

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, October 27, 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, County Clerk Tyler, County Engineer Brickley, Public Safety Director Dreby, Superintendent of Roads Somes, Capital Projects Coordinator Smith, Solid Waste Coordinator Sheehan, Veterans Service Officer Tafe, Chief Medical Examiner Hood, Public Health Director Gogats, Superintendent of Elections Nyikita, Director of Human Resources Hornickel, Director of Resource Conservation Robbie, Community Development Coordinator Trommelen, Director of Information Technology Behmke, Warden Cox, Assistant Buttonwood Hospital Administrator Blinn, Director of Consumer Affairs Borstad, Transportation Coordinator Wyche, Supervising Administrative Analyst Stewart, 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 October 13, 2010 and the and approval of the minutes of the conference meetings of September 1, and September 8, 2010. Freeholder O'Brien made motion to approve said minutes, seconded by Freeholder Donnelly. Freeholder Reinhart opposed all minutes, and Freeholder Brown abstained from all minutes. Motion carried. Minutes approved.

5 PUBLIC COMMENTS ON AGENDA ITEMS.

1) Nick Sodona, Mt. Holly Township, addressed the Board regarding agenda item nos. 2, 8, 22, 23, 30 and 32.

*** It was moved by Director Garganio, seconded by Freeholder Brown to approve the following twelve (12) agenda items by unanimous consent. Freeholder Reinhart opposed agenda item nos. 5 (Resolution No. 697), 8 (Resolution No. 700), and 12 (Resolution No. 704). Motion carried. Resolution Nos. 693 through 704 adopted.

6 **RESOLUTION NO. 693** 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 \$21,355,554.17 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.

7 **RESOLUTION NO. 694** by Director Garganio, RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE SUBMISSION BY THE BURLINGTON COUNTY BRIDGE COMMISSION OF AN APPLICATION, ON ITS BEHALF, TO THE NEW JERSEY LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-51 ET SEQ. IN CONNECTION WITH THE PROPOSED REFUNDING OF A PORTION OF THE COUNTY'S \$42,117,000 GENERAL OBLIGATION BONDS (BURLINGTON COUNTY BRIDGE COMMISSION 2002 GOVERNMENTAL LOAN PROGRAM), SERIES 2002A.

BACKGROUND

WHEREAS, the County of Burlington, New Jersey ("County") desires to authorize the Burlington County Bridge Commission ("Commission") to make application, on its behalf, to the New Jersey Local Finance Board seeking its approval for the adoption by the County of a Refunding Bond Ordinance pursuant to N.J.S.A. 40A:2-51 et seq. authorizing the issuance of a General Obligation Refunding Bond (Burlington County Bridge Commission Governmental Loan Program), Series 2010A in the aggregate principal amount of up to \$24,700,000 in connection with the issuance by the Commission of its County-Guaranteed Pooled Loan Revenue Refunding Bonds (Governmental Loan Program), Series 2010A to advance refund a portion of the Commission's outstanding \$73,510,000 aggregate principal amount of County-Guaranteed Pooled Loan Revenue Bonds (Governmental Loan Program), Series 2002 allocated to the County; and

WHEREAS, the County believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the County;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant; and
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the County and will not create an undue financial burden to be placed upon the County.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY, AS FOLLOWS:

Section 1. The Commission's application to the New Jersey Local Finance Board is hereby approved, and the Commission's Bond Counsel, in consultation with the County's Bond Counsel, County Solicitor and Financial Advisor, along with other representatives of the County, is hereby authorized to prepare such application and to represent the County in matters pertaining thereto.

Section 2. The Clerk of the Board of Chosen Freeholders is hereby directed to prepare and file a copy of this resolution with the New Jersey Local Finance Board as part of such application (with a copy to the Commission).

Section 3. The New Jersey Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey law, including its endorsement of consent on the Refunding Bond Ordinance.

Section 4. This resolution shall take effect immediately upon adoption this 27th day of October, 2010.

Recorded Vote

<u>AYE</u>	<u>NO</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
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Christopher J. Brown
Joseph B. Donnelly
Mary Ann C. O'Brien
Mary Anne Reinhart
Bruce D. Garganio

The foregoing is a true copy of a resolution adopted by the members of the Board of Chosen Freeholders of the County of Burlington, New Jersey on October 27, 2010.

- 8 **RESOLUTION NO. 695** by Director Garganio, REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$24,700,000 IN AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS FOR THE COUNTY OF BURLINGTON, NEW JERSEY FOR THE PURPOSE OF REFUNDING A PORTION OF THE \$42,117,000 GENERAL OBLIGATION BONDS (BURLINGTON COUNTY BRIDGE COMMISSION 2002 GOVERNMENTAL LOAN PROGRAM), SERIES 2002A HERETOFORE ISSUED BY THE COUNTY AND APPROPRIATING THE PROCEEDS OF SUCH REFUNDING BONDS TO SUCH PURPOSE.

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey (*N.J.S.A. 40A:2-1 et seq.*), as amended and supplemented ("Local Bond Law"), the County of Burlington, New Jersey ("County") has heretofore issued and sold to the Burlington County Bridge Commission ("Commission") \$42,117,000 in aggregate principal amount of its General Obligation Bonds (Burlington County Bridge Commission 2002 Governmental Loan Program), Series 2002A ("Series 2002A General Obligation Bonds"), dated October 24, 2002, for the purpose of evidencing a loan made by the Commission to the County ("Loan") of a portion of the proceeds of the Commission's County-Guaranteed Pooled Loan Revenue Bonds (Governmental Loan Program), Series 2002 ("Series 2002 Commission Bonds") to finance and refinance (by the repayment of the principal of certain bond anticipation notes previously issued by the County) the costs of construction of various capital improvements and acquisition of various capital equipment for the County and to pay the County's allocable share of the costs and expenses incidental to the issuance and delivery of the Series 2002 Commission Bonds; and

WHEREAS, the Commission has advised the County and the County has determined that it is in the best interests of the County to advance refund a portion of the outstanding Series 2002A General Obligation Bonds ("Callable Bonds"); and

WHEREAS, the County has determined to provide for the advance refunding of all or a portion of the Callable Bonds through the issuance by the County of its refunding bonds in one or more series and in an aggregate principal amount of up to \$24,700,000, as provided in this refunding bond ordinance; now, therefore,

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

Section 1. In order to finance the purposes described in Section 2 hereof, negotiable general obligation refunding bonds of the County ("Series 2010 General Obligation Refunding Bonds") are hereby authorized to be issued in one or more series, in an aggregate principal amount of up to \$24,700,000 pursuant to the Local Bond Law. The exact principal amount of Series 2010 General Obligation Refunding Bonds to be issued and the terms thereof shall be determined pursuant to a resolution adopted by the Board of Chosen Freeholders of the County of Burlington, New Jersey ("Board") by not less than two-thirds of all the members thereof. The proceeds of the Series 2010 General Obligation Refunding Bonds are hereby appropriated to the purposes described in Section 2 hereof.

Section 2. (a) The purposes for which the Series 2010 General Obligation Refunding Bonds are to be issued are (i) to advance refund all or a portion of the Callable Bonds to effect an interest cost savings for the County; and (ii) to pay the costs of issuance of the Series 2010 General Obligation Refunding Bonds, including printing, advertising, accounting, and financial and legal services, and further including bond insurance premium (if any) and underwriting compensation. The exact principal amount of Callable Bonds to be refunded shall be determined pursuant to a resolution adopted by the Board by not less than two-thirds of all the members thereof.

(b) The Callable Bonds to be refunded bear interest at the respective rates of 5.000% per annum for the Callable Bonds maturing on October 15 in each of the years 2013, 2015, 2016, 2017, 2018 and 2019, inclusive, and 4.250% per annum for the Callable Bonds maturing on October 15, 2014 and are scheduled to mature on October 15, in varying principal amounts and on varying maturity dates.

(c) The aggregate cost of issuing the Series 2010 General Obligation Refunding Bonds as provided in *N.J.S.A. 40A:2-51(b)* (which amount includes all items described in Section 2(a)(ii) hereof) will not exceed \$274,489.00. Such amount is included in the maximum authorized aggregate principal amount set forth in Section 1 hereof.

(d) The Callable Bonds shall be called for redemption prior to maturity thereof as provided by subsequent resolution of the County. If provided by subsequent resolution of the County, all or a portion of the proceeds from the sale of the Series 2010 General Obligation Refunding Bonds shall be deposited in a sinking fund in trust to provide for the payment and retirement of all or a portion of the Callable Bonds. Any moneys in such sinking fund may be invested as provided in *N.J.S.A. 40A:2-60*, and any moneys in excess of the amounts required for such purposes may be used for any lawful purpose of the County.

Section 3. The Series 2010 General Obligation Refunding Bonds authorized herein shall be designated, substantially, "County of Burlington, New Jersey, General Obligation Refunding Bond (Burlington County Bridge Commission Governmental Loan Refunding Program), Series 2010" and shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the County shall approve. Further provisions as to terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the Series 2010 General Obligation Refunding Bonds, and matters in connection therewith, shall be determined by resolution of the Board adopted by not less than two-thirds of the full members thereof prior to the issuance of the Series 2010 General Obligation Refunding Bonds.

Section 4. All other matters relating to the Series 2010 General Obligation Refunding Bonds shall be performed or determined by subsequent resolution of the County, or the performance or determination thereof shall be delegated by resolution of the County to a financial officer of the County.

Section 5. A certified copy of this refunding bond ordinance, as passed upon first reading, has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption hereof, together with a complete statement in the form prescribed by the Director and signed by the County Treasurer or County Chief Financial Officer as to the outstanding indebtedness to be refunded by the issuance of the Series 2010 General Obligation Refunding Bonds pursuant to *N.J.S.A. 40A:2-55*.

Section 6. The full faith and credit of the County are hereby pledged to the punctual payment of the principal of and the interest on the Series 2010 General Obligation Refunding Bonds authorized by this refunding bond ordinance. The Series 2010 General Obligation Refunding Bonds shall be direct, unlimited obligations of the County, and the County shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the County for the payment of the Series 2010 General Obligation Refunding Bonds and the interest thereon without limitation as to rate or amount.

Section 7. A supplemental debt statement of the County has been duly made and filed in the office of the Clerk of the Board, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State in accordance with the provisions of *N.J.S.A. 40A:2-10*, and such debt statement shows that while the gross debt of the County, as defined in the Local Bond Law, is increased by \$2,357,000 (said amount representing the difference between the amount of the Series 2010 General Obligation Refunding Bonds authorized by this refunding bond ordinance and the amount of Callable Bonds to be refunded), the net debt of the County is not increased, and the obligations of the County authorized by or incurred pursuant to the terms of this refunding bond ordinance is permitted by an exception to the debt limitations of the Local Bond Law.

Section 8. After passage upon first reading of this refunding bond ordinance, the Clerk of the Board of Chosen Freeholders is hereby directed to publish the full text of this refunding bond ordinance, together with the notice set forth below entitled "NOTICE OF PENDING REFUNDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under *N.J.S.A. 40A:2-19*, at least seven (7) days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten (10) days after introduction and first reading). The Clerk of the Board of Chosen Freeholders is further directed to comply with all provisions of *N.J.S.A. 40A:2-17(b)* regarding postings, publications and the provision of copies of this refunding bond ordinance.

Section 9. After final adoption of this refunding bond ordinance by the Board of Chosen Freeholders, the Clerk of the Board of Chosen Freeholders is hereby directed to publish the full text of this refunding bond ordinance, as finally adopted, together with the notice set forth below entitled "STATEMENT" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under *N.J.S.A. 40A:2-19*.

Section 10. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 11. This refunding bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided by Section 9 hereof and the Local Bond Law, but not prior to the time that the consent of the Local Finance Board (in the

Division of Local Government Services) has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, as provided by *N.J.S.A. 40A:2-55*.

- 9 **RESOLUTION NO. 696** by Director Garganio, RESOLUTION TO SET PUBLIC HEARING FOR REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$24,700,000 IN AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS FOR THE COUNTY OF BURLINGTON, NEW JERSEY FOR THE PURPOSE OF REFUNDING A PORTION OF THE \$42,117,000 GENERAL OBLIGATION BONDS.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the Ordinance entitled, "REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$24,700,000 IN AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS FOR THE COUNTY OF BURLINGTON, NEW JERSEY FOR THE PURPOSE OF REFUNDING A PORTION OF THE \$42,117,000 GENERAL OBLIGATION BONDS (BURLINGTON COUNTY BRIDGE COMMISSION 2002 GOVERNMENTAL LOAN PROGRAM), SERIES 2002A HERETOFORE ISSUED BY THE COUNTY AND APPROPRIATING THE PROCEEDS OF SUCH REFUNDING BONDS TO SUCH PURPOSE" was introduced on October 27, 2010, and having been read by title only by the County Administrator/Board Clerk, does now pass on first reading, and that said Ordinance be further considered for final passage at the meeting of the said Board to be held on the 10th day of November 2010 at 7:00 P.M., prevailing time or as soon as this matter can be reached at the regular meeting room of the Board of Chosen Freeholders in the Township of Mount Holly, New Jersey, and that at such time and place all persons interested be given an opportunity to be heard concerning the same, and that the County Administrator/Board Clerk be and he is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading in the Burlington County Times, a legal newspaper published in the County of Burlington.

- 10 **RESOLUTION NO. 697** by Director Garganio, ORDINANCE OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE GUARANTY BY THE COUNTY OF THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE (i) COUNTY-GUARANTEED POOLED LOAN REVENUE REFUNDING BONDS (GOVERNMENTAL LOAN PROGRAM), SERIES 2010A AND (ii) THE COUNTY-GUARANTEED POOLED LOAN REVENUE BONDS (GOVERNMENTAL LOAN PROGRAM), SERIES 2010B TO BE ISSUED BY THE BURLINGTON COUNTY BRIDGE COMMISSION IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$65,000,000 FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY FOR THE PAYMENT OF SAID SERIES 2010A BONDS AND SERIES 2010B BONDS; APPROVING THE COMMISSION'S ADVANCE REFUNDING OF A PORTION OF THE COMMISSION'S OUTSTANDING COUNTY-GUARANTEED POOL LOAN REVENUE BONDS (GOVERNMENTAL LOAN PROGRAM), SERIES 2002 AND THE FINANCING OF THE 2010 GOVERNMENTAL LOAN PROGRAM, CONSENTING TO THE ISSUANCE OF SAID BONDS TO ACCOMPLISH SAID REFUNDING AND FINANCING OF SAID 2010 GOVERNMENTAL LOAN PROGRAM AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH
Freeholder Reinhart opposed this agenda item.

BACKGROUND

WHEREAS, the Burlington County Bridge Commission ("Commission") has been duly created by resolution of the Board of Chosen Freeholders ("Board") of the County of Burlington, New Jersey ("County"), duly adopted October 22, 1948, as a public body corporate and politic of the State of New Jersey ("State") pursuant to and in accordance with the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934 of the State, and the acts amendatory thereof and supplemental thereto (*N.J.S.A. 27:19-26 et seq.*) ("Act"); and

WHEREAS, the Commission is authorized, pursuant to the Act, to issue its negotiable bonds or notes in order to (i) make loans to any governmental unit for the design, acquisition, construction, improvement, equipping and furnishing of any project (as defined in the Act); and (ii) refund its outstanding bonds, notes or other indebtedness; and

WHEREAS, on August 28, 2002, in accordance with the provisions of the Act and, specifically, *N.J.S.A. 27:19-31*, the Board of the County finally adopted a guaranty ordinance ("2002 County Guaranty") which provided for the guaranty by the County of the timely payment of the principal of and interest on bonds to be issued by the Commission in an aggregate principal amount not exceeding \$95,000,000 for or with respect to the 2002 Governmental Loan Project; and

WHEREAS, on October 24, 2002, in accordance with the provisions of the Act, the Commission issued its \$73,500,000 aggregate principal amount of County-Guaranteed Pooled Loan Revenue Bonds (Governmental Loan Program), Series 2002A ("Series 2002 Bonds") in order to provide funding for a project consisting of the financing of loans to the County, the Township of Maple Shade, the City of Burlington, the Township of Evesham and the Township of Pemberton (collectively, the "2002 Participants") to acquire and construct general improvements of the 2002 Participants and to refinance certain outstanding bond anticipation notes of the 2002 Participants that were issued to finance general improvements (collectively, the "2002 Governmental Loan Project"); and

WHEREAS, the Series 2002 Bonds are entitled to the 2002 County Guaranty; and

WHEREAS, the Commission has determined to: (i) advance refund a portion of the Series 2002 Bonds ("2002 Refunded Bonds") to refinance the loans to the County and the other 2002 Participants through the issuance by the Commission of its County-Guaranteed Pooled Loan Revenue Refunding Bonds (Governmental Loan Program), Series 2010A ("Series 2010A Bonds") (the advance refunding of the 2002 Refunded Bonds is hereinafter referred to as the "2002 Refunding Project"); and (ii) undertake a project consisting of the financing of new loans for the Township of Maple Shade and the City of Bordentown ("2010 Participants", and together with the 2002 Participants, the "Participants") for the purposes of financing general improvements of the 2010 Participants and/or refinancing certain outstanding bond anticipation notes of the 2010 Participants that were issued to finance general improvements of the 2010 Participants (collectively, the "2010 Governmental Loan Program" and together with the 2002 Refunding Project, the "Project") through the issuance of its County-Guaranteed Pooled Loan Revenue Bonds (Governmental Loan Program), Series 2010B, ("Series 2010B Bonds", and together with the Series 2010A Bonds, the "Bonds"), in an aggregate principal amount not to exceed \$65,000,000; and

WHEREAS, the Bonds will be payable from loan payments to be received from the Participants pursuant to and in accordance with the terms and conditions set forth in separate bond purchase agreements between the Commission and each of the Participants; and

WHEREAS, to induce the prospective purchasers of the Bonds to purchase the same and provide additional security to the holders thereof, the County desires, in accordance with Section 3 of the Act, *N.J.S.A. 27:19-31*, to unconditionally and irrevocably guaranty the punctual payment of the principal of and interest on the Bonds ("2010 County Guaranty") as further described herein; and

WHEREAS, the County further desires to approve the Project in accordance with the provisions of Section 3 of the Act and to consent to the issuance of the Bonds for the purpose of financing the Project in accordance with Section 3.02 of the Reimbursement Security Agreement, dated as of June 1, 1993 ("1993 County Guaranty Agreement"), executed in connection with the adoption of Resolution No. 131 of the Commission on April 28, 1993 ("1993 County Guaranty") providing for the guaranty by the County of bonds of the Commission for the purpose of financing certain bridge projects described in the 1993 County Guaranty; and

WHEREAS, the County now desires to (i) authorize the 2010 County Guaranty for the Bonds, (ii) approve the Project in accordance with the provisions of Section 3 of the Act, and (iii) consent to the issuance of the Bonds in two (2) Series for the purpose of financing the Project in accordance with Section 3.02 of the 1993 County Guaranty Agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. This Ordinance shall be adopted by the Board of the County in the manner provided for the adoption of a bond ordinance as provided in the Local Bond Law, constituting Chapter 169 of the Pamphlet Laws of 1960 of the State, and the acts amendatory thereof and supplemental thereto, *N.J.S.A. 40A:2-1 et seq.* ("Local Bond Law").

Section 2. Pursuant to and in accordance with the terms of the Act, specifically Section 3 thereof, *N.J.S.A. 27:19-31*, the County is hereby authorized to and hereby shall unconditionally and irrevocably guaranty the punctual payment when due of the principal

of and interest on each Series of the Bonds in an aggregate principal amount not exceeding \$65,000,000 to be issued for the purpose of undertaking and financing or refinancing the Project as further described in the recitals hereof. Each Series of the Bonds shall be dated, be in such form, mature, bear such rate or rates of interest and be otherwise as provided or established in the resolution or resolutions of the Commission authorizing the issuance of said Series of the Bonds and consistent with the provisions of the Act. The term "Bonds" shall include all Series 2010A Bonds issued for or with respect to the 2002 Refunding Project, and the Series 2010B Bonds issued for or with respect to the 2010 Governmental Loan Program, or any bonds issued to refund said Bonds originally issued for the 2010 Governmental Loan Program; provided, however, the total principal amount of Bonds outstanding and entitled to the benefits of this Ordinance shall not exceed \$65,000,000. Any Bonds which are no longer considered outstanding under the resolution of the Commission authorizing the issuance of the Bonds shall not be considered outstanding for the purpose of this Ordinance.

Section 3. Upon endorsement of the Bonds referred to in Section 4 below, the County shall be unconditionally and irrevocably obligated to pay, when due, the principal of and interest on the Bonds in the same manner and to the same extent as in the case of bonds issued by the County and, accordingly, the County shall be unconditionally and irrevocably obligated to levy *ad valorem* taxes upon all taxable real property within the County for the payment thereof without limitation as to rate or amount to the extent payment of the Bonds is not otherwise provided.

Section 4. The Freeholder-Director and Deputy Freeholder-Director of the Board are each hereby severally authorized and directed to execute on each Series of the Bonds, by manual or facsimile signature, language evidencing such 2010 County Guaranty by the County of the punctual payment of the principal of and interest thereon. The 2010 County Guaranty shall be in substantially the following form:

"GUARANTY OF THE COUNTY OF BURLINGTON, NEW JERSEY

The payment of the principal of and interest in each year on the within bond according to its terms is hereby fully and unconditionally guaranteed by the County of Burlington, New Jersey for as long as this bond is outstanding under the resolution of the Commission authorizing the issuance of this bond.

IN WITNESS WHEREOF, the County of Burlington, New Jersey has caused this Guaranty to be executed by the manual or facsimile signature of its [Deputy] Freeholder-Director.

COUNTY OF BURLINGTON, NEW JERSEY

By: _____
BRUCE D. GARGANIO, DIRECTOR

Notwithstanding the foregoing, the authorization of the Freeholder-Director and Deputy Freeholder-Director of the Board is hereby conditioned upon execution and delivery by the Commission to the County of the 2010 Guaranty Reimbursement Agreement.

Section 5. It is hereby found, determined and declared by the Board of the County that:

(a) This Ordinance may be adopted notwithstanding any statutory debt or other limitations including, particularly, any limitation or requirement under or pursuant to the Local Bond Law, but the aggregate principal amount of the Bonds outstanding at any time which shall be entitled to the benefits of the 2010 County Guaranty pursuant to this Ordinance, being an aggregate amount not to exceed \$65,000,000 for the Bonds, shall, after their issuance, be included in the gross debt of the County for the purpose of determining the indebtedness of the County under or pursuant to the Local Bond Law.

(b) The principal amount of Bonds entitled to the benefits of this 2010 County Guaranty and included in the gross debt of the County shall be deducted and is hereby declared to be and to constitute a deduction from such gross debt under and for all the purposes of the Local Bond Law: (i) from and after the time of issuance of the Bonds until the end of the third fiscal year beginning next after such time of issuance; and (ii) in any annual debt statement filed pursuant to the Local Bond Law as of the end of said fiscal year or any subsequent fiscal year if the revenues or other receipts or moneys of the Commission in such year relative to the Project are sufficient to pay its expenses of operation and maintenance in such year and all amounts payable in such year on account

of the principal of and interest on all such guaranteed Bonds issued to finance the costs of the Project.

Section 6. The following matters are hereby determined, declared, recited and stated:

(a) The maximum principal amount of Bonds which are hereby and hereunder guaranteed as to the punctual payment of the principal thereof and interest thereon is, and the maximum estimated cost of the Project to be financed in accordance with the transaction contemplated hereby is, \$65,000,000.

(b) The purposes described in this Ordinance are not current expenses of the County and no part of the cost thereof has been or shall be assessed on property specially benefited thereby.

(c) A supplemental debt statement of the County has been duly made and filed in the office of the Clerk of the Board, with respect to the Project, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State, and such debt statement shows that while the gross debt of the County, as defined in the Local Bond Law, is increased by this Ordinance by \$65,000,000, in accordance with the provisions of the Act, the net debt of the County is not increased, and the obligations of the County authorized by or incurred pursuant to the terms of this Ordinance is permitted by an exception to the debt limitations of the Local Bond Law, which exception is contained in the Act.

Section 7. To secure the reimbursement and other payment obligations of the Commission and the Participants to the County, and to establish the County's remedies upon the occurrence of an event of default, the 2010 Guaranty Reimbursement Agreement substantially in the form which is hereby simultaneously approved by the Board with the adoption of this Ordinance and available for public inspection in the office of the Clerk of the Board of the County and in the office of the Executive Director of the Commission, and the Freeholder-Director or Deputy Freeholder-Director of the Board of the County is hereby authorized and directed to execute and deliver the 2010 Guaranty Reimbursement Agreement on behalf of the County and Clerk and Deputy Clerk of the Board of the County are each hereby authorized and directed to attest and affix the seal of the County to the 2010 Guaranty Reimbursement Agreement, with such changes therein as bond counsel for the County may advise and said officer executing the same may approve, such approval to be evidenced by such officer's execution thereof.

Section 8. The County hereby approves the 2002 Refunding Project and the loans to the 2002 Participants in accordance with the provisions of Section 3 of the Act and hereby consents to the issuance of the Series 2010A Bonds to finance the 2002 Refunding Project in accordance with Section 3.02 of the 1993 County Guaranty Agreement.

Section 9. The County hereby approves the 2010 Governmental Loan Program and the loans to the 2010 Participants in accordance with the provisions of Section 3 of the Act and thereby consents to the issuance of the 2010B Bonds to finance the 2010 Governmental Loan Program in accordance with Section 3.02 of the 1993 County Guaranty Agreement.

Section 10. All ordinances and resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 11. This Ordinance shall take effect at the time and in the manner provided by the Local Bond Law.

11 **RESOLUTION NO. 698** by Director Garganio, RESOLUTION TO SET THE PUBLIC HEARING FOR ORDINANCE OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE GUARANTY BY THE COUNTY OF THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE (i) COUNTY-GUARANTEED POOLED LOAN REVENUE REFUNDING BONDS (GOVERNMENTAL LOAN PROGRAM), SERIES 2010A AND (ii) THE COUNTY-GUARANTEED POOLED LOAN REVENUE BONDS (GOVERNMENTAL LOAN PROGRAM), SERIES 2010B TO BE ISSUED BY THE BURLINGTON COUNTY BRIDGE COMMISSION.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the Ordinance entitled, "ORDINANCE OF THE BOARD OF CHOSEN FREEHOLDERS OF

THE COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE GUARANTY BY THE COUNTY OF THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE (i) COUNTY-GUARANTEED POOLED LOAN REVENUE REFUNDING BONDS (GOVERNMENTAL LOAN PROGRAM), SERIES 2010A AND (ii) THE COUNTY-GUARANTEED POOLED LOAN REVENUE BONDS (GOVERNMENTAL LOAN PROGRAM), SERIES 2010B TO BE ISSUED BY THE BURLINGTON COUNTY BRIDGE COMMISSION IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$65,000,000 FOR THE PURPOSE OF PROVIDING ADDITIONAL SECURITY FOR THE PAYMENT OF SAID SERIES 2010A BONDS AND SERIES 2010B BONDS; APPROVING THE COMMISSION'S ADVANCE REFUNDING OF A PORTION OF THE COMMISSION'S OUTSTANDING COUNTY-GUARANTEED POOL LOAN REVENUE BONDS (GOVERNMENTAL LOAN PROGRAM), SERIES 2002 AND THE FINANCING OF THE 2010 GOVERNMENTAL LOAN PROGRAM, CONSENTING TO THE ISSUANCE OF SAID BONDS TO ACCOMPLISH SAID REFUNDING AND FINANCING OF SAID 2010 GOVERNMENTAL LOAN PROGRAM AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH" was introduced on October 27, 2010, and having been read by title only by the County Administrator/Board Clerk, does now pass on first reading, and that said Ordinance be further considered for final passage at the meeting of the said Board to be held on the 10th day of November 2010 at 7:00 P.M., prevailing time or as soon as this matter can be reached at the regular meeting room of the Board of Chosen Freeholders in the Township of Mount Holly, New Jersey, and that at such time and place all persons interested be given an opportunity to be heard concerning the same, and that the County Administrator/Board Clerk be and he is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading in the Burlington County Times, a legal newspaper published in the County of Burlington.

- 12 **RESOLUTION NO. 699** by Director Garganio, AUTHORIZATION TO RE-OPEN THE POOL OF CERTIFIED ARCHITECTS FOR ADDITIONS, DELETIONS, AND MODIFICATIONS FOR THE PERIOD NOVEMBER 1, 2010 THROUGH NOVEMBER 30, 2010 FOR ADMINISTRATION.

WHEREAS, by Resolution No. 78 adopted February 25, 2009 the Burlington County Board of Chosen Freeholders created an authorization to open authorized pool of qualified architects. The reopener period shall be November 1, 2010 through November 30, 2010 for the balance of the term January 1, 2011 though December 31, 2011; and

WHEREAS, a part of the process was the ability for the pool to be opened for additions, deletions, modifications, etc. on an annual basis from the period November 1st through November 30th of each subsequent year; now, therefore, be it

RESOLVED by the Burlington County Board of Chosen Freeholders that effective November 1, 2010 the qualified architects pool shall be opened for additions, deletions, modifications, etc. and that notice of such pool openings shall be advertised one time in the Burlington County Times.

- 13 **RESOLUTION NO. 700** by Director Garganio, RESOLUTION AUTHORIZING AWARD OF CONTRACT 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.

1. Bids were received on September 14, 2010 as authorized per Resolution #493 on August 11, 2010, for the solicitation titled "PLUMBING REPAIR SERVICES", (CPU-10-0102).

YEAR ONE

Timothy Peters Plumbing and Heating, Co., Inc.
 P.O. Box 1847
 Toms River, NJ 08754

Licensed Master Plumber.....\$ 90.00/hr.
 Plumber's Helper.....\$ 60.00/hr.
 Licensed Master Plumber (O.T. Hrs.).....\$140.00/hr.
 Plumber's Helper (O.T. Hrs.).....\$100.00/hr.

Item H1-Total Average Daily
 Equipment Rental Cost –Year One.....\$ 68.65
 (Total of 1-26 divided by 26)

ESTIMATED TOTAL AMOUNT OF AWARD.....\$ 63,000.00
 (NOTE: Years Two (2) & Three (3) are optional.)

2. Bids were received on September 28, 2010 as authorized per Resolution #526 on August 25, 2010, for the solicitation titled "UNFORMED SECURITY SERVICES", (CPU-10-0093).

YEAR ONE

Bowles Corporate Services
 111 S. Independence Mall East
 Philadelphia, PA 19106

TOTAL LUMP SUM BID.....\$ 308,689.92
 (NOTE: Years Two (2) & Three (3) are optional.)

3. Bids were received on October 14, 2010 as authorized per Resolution #538 on August 25, 2010, for the solicitation titled "REHABILITATION OF COUNTY BRIDGE NO. D3.6, JACKSONVILLE-JOBSTOWN ROAD (CR 670) OVER BRANCH OF ASSISCUNK CREEK, SPRINGFIELD TOWNSHIP, BURLINGTON COUNTY , NEW JERSEY", (CEG-10-0086).

Richard E. Pierson Construction Co., Inc.
 426 Swedesboro Road
 Pilesgrove, NJ 08098

TOTAL LUMP SUM BID.....\$1,126,412.10

4. Bids were received on October 19, 2010 as authorized per Resolution #609 on September 22, 2010, for the solicitation titled "NORTH WEST ENTRANCE MASONRY RESTORATION AT THE HUMAN SERVICES FACILITY", (CPU-10-0110).

Levy Construction Company, Inc.
 134 Cuthbert Blvd.
 Audubon, NJ 08106

TOTAL LUMP SUM BID.....\$ 86,600.00

5. Bids were received on October 5, 2010 as authorized per Resolution #540 on August 25, 2010, for the solicitation titled "TRAFFIC CONTROL SIGNS, POSTS AND ACCESSORIES 2010-2012", (4-BUCCP-10089).

Garden State Highway Products, Inc.
 1740 E. Oak Road
 Vineland, NJ 08361

ESTIMATED TOTAL AMOUNT OF AWARD.....\$ 279,223.53

14 **RESOLUTION NO. 701** by Director Garganio, FINAL APPROVAL FOR THE CURTIS WAINWRIGHT FARM, BLOCK 59, LOT 4.01 LOCATED IN MANSFIELD TOWNSHIP IN THE AMOUNT OF \$703,450 AND AUTHORIZATION TO EXECUTE THE CONTRACT OF SALE WITH THE LANDOWNER, EXECUTE THE SADC GRANT

AGREEMENT FOR STATE FUNDS, AND ENTER INTO AN AGREEMENT WITH MANSFIELD TOWNSHIP TO SATISFY LOCAL COST SHARE REQUIREMENT PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders is authorized to acquire land and interests in land for the purpose of preserving it for agricultural use, and the Board approved lands owned by Curtis Wainwright in Mansfield Township (Block 59, Lot 4.01), comprising approximately 106 acres, for Burlington County's farmland preservation program; and

WHEREAS, on the basis of appraisal reports the Board offered to enter into an agreement for the purchase of the development rights and the landowners have accepted the Board's offer; and

WHEREAS, on May 12, 2010 the Board of Chosen Freeholders adopted resolution #273 issuing final approval for the purchase of this farm; and

WHEREAS, the landowners have now requested to be paid via Installment Purchase Agreements instead; and

WHEREAS, this resolution is being adopted to reduce the encumbrance amount needed to provide payment via Installment Purchase Agreements; and

WHEREAS, currently there are sufficient monies available in account no. 44-5007-100855 to provide the \$703,450 needed to make this purchase, as evidenced by the certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

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

1. The above-described farmland is given final approval for purchase.
2. The form of agreement and any amendments thereto as may be determined to be necessary for the purchase of the farmland, approved as to form and content by the County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized upon the filing of a certification of availability of funds in the above-stated amount with the County Solicitor and County Administrator.
3. The amount payable shall be determined by a survey of the farm and in accordance with the terms of the contract, but not exceeding the funds encumbered to make this purchase.
4. The Freeholder Director, County Administrator and County Treasurer are authorized to execute grant agreements and such other documents as the SADC may require as a condition to making grants to the County for this purchase, on the approval thereof by the County Treasurer and Farmland Preservation Program Administrator.
5. The Freeholder Director, County Administrator and County Treasurer are authorized to enter into an agreement with Mansfield Twp to satisfy the local cost share requirement.
6. The Freeholder Director, County Treasurer, County Administrator and County Solicitor are hereby authorized to take such further actions and sign such documents including but not limited to conveyance documents and Installment Purchase Agreement documentation, as may be needed to conclude this purchase.

15 **RESOLUTION NO. 702** by Director Garganio, FINAL APPROVAL FOR THE CORA P. WAINWRIGHT FARM, BLOCK 59, LOT 6 AND BLOCK 58, LOT 42.01 LOCATED IN MANSFIELD TOWNSHIP IN THE AMOUNT OF \$899,250 AND AUTHORIZATION TO EXECUTE THE CONTRACT OF SALE WITH THE LANDOWNER, EXECUTE THE SADC GRANT AGREEMENT FOR STATE FUNDS, AND ENTER INTO AN AGREEMENT WITH MANSFIELD TOWNSHIP TO SATISFY LOCAL COST SHARE REQUIREMENT PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders is authorized to acquire land and interests in land for the purpose of preserving it for agricultural use, and the Board approved lands owned by Cora P. Wainwright in Mansfield Township (Block 59,

Lot 6 & Block 58, Lot 42.01), comprising approximately 135 acres, for Burlington County's farmland preservation program; and

WHEREAS, on the basis of appraisal reports the Board offered to enter into an agreement for the purchase of the development rights and the landowners have accepted the Board's offer; and

WHEREAS, on May 12, 2010 the Board of Chosen Freeholders adopted resolution #278 issuing final approval for the purchase of this farm; and

WHEREAS, the landowners have now requested to be paid via Installment Purchase Agreements instead; and

WHEREAS, this resolution is being adopted to reduce the encumbrance amount needed to provide payment via Installment Purchase Agreements; and

WHEREAS, currently there are sufficient monies available in account no. 44-5007-100855 to provide the \$899,250 needed to make this purchase, as evidenced by the certifications of Burlington County's Chief Financial Officer filed herewith; now, therefore, be it

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

1. The above-described farmland is given final approval for purchase.
2. The form of agreement and any amendments thereto as may be determined to be necessary for the purchase of the farmland, approved as to form and content by the County Solicitor and County Administrator, be and the same are hereby approved and their execution in accordance with the Rules of the Board is authorized upon the filing of a certification of availability of funds in the above-stated amount with the County Solicitor and County Administrator.
3. The amount payable shall be determined by a survey of the farm and in accordance with the terms of the contract, but not exceeding the funds encumbered to make this purchase.
4. The Freeholder Director, County Administrator and County Treasurer are authorized to execute grant agreements and such other documents as the SADC may require as a condition to making grants to the County for this purchase, on the approval thereof by the County Treasurer and Farmland Preservation Program Administrator.
5. The Freeholder Director, County Administrator and County Treasurer are authorized to enter into an agreement with Mansfield Township to satisfy the local cost share requirement.
6. The Freeholder Director, County Treasurer, County Administrator and County Solicitor are hereby authorized to take such further actions and sign such documents including but not limited to conveyance documents and Installment Purchase Agreement documentation, as may be needed to conclude this purchase.

16 **RESOLUTION NO. 703** by Director Garganio, AGREEMENT WITH GSE IN THE AMOUNT OF \$83,250 FOR THE DESIGN AND PERMITTING OF ELECTRIC AND WATER DISTRIBUTION AND OTHER SITE IMPROVEMENTS AT THE COUNTY FAIRGROUNDS PURSUANT TO THE COUNTY'S OPEN SPACE PRESERVATION PROGRAM FOR THE DEPARTMENT OF RESOURCE CONSERVATION.

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

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

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

WHEREAS, the Board has expressed an interest in constructing a park facility known as the County Fairgrounds; and

WHEREAS, the Board needs a qualified team to provide engineering design and project bidding services for utility distribution and other site improvements; and

WHEREAS, by Resolution No. 996 adopted by the Board on December 30, 2008 an approved list established Qualified Engineering Firms through a fair and open process which includes GSE, as a contractor qualified to perform various engineering services on behalf of the Board from 2009 through 2011; and

WHEREAS, the Department of Resource Conservation ("DRC") has reviewed and evaluated a submission received in response to a Request for Proposal for this project, and, accordingly, it has recommended that the team led by GSE be chosen to be awarded a contract to provide the requested services; and

WHEREAS, the team led by GSE has offered to provide the needed services for a not to exceed charge of \$83,250.00; and

WHEREAS, 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 agreement described above, as evidenced by the attached Certification of the Burlington County Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that a contract agreement with the consultant team led by GSE 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 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. 704** by Director Garganio, AGREEMENT WITH GREYHAWK IN THE AMOUNT OF \$106,000 FOR CONSTRUCTABILITY REVIEW OF ENGINEERING DESIGNS AND CONSTRUCTION MANAGEMENT/INSPECTION SERVICES FOR PHASE II IMPROVEMENTS AT THE COUNTY FAIRGROUNDS SITE PURSUANT TO THE COUNTY'S OPEN SPACE PRESERVATION PROGRAM FOR THE DEPARTMENT OF RESOURCE CONSERVATION. Freeholder Reinhart opposed this agenda item.

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

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

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

WHEREAS, the Board has expressed an interest in constructing a park facility known as the County Fairgrounds; and

WHEREAS, the Board needs a qualified team to provide construction management services for roadway, traffic calming, utility distribution and other site work; and

WHEREAS, by Resolution No. 996 adopted by the Board on December 30, 2008 an approved list established Qualified Engineering Firms through a fair and open process which includes Greyhawk, as a contractor qualified to perform various engineering services on behalf of the Board from 2009 through 2011; and

WHEREAS, the Department of Resource Conservation (“DRC”) has reviewed and evaluated a submission received in response to a Request for Proposal for this project, and, accordingly, it has recommended that the team led by Greyhawk be chosen to be awarded a contract to provide the requested services; and

WHEREAS, the team led by Greyhawk has offered to provide the needed services for a not to exceed charge of \$106,000.00; and

WHEREAS, 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 agreement described above, as evidenced by the attached Certification of the Burlington County Chief Financial Officer filed herewith; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders, that a contract agreement with the consultant team led by Greyhawk 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 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.

*** It was moved by Freeholder Donnelly, seconded by Freeholder O’Brien to approve the following seventeen (17) agenda items by unanimous consent. Freeholder Brown abstained from agenda item no. 16 (Resolution No. 708), 17 (Resolution No. 709), and 19 (Resolution No. 711). Freeholder Reinhart opposed agenda item no. 23 (Resolution No. 715). Motion carried. Resolution Nos. 705 through 721 adopted.

18 **RESOLUTION NO. 705** by Freeholder Donnelly, AMENDMENT TO LOAN FOR FAMILY SERVICES OF BURLINGTON COUNTY BARN ROAD PROJECT FROM BLOCK 11.42, LOT 92 TO BLOCK 11.42, 92.01 TO REFLECT LOT SUBDIVISION AND AUTHORIZATION TO SUBORDINATE LOAN TO FAMILY SERVICE FOR PERMANENT FINANCING FROM NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY WHICH REPLACES INTERIM FINANCING ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, pursuant to resolution no. 752, adopted on September 26, 2001, the Burlington County Board of Chosen Freeholders (“Board”) made a HOME program loan in the amount of \$117,797.00 to Senior Solutions, Inc. of South Jersey for the purpose of rehabilitating a dwelling to provide five units of housing for low-income seniors at 100 Barn Road in Evesham Township (tax map Block 11.42, lot 92) (the “Property”), which loan was secured by a mortgage on the Property; and

WHEREAS, by Resolution no. 580, adopted on July 25, 2007, the Board approved the assumption of the loan to Senior Solutions by Family Service of Burlington County (“Family Service”) in connection with its acquisition of the Property; and

WHEREAS, pursuant to Resolution no. 615, adopted on August 8, 2007, the Board made a loan of \$60,000 to Family Service to partially support its proposal to construct an additional dwelling on the Property, to contain three units of housing for low income residents, which loan was secured by a mortgage; and

WHEREAS, as reflected in its deed dated September 3, 2008, Family Service subdivided the Property for the purpose of constructing the second dwelling, which subdivision resulted in lots 92.01 and 92.02, with lot 92.01 containing the structure rehabilitated by Senior Solutions, and lot 92.02, the site for Family Service’s new structure; and

WHEREAS, Family Services has asked that the Board (a) amend its \$117,797.00 mortgage to limit its application to Lot 92.01, the lot containing the original structure, and (b) subordinate its \$60,000 mortgage on lot 92.02 to a \$220,000 loan to be made by the New Jersey Housing and Mortgage Finance Agency to support the new building’s construction; and

WHEREAS, the County's Community Development Office Program Supervisor has recommended that the Board approve Family Service's requests because information provided by Family Service demonstrates that the value of each of the residential structures will be sufficient for the County to be secured for the amount of each loan and, as contemplated at the time the loans were approved, the County's lien position will be second in priority on each lot; now, therefore, the Board

RESOLVES, as follows:

1. The requests made by Family Service are approved.
2. The County Solicitor and Program Supervisor of the County's Community Development Office are authorized to prepare such documents as may be required or necessary in order to comply with Family Service's requests.
3. Execution of such documents prepared to effectuate this Resolution is authorized in accordance with the Rules of the Board.

19 **RESOLUTION NO. 706** by Freeholder Donnelly, AMENDMENT TO SUB-GRANTEE AGREEMENT WITH DELRAN TOWNSHIP FOR ARCHITECTURAL BARRIER REMOVAL AT VARIOUS LOCATIONS FOR AN EXTENSION OF TIME THROUGH OCTOBER 31, 2010 AND APPROVAL TO IMPOSE A 10% PENALTY ON DELRAN TOWNSHIP'S NEXT SUB-GRANTEE AGREEMENT PURSUANT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT.

WHEREAS, by Resolution no. 194, adopted on April 22, 2009, the Board of Chosen Freeholders of the County of Burlington ("Board") determined to accept a grant in the amount of \$1,600,941 for Fiscal Year 2009 pursuant to the Community Development Block Grant Program (the "Program"), which grant is reflected in Grant Agreement #B-09-UC-34-0001; and

WHEREAS, the Program includes a Delran Township (the "Township") project for architectural barrier removal at various locations, which project is reflected in a sub-grant agreement having an expiration date of September 30, 2010; and

WHEREAS, the Township has requested an extension to its Sub-grant Agreement to October 31, 2010; and

WHEREAS, the Board has determined to approve the Township's request; now, therefore, the Board RESOLVES as follows:

1. The County Solicitor and Supervisor of the County's Community Development Office are authorized to prepare such documents as are appropriate for the purpose of extending the Sub-grant Agreement and the execution thereof in accordance with the Rules of the Board is authorized.
2. Because the circumstances on which the request for the extension was based were not beyond the Sub-grantee's control the Township's next grant allocation shall be subject to 10% penalty, as provided in the Sub-grant agreement.

20 **RESOLUTION NO. 707** by Freeholder Donnelly, APPROVAL OF GRANT FOR PAUL AND ANN FRANCHI, EVESHAM TOWNSHIP 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 #B10-UC-34-0001 that are used to make grants to eligible Burlington County homeowners to replace inefficient and/or inoperable home heating systems; and

WHEREAS, the County's Community Development Office ("CD Office") has recommended that a Heater Replacement Program grant be made to the following because they satisfy the County's eligibility criteria therefor; and

<u>Homeowner</u>	<u>Case no.</u>	<u>Grant Amount</u>
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Paul and Ann Franchi, Evesham Twp. HRP06-07-13LH \$5,000.00

WHEREAS, the amount reported above is available in account no. 31-0701-052010 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 their heating contractor have been satisfied and (b) County requirements for the processing of payments have been completed.

- 21 **RESOLUTION NO. 708** by Freeholder Donnelly, LOAN AND MORTGAGE APPROVED FOR JESSICA WURZ, PALMYRA BOROUGH FOR A FIRST TIME HOMEBUYER LOAN IN THE AMOUNT OF \$9,000 PURSUANT TO THE HOME INVESTMENT PARTNERSHIP PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Freeholder Brown abstained from this agenda item.

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") has received funds from the U.S. Department of Housing and Urban Development pursuant to Home Investment Partnerships Program grant no. M-10-UC-34-0212; and

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

<u>Applicant</u>	<u>File no.</u>	<u>Loan Amount</u>
Jessica K. Wurz, Palmyra Borough	FTB11-07-27GS	\$9,000.00

WHEREAS, there are sufficient monies in account no. 42-0709-051210 to make the above-described loan, as evidenced by the certification of Burlington County's chief financial officer filed herewith; now, therefore, the Board

RESOLVES as follows:

1. The County's Community Development Office and County Solicitor are authorized to prepare and record, as appropriate, loan, mortgage and other documents for the above-described case.
2. Funds for the loan are to be drawn from federal Community Development Program moneys and disbursement is to be made in accordance with County procedures.
3. Upon satisfaction of the conditions of the loan and mortgage the County Administrator and County Solicitor are authorized to prepare, sign and record documents to remove the County's claims and interests of record.

- 22 **RESOLUTION NO. 709** by Freeholder Donnelly, LOAN AND MORTGAGE APPROVED FOR JOHN P. SHANNON, IV, EVESHAM TOWNSHIP IN THE AMOUNT OF \$18,428 FOR A HOME IMPROVEMENT LOAN PURSUANT TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Freeholder Brown abstained from this agenda item.

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") has received funds from the U.S. Department of Housing and Urban Development ("HUD") Block Grant #B-10-UC-34-0001, which the Board uses to make loans to eligible County property owners for the purpose of repairing dwellings to improve their habitability and satisfy housing code requirements; and

WHEREAS, the County's Community Development Office ("CD Office") has recommended that a home improvement loan, as described below, be made because the homeowner-applicant satisfies the criteria established for this program and housing

code violations of the owner's property can be ameliorated with a loan from the County; and

<u>Owner</u>	<u>Case no.</u>	<u>Rehab Cost</u>	<u>Title Costs</u>
John P. Shannon, IV, Evesham Twp.	37-07-13LS	\$18,253	\$175

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

WHEREAS, the amount reported above as "Rehab Cost" is available in account no. 31-0707-051210 to fund the housing rehabilitation costs portion of this loan, as evidenced by the certification of Burlington County's Chief Financial Officer filed herewith, with the balance of the loan amount being a cost separately incurred by the CD Office for which the owner is responsible; now, therefore, the Board

RESOLVES, as follows:

1. The above-described loan (the sum of the "Rehab Cost" and the "Title Costs") is approved, funds for which are to be drawn from federal Community Development Program moneys.
2. This loan is being authorized as not made through a "fair and open process", as defined at N.J.S.A.19:44A-20.7, although it is being made in accordance with the requirements for program funding and through application of standard criteria and procedures, which the Board deems as fair and open.
3. The CD Office and County Solicitor are authorized to prepare and record loan, mortgage and other appropriate documents to make this loan and protect the County's interest in being repaid.
4. The CD Office and County Treasurer are authorized to send interim payments for completed work to the contractor(s) and owner on (a) the CD Office's determination that conditions of the contract between the owner and contractor have been satisfied and (b) receipt of forms and documents required for the processing of payments.
5. On satisfaction of the conditions of the loan the County Administrator and County Solicitor are authorized to prepare, execute and record appropriate documents to cancel the loan.

- 23 **RESOLUTION NO. 710** by Freeholder Donnelly, AUTHORIZATION TO RE-OPEN THE POOL OF CERTIFIED PROFESSIONAL APPRAISERS FOR ADDITIONS, DELETIONS, AND MODIFICATIONS FOR THE PERIOD NOVEMBER 1, 2010 THROUGH NOVEMBER 30, 2010 FOR THE ENGINEERING DEPARTMENT.

WHEREAS, by Resolution No. 853 adopted November 26, 2008 the Burlington County Board of Chosen Freeholders (hereinafter "Board") created an authorized pool of certified Professional Appraisers for a period from January 1, 2009 through December 31, 2011; and

WHEREAS, a part of the process was the ability for the pool to be opened for additions, deletions, modifications, etc. on an annual basis from the period November 1st through November 30th of each subsequent year; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that effective November 1, 2010 through November 30, 2010 the certified appraisers pool shall be opened for additions, deletions, modifications, etc. and that notice of such pool openings shall be advertised in the Burlington County website along with any and all documentation necessary for such submissions to be made to and received by the Board.

- 24 **RESOLUTION NO. 711** by Freeholder Donnelly, AUTHORIZATION TO RE-OPEN THE POOL OF CERTIFIED TITLE COMPANIES FOR ADDITIONS, DELETIONS, AND MODIFICATIONS FOR THE PERIOD NOVEMBER 1, 2010 THROUGH NOVEMBER 30, 2010 FOR THE ENGINEERING DEPARTMENT. Freeholder Brown abstained from this agenda item.

WHEREAS, by Resolution No. 854 adopted November 26, 2008 the Burlington County Board of Chosen Freeholders (hereinafter "Board") created an authorized pool of certified Title Companies for a period from January 1, 2009 through December 31, 2011; and

WHEREAS, a part of the process was the ability for the pool to be opened for additions, deletions, modifications, etc. on an annual basis from the period November 1st through November 30th of each subsequent year; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that effective November 1, 2010 through November 30, 2010 the certified title pool shall be opened for additions, deletions, modifications, etc. and that notice of such pool openings shall be advertised in the Burlington County website along with any and all documentation necessary for such submissions to be made to and received by the Board.

- 25 **RESOLUTION NO. 712** by Freeholder Donnelly, AUTHORIZATION TO RE-OPEN THE POOL OF CERTIFIED PROFESSIONAL PLANNERS FOR ADDITIONS, DELETIONS, AND MODIFICATIONS FOR THE PERIOD NOVEMBER 1, 2010 THROUGH NOVEMBER 30, 2010 FOR THE ENGINEERING DEPARTMENT.

WHEREAS, by Resolution No. 855 adopted November 26, 2008 the Burlington County Board of Chosen Freeholders (hereinafter "Board") created an authorized pool of certified Professional Planners for a period from January 1, 2009 through December 31, 2011; and

WHEREAS, a part of the process was the ability for the pool to be opened for additions, deletions, modifications, etc. on an annual basis from the period November 1st through November 30th of each subsequent year; now, therefore, be it

RESOLVED, by the Burlington County Board of Chosen Freeholders that effective November 1, 2010 through November 30, 2010 the certified planners pool shall be opened for additions, deletions, modifications, etc. and that notice of such pool openings shall be advertised in the Burlington County website along with any and all documentation necessary for such submissions to be made to and received by the Board.

- 26 **RESOLUTION NO. 713** by Freeholder Donnelly, COUNTY SOLICITOR'S OFFICE AUTHORIZED TO PROCEED WITH AN ACQUISITION OF AN EASEMENT FOR BLOCK 1101, LOT 1 LOCATED IN WESTAMPTON TOWNSHIP FOR THE RECONSTRUCTION OF THE INTERSECTION OF OXMEAD ROAD AND JACKSONVILLE-MT. HOLLY ROAD IN THE AMOUNT OF \$270 OWNED BY PAUL GRABAN OF METHUSELAH II, INC. FOR THE ENGINEERING DEPARTMENT.

WHEREAS, there exists a need for the County of Burlington to acquire non-exclusive roadway improvement easement for the proposed reconstruction of the intersection of Oxmead Road and Jacksonville-Mt. Holly Road in Westampton Township, Burlington County; and

WHEREAS, the Board is authorized to acquire the right to enter upon this area for roadway improvement purposes and acquire "Right of Way" for roadway improvement purposes per the authority of N.J.S. 27:16-16 and 27:16-2; and

WHEREAS, the easement which is required is Block 1101, Lot 1, Westampton Township, Burlington County and is owned by Paul Graban of Methuselah II, Inc. who has agreed to sell the easement needed for roadway purposes for the amount of \$270.00; and

WHEREAS, funds are available in Account No.60-7001-108582 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 purchase of the above non-exclusive roadway improvement easement is hereby approved; and be it

FURTHER RESOLVED, that the County Solicitor's Office and the County Finance Department are authorized to complete any documents needed for this transaction; and, be it

FURTHER RESOLVED, that the Director of the Board and the County Administrator are authorized to execute any documents needed for this transaction; and, be it

FURTHER RESOLVED, that this transaction shall be completed in accordance with the Rules of the Board.

- 27 **RESOLUTION NO. 714** by Freeholder Donnelly, AGREEMENT WITH RICHARD E. PIERSON CONSTRUCTION CO., INC. IN THE AMOUNT OF \$1,126,412.10 FOR THE REHABILITATION OF COUNTY BRIDGE D3.6, JACKSONVILLE-JOBSTOWN ROAD (CR 670) OVER BRANCH OF ASSISCUNK CREEK, SPRINGFIELD TOWNSHIP SUBJECT TO REVIEW AND APPROVAL FROM THE COMMISSIONER OF THE STATE DEPARTMENT OF TRANSPORTATION FOR THE ENGINEERING DEPARTMENT.

WHEREAS, the New Jersey Department of Transportation (NJDOT) has allocated certain Federal funds for the Rehabilitation of County Bridge No. D3.6, Jacksonville-Jobstown Road (CR 670) over Branch of Assiscunk Creek, Springfield Township, Burlington County, New Jersey (CEG-10-0086), Federal Project No. STP-C00S (074); and

WHEREAS, the project involves rehabilitation work including the removal of the existing single span bridge superstructure; the modification and minor repair of the existing concrete bridge abutments, the installation of streambed scour protection measures and associated roadway and guiderail reconstruction; 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. 538 on August 25, 2010; and

WHEREAS, on October 14, 2010 the County Purchasing Agent publicly received and opened sealed bids for said project as authorized by said Resolution; and

WHEREAS, Richard E. Pierson Construction Co., Inc. of Pilesgrove, New Jersey, is the lowest responsible bidder and has submitted a price of \$1,126,412.10 to construct said project; and

WHEREAS, the NJDOT requires that a resolution authorizing the award of the Rehabilitation of County Bridge No. D3.6, Springfield Township, 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 60-7001-114682 coupon number 09825 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 Rehabilitation of County Bridge No. D3.6 in Springfield Township, Burlington County, New Jersey (Contract No. CEG-10-0086), Federal Project No. STP-C00S (074), a Federally funded improvement project with funds being administered by the NJDOT be and same is hereby awarded to Richard E. Pierson Construction Co., Inc., of Pilesgrove, New Jersey, for the amount of \$1,126,412.10; and
2. Award of this contract to Richard E. Pierson Construction Co. 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 for the County of Burlington; and
4. The certified checks and bid bonds of the unsuccessful bidders be returned.

- 28 **RESOLUTION NO. 715** by Freeholder Donnelly, AGREEMENT WITH STANTEC CONSULTING SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$68,495.37 TO PERFORM CONSTRUCTION SERVICES FOR THE REHABILITATION OF COUNTY BRIDGE D3.6, JACKSONVILLE-JOBSTOWN ROAD IN SPRINGFIELD TOWNSHIP FOR THE ENGINEERING DEPARTMENT. Freeholder Reinhart opposed this agenda item.

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. 996 adopted December 30, 2008 and a Resolution adopted this date the Board established an approved list of Qualified Engineering Firms through a fair and open process which includes Stantec Consulting Services, Inc. as a contractor qualified to perform engineering services on behalf of the Board during 2009 – 2011; and

WHEREAS, the Board of Chosen Freeholders of Burlington County recognizes the need to retain the services of a qualified, licensed professional firm for the purpose of providing construction services for the rehabilitation of County Bridge No. D3.6, Springfield Township, Burlington County, New Jersey (CEG-10-0086) Federal Project No. STP-C00S (074) in Springfield Township; and

WHEREAS, the County Engineer's Office has requested Stantec Consulting Services, Inc. to submit the proposal to perform the Construction Services; and

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

WHEREAS, Stantec Consulting Services, Inc. has agreed to perform these necessary services, as shown in the attached Technical Proposal and Cost Proposal dated June 20, 2010 for an amount not to exceed \$68,495.37; and

WHEREAS, funds are available for this purpose in Account No. 60-7001-107282, as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the attached Agreement for professional services with Stantec Consulting Services, Inc. is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnessed or attested to in accordance with the Rules of the Board; and, be it

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

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

FURTHER RESOLVED, that the County Administrator is authorized to execute a "FEDERAL AID AGREEMENT" and all related agreement modifications, which will provide the County up to \$68,495.37 of Federal money for construction services.

29 **RESOLUTION NO. 716** by Freeholder Donnelly, AGREEMENT WITH TODD AND BLACK, INC. IN THE AMOUNT OF \$10,500 FOR REVIEW APPRAISER SERVICES TO REVIEW PROPERTIES FOR PHASE I OF THE ROUTE 530 PROJECT IN PEMBERTON TOWNSHIP, PEMBERTON BOROUGH AND SOUTHAMPTON TOWNSHIP FOR THE ENGINEERING DEPARTMENT.

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

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

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

WHEREAS, the Board has a recurring need for real estate appraisal review services in connection with the County's Engineer Office for Engineering and Highway Improvements; and

WHEREAS, the Board adopted Resolution No. 872 on November 26, 2008 which authorized the public advertisement of a Request for Qualifications (RFQ) to solicit qualified real estate review appraiser; and,

WHEREAS, by Resolution No. 95 on February 25, 2009, the Board approved the RFQ packages submitted to Burlington County were publicly opened; and

WHEREAS, the firm of Todd and Black, Inc. is a qualified real estate appraisal review vendor for 2010; and

WHEREAS, the Board of Chosen Freeholders of Burlington County recognizes the need to retain the services of a qualified, licensed professional firm for the purpose of providing various reviews of appraisals on the following parcels needed for the Burlington County Route 530/South Pemberton Road Project:

Block 823.01, Lot 16, Parcel 493D
 Block 824, Lots 1.02, Parcel 487A & B
 Block 824, Lot 1.04, Parcel 487C
 Block 824, Lot 1.03, Parcel 488
 Block 824, Lot 2, Parcel 490
 Block 824, Lot 3, Parcel 491
 Block 824 Lot 4, Parcel 492
 Block 300, Lot 3, Parcel 486
 Bloc 300 Lot 2, 4; Block 306, Lot 1, 2, 6, 7, 9.02; Block 5000 Lot 2, Parcel 493A
 Block 300, Lot 4; Block 823.01 Lot 16, Parcel 493C
 Block 306.01, Lot 1, 2; Block 824 Lot 1.01, Parcel 493B
 Bloc 306, Lot 4.01, Parcel 494
 Block 306, Lot 3, Parcel UE493E
 Block 824, Lot 5, Parcel 496
 Block 824, Lot 6, Parcel E497; and

WHEREAS, Todd and Black, Inc. by Proposal dated October 6, 2010 has offered to provide the needed real estate appraisal review services, which constitute "professional services" as defined in the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the "Law") for a not to exceed charge of \$10,500.00; and

WHEREAS, funds are available for this purpose in the amount of \$10,500.00 in Account No. 60-7001-101882 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 Todd and Black, Inc. is certified as a qualified real estate review appraiser for the County's Route 530/South Pemberton Road Project; and be it

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

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

30 **RESOLUTION NO. 717** by Freeholder Donnelly, AGREEMENT WITH MARTIN APPRAISAL ASSOCIATES, INC. IN THE AMOUNT OF \$38,500 FOR APPRAISALS FOR PHASE I OF THE ROUTE 530 PROJECT IN PEMBERTON TOWNSHIP AND PEMBERTON BOROUGH FOR THE ENGINEERING DEPARTMENT.

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

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

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

WHEREAS, by Resolution No. 1004 adopted December 12, 2007 the Board established an approved list of Qualified Appraisal Firms through a fair and open process which includes Martin Appraisal Associates, Inc. as a contractor qualified to perform appraisal services on behalf of the Board during 2009-2011; and

WHEREAS, the Board of Chosen Freeholders of Burlington County recognizes the need to retain the services of a qualified, licensed professional firm for the purpose of providing various appraisals on the following parcels needed for the Burlington County Route 530/South Pemberton Road Project:

Block 823.01, Lot 16, Parcel 493D
 Block 824, Lots 1.02, Parcel 487A & B
 Block 824, Lot 1.04, Parcel 487C
 Block 824, Lot 1.03, Parcel 488
 Block 824, Lot 2, Parcel 490
 Block 824, Lot 3, Parcel 491
 Block 824 Lot 4, Parcel 492
 Block 300, Lot 3, Parcel 486
 Bloc 300 Lot 2, 4; Block 306, Lot 1, 2, 6, 7, 9.02; Block 5000 Lot 2, Parcel 493A
 Block 300, Lot 4; Block 823.01 Lot 16, Parcel 493C
 Block 306.01, Lot 1, 2; Block 824 Lot 1.01, Parcel 493B
 Bloc 306, Lot 4.01, Parcel 494
 Block 306, Lot 3, Parcel UE493E
 Block 824, Lot 5, Parcel 496
 Block 824, Lot 6, Parcel E497; and

All located within Pemberton Township and/or Pemberton Borough, Burlington County; and

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

WHEREAS, Martin Appraisal Associates has agreed to perform these necessary services, as shown in the attached proposal dated September 29, 2008 for an amount not to exceed \$38,500.00; and

WHEREAS, funds are available for this purpose in Account No. 60-7001-101882, as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the attached Agreement for professional services with Martin Appraisal Associates is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnessed or attested to in accordance with the Rules of the Board; and, be it

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

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

31 **RESOLUTION NO. 718** by Freeholder Donnelly, AUTHORIZATION TO ISSUE AND ADVERTISE A REQUEST FOR QUALIFICATIONS TO CONTRACT FOR LEGAL SERVICES FOR THE OFFICE ON AGING.

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

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

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

WHEREAS, the Burlington County Office on Aging requires the services of an attorney, duly licensed in the State of New Jersey to provide legal assistance in connection with the Senior Citizen Lawyer Referral Program; and

WHEREAS, the Burlington County Office on Aging, after consultation with and approval by the County Solicitor, desires to utilize a publicly advertised project specific Request for Qualifications ("RFQ") to identify a limited number of best qualified vendors from which proposals will then be solicited; and

WHEREAS, the Board seeks to publicly advertise the RFQ soliciting responses from qualified attorneys for the performance of the specified duties for January 1, 2011 through December 31, 2011; now, therefore, be it

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

FURTHER RESOLVED, that the Burlington County Office on Aging, County Solicitor and County Administrator shall be responsible for:

- a. Making said RFQ available at no cost to attorneys that provide legal services;
- b. Publishing notice of the County's issuance and availability of said RFQ; and
- c. In accordance with requirements of Resolution No. 17 adopted January 12, 2005, the Burlington County Office on Aging shall establish a committee to review responses to the RFQ, identify the best qualified responders, negotiate with those best qualified responders and submit a written report to the Freeholder Board making a recommendation as to which responding attorney shall be awarded the contract to perform the designated professional services for the Burlington County Office on Aging.

32 **RESOLUTION NO. 719** by Freeholder Donnelly, AGREEMENT WITH THE YMCA OF BURLINGTON COUNTY FOR CONTRACT TITLED "SENIOR PHYSICAL ACTIVITY PROGRAM - OFFICE ON AGING - 2011" FOR THE CONTRACT PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2011 IN THE AMOUNT OF \$42,000.

WHEREAS, the County of Burlington's Office On Aging has a need for Social Service agencies to perform SENIOR PHYSICAL ACTIVITY PROGRAM for the Elderly of Burlington County; 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 #517 on August 11, 2010 for "SENIOR PHYSICAL ACTIVITY PROGRAM - OFFICE ON AGING - 2011", (RFP-10-0085); and,

WHEREAS, ONE (1) competitive proposal was received; and,

WHEREAS, an evaluation team, assembled to review and recommends the most advantageous proposal, submitted a report with their findings and with a recommendation to the County Administrator for the selection of Social Service Agencies; and,

WHEREAS, the County Administrator has submitted to the Board of Chosen Freeholders a recommendation to award one (1) contract, as described hereafter, said recommendation being attached to this Resolution; and,

WHEREAS, the County Administrator concurs with the report and recommends that a contract be awarded to YMCA of Burlington County, 302 Commerce Square Blvd., Burlington, NJ 08016, for an amount of \$42,000.00, for the contract period January 1, 2011 through December 31, 2011; and,

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

WHEREAS, this competitive proposal is further subject to the certification of funds by the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that a contract for the proposal titled " SENIOR PHYSICAL ACTIVITY PROGRAM - OFFICE ON AGING – 2011", (RFP-10-0085), for the County of Burlington's Office On Aging, is hereby awarded to the above proposer, in the amount listed above; 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 are on file and available for public inspection in the Division of Purchase Office of the County of Burlington.

33 **RESOLUTION NO. 720** by Freeholder Donnelly, AGREEMENT WITH MOORESTOWN VISITING NURSE ASSOCIATION FOR CONTRACT TITLED "TITLE III HOMECARE - OFFICE ON AGING - 2011" FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2011 IN THE AMOUNT OF \$115,000.

WHEREAS, the County of Burlington's Office On Aging has a need for social service agencies to perform HOMECARE SERVICES for the elderly of Burlington County; 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 #516 on August 11, 2010 for "TITLE III HOMECARE SERVICES - OFFICE ON AGING – 2011", (RFP-10-0084); and,

WHEREAS, One (1) competitive proposal was received; and,

WHEREAS, an evaluation team, assembled to review and recommends the most advantageous proposal, submitted a report with their findings and with a recommendation to the County Administrator, for the selection of Social Service Agencies; and,

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

WHEREAS, the County Administrator concurs with the report and recommends that contracts, for the proposal titled "TITLE III HOMECARE SERVICES – OFFICE ON AGING -2011" (RFP-10-0084), be awarded to Moorestown Visiting Nurse Association, Inc., 300 Harper Drive, Moorestown, NJ 08057-3208, for an amount of \$115,000.00, for the contract period January 1, 2011 through December 31, 2011; and,

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

WHEREAS, this competitive proposal is further subject to the certification of funds by the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington, that a contract for the proposal titled "TITLE III HOMECARE SERVICES - OFFICE ON AGING – 2011", (RFP-10-0084), is hereby awarded to Moorestown Visiting Nurse Association, Inc., 300 Harper Drive, Moorestown, NJ 08057-3208, for an amount of \$115,000.00, for the contract period January 1, 2011 through December 31, 2011; 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 are on file and available for public inspection in the Division of Purchase Office of the County of Burlington.

- 34 **RESOLUTION NO. 721** by Freeholder Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR "VEHICLES, MEAL DELIVERY TRUCKS" FOR THE OFFICE ON AGING.

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

VEHICLES, MEAL DELIVERY TRUCKS
(CPU-10-0114)
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, November 30, 2010 at 10:30 a.m. local prevailing time.

- *** It was moved by Freeholder O'Brien, seconded by Freeholder Brown to approve the following agenda item by unanimous consent. All in favor. Motion carried. Resolution No. 722 adopted.

- 35 **RESOLUTION NO. 722** by Freeholder O'Brien, AMENDMENT TO AGREEMENT WITH CDM IN THE AMOUNT OF \$14,000 FOR PROFESSIONAL ENGINEERING SERVICES REGARDING AIR QUALITY AND REGULATION COMPLIANCE ASSISTANCE FOR THE DEPARTMENT OF SOLID WASTE.

WHEREAS, pursuant to use of the "competitive contracting" provisions of the Local Public Contracts law (the "Law") and Resolution nos. 2006-940 and 2007-69, adopted on, respectively, October 25, 2006, and February 14, 2007, the Burlington County Board of Chosen Freeholders (the "Board") entered into a contract (the "Agreement") with Camp Dresser & McKee ("CDM") to secure specialized engineering services regarding air quality and regulatory compliance assistance for the Resource Recovery Complex, which contract was awarded under a "fair and open" process; and

WHEREAS, the initial term of the Agreement was for a two-year period terminating December 31, 2008, but subject to the Board's right to renew the Agreement for up to three one-year terms; and

WHEREAS, pursuant to Resolution no. 1026, adopted on December 30, 2008, the Agreement was extended to December 31, 2009; and

WHEREAS, pursuant to Resolution no. 852, adopted on December 9, 2009, the Agreement was extended to December 31, 2010; and

WHEREAS, the Board has reviewed and approved the recommendation of the Department of Solid Waste that CDM's contract be increased by \$14,000 for calendar year 2010, resulting in a maximum amount payable for its 2010 services to \$129,000.00; and

WHEREAS, \$14,000.00 is available in account no. 75-0722-040310 to fund this increase, as evidenced by the certification of the County's Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES that an amendment to the above-described agreement, increasing the amount payable by \$14,000.00, is approved and its execution in accordance with the Rules of the Board is authorized.

- *** It was moved by Freeholder Reinhart, seconded by Freeholder Donnelly to table agenda item no. 32. All in favor. Motion carried. Agenda item no. 32 was tabled. It was moved by Freeholder Reinhart, seconded by Freeholder Brown to approve agenda item no. 31, 33, 34 and 35. All in favor. Motion carried. Resolution Nos. 723 through 726 adopted.

- 36 **RESOLUTION NO. 723** by Freeholder Reinhart, AGREEMENTS WITH SIX QUALIFIED PROVIDERS TO CONDUCT FIRE SETTER AND SEX OFFENDER EVALUATIONS WHEN NEEDED BY THE COUNTY AT A PER DEIM RATE FOR THE

PERIOD OF ONE YEAR FUNDED THROUGH STATE/COMMUNITY PARTNERSHIP FUNDS ADMINISTERED THROUGH THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, by Resolution no. 457, adopted on July 14, 2010, the Burlington County Board of Chosen Freeholders ("the Board") authorized the release of a request for qualifications ("RFQ") for the purpose of establishing a pool of qualified professionals available to the County to provide Fire Setter and Sex Offender Assessments and Evaluations on an as-needed basis, for up to five, one-year agreements, which solicitation has been pursued pursuant to the "competitive contracting" provisions of the Local Public Contracts Law (the "Law") at N.J.S.A. 40A:11-4.1 et seq.; and

WHEREAS, the providers named below are agreeable to providing their services on a per diem basis at the rates below for the first year of the contract, as follows:

<u>Provider</u>	<u>Evaluation Type</u>	<u>Per Diem Amount</u>
Alan J. Lee & Associates	Fire Setter/Sex Offender	\$1,400
Catholic Charities	Fire Setter/Sex Offender	\$825
Children's Continuum of Care	Fire Setter	\$400
Drenk Behavioral Health Center	Fire Setter	\$450
Family Transition Support Services	Fire Setter Sex Offender	\$600 \$800
Rising Sun Counseling Services	Fire Setter Sex Offender	\$400 \$500

And

WHEREAS, the Board has considered and approved the recommendation of the committee that reviewed the submissions received in response to the RFQ that all of the parties that submitted their qualifications for review be approved; now, therefore, the Burlington County Board of Chosen Freeholders

RESOLVES, as follows:

1. Agreements with the above-named Providers for the above-described evaluations are hereby approved and their execution in accordance with the Rules of the Board is authorized.
2. These contracts are 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 Law.
3. Each contract is subject to the appropriation and availability of funds therefor.
4. Notice of this action shall be published in the Burlington County Times as required by the Law.

37 **AGENDA ITEM NO. 32** by Freeholder Reinhart, AUTHORIZATION TO SUBMIT APPLICATION TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR APPROVAL TO CHARGE A FEE OF \$.10 PER CUBIC YARD SOLID WASTE ENFORCEMENT FEE FOR THE HEALTH DEPARTMENT ON ALL WASTE PRESENTED FOR DISPOSAL AT THE RESOURCE RECOVERY COMPLEX (HELD). This agenda item was tabled.

38 **RESOLUTION NO. 724** by Freeholder Reinhart, AGREEMENT WITH VIRTUA HOME CARE COMMUNITY NURSING SERVICES FOR CONTRACT TITLED "PUBLIC HEALTH NURSING SERVICES FOR BURLINGTON COUNTY HEALTH DEPARTMENT 2011-2012" FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2012 IN THE AMOUNT OF \$1,107,539 FOR YEAR ONE OF THE CONTRACT FOR THE HEALTH DEPARTMENT.

WHEREAS, the County of Burlington's Health Department has a need for Public Health Nursing Services; 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 per Resolution #545 dated August 25, 2010, for "PUBLIC HEALTH NURSING SERVICES FOR BURLINGTON COUNTY HEALTH DEPARTMENT 2011-2012" (RFP-10-0105); and

WHEREAS, five (5) competitive proposals were received; and

WHEREAS, an evaluation team, assembled to review and recommend the most advantageous proposals, submitted a report with their findings with a recommendation to the County Administrator for the selection of Public Health Nursing Services; and

WHEREAS, the County Administrator has submitted to the Board of Chosen Freeholders a recommendation to award one (1) contract as described hereafter, said recommendation being attached to this Resolution; and

WHEREAS, the County Administrator concurs with the report and recommends that a contract be awarded to Virtua Home Care Community Nursing Services, 15 Pioneer Blvd., PO Box 287, Mount Holly, NJ 08060, for the contract period of January 1, 2011 through December 31, 2012, for an estimated amount of \$1,107,539.00, for year one, (1), with a one (1) one-year option beginning on January 1, 2013; expiring December 31, 2013; and

WHEREAS, funds are anticipated to be available for this purpose in the fiscal year 2011 and 2012 temporary and permanent budget; and,

WHEREAS, this competitive proposal is further subject to the certification of funds by the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED by the Burlington County Board of Chosen Freeholders that a contract for "PUBLIC HEALTH NURSING SERVICES FOR BURLINGTON COUNTY HEALTH DEPARTMENT 2011-2012" (RFP-10-0105), is hereby awarded to Virtua Home Care Community Nursing Services for an estimated amount of \$1,107,539.00, for year one, (1); 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.

39 **RESOLUTION NO. 725** by Freeholder Reinhart, CHANGE ORDER NO. 2 WITH THE LESTER A. DRENK BEHAVIORAL HEALTH CENTER, INC. FOR CONTRACT TITLED "2009-2011 STATE COMMUNITY PARTNERSHIP & FAMILY COURT SERVICES PROGRAM" FOR THE PERIOD JANUARY 1, 2009 THROUGH DECEMBER 31, 2011 FOR THE HEALTH DEPARTMENT.

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

WHEREAS, the Board amended the contract on March 10, 2010 per resolution 150, Change Order #1 increased the amount payable to Drenk for the 2009 contract period in the amount of \$2,604.00, for a new maximum payable amount in 2009 of \$298,645.00; and

WHEREAS, the Burlington County Human Services Office and the Youth Services Advisory Council have recommended that the amount payable to Drenk, for Family Crisis Intervention Unit - Disposition Services, be increased in the amount of \$22,800.00, in order to provide temporary case management in 2010; and

WHEREAS, Change Order #2 represents a total increase of \$22,800.00, for a net overall increase of 4.291 percent, resulting in a new maximum payable amount to Drenk of

\$318,841.00 for 2010, establishing a new maximum payable amount of \$617,486.00; and

WHEREAS, funds are available for this Change Order in Account No. 14-5781-054310 as evidenced by the Burlington County Chief Financial Officer, and be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the attached Change Order #2 to the Contract titled "2009-2011 STATE COMMUNITY PARTNERSHIP & FAMILY COURT SERVICES PROGRAM" (RFP-08-0096), with Drenk, is hereby approved; and be it

FURTHER RESOLVED that the County Administrator and the Chief Financial Officer are hereby authorized to execute Change Order #2 and the execution of a Second Amendment to the contract in accordance with the Rules of the Board is authorized.

- 40 **RESOLUTION NO. 726** by Freeholder Reinhart, CHANGE ORDER NO. 1 WITH THE LESTER A. DRENK BEHAVIORAL CENTER, INC. FOR CONTRACT TITLED "AFTERNOON/EVENING REPORTING CENTER PROGRAM" IN THE AMOUNT OF \$26,266 DUE TO UNALLOCATED STATE/COMMUNITY PARTNERSHIP AND FAMILY COURT FUNDS TO PROVIDE ADDITIONAL SERVICES IN 2010 FOR THE HEALTH DEPARTMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington entered into a contract titled "AFTERNOON/EVENING REPORTING CENTER PROGRAM", (RFP-09-0091), per Resolution 797 dated November 12, 2009, for the County Human Services Department with The Lester A. Drenk Behavioral Health Center, 1289 Route 38 West, Suite 203, Hainesport, NJ 08036-2730, for an estimated amount of \$105,065.00 for the contract period November 1, 2009 through December 31, 2011; and

WHEREAS, changes to the aforesaid contract, as listed below, have been determined to be necessary by Burlington County's Youth Services Advisory Council, and

WHEREAS, Change Order One (1) represents an increase of \$26,266.00, resulting in an overall increase of 25.0%, for a new contract amount of \$131,331.00; and

WHEREAS, this Change Order One (1) is required to use unallocated State/Community Partnership and Family Court Funds to provide additional services in 2010; and

WHEREAS, funds are available, for Change Order One (1), in Account No. 14-5748-033710, 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 "AFTERNOON/EVENING REPORTING CENTER PROGRAM" (RFP-09-0091), with The Lester A. Drenk Behavioral Health Center, 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.

- 41 APPOINTMENT BY DIRECTOR TO THE RECOVERY ZONE BOND LOAN REVIEW COMMITTEE.

Director Garganio appointed Jack Ferry to the Recovery Zone Bond Loan Review Committee for a term to expire on December 31, 2010.

- 42 PUBLIC COMMENTS.

1) Nick Sodona, Mt. Holly Township, addressed the Board regarding cutting trees in the County right-of-way and alternatives to sending the wood to the landfill.

2) Aimee Belgard, Edgewater Park, addressed the Board regarding the closing of Women's Health Clinics and the possibility of County funding to continue the Health Clinics.

3) Mr. Malanez, Westampton Township, addressed the Board regarding the M.I.A. memorial and pack space.

4) Fred Bryan, Springfield Township, addressed the Board regarding farmland preservation for a farm in Delanco Township and the Eastern Organics property.

- 5) Mabelle Pettis, addressed the Board regarding a Homeless Shelter for veterans.
- 6) Richard Dow, Mt. Holly Township, addressed the Board regarding campaign promises, county vehicle reduction, reduction in salaries of political appointees, cutting political patronage positions, reinstating senior transportation services, evening meetings, televising Freeholder meetings, term limits for the Freeholders, townships going into the County EMS dispatching, County tax collector/tax assessor, a County Police Department, and the Mill Dam meeting that was held in Mount Holly.
- 7) Linda Lovendusky, Springfield Township, addressed the Board regarding the Farm Fair Phasing, fence and road widening and the water and sewer hook-up, and Woodhue/Eastern Organics solar farm.

43 QUESTIONS FROM THE PRESS.

- 1) Danielle Camilli, Burlington County Times, questioned the status of the Farm Fair ground and asked if it was still on track for hosting the Farm Fair this year. Ms. Camilli also questioned Freeholder Reinhart's opposition of agenda item no. 5 and questioned if the County can refund bonds without backing them.
- 2) Carole Comegno, Courier Post, questioned if the Bridge Commission is able back municipal bonds, and agenda item no. 12 (Resolution No. 704).

44 COMMENTS BY FREEHOLDERS.

- 1) Freeholder Reinhart mentioned the following County affiliated events commended the quality of work by County employees: 1) October 23, Sheriff's Department sponsored a senior services seminar for caregivers; 2) October 23, Burlco Youth Summit at the YMCA for children 10-14 years old; 3) October 16, unveiling of the Fallen Soldier Monument located in the Freedom Park in Medford Township; 4) October 22, the Master Gardener's Dinner Social, part of 4-H; 5) a ribbon cutting in Medford for MEND – low to moderate income housing; 6) October 26, Medical Reserve Corps. Dinner works in conjunction with the Health Department; 7) October 26, Human Services seminar to address the 10 year plan for homelessness; 8) last week was the OTC Dinner Dance a great event. Freeholder Reinhart commented on the Bridge Commission, and stated that her concern is the Bridge Commission's accountability and now that the Freeholder Director has the authority to not approve programs or projects that the Bridge Commission is doing, there is need to look closely at what they are doing. Freeholder Reinhart commented that at one Bridge Commission meeting she attended the Bridge Commission increased a consultant contract by \$1.5 million and also amended an attorney contract by \$410,000. Freeholder Reinhart also mentioned from October 23-31 marks Red Ribbon week, which is a poster contest promoting drug and alcohol abuse prevention and read the particulars of that contest. Freeholder Reinhart once again thanked the Burlington County employees and the Departments that make these kinds of things available.
- 2) Freeholder Brown mentioned a question that would be on the ballot on Election Day that would restrict the utilization of funds for other purposes, Freeholder Brown stated that as a small businessman he would support this. Freeholder Brown also reported that durable goods were up 3.3%. Freeholder Brown also commented on the financing of the bonds, and stated that this is something the Board has done before, it is not a new tactic, and by doing this the Board is reducing the cost of government, he stated he reviewed it when he received his packet on Monday, and stated that it was no different than what Americans are doing with their households when they refinance and taking advantage of great rates to reduce their costs, and stated that this action was no different. Freeholder Brown also stated he has no problem providing this type of regional resources to Burlington County municipalities. Freeholder Brown reminded everyone to get out and vote.
- 3) Freeholder O'Brien reported that in the past week there was a forum held by the Office of Consumer Affairs, and Renee Borstad headed it and the attendees were Department Heads from the Consumer Affairs offices throughout the state and they all talked about what was going on in their counties. Freeholder O'Brien continued to state that Renee had the Assistant Prosecutor there who prosecutes consumer fraud cases and also is an inspector for the Post Office in dealing with mail fraud. Freeholder O'Brien reported that what came out of that forum was a number of scams taking place right now, and the number one scam is the mortgage fraud scams and encouraged homeowners to be wary of people who are coming around and saying "I'm sealing your neighbors driveway and for cash I can do your driveway right now", and Freeholder O'Brien further stated that they will use an excuse to get in your home and go through

your personal belongings and another area of concern are chimney sweepers, and stated that if anyone shows up at your door, be wary of scams. Freeholder O'Brien thanked Renee Borstad for that forum. Freeholder O'Brien also mentioned the MEND project in Medford Township consisting of a 36 unit apartment complex and many entities were involved in making this come to fruition and at that function, Freeholder O'Brien recognized Karen Trommelen, Coordinator of Burlington County's Community Development Office, and afterwards people came up to Freeholder O'Brien and thanked her for recognizing Ms. Trommelen.

4) Freeholder Donnelly thanked all for coming out tonight and to enjoy the rest of their evening.

5) Director Garganio mentioned on October 30, from 9 – 12 p.m. the County is sponsoring a clean-up day at Willingboro Lakes and the County is looking for volunteers for that day and encouraged everyone to wear long sleeves and long pants.

45 ADJOURNMENT.

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

Respectfully submitted,

Paul Drayton
Board Clerk