17,915.00); and

WHEREAS, funds are available for this purpose in Account No.14-5519-030609, and Account No. 14-5516-030609, as evidenced by the attached certification of the Burlington County Chief Financial Officers; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that a purchase order be awarded to J&R Packaging, 455 Post Road, Buchanan, MI 49107 for the purchase of 7 DAY BREAKFAST SHELF STABLE MEAL BOXES, for the Office on Aging, in an amount not to exceed SEVENTEEN THOUSAND, NINE HUNDRED FIFTEEN DOLLARS and 00/100 (\$17,915.00), in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED that the Chapter 19 Business Disclosure Entity Certification, the Chapter 271 Political Contribution Disclosure Certification and the Stockholder Disclosure Certification be placed on file with this Resolution.

\*\*\* It was moved by Freeholder O'Brien, seconded by Freeholder Donnelly to approve the following five (5) items by unanimous consent. Freeholder Reinhart opposed agenda items 22 (Resolution No. 254) and 24 (Resolution No. 256). Motion carried. Resolution Nos. 254 through 258 adopted.

30 **RESOLUTION NO. 254** by Freeholder O'Brien, AGREEMENT WITH WASTE MANAGEMENT OF NEW JERSEY, INC. FOR A FIVE YEAR CONTRACT FOR LANDFILL OPERATIONS IN THE AMOUNT OF \$1,943,623.60 FOR THE PERIOD MAY 17, 2010 THROUGH DECEMBER 31, 2010 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, by resolution No. 401, adopted on July 8, 2009, the Board authorized the issuance of a Request for Proposals to those companies that were deemed qualified to operate sanitary landfills; and

WHEREAS, proposals were received and reviewed by the Department of Solid Waste and extensive negotiations with the companies found to be qualified ensued; and

WHEREAS, the Department of Solid Waste has recommended that the Board award a contract to Waste Management of New Jersey, Inc. for operation of the Complex landfills for a five-year period; and

WHEREAS, on adoption of the 2010 budget, \$1,943,623.60 will be available in Account No. 75-0712-02043 to fund Waste Management's operation of the Complex landfills for the period of May 17, 2010, through December 31, 2010; now, therefore, the Board

RESOLVES as follows:

1. The Board has reviewed and accepts the recommendation of the Department of Solid Waste and finds the award of this contract to Waste Management of New Jersey, Inc. to be sound and in the best interest of the taxpayers of Burlington County.

2. The Board approves and authorizes execution, in accordance with the Rules of the Board, of the Landfill Facility Service Agreement with Waste Management of New Jersey, Inc.

3. Notice of this action shall be published in accordance with requirements of the Local Public Contracts Law.

4. This action shall be subject to the Clerk of the Board's receipt of a certification of availability of funds by the County's chief financial officer.

- 31 **RESOLUTION NO. 255** by Freeholder O'Brien, AUTHORIZATION TO SUBMIT THE ANNUAL STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION TONNAGE GRANT APPLICATION FOR 2009 FOR THE DEPARTMENT OF SOLID WASTE.

WHEREAS, pursuant to the Mandatory Source Separation and Recycling Act, P. L. 1987, c.102, (the "Act") the New Jersey Department of Environmental Protection ("DEP") makes grants for the purpose of encouraging local source separation and recycling programs, development of new recycling programs and continuation and expansion of existing programs; and

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") operates a regional recycling program and is interested in securing a grant for the purpose of continued program operations in compliance with the Act and regulations adopted pursuant thereto; now, therefore, the Board

RESOLVES as follows:

1. Submission of a 2009 recycling tonnage grant application to the DEP is approved and the Burlington County District Recycling Coordinator is designated as responsible for ensuring the proper filing of said application.

2. Monies received from the recycling tonnage grant are to be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

3. Execution, in accordance with the Rules of the Board, of such documents and agreements as may be required to secure the grant is authorized.

- 32 **RESOLUTION NO. 256** by Freeholder O'Brien, SECOND AMENDMENT TO AGREEMENT WITH ACACIA FINANCIAL GROUP, INC. EXTENDING THE CONTRACT PERIOD THROUGH JUNE 30, 2010 AT THE 2009 CONTRACTED HOURLY RATE FOR CONTRACT TITLED "FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY 2007-2009" FOR THE DEPARTMENT OF SOLID WASTE. Freeholder Reinhart opposed this agenda item.

WHEREAS, after open public bidding, a contract titled "FINANCIAL CONSULTANT SERVICES FOR BURLINGTON COUNTY 2007-2009, (RFP-07-0020) [hereinafter Contract], was awarded to Acacia Financial Group, Incorporated, 305 Fellowship Road, Suite 205, Mount Laurel, NJ, 08054, [hereinafter Acacia], by the Board of Chosen Freeholders of the County of Burlington [hereinafter Board] on January 24, 2007 for the contract period February 1, 2007 through December 31, 2009, at the contracted hourly rates, for the years 2007, 2008, and 2009, for the County Solid Waste Department; and

WHEREAS, the above referenced contract can be extended while in the process of bidding in accordance with N.J.S.A. 40A:11-15; and

WHEREAS, a First Amendment to the contract was approved by the Board of Chosen Freeholders, per Resolution # 221, dated April 14, 2010, to increase the term of the contract for the period January 1, 2010 through March 31, 2010, at the 2009 contracted hourly rates; and

WHEREAS, a Second (2) Amendment to the contract is required to extend the term of the contract through June 30, 2010, at the 2009 contracted hourly rates; and

WHEREAS, funds will be certified, on an as needed basis, by the Burlington County Chief Financial Officer; and

WHEREAS, all other terms and conditions of said contract shall continue in full force and effect except as superseded by the Second (2) Amendment to Contract; now therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the attached Second (2) Amendment to Contract, is hereby approved and the proper County Officials are hereby authorized to execute said Second (2) Amendment to Contract, in accordance with the Rules of the Board.

- 33 **RESOLUTION NO. 257** by Freeholder O'Brien, AUTHORIZATION TO ADVERTISE FOR BIDS FOR VEHICLE, TRUCK W/PROVING SYSTEM FOR THE DEPARTMENT OF WEIGHTS AND MEASURES.

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

VEHICLE, TRUCK W/PROVING SYSTEM FOR BURLINGTON COUNTY  
WEIGHTS & MEASURES  
(CPU-10-0065)

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, May 25, 2010 at 10:30 a.m. local prevailing time.

- 34 **RESOLUTION NO. 258** by Freeholder O'Brien, AUTHORIZATION TO PURCHASE A COUNTY WIDE EMERGENCY NOTIFICATION SYSTEM IN AN AMOUNT NOT TO EXCEED \$92,500 FROM GLOBAL CONNECT FOR THE DEPARTMENT OF PUBLIC SAFETY/EMERGENCY MANAGEMENT.

WHEREAS, the State of New Jersey, Department of Community Affairs allows a County to buy under any other County's existing contract, under the same terms and conditions, and with the approval of the initiating County, Vendor, and Director of Local Government Services, as per LFN 2005-14; and

WHEREAS, Burlington County has a need to purchase a County Wide Emergency Notification System for the Burlington County Emergency Management Department; and

WHEREAS, Atlantic County awarded a contract, on November 23, 2009, to Global Connect, 5218 Atlantic Avenue, Suite 202, Mays Landing, NJ 08330, for the purchase of a County Wide Emergency Notification System; and

WHEREAS, Burlington County received approval from Atlantic County and Global Connect to utilize Atlantic County's Contract #K.09.307, for the purchase of a County Wide Emergency Notification System; and

WHEREAS, Burlington County received approval from the Acting Director of Local Government Services, on April 5, 2010, for the use of Atlantic County's contract; and

WHEREAS, the Burlington County Purchasing Agent recommends that a contract be awarded to Global Connect, 5218 Atlantic Avenue, Suite 202, Mays Landing, NJ, 18330, for an amount not to exceed NINETY-TWO THOUSAND, FIVE HUNDRED DOLLARS AND 00/100 (\$92,500.00), contract #LFN-2005 14, Atlantic County Community Notification Service; and

WHEREAS, funds are available for this purchase, in Account #14-5856-033609, as evidenced by the attached certification of the Burlington County Chief Financial Officer; and be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that contract #LFN 2005-14 Community Notification System be awarded to Global Connect,

5218 Atlantic Avenue, Suite 202, Mays Landing, NJ, 18330, in an amount not to exceed NINETY-TWO THOUSAND, FIVE HUNDRED DOLLARS AND 00/100 (\$92,500.00), for the County Emergency Management Department, in accordance with the Rules of the Board.

\*\*\* It was moved by Freeholder Reinhart, seconded by Freeholder Brown to approve the following six (6) items by unanimous consent. All in favor. Motion carried. Resolution Nos. 259 through 264 adopted.

35 **RESOLUTION NO. 259** by Freeholder Reinhart, MODIFICATION NO. 3 TO GRANT WITH THE STATE DEPARTMENT OF HEALTH, DIVISION OF ADDICTION SERVICES FOR AN INCREASE IN THE AMOUNT OF \$115,677 FOR AN EXTENSION OF TIME THROUGH JUNE 30, 2010 FOR POST HOUSE.

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

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

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

WHEREAS, by Resolution no. 63, adopted on January 27, 2010, the Board authorized modification no. 2 to the grant agreement, pursuant to which the State's grant was increased by \$115,677 and extended by 3 months, to March 31, 2010, resulting in a revised award of \$1,281,113.00; and

WHEREAS, the State has determined to extend the term of the grant agreement by three months, to June 30, 2010, and increase the award to the Board by \$115,677.00 to support Post House's services, resulting in a new grant amount of \$1,396,790.00; and

WHEREAS, the County Health Department has recommended that the Board approve a third modification to the grant agreement, as described above; now, therefore, the Board

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

36 **RESOLUTION NO. 260** by Freeholder Reinhart, LETTER OF AGREEMENT BETWEEN POST HOUSE AND STATE DEPARTMENT OF HUMAN SERVICES, DIVISION OF ADDICTION SERVICES FOR REIMBURSEMENT OF DRUG COURT REFERRAL BED DAYS AT THE RATE OF \$68.00 PER DAY FOR THE PERIOD JULY 1, 2010 THROUGH JUNE 30, 2011 ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, the New Jersey State Department of Human Services ("DHS") has agreed to fund drug treatment and prevention services known as "Post House" for Drug Court referrals for the one-year period beginning July 1, 2010; and

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") is required to enter into an Agreement with the DHS as a condition to eligibility for funding; and

WHEREAS, the Board has determined that it is in the interest of Burlington County taxpayers that it enter into an agreement with DHS for this purpose; now therefore, the Board

RESOLVES as follows:

1. An agreement with DHS for the above-described purposes that has been approved by the County Solicitor is authorized.
2. Said agreement shall be executed in accordance with the Rules of the Board.

- 37 **RESOLUTION NO. 261** by Freeholder Reinhart, APPROVAL TO APPLY FOR THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION CEHA GRANT FUNDING FOR 2010 IN THE AMOUNT OF \$206,923 FOR THE HEALTH DEPARTMENT.

WHEREAS, at N.J.S.A. 26:3A2-29 the County Environmental Health Act ("CEHA") authorizes the Commissioner of the New Jersey Department of Environmental Protection ("DEP") to make grants to certified local health agencies to provide environmental health services for programs such as hazardous materials response and investigation, noise control, water pollution control, air pollution control and solid waste control; and

WHEREAS, DEP has advised that the Burlington County Board of Chosen Freeholders ("Board") is eligible to receive a grant of \$206,923.00 for 2010 CEHA programs; and

WHEREAS, these funds contribute towards the salaries of County Health Department staff and the Board's purchase of equipment, services, and supplies and the programs supported with these funds protect the health and environment of County residents and, therefore, the Board believes that it is in the best interest of Burlington County residents that it continue to receive this funding; now, therefore, the Board

RESOLVES as follows:

1. The County Administrator and County Public Health Officer are authorized to make application to the DEP for the above-described 2010 CEHA grant.
2. The Board agrees to comply with all the applicable federal, state and municipal laws, rules and regulations in conducting CEHA programs and to provide a match of 50% in compliance with DEP's local match requirement.
3. Following DEP's approval of the County's application, an agreement with the DEP for a grant of no more than \$206,923.00, specifying the terms of the grant that has been approved by the County Solicitor and County Administrator, is authorized to be executed in accordance with the Rules of the Board.
4. Amendments to said grant agreement that do not increase the County's obligations and have been approved by the County Administrator and County Solicitor are also authorized to be executed in accordance with the Rules of the Board.
5. A certified copy of this Resolution shall be transmitted to the New Jersey Department of Environmental Protection.

- 38 **RESOLUTION NO. 262** by Freeholder Reinhart, APPROVAL FOR THE HEALTH DEPARTMENT TO PROVIDE SANITARY HOUSING INSPECTIONS ON A COMPLAINT BASIS FOR THE TOWNSHIP OF SOUTHAMPTON.

WHEREAS, the Burlington County Board of Chosen Freeholders (the "Board") has entered into a Public Health Services Agreement ("Agreement") with Southampton Township (the "Township") for the provision of certain services pursuant to the Local Health Services Act, N.J.S.A. 26:3A2-1, et seq.; and

WHEREAS, the Township has asked that the Burlington County Health Department assume responsibility for conducting housing inspections within its borders; and

WHEREAS, the County Public Health Coordinator has recommended that the Board extend this service to the Township and the Board concurs; now, therefore, the Board

RESOLVES as follows:

1. An amendment to the Agreement with the Township to provide for the County's provision of these services, which amendment is approved as to form and content by the County Solicitor and County Administrator, is approved and its execution in accordance with the Rules of the Board is authorized.
2. This action is subject to the adoption by the Township's governing body of an ordinance authorizing an amendment to the Agreement for this purpose.

- 39 **RESOLUTION NO. 263** by Freeholder Reinhart, AGREEMENT WITH VAXCARE CORPORATION FOR PARTICIPATION IN THEIR FLUSTATIONS PROGRAM TO PROVIDE FLUZONE HIGH-DOSE VACCINE FOR SENIORS 65 AND OVER AT NO COST TO THE COUNTY ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

Whereas, through the Burlington County Health Department the Burlington County Board of Chosen Freeholders ("Board") provides programs intended to protect the health of senior citizen residents, including seasonal influenza immunizations; and

Whereas, on December 23, 2009, the U.S. Food and Drug Administration approved Fluzone-High Dose ("Fluzone-HD"), an influenza vaccine that is designed to protect persons age 65 and older to prevent disease caused by influenza virus subtypes A and B; and

WHEREAS, Sanofi Pasteur, the manufacturer of both Fluzone and Fluzone-HD, has determined to make Fluzone-HD available to public health offices without charge; and

Whereas, Sanofi Pasteur has entered into an agreement with VaxCare Corporation by which the Fluzone-HD would be provided to public health offices and VaxCare would be responsible for securing payment for vaccinations administered by the County Health Department; and

WHEREAS, VaxCare requires that the Board enter into an agreement with it that describes each party's responsibilities as a condition to providing the Fluzone-HD, which agreement provides for payment to the Board to compensate it for administering the vaccinations; and

WHEREAS, the Board has accepted and approved the recommendation of the County's Public Health Coordinator that it enter into an agreement with VaxCare in order to secure the Fluzone-HD vaccine for Burlington County's senior residents; now, therefore, the Board

RESOLVES as follows:

1. An agreement with VaxCare Corporation for the above-described purposes is authorized and its execution in accordance with the Rules of the Board is approved, subject to the following:

A. VaxCare provides evidence that it is registered to do business in the State of New Jersey.

B. VaxCare executes and delivers certifications in compliance with P.L. 2004, c. 19 and P.L. 2005, c. 271.

C. The County Solicitor and County Administrator approve the form and content of the contract.

D. VaxCare provides such other documentation as the contract reasonably requires.

40 **RESOLUTION NO. 264** by Freeholder Reinhart, APPROVAL TO SUBMIT THE 2010 MUNICIPAL ALLIANCE PLAN TO THE GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE IN THE AMOUNT OF \$489,879 FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 FOR SUBSTANCE ABUSE PREVENTION PROGRAMS TO BE PERFORMED BY 33 PARTICIPATING MUNICIPALITIES.

WHEREAS, at N.J.S. 26:2BB-7, the New Jersey Legislature established an Alliance to Prevent Alcoholism and Drug Abuse, which is responsible for creating a network of New Jersey communities dedicated to a comprehensive and coordinated effort against alcoholism and drug abuse and is a mechanism for implementing policies to reduce alcoholism and drug abuse and providing funds to member communities to support county and municipal-based alcohol and drug abuse education and public awareness activities; and

WHEREAS, N.J.S. 26:2BB-8 requires that county alliance steering subcommittees develop annual plans for the expenditure of funds derived from the Drug Enforcement Demand Reduction Fund, N.J.S. 2C:35-15 ("DEDR"); and

WHEREAS, the Local Advisory Committee on Alcoholism and Drug Abuse to the Burlington County Board of Chosen Freeholders ("Board") approved a Burlington County Municipal Alliance Plan ("Plan"), for the period January 1 through December 31, 2010, which Plan had previously been approved by the County Alliance Steering Subcommittee; and

WHEREAS, the Plan provides for the distribution of DEDR grant funds to 26 municipal alliance programs that provide drug and alcohol prevention education to residents in 33 Burlington County municipalities; and

WHEREAS, the Board has reviewed the Plan and supports it; now therefore, the Board

RESOLVES as follows:

1. The Board approves the 2010 Burlington County Municipal Alliance Plan filed herewith for submission to the Governor's Council on Alcoholism and Drug Abuse.
2. Following approval of the Plan by the Governor's Council on Alcoholism and Drug Abuse, the County Health Department and other appropriate officers and employees of the County are authorized to take actions necessary to implement the Plan.

41 PUBLIC COMMENTS.

The following members of the public addressed the Board:

- 1) Julia Baker-Dicamillo, Lumberton Township addressed the Board regarding the Budget and the tax rate.
- 2) Linda McCann, Mansfield Township addressed the Board regarding the decrease in taxes and equalization.
- 3) Tim Clemens, Hainesport Township addressed the Board regarding the improvements to the intersection of Marne Highway and Hartford Road.
- 4) Mr. Milanez, Westampton Township addressed the Board regarding the military memorial in Westampton Township.
- 5) Linda Lovendusky, Springfield Township addressed the Board regarding the new County Fair Grounds and liability issues for the Township and also the County's Waste Management Plan and Eastern Organics.
- 6) Fred Bryan, Springfield Township addressed the Board regarding the layoffs and the preservation of land and the recently acquired Toone property.

42 QUESTIONS FROM THE PRESS.

Carole Comegno, Courier Post, questioned the Director if he would have more remarks on the budget.

43 COMMENTS BY FREEHOLDERS.

- 1) Freeholder Reinhart reiterated her disappointment regarding the layoffs and how the budget was crafted and the negative impact it will have on families and shifting the burden to social services and the need for assistance for utilities, mortgages, will just increase. Freeholder Reinhart stated that the budget was not well thought out, was pushed through without communication, and the mantra in the State and County is to grow jobs, not cut jobs.
- 2) Freeholder Brown stated, in response to Mr. Bryan's comments regarding using Open Space funds for other uses, that he would like to discuss with the Board in the near future using Open Space funds to create a Redevelopment Trust Account to be used in river town communities. Freeholder Brown also stated that he was confused by Freeholder Reinhart's vote against the Budget since never receiving an amendment or an alternate spending plan. Freeholder Brown further stated he wants to streamline County government and provide greater services at a lesser cost.
- 3) Freeholder O'Brien stated that she believes tonight's budget reflects the vote of the people, and the constituents repeatedly asked for lower taxes. Freeholder O'Brien also mentioned the recent school board elections and the fact that there were twice as many voters to vote against the board elections because they can't afford anymore taxes. Freeholder O'Brien expressed that the Board was tasked with lowering taxes and that is what they did.
- 4) Freeholder Donnelly stated he thought the budget was an open process, it had been discussed every week, receiving reports from the staff, and having the opportunity to discuss it in conference and disagreed with Freeholder Reinhart's opinion of the process being secretive. Freeholder Donnelly further stated that no one wanted lay offs, but this will position the County to be in a stronger position in the future and what is needed is smaller government and less taxes. Freeholder Donnelly also stated that next year's budget should start tomorrow so the Board does not find itself in the same situation next year and that this is not a yearly event.

44 ADJOURNMENT.

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

Respectfully submitted,

Paul Drayton  
Board Clerk