

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 28, 2009, at 7:00 P.M. The meeting was opened with the flag salute and prayer by the 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, Mary Anne Reinhart, William S. Haines, Jr., James K. Wujcik and Director Joseph Donnelly.

3 OFFICIALS.

Officials in attendance were: County Solicitor Nelson, Treasurer Hannigan, Chief Financial Officer Brock, County Engineer Jaggard, Resource Conservation Director Robbie, Information Technology Director Behmke, Superintendent of Roads Some, Public Health Coordinator Gogats, Public Safety Director Dreby, Capital Projects Coordinator Smith, Veterans Services Tafe, Clerk Wirth, Supervising Administrative Analyst Stewart, Public Information Officer Shrom, and Assistant Public Information Officer O'Donnell.

4 APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING OF OCTOBER 14, 2009 AND THE CONFERENCE MINUTES OF SEPTEMBER 9 AND SEPTEMBER 16, 2009.

It was moved by Mrs. Reinhart, seconded by Mr. Haines that the minutes of the regular board meeting of October 14, 2009, and the conference minutes of September 9, and September 16, 2009 be approved. Mr. Brown abstained from all minutes. Mr. Wujcik abstained from the conference minutes of September 9, 2009. Mr. Donnelly abstained for the minutes of October 14, 2009. Motion carried. Minutes approved.

5 PROCLAMATION - PANCREATIC AWARENESS MONTH

Freeholder Reinhart presented and read a Proclamation to Michael Weinstein, New Jersey Affiliate Advocacy Coordinator, Pancreatic Cancer Action Network. Mr. Weinstein thanked the Board for their support.

6 PRESENTATION - MILITARY NATIONAL GUARD AND RESERVE – ABOVE AND BEYOND AWARD.

Director Donnelly made opening remarks and introduced Charles Juliana, Burlington County Chair of the NJ Committee for Employer Support of the Guard and Reserve. A plaque was presented to Walter Tafe, Director Burlington County Veterans Services for his dedication and support.

7 **PUBLIC HEARING - BOND ORDINANCE NO. 671-09 OF THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 21-08 OF THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED ON FEBRUARY 13, 2008, AND ENTITLED: "BOND ORDINANCE OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR CONSTRUCTION AND RENOVATION OF THE FIRE TRAINING FACILITY AND CONSTRUCTION OF POLICE TRAINING FACILITIES AND VEHICLE STORAGE FACILITY FOR THE COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$6,500,000 THEREFOR, AUTHORIZING THE ISSUANCE OF UP TO \$6,190,000 IN GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY TO FINANCE THE SAME, MAKING CERTAIN DETERMINATIONS AND COVENANTS, AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING", AMENDING THE PURPOSES/USEFUL LIFE TO INCLUDE RENOVATION OF THE PUBLIC SAFETY BUILDING AND CONSTRUCTION, ACQUISITION AND INSTALLATION OF OTHER CAPITAL IMPROVEMENTS AND EQUIPMENT AT THE COMPLEX, INCREASING THE APPROPRIATION TO \$11,000,000, THE DOWN PAYMENT TO \$523,810 AND THE SECTION 20 EXPENSES TO \$2,236,154 AND PROVIDING FOR THE ISSUANCE OF \$10,476,190 IN BONDS OR NOTES OF THE COUNTY (MOTION TO ADOPT ON SECOND READING AND ROLL CALL).**

The hour having arrived, Director Donnelly stated that this was the time and place for consideration of Bond Ordinance No. 671-09 and requested the Board Clerk to read said Ordinance by title only.

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

Richard Dow, Mt. Holly Township addressed the Board regarding the justification of this ordinance.

There being no further comments, Director Donnelly closed the public hearing. It was moved by Mr. Wujcik, seconded by Mrs. Reinhart that Bond Ordinance No. 671-09 be finally passed.

On roll call: Ayes – Mr. Haines, Mrs. Reinhart, Mr. Wujcik and Director Donnelly. Opposed – Mr. Brown Motion carried. Bond Ordinance No. 671-09 adopted on second reading and roll call.

- 8 **PUBLIC HEARING** - BOND ORDINANCE NO. 673-09 OF THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 376-08 OF THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED ON JUNE 25, 2008, AND ENTITLED: "BOND ORDINANCE OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS TO AND ACQUISITION AND INSTALLATION OF VARIOUS PIECES OF CAPITAL EQUIPMENT FOR BURLINGTON COUNTY HEALTH DEPARTMENT BUILDING IN THE TOWNSHIP OF WESTAMPTON, NEW JERSEY, APPROPRIATING THE SUM OF \$1,600,000 THEREFOR, AUTHORIZING THE ISSUANCE OF UP TO \$1,523,000 IN GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY TO FINANCE THE SAME, MAKING CERTAIN DETERMINATIONS AND COVENANTS, AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING", INCREASING THE APPROPRIATION TO \$2,000,000 AND THE DOWN PAYMENT TO \$96,000 AND PROVIDING FOR THE ISSUANCE OF \$1,904,000 IN BONDS OR NOTES OF THE COUNTY **(MOTION TO ADOPT ON SECOND READING AND ROLL CALL)**.

The hour having arrived, Director Donnelly stated that this was the time and place for consideration of Bond Ordinance No. 673-09 and requested the Board Clerk to read said Ordinance by title only.

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

Richard Dow, Mt. Holly Township, addressed the Board regarding the number of years on this ordinance.

There being no further comments, Director Donnelly closed the public hearing. It was moved by Mrs. Reinhart, seconded by Mr. Haines that Bond Ordinance No. 673-09 be finally passed.

On roll call: Ayes – Mr. Brown, Mr. Haines, Mrs. Reinhart, Mr. Wujcik and Director Donnelly. Opposed – none. Motion carried. Bond Ordinance No. 673-09 adopted on second reading and roll call.

- 9 **PUBLIC HEARING** - BOND ORDINANCE NO. 675-09 OF THE COUNTY OF BURLINGTON, NEW JERSEY AMENDING AND SUPPLEMENTING BOND ORDINANCE NO. 444-08 OF THE COUNTY OF BURLINGTON, NEW JERSEY FINALLY ADOPTED ON JULY 23, 2008, AND ENTITLED: "BOND ORDINANCE OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS TO THE BURLINGTON COUNTY HUMAN SERVICES BUILDING IN THE TOWNSHIP OF WESTAMPTON, NEW JERSEY, APPROPRIATING THE SUM OF \$2,850,000 THEREFOR, AUTHORIZING THE ISSUANCE OF UP TO \$2,714,000 IN GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY TO FINANCE THE SAME, MAKING CERTAIN DETERMINATIONS AND COVENANTS, AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING", INCREASING THE APPROPRIATION TO \$5,150,000 AND THE DOWN PAYMENT TO \$246,000 AND PROVIDING FOR THE ISSUANCE OF \$4,904,000 IN BONDS OR NOTES OF THE COUNTY **(MOTION TO ADOPT ON SECOND READING AND ROLL CALL)**.

The hour having arrived, Director Donnelly stated that this was the time and place for consideration of Bond Ordinance No. 675-09 and requested the Board Clerk to read said Ordinance by title only.

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

Linda McCann, Westampton Township addressed the Board regarding surveillance cameras at the Human Services Building.

Richard Dow, Mt. Holly Township, addressed the Board regarding this ordinance in support of the Union.

There being no further comments, Director Donnelly closed the public hearing. It was moved by Mrs. Reinhart, seconded by Mr. Brown that Bond Ordinance No. 675-09 be finally passed.

On roll call: Ayes – Mr. Brown, Mrs. Reinhart, Mr. Haines, Mr. Wujcik and Director Donnelly. Opposed – none. Motion carried. Bond Ordinance No. 675-09 adopted on second reading and roll call.

*** It was moved by Director Donnelly, and seconded by Mr. Haines that the following twenty-three (23) items be approved by unanimous consent. Mr. Brown opposed agenda item no. 12 (Resolution No. 729) and abstained from agenda items no. 13 (Resolution No. 730). Mrs. Reinhart and Mr. Wujcik opposed agenda item no. 12 (Resolution No. 729) Resolution No. 729 was defeated. Resolution Nos. 718 through 728 and Resolution Nos. 730 through 740 adopted.

10 **RESOLUTION NO. 718** by Director Donnelly, 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 \$21,734,904.41 and be it the same are hereby approved and passed by the Board, and that the Treasurer for the County of Burlington be and he is hereby authorized and directed to issue county checks in payment of same.

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

11 **RESOLUTION NO. 719** by Director Donnelly, CAPITAL BUDGET AMENDMENT FOR 2009.

WHEREAS, the Local Capital Budget for the year 2009 was adopted on the 1st day of July, 2009 and,

WHEREAS, it is desired to amend said approved Capital Budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the following amendments to the approved Capital Budget of the County of Burlington be made:

CAPITAL BUDGET (Current Year Action)
2009

Project	Estimated Total Cost	Capital Improvement Fund	Grants-in- Aid Other Funds	Debt Authorized	To Be Funded In Future Years
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FROM:

TO:

Providing for the Acquisition of Automated Recycling Containers for the County Recycling Program	\$4,565,000	\$4,565,000
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SIX YEAR CAPITAL PROGRAM (2009-2014)

Anticipated Project Schedule and Funding Requirements

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year	2009	2010-2014
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FROM:

TO:

Providing for the Acquisition of Automated Recycling Containers for the County Recycling Program	\$4,565,000	2010	\$4,565,000
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SIX YEAR CAPITAL PROGRAM (2009-2014)

Summary of Anticipated Funding Sources and Amounts

Project	Estimated Total Cost	Capital Improvement Fund	Grants-in-Aid Other Funds	Bonds and Notes	To Be Funded In Future Years
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FROM:

TO:

Providing for the Acquisition of Automated Recycling Containers for the County Recycling Program	\$4,565,000	\$4565,000
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BE IT FURTHER RESOLVED, the two certified copies of this resolution be filed forthwith in the Office of the Director of the Division of Local Government Services.

12 **RESOLUTION NO. 720** by Director Donnelly, DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES REQUESTED TO APPROVE AN ITEM OF REVENUE IN THE 2009 COUNTY BUDGET IN THE AMOUNT OF \$12,503.00 RECEIVED FROM THE STATE DEPARTMENT OF LAW AND PUBLIC SAFETY AND APPROPRIATED UNDER THE CAPTION OF MEGANS LAW AND LOCAL LAW ENFORCEMENT.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount; now, therefore be it

SECTION I

RESOLVED, that the Board of Chosen Freeholders of the County of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the County Budget for the year 2009, in the sum of \$12,503.00 which item is now available as revenue from the State of New Jersey, Department of Law and Public Safety, pursuant to the provisions of statute; and

SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$12,503.00 be hereby appropriated under the caption of:

Megan's Law and Local Law Enforcement Assistance Program; and

FURTHER RESOLVED that the appropriate certification be filed with Division of Local Government Services.

- 13 **RESOLUTION NO. 721** by Director Donnelly, DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES REQUESTED TO APPROVE AN ITEM OF REVENUE IN THE 2009 COUNTY BUDGET IN THE AMOUNT OF \$67,655.00 RECEIVED FROM THE STATE DEPARTMENT OF LAW AND PUBLIC SAFETY AND APPROPRIATED UNDER THE CAPTION OF SEXUAL ASSAULT NURSE EXAMINER.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount; now, therefore be it

SECTION I

RESOLVED, that the Board of Chosen Freeholders of the County of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the County Budget for the year 2009, in the sum of \$67,655.00 which item is now available as revenue from the State of New Jersey, Department of Law and Public Safety, pursuant to the provisions of statute; and

SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$67,655.00 be hereby appropriated under the caption of:

Sexual Assault Nurse Examiner; and

FURTHER RESOLVED that the appropriate certification be filed with Division of Local Government Services.

- 14 **RESOLUTION NO. 722** by Director Donnelly, DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES REQUESTED TO APPROVE AN ITEM OF REVENUE IN THE 2009 COUNTY BUDGET IN THE AMOUNT OF \$59,628.24.00 RECEIVED FROM THE STATE DEPARTMENT OF HOMELAND SECURITY AND PREPAREDNESS AND APPROPRIATED UNDER THE CAPTION OF HOMELAND SECURITY GRANT.

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of any item of appropriation of equal amount; now, therefore be it

SECTION I

RESOLVED, that the Board of Chosen Freeholders of the County of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the County Budget for the year 2009, in the sum of \$59,628.24 which item is now available as revenue from the State of New Jersey, Office of Homeland Security and Preparedness, pursuant to the provisions of statute; and

SECTION II

BE IT FURTHER RESOLVED, that a like sum of \$59,628.24 be hereby appropriated under the caption of:

State Homeland Security Grant; and

FURTHER RESOLVED that the appropriate certification be filed with Division of Local Government Services.

- 15 **RESOLUTION NO. 723** by Director Donnelly, BOND ORDINANCE NO. 723-09 OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF AUTOMATED RECYCLING COLLECTION CONTAINERS FOR THE COUNTY RECYCLING PROGRAM, APPROPRIATING THE SUM OF \$4,565,000 THEREFOR, AUTHORIZING THE ISSUANCE OF UP TO \$4,565,000 IN GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY TO FINANCE THE SAME, MAKING CERTAIN DETERMINATIONS, AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.

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) pursuant to the provisions of 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"), as follows:

Section 1. The improvements or purposes described in Section 3(a) of this bond ordinance are hereby authorized to be undertaken by the County of Burlington, New Jersey ("County") as general improvements. For the improvements or purposes described in Section 3(a) hereof, there is hereby appropriated the sum of \$4,565,000. No down payment is required pursuant to N.J.S.A. 40A:2-11(c) of the Local Bond Law, specifically N.J.S.A. 40A:2-7(h).

Section 2. In order to finance the cost of the improvements or purposes and to meet the \$4,565,000 appropriation, negotiable bonds or notes of the County are hereby authorized to be issued in the principal amount of \$4,565,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes of the County are hereby authorized to be issued in a principal amount not exceeding \$4,565,000 pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized and the purposes for which the bonds or notes are to be issued is a capital improvement project consisting of the acquisition of automated recycling collection containers for distribution to those municipalities participating in the County's Recycling Program and including all materials, equipment, services and work necessary therefor, or incidental thereto, as more fully described in the Occupational Training Center's 2009-2010 capital budget, as amended, approved by the Board of Chosen Freeholders of the County and in plans and specifications on file in the Department of Resource Conservation.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the County Treasurer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the County Treasurer. The County Treasurer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the County Treasurer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1(a). The County Treasurer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The County Treasurer is directed to report in writing to the Board of Chosen Freeholders at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include

the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget or temporary capital budget (as applicable) of the County is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget or amended temporary capital budget (as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk of the Board of Chosen Freeholders and is available for public inspection.

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

(a) The improvements or purposes described in Section 3(a) of this bond ordinance are not a current expense. They are improvements or purposes the County may lawfully undertake as a general improvement, and no part of the costs thereof have been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk of the Board of Chosen Freeholders 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 of New Jersey. Such statement shows that the gross debt of the County, as defined in the Local Bond Law, is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$4,565,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$415,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the improvements or purposes.

(e) The County reasonably expects to commence the acquisition purposes described in Section 3(a) hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the County further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any funds from time to time received by the County on account of any grant in aid of financing the cost of the improvements or purposes described in Section 3(a) of this bond ordinance or from any other source including, but not limited to, all amounts received by the County from time to time from those municipalities participating in the County Auto Cart Program as reimbursement pursuant to the terms of the "Agreement Concerning the Acquisition of Auto Cart Containers" by and between the County and said municipalities, shall be applied either to direct payment of the cost of the improvements or to payment of the obligations of the County authorized to be issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the County is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the County, and the County shall be obligated to levy ad valorem taxes upon all the taxable property within the County for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the Clerk of the Board of Chosen Freeholders is hereby directed to publish a summary of the bond ordinance, together with the notice attached entitled: "NOTICE OF PENDING BOND ORDINANCE AND SUMMARY" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten 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 provisions of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the Board of Chosen Freeholders, the Clerk of the Board of Chosen Freeholders is hereby directed to publish the summary of this bond ordinance, as finally adopted, together with the notice attached entitled: "BOND ORDINANCE STATEMENTS AND SUMMARY" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The County hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by this bond ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Internal Revenue Code of 1986, as amended ("Code"), and the regulations ("Regulations") promulgated thereunder;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 12. The Board of Chosen Freeholders hereby covenants on behalf of the County to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and bond anticipation notes authorized hereunder as is or may be required under the Code and the Regulations promulgated thereunder, including compliance with the Code with regard to use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 13. 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 14. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

16 **RESOLUTION NO. 724** by Director Donnelly, RESOLUTION TO SET THE PUBLIC HEARING FOR THE BOND ORDINANCE OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF AUTOMATED RECYCLING COLLECTION CONTAINERS FOR THE COUNTY RECYCLING PROGRAM, APPROPRIATING THE SUM OF \$4,565,000 THEREFOR, AUTHORIZING THE ISSUANCE OF UP TO \$4,565,000 IN GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY TO FINANCE THE SAME, MAKING CERTAIN DETERMINATIONS, AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington, that the Ordinance entitled, BOND ORDINANCE NO. 724-09 OF THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR THE ACQUISITION OF AUTOMATED RECYCLING COLLECTION CONTAINERS FOR THE COUNTY RECYCLING PROGRAM, APPROPRIATING THE SUM OF \$4,565,000 THEREFOR, AUTHORIZING THE ISSUANCE OF UP TO \$4,565,000 IN GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE COUNTY TO FINANCE THE SAME, MAKING CERTAIN DETERMINATIONS, AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING" was introduced on October 28, 2009, 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 12th day of November, 2009 at 11:00 A.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.

- 17 **RESOLUTION NO. 725** by Director Donnelly, A RESOLUTION OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF BURLINGTON, NEW JERSEY ("COUNTY") APPROVING AND RATIFYING THE EXECUTION AND DELIVERY OF (I) A FIRST AMENDMENT TO THE IMPROVEMENT LEASE BY AND BETWEEN THE COUNTY AND THE BURLINGTON COUNTY BRIDGE COMMISSION ("COMMISSION") PROVIDING FOR THE REFINANCING OF THE COMMISSION'S 2008 PROJECT NOTES AND THE FINANCING OF THE COSTS OF THE 2009 LANDFILL PROJECT, AND (II) A FIRST AMENDMENT TO THE EQUIPMENT LEASE BY AND BETWEEN THE COUNTY, ON BEHALF OF AND FOR THE BENEFIT OF THE OCCUPATIONAL TRAINING CENTER OF BURLINGTON COUNTY, INC. ("OTC"), AND THE COMMISSION PROVIDING FOR THE REFINANCING OF THE COMMISSION'S 2008 PROJECT NOTES, ALL IN CONNECTION WITH THE ISSUANCE BY SAID COMMISSION OF ITS \$19,465,000 AGGREGATE PRINCIPAL AMOUNT OF PROJECT NOTES (SOLID WASTE PROJECT), SERIES 2009, AND RATIFYING THE APPROPRIATION OF \$19,465,000 THEREFOR, AND AUTHORIZING OTHER NECESSARY ACTION IN CONNECTION WITH SAID FINANCING.

WHEREAS, the Burlington County Bridge Commission ("Commission") has been duly created by resolution of the Board of Chosen Freeholders 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 the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934, of the State of New Jersey and the acts amendatory thereof and supplemental thereto ("Act"); and

WHEREAS, pursuant to the terms of the Act, the Commission is authorized to provide within the County public facilities for use by the State, the County or any municipality in the County, or any subdivisions, departments, agencies or instrumentalities of any of the foregoing, for any of their respective governmental purposes; and

WHEREAS, the Commission has previously undertaken (i) a project ("Landfill Project") consisting of the design, excavation, construction and equipping of additional landfill cells and other related infrastructure improvements including, but not limited to, storm water management swales and basins, leachate collection systems and landfill gas extraction wells as part of Phase 5 of Landfill No. 2 at the Burlington County Resource Recovery Complex; and (ii) a project ("2008 County/OTC Recycling Project" and together with the Landfill Project, the "2008 Solid Waste Project") consisting of the acquisition of vehicles and various pieces of capital equipment and the leasing thereof to the County, on behalf of and for the benefit of the Occupational Training Center of Burlington County, Inc., a not-for-profit corporation of the State designated as a sheltered workshop by the State Division on Vocational Rehabilitation Services whose purpose is to train and employ the physically, mentally and socially handicapped and economically disadvantaged ("Project Beneficiary" and together with the County, the "Participants"); and

WHEREAS, the Commission financed a portion of the costs of the Landfill Project and the costs of the 2008 County/OTC Recycling Project through the issuance of its \$6,900,000 aggregate principal amount of Project Notes (Solid Waste Project), Series 2008 ("Series 2008 Notes") on November 25, 2008; and

WHEREAS, the Series 2008 Notes mature on November 24, 2009; and

WHEREAS, the Commission used the proceeds of the Series 2008 Notes to finance (a) a portion of the costs of design, excavation, construction and equipping of the Landfill Project ("County Landfill Leased Assets"), which County Landfill Leased Assets are leased by the Commission to the County pursuant to the terms of an Improvement Lease and Agreement dated as of November 25, 2008 ("Original Landfill Project Lease Agreement"), and (b) the costs of acquisition and installation of the 2008 County/OTC Recycling Project ("County/OTC Leased Assets"), which County/OTC Leased Assets are leased by the Commission to the County, on behalf of and for the benefit of the Project Beneficiary, pursuant to the terms of an Equipment Lease and Agreement dated as of

November 25, 2008 ("Original Recycling Project Lease Agreement" and together with the Original Landfill Project Lease Agreement, the "Lease Agreements"); and

WHEREAS, the Original Landfill Project Lease Agreement provides, among other things, for (a) the County to make rental payments to the Commission in an amount which is at least equal to the allocable portion of the debt service to be paid by the Commission with respect to the Series 2008 Notes issued on behalf of the County for a portion of the costs of the Landfill Project, and (b) the rights, duties and obligations of the Commission and the County with respect to the use of the Landfill Project by the County; and

WHEREAS, the Original Recycling Project Lease Agreement provides, among other things, for (a) the County to make rental payments to the Commission in an amount which is at least equal to the allocable portion of the debt service to be paid by the Commission with respect to the Series 2008 Notes issued on behalf of the County, for the benefit of the Project Beneficiary, for the costs of the 2008 County/OTC Recycling Project, and (b) the rights, duties and obligations of the Commission and the Participants with respect to the use of the 2008 County/OTC Recycling Project by the Participants; and

WHEREAS, by Resolution No. 440-08 finally adopted on July 23, 2008, the County (a) approved the Original Landfill Project Lease Agreement for the Landfill Project and authorized the execution and delivery of the Original Landfill Project Lease Agreement, and (b) appropriated \$29,000,000 for the costs of the Landfill Project of which \$3,384,400 was financed with a portion of the proceeds of the Series 2008 Notes; and

WHEREAS, by Resolution No. 442-08 finally adopted on July 23, 2008, the County (a) approved the 2008 OTC Capital Budget, (b) approved the Original Recycling Project Lease Agreement relating to the 2008 County/OTC Recycling Project for use by the Project Beneficiary in connection with its operation of the Recycling Facility and authorized the execution and delivery of the Original Recycling Project Lease Agreement, (c) appropriated \$3,502,500 for the costs of the 2008 County/OTC Recycling Project, all of which was financed with a portion of the proceeds of the Series 2008 Notes, and (d) authorized the execution and delivery of an Operations Agreement between the County and the Project Beneficiary relating to the 2008 County/OTC Recycling Project and the financing thereof by the County, on behalf of and for the benefit of the Project Beneficiary; and

WHEREAS, on October 14, 2009, the Commission issued its \$19,465,000 aggregate principal amount of Project Notes (Solid Waste Project), Series 2009 ("Series 2009 Notes"), the proceeds of which were used, together with other available funds, to provide funds to: (i) refinance the Series 2008 Notes; (ii) temporarily finance additional costs related to the Landfill Project in the amount of \$12,700,000 ("2009 Landfill Improvements") and (iii) pay certain costs and expenses incidental to the issuance and delivery of the Series 2009 Notes (collectively the "2009 Solid Waste Project"); and

WHEREAS, by Resolution No. 431-09 finally adopted on July 22, 2009, the County approved the amendment of the Original Landfill Project Lease Agreement for the Landfill Project ("First Amendment to Landfill Project Lease") relating to, among other things, changes in the descriptions of the Improvements and the Landfill Project (each as described in Exhibit A to the Original Landfill Project Lease Agreement) to additionally authorize the acquisition by the County of one or more Landfill compactors ("Landfill Project Equipment"); and

WHEREAS, by Resolution No. 465-09 finally adopted on August 12, 2009, the County (a) authorized and approved the issuance and sale of up to \$19,600,000 aggregate principal amount of the Series 2009 Notes; (b) authorized an additional \$12,700,000 for the costs of the Landfill Project to be financed with a portion of the proceeds of the Series 2009 Notes; (c) approved the First Amendment to Landfill Project Lease to reflect the amendment of the descriptions of the Improvements and the Landfill Project to include the Landfill Project Equipment to be financed with a portion of the proceeds of the Series 2009 Notes and to provide for Rental Payments by the County in connection with the issuance of the Series 2009 Notes and authorized the execution and delivery of the First Amendment to Landfill Project Lease; and (d) approved the amendment of the Original Recycling Project Lease Agreement for the 2008 County/OTC Recycling Project ("First Amendment to Recycling Project Lease") to provide for Rental Payments by the County in connection with the issuance of the Series 2009 Notes and authorized the execution and delivery of the First Amendment to Recycling Project Lease; and

WHEREAS, in connection with the issuance of the Series 2009 Notes, the County now desires to approve and ratify the execution and delivery of the First Amendment to

Landfill Project Lease and the First Amendment to Recycling Project Lease (collectively, the "First Amendments to Leases") and to ratify the aggregate appropriation of \$19,465,000 for payment of the costs of the 2009 Solid Waste Project plus the costs of issuance of the Series 2009 Notes.

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

Section 1. The execution and delivery of the First Amendments to Leases, in substantially the respective forms which are on file in the office of the Clerk of the Board of Chosen Freeholders of the County and which by this reference are made a part hereof, are hereby approved, ratified and confirmed. The aggregate appropriation of the sum of \$19,465,000 for payment of the costs of the 2009 Solid Waste Project and payment of the costs of issuance of the Series 2009 Notes from all sources including, but not limited to, the proceeds of the Series 2009 Notes is hereby approved, ratified and confirmed.

Section 2. Subject to the provision of the Local Public Contracts Law and the rules of the Board of Chosen Freeholders, the execution by the County Treasurer and/or Chief Financial Officer of all contracts for the acquisition and implementation of the 2009 Solid Waste Project and the payment of the costs of issuance of the Series 2009 Notes and all appropriations heretofore or hereafter made in connection herewith and therewith are hereby authorized, approved, ratified and confirmed.

Section 3. The Clerk of the Board of Chosen Freeholders of the County shall forward a certified copy of this Resolution to the Commission, the County Administrator and the County Treasurer.

Section 4. All actions heretofore taken and documents prepared or executed by or on behalf of the County by the Freeholder-Director, Deputy Director, County Administrator, County Treasurer, Chief Financial Officer, Clerk and Deputy Clerk of the Board of Chosen Freeholders, other County officials or by the County's professional advisors in connection with the 2009 Solid Waste Project, the First Amendments to Leases and matters related thereto, and the issuance of the Series 2009 Notes by the Commission are hereby authorized, approved, ratified and confirmed.

Section 5. This Resolution shall take effect immediately upon adoption this 28th day of October, 2009.

- 18 **RESOLUTION NO. 726** by Director Donnelly, RESOLUTION TO APPROVE, RATIFY, AND CONFIRM THE ISSUANCE AND SALE OF \$9,000,000 BOND ANTICIPATION NOTES DATED OCTOBER 22, 2009.

WHEREAS a report has been received from Amy J. Hannigan, Treasurer, dated October 23, 2009 which is attached and made a part of this resolution, advising the Board that in accordance with its Bond Ordinances as amended and supplemented (Local Bond Law"); and (ii) Bond Ordinance 277-09, as amended and supplemented by 629-91, 691-94, 770-98 and 722-99 and 407-08, each duly and finally adopted by the County, the said Chief Financial Officer did sell and deliver Bond Anticipation Notes to:

Jefferies & Company, in the principal amount of \$9,000,000
At 2%

Now therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the action of the said Chief Financial Officer regarding the issuance and sale of said notes be in all things, approved, ratified, and confirmed.

- 19 **RESOLUTION NO. 727** by Director Donnelly, CERTIFICATION OF LIST OF QUALIFIED BANKS TO PROVIDE OPERATING BANK ACCOUNT SERVICES FOR THE COUNTY.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington adopted Resolution No. 590-09 on September 9, 2009, which authorized the public advertisement of a Request for Qualifications (RFQ) for Operating Bank Account Services for the County of Burlington: and

WHEREAS, on October 6, 2009, RFQ packages for such services submitted to Burlington County were publicly opened; and

WHEREAS, the Review Committee analyzed and evaluated said RFQ submittals, and, pursuant to the attached written report, found the banking firms listed herein to be qualified and recommends certification of said firms to the list of qualified banks able to provide Operating Bank Account Services for the County from January 1, 2010 through December 31, 2011:

Bank of America
Beneficial Bank
PNC Bank
TD Bank

now, therefore, be it

RESOLVED by the Burlington County Board of Chosen Freeholders that the recommended banks listed herein are certified and placed on the list of qualified banks able to provide Operating Bank Account Services for the County from January 1, 2010 through December 31, 2011; and, be it

FURTHER RESOLVED that the proper County officials are hereby authorized to issue a Request for Proposals for Operating Bank Account Services to the above-listed qualified banks.

- 20 **RESOLUTION NO. 728** by Director Donnelly, MASTER SERVICES AGREEMENT NOS. 1, 2, 3, 6 AND 8 WITH THE SUPERIOR COURTS ADMINISTRATIVE OFFICES FOR VARIOUS SERVICES PROVIDED BY THE COUNTY FOR 2009-2010.

WHEREAS, in accordance with the provisions of Section 7b of the Judicial Unification Act (P.L. 1993, Chapter 275) the State of New Jersey, through the Administrative Office of the Courts, may enter into the service agreements with individual counties; and

WHEREAS, pursuant to the aforesaid legislation, the Administrative Office of the Courts shall determine those services necessary for the County to provide for the operations of the court; and

WHEREAS, the Administrative Office of the Courts and the Board of Chosen Freeholders of Burlington County are desirous of entering into agreements for the provision of the following services:

Master Service Agreement No. 1	Mailroom Services
Master Service Agreement No. 2	Printing Services
Master Service Agreement No. 3	Telephone Equipment and Services
Master Service Agreement No. 6	Fuel Services
Master Service Agreement No. 8	Records Management Services

now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that the attached Addenda to Master Service Agreements listed above be and the same hereby are approved, which Addenda shall be for the term July 1, 2009 through June 30, 2010.

- 21 **RESOLUTION NO. 729** by Director Donnelly, AMENDMENT TO SUB-GRANT AGREEMENT WITH MOUNT LAUREL TOWNSHIP FOR AN EXTENSION OF TIME THROUGH OCTOBER 30, 2009 FOR THE RECONSTRUCTION OF BURNAM WOOD DRIVE AND BURNAM WOOD COURT PURSUANT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Mr. Brown, Mrs. Reinhart and Mr. Wujcik opposed this item. Resolution defeated.

- 22 **RESOLUTION NO. 730** by Director Donnelly, LOAN AND MORTGAGE APPROVED FOR TWO PROPERTY OWNERS FOR A HOME IMPROVEMENT LOAN IN THE AMOUNT OF \$18,975 EACH PURSUANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD") BLOCK GRANT PROGRAM ADMINISTERED THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT. Mr. Brown abstained from this item.

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

WHEREAS, the County’s Community Development Office (“CD Office”) has recommended that home improvement loans, as described below, be made because the homeowner-applicants satisfy the criteria established for this program and housing code violations of each 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>
D& C Stevens	36-02-23LS	\$18,800.00	\$175
C. E. Mickel	36-06-22GS	\$18,800.00	\$175

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

WHEREAS, the amounts reported as “Rehab Cost” are available in account no. 31-0707-051209 to fund the housing rehabilitation costs portion of these loans, as evidenced by the certifications of Burlington County’s Chief Financial Officer filed herewith, with the balance of the loan amounts 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 loans (the sum of the “Rehab Cost” and the “Title Costs”) are approved, funds for which are to be drawn from federal Community Development Program moneys.
2. These loans are being authorized as not made through a “fair and open process” as defined at N.J.S.A.19:44A-20.7, although they are being made in accordance with the requirements for program funding and through application of standard criteria and procedures, which the Board deems as fair and open.
3. The CD Office and County Solicitor are authorized to prepare and record loan, mortgage and other appropriate documents to make these loans and protect the County’s interest in being repaid.
4. The CD Office and County Treasurer are authorized to send interim payments for completed work to the contractors and owners on (a) the CD Office’s determination that conditions of the contract between the owner and contractor have been satisfied and (b) receipt of forms and documents required for the processing of payments.
5. On satisfaction of the conditions of each loan the County Administrator and County Solicitor are authorized to prepare, execute and record appropriate documents to cancel documents filed of record.

23 **RESOLUTION NO. 731** by Director Donnelly, ENDORSEMENT TO PARTICIPATE IN THE DELAWARE VALLEY REGIONAL PLANNING COMMISSION’S FY 2010 TRANSPORTATION/LAND USE STUDY FOR THE ROUTE 73 CORRIDOR BETWEEN ROUTE 90 IN MAPLE SHADE AND ROUTE 70 IN EVESHAM TOWNSHIP AND ENCOURAGE THE MUNICIPALITIES ALONG THE CORRIDOR TO PARTICIPATE AS WELL FOR THE ECONOMIC DEVELOPMENT AND REGIONAL PLANNING DEPARTMENT.

WHEREAS, Burlington County is a member of the Delaware Valley Regional Planning Commission (“DVRPC”), which coordinates transportation and land use planning for the nine-county, bi-state metropolitan Philadelphia region; and

WHEREAS, the DVRPC’s FY 2010 work plan includes a study that will evaluate the current state of congestion and mobility, as well as land-use patterns, within the Route 73 corridor between Route 90 in Maple Shade and Route 70 in Evesham township, which study will include analyses of environmental conditions, existing and planned land uses, traffic operations and crash data, bicycle and pedestrian mobility and safety, transit service and environmental justice issues; and

WHEREAS, the study will include recommendations to private land owners, developers, municipalities and County and State agencies about correcting existing issues and managing future growth and traffic demands; and

WHEREAS, the DVRPC will complete the study at no cost to the County of Burlington other than participation by its professional staff to manage the project and attend public meetings; and

WHEREAS, the Burlington County Board of Chosen Freeholders ("Board") is supportive of this project; now, therefore, the Board

RESOLVES as follows:

1. It endorses the DVRPC's FY 2010 Transportation / Land Use Study for the Route 73 corridor.
2. It agrees to support the Study with its professional planning staff and encourages the municipalities along the corridor to support and assist the DVRPC's work in the study.

24 **RESOLUTION NO. 732** by Director Donnelly, AGREEMENT WITH THE NEW JERSEY SMALL BUSINESS DEVELOPMENT CENTER AT RUTGERS CAMDEN IN THE AMOUNT OF \$10,000 TO PROVIDE SERVICES TO PERSONS WHO ARE OPERATING OR WHO MAY BE INTERESTED IN DEVELOPMENT OF BUSINESSES IN THE COUNTY FOR THE ECONOMIC DEVELOPMENT AND REGIONAL PLANNING DEPARTMENT.

WHEREAS, in 1997 the New Jersey Small Business Development Center (the "Center") was established pursuant to U.S. Public Law 96-302, which called for the creation of a pilot network of state-based small business development centers; and

WHEREAS, the Center, which is a partnership between Rutgers Business School and the U.S. Small Business Administration, offers counseling and training to help small business owners finance, manage and market their companies through eleven full-service regional centers and 20 affiliate offices that serve New Jersey's counties; and

WHEREAS, Rutgers University is a specially chartered institution of higher education established in 1766 by Colonial Charter and an instrumentality of the State of New Jersey; and

WHEREAS, the Board believes that appropriately located and operated business development in Burlington County benefits County residents, and the Rutgers-Camden office of the Center provides services to persons who are operating or who may be interested in developing businesses in Burlington County; and

WHEREAS, the Board has determined to continue to support the Center by providing \$10,000.00 through a grant agreement with the Center; and

WHEREAS, \$10,000.00 is available in account no. 10-0702-033609, as evidenced by the Certification of the County's Chief Financial Officer filed herewith; and

WHEREAS, the Board is authorized to take this action because the Center is a partnership of federal government and a State institution; now, therefore, the Board

RESOLVES that a grant agreement with the New Jersey Small Business Development Center, approved as to form and content by the County Administrator and Solicitor, by which the Center agrees to provide services, including the sponsorship of symposiums and fostering public and private sector efforts for the advancement of economic growth and development in Burlington County, is approved and its execution in accordance with the Rules of the Board is authorized.

25 **RESOLUTION NO. 733** by Director Donnelly, COUNTY SOLICITOR'S OFFICE AUTHORIZED TO PROCEED WITH ACQUISITION OF AN EASEMENT FOR BLOCK 202, LOTS 6 & 7, MOUNT LAUREL TOWNSHIP FOR THE RECONSTRUCTION OF THE INTERSECTION KNOWN AS HARTFORD ROAD AND MARNE HIGHWAY IN THE AMOUNT OF \$387,500.00 FOR THE ENGINEERING DEPARTMENT.

WHEREAS, there exists a need for the County of Burlington to acquire an easement for the proposed reconstruction of the intersection of Hartford Road (CR686) and Marne Highway (CR537) in Mount Laurel Township, Burlington County; and

WHEREAS, the Board is authorized to acquire the right to enter upon this area for roadway and intersection improvements 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 property upon which this easement is located is Block 202, Lots 6 & 7, Mount Laurel Township, Burlington County and is owned by Wojciech Galas D/B/A Hartford Service Center, Inc. who has agreed to sell this property easement needed for roadway purposes for the amount of \$387,500.00; and

WHEREAS, funds are available in Account No. 60-7001-104482 and 60-7001-113282 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 property easement is hereby approved; and be it

FURTHER RESOLVED, that the County Solicitor's Office and the County Treasurer's Office 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.

- 26 **RESOLUTION NO. 734** by Director Donnelly, COUNTY SOLICITOR'S OFFICE AUTHORIZED TO PROCEED WITH ACQUISITION OF AN EASEMENT FOR BLOCK 701, LOT 5, SPRINGFIELD TOWNSHIP FOR THE RECONSTRUCTION OF COUNTY BRIDGE D3.6 IN THE AMOUNT OF \$7,110.00 FOR THE ENGINEERING DEPARTMENT.

WHEREAS, there exists a need for the County of Burlington to acquire a roadway improvement easement for the reconstruction of County Bridge D3.6, located on County Route 670, Jacksonville-Jobstown Road over Branch of Assicunk Creek, Springfield Township, Burlington County; and

WHEREAS, the Board is authorized to acquire the right to enter upon an existing easement area for roadway improvement purposes and acquire easements for roadway improvement purposes per the authority of N.J.S. 27:16-16 and 27:16-2; and

WHEREAS, the property which is required is Block 701, Lot 5 (portion) in Springfield Township, Burlington County and is owned by Lydia M. and Samuel Jacoby who has agreed to sell an easement needed for roadway improvement purposes on this property for an amount not to exceed \$7,110.00; 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 property easement is hereby approved; and be it

FURTHER RESOLVED that the County Solicitor's Office and the County Treasurer's Office 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. 735** by Director Donnelly, COUNTY SOLICITOR'S OFFICE AUTHORIZED TO PROCEED WITH ACQUISITION OF AN EASEMENT FOR BLOCK 301, LOT 1, NORTH HANOVER TOWNSHIP FOR THE MAINTENANCE AND POSSIBLE REPLACEMENT OF AN 18" PIPE UNDER PAULSON ROAD IN THE AMOUNT OF \$500.00 FOR THE ENGINEERING DEPARTMENT.

WHEREAS, there exists a need for the County of Burlington to acquire a roadway improvement easement for the maintenance and possible replacement of an 18" pipe under Paulson Road (CR665) in North Hanover Township, Burlington County; and

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

WHEREAS, the property which is required is Block 301, Lot 1 (portion) in North Hanover Township, Burlington County and is owned by William Selle who has agreed to sell an easement needed for roadway improvement purposes on this property for an amount not to exceed \$500.00; 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 property easement is hereby approved; and be it

FURTHER RESOLVED that the County Solicitor's Office and the County Treasurer's Office 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.

- 28 **RESOLUTION NO. 736** by Director Donnelly, AMENDMENT TO AGREEMENT WITH THE BOARD OF SOCIAL SERVICES IN THE AMOUNT OF \$12,600.00 AND AN EXTENSION OF TIME THROUGH SEPTEMBER 30, 2009 TO PROVIDE AND OVERSEE CASE MANAGEMENT AND SERVICE PROVISION FOR THE 2009 SUMMER YOUTH EMPLOYMENT AND TRAINING PROGRAM FOR THE WORKFORCE INVESTMENT BOARD PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT ACT.

WHEREAS, pursuant to Resolution no. 314, adopted on June 10, 2009, the Burlington County Board of Chosen Freeholders ("Board") entered into an agreement with the Burlington County Board of Social Services ("BSS"), pursuant to which BSS has provided oversight/case management of the 2009 Summer Youth Employment and Training Program (the "Program"), which agreement had an expiration date of August 21, 2009; and

WHEREAS, BSS's Program services extended into September and it incurred costs of \$12,600.00 more than the \$54,870.00 that the Board had allocated to this contract; and

WHEREAS, \$12,600.00 is available in account No. 13-06770768-09 to increase the amount payable to BSS, as evidenced by the certification of the County's Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES that a first amendment to the above-described contract, extending its term to September 30, 2009, and increasing the amount payable to BSS by \$12,600.00 is approved, and its execution in accordance with the Rules of the Board is authorized.

- 29 **RESOLUTION NO. 737** by Director Donnelly, AUTHORIZATION TO PURCHASE THREE KM 5050 DIGITAL COPIERS WITH ACCESSORIES FOR THE COUNTY CLERK'S OFFICE IN THE AMOUNT OF \$22,509.00 FROM KYOCERA MITA AMERICA, INC. AN AUTHORIZED VENDOR UNDER GENERAL SERVICES ADMINISTRATION FEDERAL SUPPLY SCHEDULE.

WHEREAS, Burlington County wishes to purchase THREE (3) KM 5050 DIGITAL COPIERS with ACCESSORIES for the Burlington County Clerk's Office, from an authorized vendor under the General Services Administration's (GSA) Federal Supply Schedule for Reprographic Equipment or Services; and

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

WHEREAS, KYOCERA MITA AMERICA INCORPORATED, P.O. Box 40008, 225 Sand Road, Fairfield, New Jersey, 07004-0008 has a General Services Administration's (GSA) Federal Supply Schedules for Reprographic Equipment or Services contract; Contract GS-25F-0062M with Contract Dates, May 20, 2002 to September 30, 2011; and

WHEREAS, KYOCERA MITA AMERICA INCORPORATED has a New Jersey State Contract for GSA/FSS Reprographics Schedule Use, Index Number T-2075 with the New

Jersey State Contract Number A53090 with Contract Dates, May 1, 2002 to December 31, 2009; and

WHEREAS, HERITAGE BUSINESS SYSTEMS, INCORPORATED, 1263 Glen Avenue, Moorestown, New Jersey 08057 is an authorized distributor for Kyocera Mita America, Incorporated; and

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

WHEREAS, the actual cost for the purchase of THREE (3) KM 5050 DIGITAL COPIERS, with ACCESSORIES, will not exceed \$22,509.00, for the County Clerk's Office; and

WHEREAS, funds are available for this purpose in Account No. 37-5007-100755 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the County of Burlington that a purchase order be awarded to KYOCERA MITA AMERICA INCORPORATED for THREE (3) KM 5050 DIGITAL COPIERS with ACCESSORIES, for the County Clerk's Office, in an amount not to exceed \$22,509.00.

- 30 **RESOLUTION NO. 738** by Director Donnelly, AUTHORIZATION TO PURCHASE COMPUTER SOFTWARE INCLUDING INSTALLATION, MAINTENANCE AND SUPPORT FOR THE TAX OFFICE IN THE AMOUNT OF \$54,968.00 FROM DELL MARKETING, LP AN AUTHORIZED VENDOR UNDER THE STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM.

WHEREAS, Burlington County has a need for the purchase of COMPUTER SOFTWARE to include INSTALLATION, MAINTENANCE AND SUPPORT, for the County Tax Office, from an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP: and

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

WHEREAS, Dell Marketing, LP, One Dell Way, Round Rock, TX, 78682, has a New Jersey State Contract for SOFTWARE LICENSE, MAINT., SUPPORT, Term Contract M-0003 with the New Jersey State Contract Number A72727; Contract Dates: November 1, 2008 to June 30, 2010; and

WHEREAS, the actual cost for the purchase of COMPUTER SOFTWARE to include INSTALLATION, MAINTENANCE AND SUPPORT, for the County Tax Office, will not exceed \$54,968.00; and

WHEREAS, funds are available for this purpose in Account No. 30-5213-000155, as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore be it

RESOLVED by the County of Burlington that a purchase order be awarded to Dell Marketing, LP, One Dell Way, Round Rock, TX, 78682, for the purchase of COMPUTER SOFTWARE, to include INSTALLATION, MAINTENANCE AND SUPPORT, for the County Tax Office, in an amount not to exceed \$54,968.00.

- 31 **RESOLUTION NO. 739** by Director Donnelly, AUTHORIZATION TO ADVERTISE FOR BIDS FOR PHARMACEUTICAL BENEFITS MANAGER FOR THE HUMAN RESOURCES DEPARTMENT.

WHEREAS, "PHARMACEUTICAL BENEFITS MANAGER 2010-2011" (RFP-10-0012), is to be contracted using competitive contracting; and

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

WHEREAS, "PHARMACEUTICAL BENEFITS MANAGER 2010-2011", is one of the specialized goods and/or services which may be procured through the use of the competitive contracting process as the operation, management or administration of social service programs, N.J.S.A. 40A:11-4.1b(2); and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington finds that the use of the competitive contracting process for the procurement of "PHARMACEUTICAL BENEFITS MANAGER 2010-2011", will be beneficial to the citizens of this County; now, therefore, be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the use of the competitive contracting process for the provision of "PHARMACEUTICAL BENEFITS MANAGER 2010-2011", (RFP-10-0012), is hereby authorized; and be it

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

FURTHER RESOLVED that the submissions of proposals titled "PHARMACEUTICAL BENEFITS MANAGER 2010-2011", (RFP-10-0012), will be publicly received in the Freeholder's Board Room on Tuesday, November 17, 2009 at 10:30 a.m. local prevailing time.

32 **RESOLUTION NO. 740** by Director Donnelly, RESOLUTION AUTHORIZING THE AWARD OF VARIOUS CONTRACTS FOR THE PURCHASING DEPARTMENT.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has authorized the solicitation of bids for certain contracts; and

WHEREAS, the County Purchasing Agent has publicly advertised for bids for said contracts and has received, opened and reviewed said bids with the appropriate Burlington County representatives; and

WHEREAS, all required certifications of the availability of funds for the award of contracts were approved, at the time or on an as needed basis, by the Chief Financial Officer; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that award of the contracts listed below are hereby approved and that the proper County Officials are hereby authorized, in accordance with the Rules of the Board, to accept the bid proposals and execute said contracts after all of the requirements of the bid specifications are met by the bidders, including, but not limited to, the submission of the required performance bond, insurance certificate and evidence of affirmative action compliance.

1. Bids were received on September 29, 2009, as authorized per Resolution #525 dated August 26, 2009 for the solicitation titled "ROCK SALT-SODIUM CHLORIDE AND CALCIUM CHLORIDE SOLUTION 2009-2011" (4-BUCCP-09085).

FOR LEAD AGENCY & CO-OPS MEMBERS

Oceanport, LLC
 PO Box 608
 Claymont, DE 19703-0608

Rock Salt (Year One).....\$56.64/ton.....	\$ 679,680.00
Rock Salt (Year Two).....\$56.64/ton.....	<u>\$ 679,680.00</u>
Estimated Amount of Award.....	\$1,359,360.00

Innovative Municipal Products, (US) Inc.
 PO Box 712
 Niagara Falls, NY 14302

Calcium Chloride Solution (Year One)..\$.95/gal....	..\$ 38,000.00
Calcium Chloride Solution (Year Two)..\$.99/gal.....	<u>\$ 39,600.00</u>
Estimated Amount of Award.....	<u>\$ 77,600.00</u>

TOTAL ESTIMATED AMOUNT OF AWARD.....\$ 1,436,960.00
 (NOTE: For Years One (1) & Two (2))

2. Bids were received on October 6, 2009, as authorized per Resolution #550 dated August 26, 2009 for the solicitation titled "TILE FLOORING FOR BUTTONWOOD HOSPITAL" (CPU-09-0093).

Hood Floors, Inc.
61 York Street
Lambertville, NJ 08530-2018

TOTAL LUMP SUM BID.....\$ 25,650.00

*** It was moved by Mr. Brown, seconded by Mr. Wujcik that the following two (2) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 741 and 742 adopted.

33 **RESOLUTION NO. 741** by Mr. Brown, APPROVAL TO SUBMIT APPLICATION TO THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FOR CONTINUATION GRANT FUNDING FOR MEGAN'S LAW UNIT IN THE AMOUNT OF \$12,503.00 ADMINISTERED THROUGH THE PROSECUTOR'S OFFICE.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington (hereinafter "Board" or "Applicant") on behalf of the Burlington County Prosecutor's Office (hereinafter "Prosecutor's Office") wishes to apply for grant funds in the amount of \$12,503.00, with a \$4,168.00 County match, for a total funding amount of \$16,671.00 for a project entitled "Megan's Law and Local Law Enforcement Assistance Component" in accordance with the Edward Byrne Memorial Justice Assistance Grant Program administered by the State of New Jersey through the Department of Law and Public Safety, Division of Criminal Justice: and

WHEREAS, such funds are to be used for law enforcement purposes associated with the operation of the "Megan's Law Unit"; and

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

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

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

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

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

34 **RESOLUTION NO. 742** by Mr. Brown, APPROVAL TO SUBMIT APPLICATION TO THE STATE FOR CONTINUATION FUNDING FOR SANE/SART IN THE AMOUNT OF \$67,655 SUPPORTED BY THE FEDERAL VICTIMS OF CRIME ACT ADMINISTERED THROUGH THE PROSECUTOR'S OFFICE.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington (hereinafter "Board" or "Applicant") on behalf of the Burlington County Prosecutor's Office (hereinafter "Prosecutor's Office") recognizes the impact of crime on victims of those crimes; and

WHEREAS, the Board in conjunction with Prosecutor's Office has recognized the need to support the State of New Jersey, County Sexual Assault Nurse examiners Project (SANE); and

WHEREAS, the Burlington County Prosecutor's Office wishes to apply to the State of New Jersey for continuation funding for the SANE/Sexual Assault Response Team

(SART) program in an amount up to \$67,655.00, with a County match in the amount of \$16,914.00, for a total funding amount of \$84,569.00; and

WHEREAS, this application is made pursuant to N.J.S.A. 52:4B-50, et seq. (P.L. 2001, c.81), enacted into law on May 04, 2001 and N.J.A.C. 13:37-9.1, et seq., implementing and enabling such program; and

WHEREAS, it is in the best interest of the Prosecutors Office and all residents of Burlington County to apply for these funds; now, therefore, be it

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

1. The Office of the Prosecutor is authorized to submit an application requesting funding to pay for a SANE/SART Program Coordinator for the Burlington County Prosecutor's Office; and
2. This application shall be subject to the appropriate legislation whereby the program will be enacted within each county; and
3. The County Prosecutor's Office and County Administrator's Office be authorized to sign any and all information and application necessary to apply for such funding; and
4. This application shall be submitted in accordance with the Rules of the Board.

*** It was moved by Mr. Haines, seconded by Mr. Wujcik that the following five (5) items be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 743 through 747 adopted.

35 **RESOLUTION NO. 743** by Mr. Haines, APPROVAL TO SUBMIT GRANT APPLICATION TO THE STATE DEPARTMENT OF HEALTH AND SENIOR SERVICES FOR THE 2010 AREA PLAN CONTRACT UPDATE FOR THE AMOUNT OF \$2,221,039 TO PROVIDE A VARIETY OF SERVICES FOR SENIOR COUNTY RESIDENTS ADMINISTERED THROUGH THE OFFICE ON AGING.

WHEREAS, the New Jersey State Department of Health, Division of Aging and Community Services has \$2,221,039.00 in State and Federal funding available to support the Office on Aging's program of services for the elderly residents of Burlington County for the period January 1, 2010 to December 31, 2010, subject to its receipt of an application from the Burlington County Board of Chosen Freeholders (the "Board"); and

WHEREAS, the Board wishes to render assistance to the elderly residents of Burlington County; and

WHEREAS, the Board is entitled to receive and expend monies from the State and Federal Government to meet the expenses of the Burlington County Office on Aging, pursuant to N.J.S.A. 40:23-6.42; now, therefore, be it

RESOLVED, that the attached application for fiscal year 2010 is hereby approved and authorized for submission to the New Jersey State Department of Health and Senior Services in accordance with the Rules of the Board; and, be it

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

36 **RESOLUTION NO. 744** by Mr. Haines, AGREEMENT WITH THE BURLINGTON COUNTY BAR ASSOCIATION IN THE AMOUNT OF \$70,000.00 FOR LEGAL SERVICES FOR THE OFFICE ON AGING.

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. 531 adopted on August 26, 2009 the Board authorized the Burlington County Office on Aging to advertise a Request for Proposal (RFP) seeking an Attorney, duly licensed in the State of New Jersey to provide legal assistance in connection with the Senior Citizen Lawyer Referral Program for the term of January 1, 2010 through December 31, 2010; and

WHEREAS, the Burlington County Bar Association offered to provide the needed services which constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contract Law; and

WHEREAS, the Burlington County Office on Aging received only one response which was from the Burlington County Bar Association, with offices at 45 Grant Street, Mount Holly, NJ 08060; and

WHEREAS, a designated review committee within the Burlington County Office on Aging has reviewed and evaluated the submission received in response to the RFQ and has found the Burlington County Bar Association meets all requirements of the RFP and is duly qualified; and

WHEREAS, the designated review committee negotiated and reached a tentative agreement as to terms with the Burlington County Bar Association, consistent and in accordance with the RFP; and

WHEREAS, the designated review committee has submitted its written report to the Board recommending that the Burlington County Bar Association be awarded a contract to perform the designated services; and

WHEREAS, the Board and the Burlington County Bar Association have come to agreement by which the provider will render its services on the terms and conditions specified in the proposed agreement, which agreement will be effective for the term January 1, 2009 through December 31, 2009 and may be summarized as follows:

<u>Provider</u>	<u>Services</u>	<u>Amount Not to Exceed</u>
Burlington County Bar Assoc.	Legal Services	\$70,000.00

and,

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

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the attached agreement for professional services with the Burlington County Bar Association for the term January 1, 2010 through December 31, 2010, is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnesses 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.

37 **RESOLUTION NO. 745** by Mr. Haines, AMENDMENT TO AGREEMENT WITH MOORESTOWN VISITING NURSE ASSOCIATION, INC. IN THE AMOUNT OF \$681.00 FOR THE MEDICATION MANAGEMENT PROGRAM DUE TO AN INCREASE IN TITLE IIID FUNDING FOR THE OFFICE ON AGING.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington entered into a contract entitled "MEDICATION MANAGEMENT-OFFICE ON AGING-2009" per Resolution number 981 dated December 30, 2008 with Moorestown Visiting Nurse Association, Inc., 300 Harper Drive, Moorestown, NJ 08057, for the period of January 1, 2009 through December 31, 2009, in the amount of \$4,420.00; and

WHEREAS, a change to the aforesaid contract has been determined to be necessary by the Burlington County Office on Aging; and

WHEREAS, Change Order Number One (1), represents an increase of \$681.00 due to an increase in federal funds, which brings the total contract amount to \$5,101.00, which represents an overall 15% increase to the original contract amount; and

WHEREAS, funds are available for this change in Account No. 14-5517-034909 as evidenced by the attached Certification of the Burlington County Chief Financial Officer; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that Change Order Number One (1) to the contract with Moorestown Visiting Nurse Association, Inc., copies of which are attached hereto, be and the same and is hereby approved; and, be it

FURTHER RESOLVED, that the attached Amendment to the Contract with Moorestown Visiting Nurse Association, Inc. is hereby approved and authorization for the said Amendment to be executed, sealed and attested in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED, that the County Administrator and the County Treasurer are hereby authorized to execute the Change Order.

- 38 **RESOLUTION NO. 746** by Mr. Haines, AMENDMENT TO AGREEMENT WITH THE TENDER, INC. IN THE AMOUNT OF \$11,631.00 FOR TITLE IIIIE RESPITE DAY CARE SERVICES FOR THE OFFICE ON AGING.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington entered into a contract entitled "Title IIIIE Respite Day Care Services-Office on Aging-2009" (RFP-08-0039) per Resolution No. 546 dated August 13, 2008 with The Tender, Inc., 16 East Main Street, Moorestown, NJ 08057, for the period of January 1, 2009 through December 31, 2009, in the amount of \$91,139.00; and

WHEREAS, a change to the aforesaid contract has been determined to be necessary by the Burlington County Office on Aging; and

WHEREAS, Change Order Number One (1), representing a decrease of \$3,325.00 due to a decrease in federal funds, was authorized on September 24, 2008 per Resolution No. 690; and

WHEREAS, Change Order Number Two (2), represents an increase of \$11,631 due to availability of carryover funds, which brings the total contract amount to \$99,445, which represents an overall 13.24% increase to the amended contract amount; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that Change Order Number Two (2) to the contract with The Tender, Inc., copies of which are attached hereto, be and the same and is hereby approved; and, be it

FURTHER RESOLVED, that the attached Amendment to the Contract with The Tender, Inc. is hereby approved and authorization for the said Amendment to be executed, sealed and attested in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED, that the County Administrator and the County Treasurer are hereby authorized to execute the Change Order.

- 39 **RESOLUTION NO. 747** by Mr. Haines, AMENDMENT TO AGREEMENT WITH THE TENDER, INC. IN THE AMOUNT OF \$11,631.00 FOR SSBG SOCIAL DAY CARE SERVICES FOR THE OFFICE ON AGING.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington entered into a contract entitled "SSBG Social Day care service-Office on Aging-2009" (RFP-08-0066) per Resolution No. 602 dated August 27, 2008 with The Tender, Inc., 16 East Main Street, Moorestown, NJ 08057, for the period of January 1, 2009 through December 31, 2009, in the amount of \$92,180.00; and

WHEREAS, a change to the aforesaid contract has been determined to be necessary by the Burlington County Office on Aging; and

WHEREAS, Change Order Number One (1), represents a decrease of \$11,631.00 due to a reallocation of funds, which brings the total contract amount to \$80,549.00, which represents an overall 12.6% decrease to the original contract amount; now, therefore, be it

RESOLVED, by the Board of Chosen Freeholders of the County of Burlington that Change Order Number One (1) to the contract with The Tender, Inc., copies of which are attached hereto, be and the same and is hereby approved; and, be it

FURTHER RESOLVED, that the attached Amendment to the Contract with The Tender, Inc. is hereby approved and authorization for the said Amendment to be executed, sealed and attested in accordance with the Rules of the Board; and, be it

FURTHER RESOLVED, that the County Administrator and the County Treasurer are hereby authorized to execute the Change Order.

*** It was moved by Mr. Wujcik, seconded by Mr. Brown that the following item be approved by unanimous consent. Mrs. Reinhart and Mr. Haines abstained from this item. Motion carried. Resolution No. 748 adopted.

40 **RESOLUTION NO. 748** by Mr. Wujcik, AUTHORIZATION FOR THE RELOCATION OF THE PRE-EXISTING NON AGRICULTURAL USE FOR THE FORMER JOHN JR. AND PATRICIA ALLEN FARM LOCATED IN SOUTHAMPTON TOWNSHIP PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM. Mrs. Reinhart and Mr. Haines abstained from this item.

*** It was moved by Mr. Haines, seconded by Mr. Wujcik that the following item be approved by unanimous consent. All in favor. Motion carried. Resolution No. 749 adopted.

41 **RESOLUTION NO. 749** by Mr. Haines, AUTHORIZATION FOR ADVERTISEMENTS FOR BIDS FOR INTERIM FARM LEASES FOR THE CALMON-BEENERS FARM, SPRINGFIELD TOWNSHIP AND ROWAN FARM, WESTAMPTON TOWNSHIP PURSUANT TO THE COUNTY'S FARMLAND PRESERVATION PROGRAM.

WHEREAS, the Burlington County Board of Chosen Freeholders (The Board) owns farmland that is described on the attachment hereto, which was purchased for recreation/open space preservation purposes; and

WHEREAS, until the Board is ready to develop this land for recreation/open space purposes the Board would like to maintain these lands in agricultural use and, for this reason, it is appropriate that sealed bids be solicited for one or more farming leases; now therefore be, it

RESOLVED, that the Burlington County Administrator, County Solicitor and Department of Resource Conservation are hereby authorized and directed to proceed with a solicitation for sealed bids for the farming of the properties described below for the specified terms; and, be it

FURTHER RESOLVED, as follows:

1. The solicitation for bids shall be on the terms and conditions stated in the bid solicitation and lease documents.
2. Notice of this bid solicitation shall be published in accordance with New Jersey Law.
3. The Board reserves the right to reject any and all bids
4. Proceeds from the farm leases shall be deposited in the Burlington County Open Space, Farmland and Historic Preservation Trust Fund.

<u>Farm Description</u>	<u>Approx. Acreage</u>	<u>Lease Termination</u>	<u>Min. Bid / Year</u>
Westampton Twp Blk 201 Lot 2	27	12/31/14 *	\$1,350
Springfield Twp Blk 1201 Lot 28.01	100	12/31/14 *	\$5,000

* Lease termination date is subject to a County right to renew for 3 additional 1-year extensions

*** It was moved by Mrs. Reinhart, seconded by Mr. Brown that the following thirteen (13) items be approved by unanimous consent. Motion carried. Resolution Nos. 750 through 762 adopted. It was also moved by Mrs. Reinhart and seconded by Mr. Brown that agenda item nos. 46, 47, and 48 be tabled. Motion carried. It was further moved by Mrs. Reinhart, seconded by Mr. Brown that agenda items 49 through 52 be adopted by unanimous consent. All in favor. Motion carried. Resolution Nos. 763 through 766 adopted.

42 **RESOLUTION NO. 750** by Mrs. Reinhart, AGREEMENT WITH ANGELO J. AIELLO, O.D. TO PROVIDE OPTOMETRY SERVICES FOR BUTTONWOOD HOSPITAL FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 AT NO COST TO THE COUNTY.

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, and Resolution No. 17 on January 12, 2005, which, respectively, instituted a competitive, quality-based, fair and open process for soliciting qualifications and/or proposals for professional services contracts and established procedures for obtaining said qualifications and/or proposals; and

WHEREAS, by Resolution No. 549, adopted on August 26, 2009, the Board authorized issuance of a Request for Qualifications (RFQ) for the purpose of obtaining optometrist services for residents/patients of Buttonwood Hospital of Burlington County ("Buttonwood") during 2010, which constitute "professional services" as defined in the Local Public Contract Law (the "Law"); and

WHEREAS, only one submission was received, from Dr. Angelo J. Aiello, who offered to provide the needed services; and

WHEREAS, a designated committee within Buttonwood reviewed and evaluated Dr. Aiello's submission, found that it satisfied all requirements of the RFQ/RFP and issued a written report, recommending that Dr. Aiello be awarded a contract to perform these services; and

WHEREAS, Buttonwood has reached agreement with Dr. Aiello with respect to the terms of a contract, consistent and in accordance with the RFQ/RFP, pursuant to which Dr. Aiello would be responsible for billing appropriate companies, agencies and entities for its services; and

WHEREAS, the Board has received, reviewed and approved Buttonwood's recommendation; now, therefore, the Board

RESOLVES as follows:

1. An agreement, as described above, approved as to form and content by the County Administrator and County Solicitor, is approved and its execution in accordance with the Rules of the Board is authorized.

2. This contract, which is for professional services, is awarded pursuant to a fair and open process.

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

43 **RESOLUTION NO. 751** by Mrs. Reinhart, AGREEMENT WITH FOOT CARE ASSOCIATES TO PROVIDE PODIATRY SERVICES FOR BUTTONWOOD HOSPITAL FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 AT NO COST TO THE COUNTY.

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, and Resolution No. 17 on January 12, 2005, which, respectively, instituted a competitive, quality-based, fair and open process for soliciting qualifications and/or proposals for professional services contracts and established procedures for obtaining said qualifications and/or proposals; and

WHEREAS, by Resolution No. 544, adopted on August 26, 2009, the Board authorized issuance of a Request for Qualifications (RFQ) for the purpose of obtaining podiatrist services for residents/patients of Buttonwood Hospital of Burlington County ("Buttonwood") during 2010, which constitute "professional services" as defined in the Local Public Contract Law (the "Law"); and

WHEREAS, submissions were received and Foot Care Associates, offered to provide the needed services; and

WHEREAS, a designated committee within Buttonwood reviewed and evaluated Foot Care Associates' submission, found that it satisfied all requirements of the RFQ/RFP and issued a written report, recommending that Foot Care Associates be awarded a contract to perform these services; and

WHEREAS, Buttonwood has reached agreement with Foot Care Associates with respect to the terms of a contract, consistent and in accordance with the RFQ/RFP, pursuant to which Foot Care Associates would be responsible for billing appropriate companies, agencies and entities for its services; and

WHEREAS, the Board has received, reviewed and approved Buttonwood's recommendation; now, therefore, the Board

RESOLVES as follows:

1. An agreement, as described above, approved as to form and content by the County Administrator and County Solicitor, is approved and its execution in accordance with the Rules of the Board is authorized.
2. This contract, which is for professional services, is awarded pursuant to a fair and open process.
3. Notice of this action shall be published in accordance with the requirements of the Law.

44 **RESOLUTION NO. 752** by Mrs. Reinhart, AGREEMENT WITH DIVERSIFIED DENTAL SERVICES TO PROVIDE DENTAL SERVICES FOR BUTTONWOOD HOSPITAL FOR THE PERIOD OF JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 IN THE AMOUNT OF \$4,800.00 PENDING CERTIFICATION OF 2010 FUNDS.

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, and Resolution No. 17 on January 12, 2005, which, respectively, instituted a competitive, quality-based, fair and open process for soliciting qualifications and/or proposals for professional services contracts and established procedures for obtaining said qualifications and/or proposals; and

WHEREAS, by Resolution No. 545, adopted on August 26, 2009, the Board authorized issuance of a Request for Qualifications (RFQ) for the purpose of obtaining dental services for residents/patients of Buttonwood Hospital of Burlington County ("Buttonwood") during 2010, which constitute "professional services" as defined in the Local Public Contract Law (the "Law"); and

WHEREAS, only one submission was received, from Diversified Dental Services, with offices in Berlin, New Jersey ("DDS") which offered to provide the needed services; and

WHEREAS, a designated committee within Buttonwood reviewed and evaluated DDS's submission, found that it satisfied all requirements of the RFQ and issued a written report, recommending that DDS be awarded a contract to perform these services; and

WHEREAS, the Board has received, reviewed and approved Buttonwood's recommendation; and

WHEREAS, Buttonwood has reached agreement with DDS with respect to the terms of a contract, consistent and in accordance with the RFQ/RFP, pursuant to which the Board would pay not more than \$4,800.00 for its services; and

WHEREAS, \$4,800.00 is anticipated to be available in the County's 2010 temporary and permanent budgets to fund this contract; now, therefore, the Board

RESOLVES as follows:

1. An agreement, as described above, approved as to form and content by the County Administrator and County Solicitor, is approved and its execution in accordance with the Rules of the Board is authorized.

2. This contract, which is for professional services, is awarded pursuant to a fair and open process.

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

45 **RESOLUTION NO. 753** by Mrs. Reinhart, AGREEMENT WITH ACULABS, INC. TO PROVIDE LABORATORY SERVICES FOR BUTTONWOOD HOSPITAL FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 IN THE AMOUNT OF \$30,000.00 PENDING CERTIFICATION OF 2010 FUNDS.

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. 547 adopted on August 26, 2009, the Burlington County Board of Chosen Freeholders ("the Board") authorized Buttonwood Hospital of Burlington County to advertise a Request for Qualifications (RFQ) seeking qualified medical laboratory service providers for the performance of the specified duties for the term of January 1, 2010 through December 31, 2010; and

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

WHEREAS, Buttonwood Hospital of Burlington County received only one response which was from Aculabs Inc., with offices at 2 Kennedy Boulevard, East Brunswick, NJ 08816-1248; and,

WHEREAS, a designated review committee within Buttonwood Hospital of Burlington County has reviewed and evaluated the submission received in response to the RFQ and has found Aculabs Inc. properly meets all requirements of the RFQ and is duly qualified; and

WHEREAS, the designated review committee negotiated and reached a tentative agreement as to terms with Aculabs Inc, consistent and in accordance with the RFQ; and

WHEREAS, the designated review committee has submitted its written report to the Burlington County Board of Chosen Freeholders recommending that Aculabs Inc, be awarded a contract to perform the designated medical laboratory services; and

WHEREAS, the Board and said medical laboratory services organization have come to agreement by which the provider will render its services on the terms and conditions specified in the proposed agreement, which agreement will be effective for the term January 1, 2010 through December 31, 2010 and may be summarized as follows:

<u>Provider</u>	<u>Services</u>	<u>Amount Not to Exceed</u>
Aculabs, Inc.	Laboratory Services	\$30,000.00

and,

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

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the attached agreement for professional services with Aculabs Inc, for the term January 1, 2010 through December 31, 2010, is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnesses 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.

46 **RESOLUTION NO. 754** by Mrs. Reinhart, AGREEMENT WITH MOBILEX USA TO PROVIDE RADIOLOGY SERVICES TO BUTTONWOOD HOSPITAL FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 IN THE AMOUNT OF \$15,000.00 PENDING CERTIFICATION OF 2010 FUNDS.

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. 548 adopted on August 26, 2009, the Burlington County Board of Chosen Freeholders ("the Board") authorized Buttonwood Hospital of Burlington County to advertise a Request for Qualifications (RFQ) seeking qualified radiology service providers duly licensed in the State of New Jersey for the performance of the specified duties for the term of January 1, 2010 through December 31, 2010; and

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

WHEREAS, Buttonwood Hospital of Burlington County received only one response which was from Mobilex USA, with offices at 101 Rock Road, Horsham, PA 19044; and,

WHEREAS, a designated review committee within Buttonwood Hospital of Burlington County has reviewed and evaluated the submission received in response to the RFQ and has found Mobilex USA properly meets all requirements of the RFQ and is duly qualified; and

WHEREAS, the designated review committee negotiated and reached a tentative agreement as to terms with Mobilex USA, consistent and in accordance with the RFQ; and

WHEREAS, the designated review committee has submitted its written report to the Burlington County Board of Chosen Freeholders recommending that Mobilex USA, be awarded a contract to perform the designated radiology services; and

WHEREAS, the Board and said radiology services provider have come to agreement by which the provider will render its services on the terms and conditions specified in the proposed agreement, which agreement will be effective for the term January 1, 2010 through December 31, 2010 and may be summarized as follows:

<u>Provider</u>	<u>Services</u>	<u>Amount Not to Exceed</u>
Mobilex, USA	Radiology Services	\$15,000.00

and,

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

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the attached agreement for professional services with Mobilex USA, for the term January 1, 2010 through December 31, 2010, is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnesses 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.

47 **RESOLUTION NO. 755** by Mrs. Reinhart, AGREEMENT WITH MARIE C. ROMMELL, RHIA, MEDICAL RECORDS CONSULTANT FOR BUTTONWOOD HOSPITAL FOR THE TERM JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 IN THE AMOUNT OF \$3,500.00 PENDING CERTIFICATION OF 2010 FUNDS.

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. 546 adopted on August 26, 2009, the Burlington County Board of Chosen Freeholders ("the Board") authorized Buttonwood Hospital of Burlington County to advertise a Request for Qualifications (RFQ) seeking qualified medical records administrator, duly registered in the State of New Jersey to provide medical records consulting services for the performance of the specified duties for the term of January 1, 2010 through December 31, 2010; and

WHEREAS, Marie C. Rommel, RHIA offered to provide the needed services which constitute "professional services" as defined in N.J.S.A. 40A:11-2(6), the Local Public Contract Law; and

WHEREAS, Buttonwood Hospital of Burlington County received only one response which was from Marie C. Rommel, RHIA, with offices at P. O Box 7226, Watchung, NJ 07069;
and,

WHEREAS, a designated review committee within Buttonwood Hospital of Burlington County has reviewed and evaluated the submission received in response to the RFQ and has found Marie C. Rommel, RHIA meets all requirements of the RFQ and is duly qualified; and

WHEREAS, the designated review committee negotiated and reached a tentative agreement as to terms with Marie C. Rommel, RHIA, consistent and in accordance with the RFQ; and

WHEREAS, the designated review committee has submitted its written report to the Burlington County Board of Chosen Freeholders recommending that Marie C. Rommel, RHIA, be awarded a contract to perform the designated medical records consulting; and

WHEREAS, the Board and said medical records consultant have come to agreement by which the provider will render its services on the terms and conditions specified in the proposed agreement, which agreement will be effective for the term January 1, 2010 through December 31, 2010 and may be summarized as follows:

<u>Provider</u>	<u>Services</u>	<u>Amount Not to Exceed</u>
Marie C. Rommel, RHIA	Medical Records Consultant	\$3,500.00

and,

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

RESOLVED, by the Burlington County Board of Chosen Freeholders, that the attached agreement for professional services with Marie C. Rommel, RHIA for the term January 1, 2010 through December 31, 2010, is hereby approved and authorization is hereby provided for the agreement to be executed, sealed and witnesses 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.

48 **RESOLUTION NO. 756** by Mrs. Reinhart, AGREEMENT WITH ELYSE TEPPER IN THE AMOUNT OF \$35,040.00 FOR CONTRACT TITLED "CONSULTANT PHARMACIST SERVICES FOR BUTTONWOOD HOSPITAL" FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010.

WHEREAS, the County of Burlington's Buttonwood Hospital has a need for Consultant Pharmacist 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 by Resolution #720 on September 12, 2007 for "CONSULTANT PHARMACIST SERVICES FOR BUTTONWOOD HOSPITAL" (RFP-07-0097); and

WHEREAS, the Administrator of Buttonwood Hospital recommended a contract be awarded for the proposal titled "CONSULTANT PHARMACIST SERVICES FOR BUTTONWOOD HOSPITAL" (RFP-07-0097), authorized by resolution #1034 dated December 12, 2007 to Elyse Tepper, 23 Stratford Lane, Mount Laurel, NJ 08054-1914, for an annual amount of \$32,120.00, for the contract period January 1, 2008 through December 31, 2008, with four (4) one-year options beginning January 1, 2009, expiring on December 31, 2012; and

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

WHEREAS, the Administrator of Buttonwood Hospital recommended to award a contract , for the Second (2) year, for the proposal noted above, authorized by resolution #823, dated November 12, 2008, to Elyse Tepper, 23 Stratford Lane, Mount Laurel, NJ 08054-1914, for an annual amount of \$33,580.00, for the contract period January 1, 2009 through December 31, 2009; and

WHEREAS, the Administrator of Buttonwood Hospital recommends to award a contract, for the Third (3) year, for the proposal noted above, to Elyse Tepper, 23 Stratford Lane, Mount Laurel, NJ 08054-1914, for an annual amount of \$35,040.00, for the contract period January 1, 2010 through December 31, 2010; and

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

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

RESOLVED by the Burlington County Board of Chosen Freeholders that a contract for "CONSULTANT PHARMACIST SERVICES FOR BUTTONWOOD HOSPITAL" (RFP-07-

0097) is hereby awarded, for the Third (3) year, to the above proposer, for an annual amount of \$35,040.00, for the contract period January 1, 2010 through December 31, 2010; 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.

- 49 **RESOLUTION NO. 757** by Mrs. Reinhart, AGREEMENT WITH MT. LAUREL PRIMARY CARE PHYSICIANS IN THE AMOUNT OF \$204,000.00 FOR CONTRACT TITLED "MEDICAL PHYSICIAN SERVICES/MEDICAL DIRECTOR OF LONG TERM CARE, BUTTONWOOD HOSPITAL 2008-2009".

WHEREAS, the County of Burlington's Buttonwood Hospital has a need for Medical Physician Services/Medical Director for the Long Term Care; 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 #721 On September 12, 2007 for "MEDICAL PHYSICIAN SERVICES/MEDICAL DIRECTOR FOR LONG TERM CARE, BUTTONWOOD HOSPITAL 2008-2009" (RFP-07-0107); and

WHEREAS, the Administrator of Buttonwood Hospital recommended that a Two (2) Year contract be awarded for the proposal titled "MEDICAL PHYSICIAN SERVICES/MEDICAL DIRECTOR FOR LONG TERM CARE, BUTTONWOOD HOSPITAL 2008-2009" (RFP-07-0107), authorized by resolution #933, dated November 14, 2007 to Mt. Laurel Primary Care Physicians, 1000 Birchfield Drive, Suite 1004, Mt. Laurel, NJ 08054, for an annual cost of \$188,000.00, for the contract period January 1, 2008 through December 31, 2008 and for an annual cost of \$196,000.00, for the contract period January 1, 2009 through December 31, 2009, with three (3) one-years options beginning January 1, 2010, expiring on December 31, 2012; and

WHEREAS, the County Administrator concurred with the recommendation to award a contract to Mt. Laurel Primary Care Physicians, for the annual amounts and contract period noted above; and

WHEREAS, the Administrator of Buttonwood Hospital recommends that a contract for "MEDICAL PHYSICIAN SERVICES/MEDICAL DIRECTOR FOR LONG TERM CARE, BUTTONWOOD HOSPITAL 2008-2009" (RFP-07-0107), be awarded to Mt. Laurel Primary Care Physicians, 1000 Birchfield Drive, Suite 1004, Mt. Laurel, NJ 08054, for an annual amount of \$204,000.00, for the contract period January 1, 2010 through December 31, 2010; and

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

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

RESOLVED by the Burlington County Board of Chosen Freeholders that a contract for "MEDICAL PHYSICIAN SERVICES/MEDICAL DIRECTOR FOR LONG TERM CARE, BUTTONWOOD HOSPITAL 2008-2009" (RFP-07-0107), for Buttonwood Hospital, is hereby awarded, for the Third (3) year, to the above proposer, for an annual amount of \$204,000.00, for the contract period January 1, 2010 through December 31, 2010; 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.

- 50 **RESOLUTION NO. 758** by Mrs. Reinhart, AUTHORIZATION TO ADVERTISE FOR BIDS FOR BEVERAGE SERVICES FOR BUTTONWOOD HOSPITAL 2010 THROUGH 2012.

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

BEVERAGE SERVICE FOR BUTTONWOOD HOSPITAL 2010-2012
(CPU-10-0003)

And, be it;

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

FURTHER RESOLVED that said bids will be publicly received in the Freeholder's Board Room on Tuesday, December 1, 2009 at 10:30 a.m. local prevailing time.

- 51 **RESOLUTION NO. 759** by Mrs. Reinhart, AGREEMENT WITH THE BURLINGTON COUNTY BOARD OF SOCIAL SERVICES IN THE AMOUNT OF \$10,290.00 TO PROVIDE SPECIAL INITIATIVES UNDER THE WORK FIRST NJ GRANT TO OVERCOME UNANTICIPATED EMERGENCY FINANCIAL BARRIERS TO EMPLOYMENT ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, pursuant to Resolution Number 613, adopted on September 9, 2009, the Board of Chosen Freeholders of the County of Burlington ("Board") has received funds from the State of New Jersey, Department of Human Services, for Burlington County's Work First New Jersey ("WFNJ") program; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, et seq., authorizes agreements between New Jersey governmental entities; and

WHEREAS, the Burlington County Board of Social Services ("BSS") is willing to provide "Emergency Expenses" services through the WFNJ program for the period July 1, 2009, through June 30, 2010; and

WHEREAS, the cost of services has been estimated to be \$10,290.00 and funds in this amount are available in account no. 14-5778-053709, as evidenced by the certification of the County's Chief Financial Officer filed herewith; now, therefore, the Board

RESOLVES that an agreement with the BSS, specifying the terms and conditions for BSS's services, approved as to form and content by the County Administrator and County Solicitor, is approved and its execution in accordance with the Rules of the Board is authorized.

- 52 **RESOLUTION NO. 760** by Mrs. Reinhart, CHANGE ORDER NO. 3 WITH EASTER SEALS OF NJ IN THE AMOUNT OF \$38,086.00 FROM UNALLOCATED STATE FUNDS FOR EXTRA SERVICES PROVIDED ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, Resolution no. 2006-863, adopted by the Burlington County Board of Chosen Freeholders ("Board") on October 11, 2006, authorized the use of the competitive contracting procedures provided by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the "Law"), for the procurement of personal assistance ("p/a") services and the issuance of RFP-06-0102; and

WHEREAS, pursuant to Resolution no. 2006-1058, adopted on December 13, 2006, the Board entered into a contract with Easter Seals of New Jersey ("ESNJ"), by which ESNJ agreed to provide p/a services for calendar years 2007, 2008 and 2009, which contract provided for a maximum amount payable of \$421,515.00 for that period; and

WHEREAS, by Resolution no. 2007-864, adopted on October 24, 2007, the Board authorized Change Order Number One to said contract, which increased the amount payable by \$30,000.00, a net increase of 7.12 percent to the contract amount, resulting in a new maximum amount payable of \$451,515.00; and

WHEREAS, by Resolution no. 2008-763, adopted on October 8, 2008, the Board authorized Change Order Number Two to said contract, which increased the amount payable by \$51,531.00, a net increase of 19.34 percent, resulting in a new maximum amount payable of \$503,046.00; and

WHEREAS, the Board has approved the recommendation of the Administrator of the County's Human Services Office that the amount payable to ESNJ be increased by

\$38,086.00 to compensate it for extra services provided due to demand, which amount constitutes a net increase of 28.38 percent to the original maximum amount payable, resulting in a new maximum amount payable of \$541,132.00; and

WHEREAS, \$38,086.00 is available in Account No. 14-5760-056009, as evidenced by the certification of the County's Chief Financial Officer filed herewith, now therefore, the Board

RESOLVES as follows:

1. Change Order Number Three, as described above, is approved and its execution in accordance with the Rules of the Board is authorized.
2. Notice of this action shall be published in accordance with the requirements of the Law and regulations adopted pursuant thereto.

53 **RESOLUTION NO. 761** by Mrs. Reinhart, CHANGE ORDER NO. 5 WITH GITHENS CENTER NJ IN THE AMOUNT OF \$142,836.00 FROM UNALLOCATED STATE FUNDS FOR ADDITIONAL SERVICES PROVIDED ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, Resolution no. 2006-863, adopted by the Burlington County Board of Chosen Freeholders ("Board") on October 11, 2006, authorized the use of the competitive contracting procedures provided by the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. (the "Law"), for the procurement of personal assistance services ("p/a services") and the issuance of RFP-06-0102; and

WHEREAS, pursuant to Resolution no. 2006-1058, adopted on December 13, 2006, the Board entered into a contract with the Burlington County Cerebral Palsy Association, Inc., t/a Githens Center (hereafter, "Githens"), for Githens' provision of p/a services for the period January 1, 2007, through December 31, 2009, which contract provided for a maximum amount payable of \$536,475.00; and

WHEREAS, by Resolution no. 865, adopted on October 24, 2007, the Board authorized Change Order Number One to said contract, which increased the amount payable by \$35,000.00, constituting a net increase of 6.52 percent and resulting in a new maximum amount payable of \$571,475.00; and

WHEREAS, by Resolution no. 249, adopted on April 9, 2008, the Board authorized Change Order Number Two to said contract, which increased the amount payable by \$7,207.18, constituting a net increase of 7.87 percent and resulting in a new maximum amount payable of \$578,682.18; and

WHEREAS, by Resolution no.764, adopted on October 8, 2008, the Board authorized Change Order Number Three to said contract, which increased the amount payable by \$87,741.00, constituting a net increase of 24.22 percent and resulting in a new maximum amount payable of \$666,423.18; and

WHEREAS, by Resolution no. 165, adopted on March 25, 2009, the Board authorized Change Order Number Four to said contract, increasing the amount payable by \$17,047.88, constituting a net increase of 27.40 percent and resulting in a new maximum amount payable of \$683,471.06; and

WHEREAS, the Board has reviewed and approved the recommendation of the Administrator of the County's Human Services office that the amount payable to Githens be increased by \$142,836.00 to compensate Githens for additional 2009 services using unallocated 2009 State funds, which amount, with prior increases, constitutes an increase of 54.03 percent to the original maximum payable, resulting in a new maximum amount payable of \$826,307.06; and

WHEREAS, \$142,836.00 is available in Account No. 14-5760-056009, as evidenced by the Certification of Burlington County's Chief Financial Officer filed herewith; now therefore, the Board

RESOLVES as follows:

1. Change Order Number Five, as described above, is approved and its execution in accordance with the Rules of the Board is authorized.

2. Notice of this action shall be published in accordance with the requirements of the Law and regulations adopted pursuant thereto.

- 54 **RESOLUTION NO. 762** by Mrs. Reinhart, FOURTH AMENDMENT TO AGREEMENT WITH VIRTUA HOME CARE/COMMUNITY NURSING SERVICES FOR ADDITIONAL ACCELERATED IMMUNIZATION CLINICS FOR H1N1 PANDEMIC INFLUENZA AND SEASONAL INFLUENZA ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

Whereas, the New Jersey Department of Health and Senior Services (the "State") will be allocating funds provided by the Centers for Disease Control ("CDC") for Public Health Emergency Response in Burlington County so that the Burlington County Board of Chosen Freeholders ("Board") can provide an accelerated vaccination campaign for H1N1 Pandemic influenza; and

Whereas, the County Health Department ("Department") is currently making plans to immunize the targeted populations, as designated by CDC, particularly children, pregnant women, health care workers and certain age individuals with underlying conditions in the first phase of its immunization campaign; and

Whereas, the Board has a contract with Virtua Home Care/Community Nursing Services ("CNS"), as authorized by Resolution Nos. 2006-523, adopted on June 28, 2006, and No. 2008-952, adopted on December 10, 2008, pursuant to which CNS provides nurses to staff public health clinics; and

Whereas, the Department has consulted with CNS about its ability to satisfy the County's demand for the vaccination campaign and CNS has reported that it will need to hire additional temporary per diem registered nurses to be available from mid-October 2009 through March 2010 at the rate of \$54.50 per hour to staff the accelerated vaccination campaign and the Department has recommended that the Board allocate funding of \$92,187.50 to an amendment to the Board's contract with CNS; and

WHEREAS, \$92,187.50 is available in account no. 14-5846-032209 to fund an increase in the amount payable to CNS to provide for the County's demand for additional nurses; now, therefore, the Board

Resolves that a fourth amendment to the Board's contract with CNS, as described above, is approved and its execution in accordance with the Rules of the Board is authorized.

- 55 **AGENDA ITEM NO. 46** by Mrs. Reinhart, AGREEMENT WITH DAVID ZELNICK, V.M.D. FOR VETERINARIAN OF RECORD AND VETERINARIAN SERVICES AND AGREEMENT WITH ACE OF SPAYS, LLC FOR VETERINARIAN SERVICES FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010 FOR CONTRACT TITLED "VETERINARIAN OF RECORD FOR BURLINGTON COUNTY ANIMAL SHELTER". **This item was tabled.**

- 56 **AGENDA ITEM NO. 47** by Mrs. Reinhart, AGREEMENT WITH ACE OF SPAYS FOR CONTRACT TITLED "VETERINARIAN SERVICES FOR BURLINGTON COUNTY ANIMAL SHELTER" FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010. **This item was tabled.**

- 57 **AGENDA ITEM NO. 48** by Mrs. Reinhart, AGREEMENT WITH DAVID ZELNICK, V.M.D. FOR CONTRACT TITLED "SURGICAL VETERINARIAN SERVICES FOR BURLINGTON COUNTY ANIMAL SHELTER" FOR THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010. **This item was tabled.**

- 58 **RESOLUTION NO. 763** by Mrs. Reinhart, AGREEMENTS WITH PARTICIPATING MUNICIPAL ALLIANCE MUNICIPALITIES FOR 2009 FOR ACTIVITIES GEARED TOWARDS PREVENTION OF ALCOHOL OR DRUG ABUSE FUNDS FROM THE NEW JERSEY GOVERNOR'S COUNCIL ON ALCOHOLISM AND DRUG ABUSE ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, by Resolution No. 956, adopted December 10, 2008, the Burlington County Board of Chosen Freeholders ("Board") approved the 2009 Burlington County Municipal Alliance Plan; and

WHEREAS, by Resolution No. 296, adopted on May 27, 2009, the Board approved execution of a Letter of Agreement with the New Jersey Governor's Council on Alcoholism and Drug Abuse (the "Governor's Council") by which the Governor's Council will disburse \$489,879.00 to the County for calendar year 2009; and

WHEREAS, the grant funds paid to the County are to be disbursed to Burlington County municipalities which have formed Municipal Alliance Committees, whose proposals have been approved for grants by the Governor's Council; and

WHEREAS, a portion of the grant funds are proposed for use as follows:

Training / Workshops / Events	\$ 757.00
Countywide Prevention Program	\$ 3,000.00
Municipal Alliance Coordination	\$73,482.00; and

WHEREAS, agreements specifying the terms of grant funds use are needed with the following in the amounts stated; and

Bass River Twp.	\$ 3,000.00
Beverly City	\$ 3,000.00
Bordentown Twp. / Bordentown City	\$22,900.00
Burlington City	\$16,700.00
Burlington Twp.	\$10,000.00
Chesterfield Twp.	\$13,000.00
Cinnaminson Twp.	\$18,000.00
Delran Twp.	\$12,000.00
Edgewater Park Twp.	\$ 3,000.00
Evesham Alliance	\$17,500.00
Florence Twp.	\$ 3,000.00
Maple Shade Twp.	\$24,000.00
Medford Lakes Bor.	\$10,000.00
Medford Twp.	\$20,000.00
Moorestown Twp.	\$18,000.00
Mt. Laurel Twp.	\$22,000.00
New Hanover Twp. / Wrightstown Bor.	\$21,000.00
North Hanover Twp.	\$11,500.00
Palmyra Bor.	\$17,200.00
Pemberton Bor.	\$ 9,500.00
Pemberton Twp.	\$21,000.00
Riverside Twp. / Delanco Twp.	\$19,000.00
Shamong Twp.	\$20,300.00
Southampton Twp.	\$ 3,000.00
Springfield Twp.	\$12,800.00
Tabernacle Twp.	\$12,840.00
Washington Twp.	\$ 5,400.00
Westampton Twp. / Mt. Holly Twp. / Lumberton Twp. / Hainesport Twp. & Eastampton Twp.	\$43,000.00

WHEREAS, funds in the amounts reported above are available for the agreements in the accounts reported below, as evidenced by the certification of Burlington County's Chief Financial Officer filed herewith:

Bass River Twp.	14-5774-060109
Beverly City	14-5774-060209
Bordentown City & Twp.	14-5774-060409
Burlington City	14-5774-060509
Burlington Twp.	14-5774-060609
Chesterfield Twp.	14-5774-060709
Cinnaminson Twp.	14-5774-060809
Delran Twp.	14-5774-061009
Edgewater Park Twp.	14-5774-061209
Evesham Twp.	14-5774-061309
Florence Twp.	14-5774-061509
Maple Shade Twp.	14-5774-061909
Medford Lakes Bor.	14-5774-062109
Medford Twp.	14-5774-062009
Moorestown Twp.	14-5774-062209
Mount Laurel Twp.	14-5774-062409
New Hanover / Wrightstown	14-5774-062509
North Hanover Twp.	14-5774-062609
Palmyra Bor.	14-5774-062709
Pemberton Bor.	14-5774-062809
Pemberton Twp.	14-5774-062909
Riverside/Delanco	14-5774-063009

Shamong Twp.	14-5774-063209
Southampton Twp.	14-5774-063309
Springfield Twp.	14-5774-063409
Tabernacle Twp.	14-5774-063509
Washington Twp.	14-5774-063609
Westampton, Mt. Holly, Lumberton, Eastampton & Hainesport RCASA	14-5774-063709

Now, therefore, the Board

RESOLVES that the above-described agreements, approved as to form and content by the County Administrator and County Solicitor, are approved and their execution in accordance with the Rules of the Board is authorized.

59 **RESOLUTION NO. 764** by Mrs. Reinhart, APPROVAL TO SUBMIT THE COMPREHENSIVE ALCOHOL AND DRUG ABUSE PLAN FOR 2010 TO THE STATE DEPARTMENT OF HUMAN SERVICES FOR A GRANT IN THE AMOUNT OF \$838,841.00 DESIGNATED FOR TREATMENT SERVICES ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, the New Jersey Department of Human Services (“DHS”) has reported willingness to make a grant of \$838,841.00 to the County of Burlington to support the County’s Comprehensive Alcohol Program, operated by the Office of Human Services, Alcohol and Drug Abuse Unit within the County Health Department for the 2010 calendar year; and

WHEREAS, in order to secure this grant the County must file an application with DHS and submit a Comprehensive Alcoholism and Drug Abuse Plan for 2010; and

WHEREAS, the Burlington County Local Advisory Committee on Alcoholism and Drug Abuse has reviewed a proposed 2010 Plan and Grant Application and has recommended them to the Burlington County Board of Chosen Freeholders (“Board”); and

WHEREAS, the Board has reviewed the plan and application and approves them; now therefore, the Board

RESOLVES as follows:

1. The above-described 2010 Comprehensive Alcohol and Drug Abuse Plan and Application are hereby approved and are authorized to be submitted to DHS.
2. On the State’s approval of said Application, and after review and approval by the County Solicitor, an Agreement between the Board and DHS implementing the terms of the grant is authorized to be executed in accordance with the Rules of the Board.

60 **RESOLUTION NO. 765** by Mrs. Reinhart, , APPROVAL TO SUBMIT APPLICATION TO THE STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR APPROVAL OF THE CONTINUATION OF THE SOLID WASTE ENFORCEMENT FEE OF \$0.10 PER CUBIC YARD ADMINISTERED THROUGH THE HEALTH DEPARTMENT.

WHEREAS, N.J.S.A. 13:1E-9(a) and N.J.A.C. 7:26-4.8 authorize county health departments to charge and collect fees that have been established by county governing body resolution from the owners and operators of sanitary landfill facilities within their jurisdiction for the purpose of funding solid waste control enforcement activities; and

WHEREAS, in prior years the New Jersey Department of Environmental Protection (“DEP”), which has the right of approval over such fees, has approved the assessment of a ten-cent levy on each cubic yard of waste accepted for disposal at sanitary landfill facilities in Burlington County and the Burlington County Health Department (the “Department”) has utilized revenues generated by the levy to fund solid waste disposal inspection and investigation activities; and

WHEREAS, the Department has recommended that Board of Chosen Freeholders of the County of Burlington (“Board”) again approve the assessment of this levy in 2010 for the protection of the physical environment of Burlington County residents; and

WHEREAS, the Board has reviewed the Department's recommendation and believes that the assessment should continue in order to support the Department's activities; now, therefore, the Board

RESOLVES as follows:

1. A fee of ten cents per cubic yard (\$0.33 per ton) on all waste presented for disposal at all sanitary landfill facilities in Burlington County during the year 2010 is approved.
2. Application shall be made to the DEP for its review and approval of this proposed assessment.
3. The Department shall prepare and submit a report for the County Administrator's approval detailing the Department's inspection and investigation activities and projected future needs of the Department, which report shall be submitted to the DEP for its review.

61 **RESOLUTION NO. 766** by Mrs. Reinhart, AUTHORIZATION TO ADVERTISE FOR BIDS FOR SOCIAL SERVICES FOR THE HOMELESS FOR THE HEALTH/HUMAN SERVICES DEPARTMENT.

WHEREAS, SOCIAL SERVICES FOR THE HOMELESS 2010-2011 (RFP-09-0089) is to be contracted using competitive contracting; and

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

WHEREAS, SOCIAL SERVICES FOR THE HOMELESS 2010-2011 is one of the specialized goods and/or services which may be procured through the use of the competitive contracting process as the operation of a social service program, N.J.S.A. 40A:11-4.1(b)(2); and

WHEREAS, the Board of Chosen Freeholders of the County of Burlington finds that the use of the competitive contracting process for the procurement of Social Services will be beneficial to the citizens of this County; now, therefore be it

RESOLVED by the Board of Chosen Freeholders of the County of Burlington that the use of the competitive contracting process for the provision of Social Services is hereby authorized; and, be it

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

RESOLVED that a Pre-Proposal conference will be held for all proposers in the Freeholder's Board Room, on Thursday, November 12, 2009 at 10:00 a.m.; and, be it

FURTHER RESOLVED that the submissions of proposals for SOCIAL SERVICES FOR THE HOMELESS 2010-2011, (RFP-09-0089), will be publicly received in the Freeholder's Board Room on Tuesday, December 1, 2009 at 10:30 a.m. local prevailing time.

*** It was moved by Mr. Wujcik, seconded by Mr. Haines that the following item be approved by unanimous consent. All in favor. Motion carried. Resolution Nos. 767 adopted.

62 **RESOLUTION NO. 767** by Mr. Wujcik, AUTHORIZATION TO PURCHASE SOFTWARE MAINTENANCE FOR THE EXISTING PROPRIETARY COMPUTER SOFTWARE FROM ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE IN AN AMOUNT NOT TO EXCEED \$34,884.90 FOR THE DEPARTMENT OF INFORMATION TECHNOLOGY.

WHEREAS, the Board of Chosen Freeholders of the County of Burlington has a need to acquire proprietary SOFTWARE MAINTENANCE for existing proprietary computer software, for the period of December 27, 2009 through December 26, 2010. This maintenance agreement is necessary to conduct the affairs of the Burlington County Information Technology Department; and

WHEREAS, said proprietary maintenance services are exempt from public bidding by N.J.S.A. 40A:11-5(1)(dd); and

WHEREAS, the Burlington County Director of Information Technology has prepared a written certification, which is attached, certifying that the Request for Authorization to Purchase is for the provision or performance of goods and/or services for the maintenance and support of existing proprietary equipment hardware and/or software. And that the hardware and/or software to be purchased is proprietary because they are goods or services of a specialized nature, that are made or marketed by a person or persons having the exclusive right to make or sell them; and

WHEREAS, Environmental Systems Research Institute, (ESRI), 380 New York Street, Redlands, CA, 92373, has submitted a proposal dated September 9, 2009, indicating they will provide said proprietary maintenance services for an amount not to exceed THIRTY-FOUR THOUSAND, EIGHT HUNDRED, EIGHTY-FOUR DOLLARS and 90/100 (\$34,884.90), for the contract period of December 27, 2009 thru December 26, 2010, Contract Number FAO-09-0012; and

WHEREAS, Environmental Systems Research Institute, (ESRI), has completed and submitted a Certification Concerning Political Contributions pursuant to P.L. 2005, Chapter 271, in accordance with N.J.S.A. 19:44A-20.26, reporting that it made no political contributions, expenditures or other things of value to any political party or political committee during the twelve months prior to submission of the Certification and has completed and submitted a Stockholder Disclosure Certification; and

WHEREAS, in accordance with N.J.S.A. 19:44-20.8, Environmental Systems Research Institute, (ESRI) is precluded from making any such reportable contribution during the term of the contract to any County Committee of a political party in Burlington County, if a member of that political party is serving in the elective public offices of Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract was awarded or to any candidate committee of any person serving as Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract was awarded, or to any candidate committee of any person serving as Burlington County Freeholder, Burlington County Clerk, Burlington County Sheriff or Burlington County Surrogate when the contract was awarded; and

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

WHEREAS, the actual cost for the purchase of the proprietary Software Maintenance agreement will not exceed THIRTY-FOUR THOUSAND, EIGHT HUNDRED, EIGHTY-FOUR DOLLARS and 90/100 (\$34,884.90); and

WHEREAS, funds are available for this purpose in Account No.10-0019-033709 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 proper County Officials are hereby authorized to enter into the attached maintenance agreement as described herein with Environmental Systems Research Institute, (ESRI), 380 New York Street, Redlands, CA, 92373, in accordance with the Rules of the Board; and be it

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

63 PUBLIC COMMENTS.

- 1) Various employees from the Board of Social Services spoke regarding safety concerns in the building and the time of the Board of Social Services meetings.
- 2) Richard Dow, Mt. Holly Township addressed the Board regarding tax relief in the budget and cross walks on High Street.
- 3) Linda Lovendusky, Springfield Township addressed the Board regarding Rt. 669 and Rt. 670.

64 QUESTIONS FROM THE PRESS.

Daniele Camili, Burlington County Times, asked for clarification on Mr. Brown's no vote on Bond Ordinance No. 671-09.

65 COMMENTS BY FREEHOLDERS.

1) Mr. Brown gave his condolences for the juvenile from Rancocas Valley High School who passed away. Mr. Brown reminded everyone to vote on November 3, 2009.

2) Mrs. Reinhart spoke about the H1N1 flue and commended the Health Department for their performance and reminded everyone about the up coming clinics on Nov. 6, 13, and 20.

3) Mr. Wujcik spoke regarding Bond Ordinance 671-09 and the Police Academy. Mr. Wujcik also thanked Mr. Weinstein for his efforts regarding Pancreatic Cancer.

66 It was moved by Mrs. Reinhart seconded by Mr. Brown, that the meeting be adjourned. All in favor. Motion carried.

Respectfully submitted,

Augustus M. Mosca
County Administrator/Board Clerk