

## **BURLINGTON COUNTY BRIDGE COMMISSION**

### **MEETING MINUTES**

**SEPTEMBER 14, 2010**

Chairman Comegno called the meeting to order. He called for the Compliance Statement to be read by the Secretary as follows:

“This meeting is to be conducted in accordance with notice requirements of P.L. 1975, CH. 231. A ‘Notice of Meeting’ was posted in a public place on November 10, 2009 at the entrance to the Administration Building, Headquarters of this Commission, with copies of such notice being delivered to the Camden Courier Post and Burlington County Times for publication and posted on the Burlington County Bridge Commission Website.”

Commissioners Present: Chairman John B. Comegno II  
Vice Chairwoman Priscilla B. Anderson  
Commissioner Troy E. Singleton

Others Present: John D. Jeffers, Executive Director  
Christine Nociti, CFO/Compliance Officer, Treasurer  
Marie Ozalis, Secretary  
Carmen Saginario, Solicitor  
Elizabeth Verna, Director of Communications  
Clara Ruvolo, Director, Palmyra Cove Nature Park  
Stanley Ozalis, Operations Manager, Technical Operations  
Phillip Adams, Operations Manager, Burlington-Bristol Bridge  
Constance Borman, Human Resource Director  
Mark Remsa, Director of Economic Development and  
Regional Planning  
Scott Greenwald, Purchasing Agent  
Michele Chiemiego, Administrative Assistant  
David Leh, Accountant  
Ellen Blau, Human Resources Assistant  
Nancy Johnson, Payroll  
Kathleen Wiseman, Executive Secretary  
Russell Adams, Maintenance Superintendent  
Ed Fox, Regional Planning Coordinator  
Lieutenant John Stefanoni, Police Department  
Larry Egan, Pennoni Engineering  
Steve Ryan, Bowman & Company  
Freeholder Mary Anne Reinhart  
Sascha Harding, Pennoni Engineering

Chairman Comegno led the flag salute followed by a moment of silence.

## **APPROVAL OF THE MINUTES**

Chairman Comegno asked for a motion to adopt the minutes of the meeting held August 12, 2010. Vice Chairwoman Anderson moved to adopt the minutes as presented. Commissioner Singleton seconded the motion. The motion passed unanimously.

## **DISBURSEMENTS LIST**

Chairman Comegno asked for a motion to approve the payment of disbursements made from August 12, 2010 through September 14, 2010. Vice Chairwoman Anderson moved to approve the Disbursements List as presented. Commissioner Singleton seconded the motion. The motion passed with the following abstentions: Chairman Comegno abstained from Voucher Numbers 10-02204, 10-02206, 10-02207, 10-02363, 10-02364, and 10-02366. Commissioner Singleton abstained from Voucher Numbers 10-02300, 10-02225, 10-02337, 10-02394, 10-02197, 10-02216 and 10-02227.

### Chairman Comments:

Chairman Comegno offered congratulations to the department heads and finance department on the approval by the Department of Community Affairs of the Commission's 2010 to 2011 budget. No changes were made to the flat budget providing no toll increase for the tenth consecutive year due to the hard work and sacrifices we continue to take. Vice Chairwoman Anderson added her congratulations to the Commission staff for avoiding a toll increase helping to keep tollpayers' costs down while still providing safe bridges. Commissioner Singleton echoed the comments made adding the Commission's ability to put people back to work while continuing to keep tolls flat for a decade offering his gratitude to the finance team.

## **RESOLUTION No. 2010-75**

### **RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION ADOPTING THE 2011 BUDGET FOR THE FISCAL YEAR PERIOD: OCTOBER 1, 2010 TO SEPTEMBER 30, 2011.**

**WHEREAS**, the Annual Budget and Capital Budget Program for the Burlington County Bridge Commission for the fiscal year period beginning October 1, 2010 and ending September 30, 2011 has been presented for adoption before the governing body of the Burlington County Bridge Commission at its meeting of September 14, 2010; and

**WHEREAS**, the Annual Budget and Capital Budget Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

**WHEREAS**, the Annual Budget as presented for adoption reflects Total Revenues of \$27,952,731; Total Appropriations of \$27,952,731 and Total Unrestricted Net Assets utilized of \$0; and

**WHEREAS**, the Capital Budget Program as presented for adoption reflects Total Appropriations of \$40,535,000 and Total Unrestricted Net Assets utilized of \$40,535,000:

**NOW, THEREFORE BE IT RESOLVED**, by the governing body of the Burlington County Bridge Commission, at an open public meeting held on September 14, 2010, that the Annual Budget and Capital Budget Program of the Burlington County Bridge Commission for the fiscal year period beginning October 1, 2010 and ending September 30, 2011, is hereby adopted and shall constitute an appropriation for the purposes stated; and

**BE IT FURTHER RESOLVED**, that the Annual Budget and Capital Budget Program as presented for adoption reflects each item of revenue and appropriation in the same amount and title as set forth in the introduced and approved budget, including all amendments thereto, if any, which have been approved by the Director of the Division of Local Government Services; and

**BE IT FURTHER RESOLVED**, that in furtherance of its ongoing commitment to continue to provide safe, affordable, and efficient bridges and facilities, the Commission hereby declares there will be no toll increase during this fiscal year period.

---

(Secretary)

---

September 14, 2010

(date)

Recorded Vote

Member	Aye	Nay	Abstain	Absent
John B. Comegno II	X			
Priscilla B. Anderson	X			
Troy E. Singleton	X			

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

Chairman Comegno continued with opening remarks discussing the Greenbacks to Go Green Program to help Burlington County residents receive full reimbursement for energy audit costs. The Economic Development team has been noting changes along the way and how it affects municipalities, school districts and others in the county. A press release is being issued by the Freeholders today along with a mailing distribution. The Commission is proud of the work by the Freeholders and want to assist all local agencies in their efforts to conserve energy.

Congratulations were extended by the Chairman to the Police, and Maintenance staff at the Burlington Bristol Bridge concerning the recent accident on the Burlington Bristol Bridge which closed the span for four hours. Special thanks were extended to Liz Verna, Director of Communications, and Pat Reilly, Director of Public Safety and Security, for their efforts during this difficult crisis as well as all members of our Police Department. Kraig Adams' Maintenance staff and Bobby Rein's Tolls Department were thanked for their exceptional help in redirecting motorists and maintaining traffic flow along with direction from the Executive Director.

Executive Director Jeffers echoed the Chairman's comments emphasizing the phenomenal job performed under unfortunate circumstances. From the minute the call went out everybody reacted quickly and positively. He added his appreciation to Christine Nociti and the transition to the Edmunds Finance software which assisted with budget creation and provided department heads with access to their individual budgets. Mrs. Nociti extended thanks to the finance department for all their efforts and teamwork.

### **EXECUTIVE DIRECTOR'S REPORT**

The Commission considered the following resolutions:

#### **RESOLUTION NO. 2010-76**

#### **RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AWARDING A CONTRACT FOR DEICING PRODUCT FOR THE COMMISSION'S BRIDGES AND ROADWAYS.**

**WHEREAS**, the Burlington County Bridge Commission ("Commission") requires a vendor to provide deicing product with corrosion/scaling inhibitors for use in inclement weather; and

**WHEREAS**, bids were received and opened by the Purchasing Agent on September 9, 2010; and

**WHEREAS**, the only bid received for this solicitation was from Cargill, Inc. ("Cargill") in the amount of One Hundred, Eighty Two Dollars and Eighty Seven Cents (\$182.87) per ton, and it has been determined that Cargill's product meets all technical characteristics and criteria of the required product; and

**WHEREAS**, this price represents no increase over the previous contract price;  
and

**WHEREAS**, since the deicing product will be purchased in fiscal year 2011, therefore sufficient funds will be made available and encumbered upon adoption and implementation of the fiscal year 2011 operating and capital budgets:

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

1. The Burlington County Bridge Commission hereby awards a contract for Deicing Product with Corrosion/Scaling Inhibitors (BCBC-201011) to Cargill, and the Executive Director and the Secretary of the Bridge Commission are hereby authorized to execute a contract with Cargill.
2. The maximum amount of this contract shall not exceed One Hundred, Eighty Two Dollars and Eighty Seven Cents (\$182.87) per ton for deicing product with corrosion/scaling inhibitors provided in accordance with the awarded contract.
3. The contract shall extend from October 1, 2010 to and until September 30, 2011.

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. Purchasing Agent Scott Greenwald confirmed to the Commission this bid came in with the same good price as last year with no increase. The motion passed unanimously.

**RESOLUTION NO. 2010-77**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AWARDING A CONTRACT TO CARR & DUFF, INC. FOR THE  
REPLACEMENT AND ADDITION OF FESTOON CABLES FOR THE  
BURLINGTON BRISTOL BRIDGE.**

**WHEREAS**, the Burlington County Bridge Commission ("Commission") has determined that it requires the services of a general contracting firm capable of providing certain specialized contracting services for the Commission including services for the project titled Burlington Bristol Bridge Replacement and Addition of Festoon Cables (BCBC-201009); and

**WHEREAS**, the Commission solicited and accepted bids from such contracting firms and opened said bids on September 10, 2010; and

**WHEREAS**, the Commission is satisfied that Carr & Duff, Inc. ("Carr & Duff") was the lowest of two bidders and has submitted a satisfactory and responsive bid, and has the required knowledge and expertise to perform such services; and

**WHEREAS**, the maximum amount of this contract with Carr & Duff shall be One Million, Eighty Four Thousand Dollars (\$1,084,000.00), and sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached hereto; and

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

1. The Burlington County Bridge Commission hereby awards a contract for specialized contracting services as set forth above to Carr & Duff, and the Executive Director and the Secretary of the Bridge Commission are hereby authorized to execute a contract with Carr & Duff.
2. The maximum amount of this contract shall not exceed One Million, Eighty Four Thousand Dollars (\$1,084,000.00), and the contract shall be substantially completed within three hundred (300) calendar days from the Notice to Proceed, with the entire work including all punch list items, payments, change orders, as-built drawings and other close out documents completed in three hundred ninety (390) calendar days from the Notice to Proceed.

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

**RESOLUTION NO. 2010-78**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
APPROVING CHANGE ORDER #4 FOR THE BURLINGTON PAVING  
PROJECT.**

**WHEREAS**, pursuant to Resolution #2008-28, the Burlington County Bridge Commission awarded a contract to Mount Construction for the project titled "Burlington Bristol Bridge Bridge Deck, Keim Boulevard Circle Pavement Repair, Veterans Drive and Administration Building Parking Lot Improvement Project (BCBC-200806)"; and

**WHEREAS**, the Project Engineer recommended on September 3, 2010, that Change Order No. 4 be approved providing for the following: Additional repairs to the wearing surface at Span 7; installation of replacement seal at Bent S12 deck joint; removal and replacement of certain concrete repairs on the bridge spans and along Keim Boulevard; adjustment to labor and equipment rates for previously approved Change Orders #1 & 2; credit for various quantity reductions; and

**WHEREAS**, this Change Order No. 4, which the Commission's engineer has recommended be approved as submitted, requires an increase in the amount of the contract of \$47,544.94, bringing the new contract amount to \$1,395,843.75; and

**WHEREAS**, the Commission has received advice from its consulting engineer that additional funding may be required to continue and/or complete the project; and

**WHEREAS**, sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached hereto:

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission that, based upon the recommendation of its engineer, and after a thorough review of this matter, the Bridge Commission hereby approves Change Order No. 4 for Mount Construction for the project titled "Burlington Bristol Bridge Bridge Deck, Keim Boulevard Circle Pavement Repair, Veterans Drive and Administration Building Parking Lot Improvement Project (BCBC-200806)".

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion.

**VOTE:**

<b>Yeas</b>	<b>-- Anderson</b>
	<b>Comegno</b>
<b>Abstain</b>	<b>Singleton</b>

**RESOLUTION NO. 2010-79**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AWARDING A CONTRACT FOR ELECTRONIC TOLL SYSTEM AND  
VIDEO CCTV COMPONENTS TO DAMBACH, INC.**

**WHEREAS**, the Burlington County Bridge Commission ("Commission") requires a vendor capable of providing certain components for the Commission's toll and video surveillance systems; and

**WHEREAS**, bids were received and opened by the Purchasing Agent on September 8, 2010; and

**WHEREAS**, a recommendation from Commission staff identifies the lowest responsive, responsible bidder based on line item prices, resulting in multiple awards from this solicitation in order for the Commission to receive the lowest price per line item, which awards are contained in other resolutions for the Commission's consideration; and

**WHEREAS**, the Commission is satisfied that Dambach, Inc. ("Dambach") was the lowest of five (5) bidders for line item #1 in the amount of Two Hundred Seven Thousand, Eight Hundred Five Dollars (\$207,805.00), and sufficient funds are available for payment for those items as evidenced by the Certificate of Availability of Funds, attached hereto:

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

1. The Burlington County Bridge Commission hereby awards a contract for Electronic Toll System and Video CCTV Components (BCBC-201010) to Dambach, and the Executive Director and the Secretary of the Bridge Commission are hereby authorized to execute a contract with Dambach.
2. The maximum amount of this contract shall not exceed Two Hundred Seven Thousand, Eight Hundred Five Dollars (\$207,805.00) for the line items as identified above and provided in accordance with the awarded contract.

Chairman Comegno asked for a motion to approve. Commissioner Singleton moved to approve. Vice Chairwoman Anderson seconded the motion. The motion passed unanimously.

**RESOLUTION NO. 2010-80**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AWARDING A CONTRACT FOR ELECTRONIC TOLL SYSTEM AND  
VIDEO CCTV COMPONENTS TO TRMI SYSTEMS INTEGRATION, INC.**

**WHEREAS**, the Burlington County Bridge Commission ("Commission") requires a vendor capable of providing certain components for the Commission's toll and video surveillance systems; and

**WHEREAS**, bids were received and opened by the Purchasing Agent on September 8, 2010; and

**WHEREAS**, a recommendation from Commission staff identifies the lowest responsive, responsible bidder based on line item prices, resulting in multiple awards from this solicitation in order for the Commission to receive the lowest price per line item, which awards are contained in other resolutions for the Commission's consideration; and

**WHEREAS**, the Commission is satisfied that TRMI Systems Integration, Inc. ("TRMI") was the lowest of five (5) bidders for line items #2A, 2B, 2C, 3, 4, 5, 8A, 8B, 9, 11A & 11B in the amount of Two Hundred Ninety Six Thousand, Six Hundred Fifty Eight Dollars and Ninety Cents (\$296,658.90), and sufficient funds are available for payment for those items as evidenced by the Certificate of Availability of Funds, attached hereto:

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

1. The Burlington County Bridge Commission hereby awards a contract for Electronic Toll System and Video CCTV Components (BCBC-201010) to TRMI, and the Executive Director and the Secretary of the Bridge Commission are hereby authorized to execute a contract with TRMI.
2. The maximum amount of this contract shall not exceed Two Hundred Ninety Six Thousand, Six Hundred Fifty Eight Dollars and Ninety Cents (\$296,658.90) for the line items as identified above and provided in accordance with the awarded contract.

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

**RESOLUTION NO. 2010-81**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AWARDING A CONTRACT FOR ELECTRONIC TOLL SYSTEM AND  
VIDEO CCTV COMPONENTS TO PSX, INC.**

**WHEREAS**, the Burlington County Bridge Commission ("Commission") requires a vendor capable of providing certain components for the Commission's toll and video surveillance systems; and

**WHEREAS**, bids were received and opened by the Purchasing Agent on September 8, 2010; and

**WHEREAS**, a recommendation from Commission staff identifies the lowest responsive, responsible bidder based on line item prices, resulting in multiple awards from this solicitation in order for the Commission to receive the lowest price per line item, which awards are contained in other resolutions for the Commission's consideration; and

**WHEREAS**, the Commission is satisfied that PSX, Inc. ("PSX") offered the greatest percentage discount for the three (3) price lists; and

**WHEREAS**, the price lists may be updated from time to time as changed by the manufacturer with the percentage discount remaining unchanged:

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

1. The Burlington County Bridge Commission hereby awards a contract for Electronic Toll System and Video CCTV Components (BCBC-201010) to

PSX, and the Executive Director and the Secretary of the Bridge Commission are hereby authorized to execute a contract with PSX.

2. The maximum amount of this contract shall not exceed Two Hundred, Fifty Thousand Dollars (\$250,000.00) for three (3) price lists as identified above and provided in accordance with the awarded contract.
3. The award for these price list discounts shall extend from October 1, 2010 to and until September 30, 2011.

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

### **RESOLUTION NO. 2010-82**

#### **RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AMENDING THE CONTRACT WITH ACT ENGINEERS, INC. FOR ENGINEERING SERVICES FOR THE PALMYRA COVE NATURE PARK.**

**WHEREAS**, the Burlington County Bridge Commission ("Commission") has determined that it requires the services of an engineering firm capable of performing engineering services for the Bridge Commission related to the design of a replacement pond located within Palmyra Cove Nature Park as well as other engineering related services; and

**WHEREAS**, pursuant to Resolution 2009-74, the Bridge Commission entered in a contract with Act Engineers, Inc. ("Act") to provide those engineering services; and

**WHEREAS**, because additional engineering services are required including construction stake out, landscape material selection and approval, trail restoration along the river front using excavated soils from the replacement pond, and construction inspection, the Commission has determined that it is necessary to increase the appropriation for this contract by an additional Forty Thousand Dollars (\$40,000.00) and to extend the contract to the end of the project pursuant to N.J.S.A. 40A11-15 (9):

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

1. The terms, conditions and duties outlined in Resolution 2009-74 appointing Act Engineers, Inc. are incorporated herein by reference, and for the reasons hereinabove expressed, an additional Forty Thousand Dollars (\$40,000.00) be and hereby is authorized and appropriated to pay the costs incurred by the Burlington County Bridge Commission pursuant to the existing contract with Act, and the contract is hereby extended to the end of the project pursuant to N.J.S.A. 40A11-15 (9).

2. Sufficient funds are available for payment for the above services provided under the contract, as evidenced by the Certificate of Availability of Funds, attached.
3. Notice of adoption of this Resolution shall be published in the Courier Post, as required by law.

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. Executive Director Jeffers confirmed to Commissioner Singleton this resolution involved engineer services concerning materials being removed from the dredge site for the Kroc Center in Camden, tracking stages of the demolition of the Dragonfly Pond due to the Camden project, construction of the DEP approved replacement of Dragonfly Pond (the Frog Pond site), and dredge material for path reconstruction to the Palmyra Cove Nature Park pedestrian bridge. With no further questions or comments, the motion passed unanimously.

### **RESOLUTION NO. 2010-83**

#### **RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION EXTENDING THE CONTRACT BETWEEN THE BURLINGTON COUNTY BRIDGE COMMISSION AND THOMAS BOYD COMMUNICATIONS, LLC FOR PALMYRA COVE NATURE PARK PUBLIC RELATIONS SERVICES (NO ADDITIONAL APPROPRIATION).**

**WHEREAS**, the Burlington County Bridge Commission (the "Commission") requires the services of a professional marketing and communications firm; and

**WHEREAS**, pursuant to Resolution 2008-140, the Bridge commission entered into a contract with Thomas Boyd Communications, LLC ("Thomas Boyd") for such services; and

**WHEREAS**, continuing services under this contract are required, and based upon the recommendation of the Commission's Executive Director, it is necessary to extend the contract by an additional two months to November 30, 2010:

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

1. The terms, conditions and duties outlined in Resolution 2008-140 appointing Thomas Boyd are incorporated herein by reference, and for the reasons hereinabove expressed, the existing contract between the Commission and Thomas Boyd is hereby extended for an additional two months until November 30, 2010.
2. Notice of adoption of this Resolution shall be published in the Courier Post, as required by law.



because the contract is for accounting and actuarial services, which are performed by persons authorized by law to provide that recognized professional service, and the profession is regulated by law.

3. The amount of the contract shall not exceed Six Thousand, Nine Hundred Eighty Seven Dollars (\$6,987.00), and the contract shall extend from October 1, 2010 to September 30, 2011.

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

### **RESOLUTION NO. 2010-85**

#### **RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION AMENDING THE CONTRACT BETWEEN THE BURLINGTON COUNTY BRIDGE COMMISSION AND BOWMAN & COMPANY.**

**WHEREAS**, the Burlington County Bridge Commission has determined that it requires the services of an Auditor with expertise in public sector accounting and auditing for a public agency; and

**WHEREAS**, pursuant to Resolution 2009-94, the Bridge Commission entered in a contract with Bowman & Company to provide those professional accounting and auditing services; and

**WHEREAS**, additional accounting and auditing services involving bonding arbitrage issues relating to bond issuances for which the Commission has served as the conduit financing entity under its improvement and/or economic development powers as well as services relating to auditing of the funds of the Palmyra Cove Nature Park are required, and it is necessary to increase the appropriation for such services by an additional Forty Thousand Dollars (\$40,000.00):

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

1. The terms, conditions and duties outlined in Resolution 2009-94 appointing Bowman & Company are incorporated herein by reference, and for the reasons hereinabove expressed, an additional sum of Forty Thousand Dollars (\$40,000.00) be and hereby is appropriated to pay the fees, expenses and costs pursuant to the existing contract between the Bridge Commission and Bowman & Company.
2. Sufficient funds are available for payment for those services as evidenced by the Certificate of Availability of Funds, attached hereto

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

Chairman Comegno reflected on the multi talents and commitment to the Commission of Captain Bruce Herbst, the highest ranking officer in the police department currently. Executive Director Jeffers added Captain Herbst's public service and civic responsibility in his home town through his work with local Fire and EMS Departments is commendable.

### **RESOLUTION NO. 2010-86**

#### **RESOLUTION REGARDING THE RETIREMENT OF BRUCE A. HERBST**

**WHEREAS**, Bruce A. Herbst has been a regular employee of the Burlington County Bridge Commission for thirty (33) years, during which time he has served in the Police Department, rising through the ranks from Patrol Officer to Sergeant to Lieutenant and finally to Captain; and

**WHEREAS**, Bruce A. Herbst has been a good, loyal and faithful employee of the Bridge Commission; and

**WHEREAS**, Bruce A. Herbst has requested the Burlington County Bridge Commission for permission to retire effective October 1, 2010:

**NOW, THEREFORE, BE IT RESOLVED** that the retirement of Bruce A. Herbst be granted at the September 14, 2010 meeting effective October 1, 2010 with the benefits requested by Mr. Herbst and which may be allowed by law and Bridge Commission policies and procedures; and

**BE IT FURTHER RESOLVED** that each Commissioner and member of the Bridge Commission staff joins in wishing Mr. Herbst a safe, healthy, and prosperous retirement and the best in all future endeavors.

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. Vice Chairwoman Anderson added her appreciation of losing a valuable employee but wished him the best in whatever endeavors he decides to do with his retirement. The motion passed unanimously.

Christine Nociti, CFO provided an overview of the next set of resolutions pertaining to Improvement Authority activities. The first resolution involves annual roll-

over (roll-over of up to ten years) of Solid Waste Notes for Burlington County; Refunding of 2002 bonds estimated 6% savings (3% savings needed for approval); 2010 financing for municipalities and financing for Occupational Training Center for expenses and developments that they have. Financing for the Evergreen facility will be refinanced outside of the Commission which requires our release.

**RESOLUTION NO. 2010-87**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
SUPPLEMENTING THE COMMISSION'S RESOLUTION ENTITLED  
"RESOLUTION OF THE BURLINGTON COUNTY BRIDGE  
COMMISSION AUTHORIZING THE ISSUANCE OF PROJECT NOTES  
(SOLID WASTE PROJECT)" ADOPTED AUGUST 18, 2008, AS  
AMENDED AND RESTATED OCTOBER 21, 2008.**

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

**WHEREAS**, the Commission is authorized by the Act 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 adopted a resolution entitled, "Resolution Authorizing the Issuance of County Guaranteed Bond Anticipation Notes (Crossroads Redevelopment Area Project) of the Camden County Improvement Commission", on August 18, 2008, as amended and restated October 21, 2008 (the "Project Note Resolution"), to authorize the issuance of Project Notes to finance on behalf of the County the acquisition, construction, reconstruction and installation of the next phase of a landfill cell and related improvements for the Burlington County Resource Recovery Complex (the "Landfill Project") and the acquisition and installation of equipment for the Burlington County Recycling Program (the "Original Recycling Project"); and

**WHEREAS**, on November 25, 2008, in accordance with the Project Note Resolution, the Commission issued \$6,900,000 aggregate principal amount of its Project Notes (Solid Waste Project), Series 2008 ("Series 2008 Notes"), for the purpose of financing initial costs of the Landfill Project and the Original Recycling Project; and

**WHEREAS**, in connection with the issuance of the Series 2008 Notes, the Commission and the County executed an Improvement Lease Agreement dated as of November 25, 2008 (the "Improvement Lease") for the Landfill Project and an Equipment Lease Agreement dated as of November 25, 2008 (the "Equipment Lease" and, together with the Improvement Lease, the "Leases") for the Recycling Project, pursuant to which Leases the County agreed to make Rental Payments to the

Commission to pay the principal and interest on the Project Notes, including the Series 2008 Notes; and

**WHEREAS**, on October 14, 2009, in accordance with the Project Note Resolution, the Commission issued \$19,465,000 aggregate principal amount of its Project Notes (Solid Waste Project), Series 2009 ("Series 2009 Notes"), for the purpose of (i) refinancing the Series 2008 Notes and (ii) financing additional costs of the Landfill Project; and

**WHEREAS**, the Series 2009 Notes mature on October 13, 2010; and

**WHEREAS**, on February 1, 2010, the Commission and the County executed a Second Amendment to the Leases to reallocate a portion of the proceeds of the Series 2009 Notes previously allocated to the Landfill Project in the amount of \$2,010,000 to finance additional costs of acquisition and installation of certain items of capital equipment for the Original Recycling Project (the "Additional Recycling Project" and, together with the Original Recycling Project, the "Recycling Project") (the Recycling Project and the Landfill Project shall be collectively referred to as the "Project"); and

**WHEREAS**, the County has requested that that Commission issue Project Notes to refinance the Series 2009 Notes and to finance additional costs of the Landfill Project (the "Series 2010 Project"); and

**WHEREAS**, the Commission has determined pursuant to the terms and conditions set forth in the Project Note Resolution and this Supplemental Resolution, to issue a series of Project Notes in the principal amount not to exceed \$25,140,000 ("Series 2010 Notes") to pay the costs of the Series 2010 Project; and

**WHEREAS**, payment of the principal of and interest on the Series 2010 Notes will be payable from Rental Payments to be made by the County under the terms of the Lease Agreements;

**WHEREAS**, the Commission desires to authorize a Third Amendment to the Leases to provide for the payments of Rentals by the County in connection with the issuance of the Series 2010 Notes:

**NOW, THEREFORE, BE IT RESOLVED BY THE BURLINGTON COUNTY BRIDGE COMMISSION AS FOLLOWS:**

## **ARTICLE I**

### **DEFINITIONS AND INTERPRETATION**

**Section 101. Short Title.** This resolution may hereinafter be cited by the Commission, and is hereinafter sometimes referred to, as "2010 Supplemental Resolution".

**Section 102. Authorization for 2010 Supplemental Resolution.** This 2010 Supplemental Resolution supplements the Project Note Resolution and is authorized by, and is adopted pursuant to, the provisions of the Act and Sections 1101 of the Project Note Resolution.

**Section 103. Certain Definitions.** Capitalized terms used but not specifically defined herein and in the recitals hereto shall, unless the context clearly requires otherwise, have the meanings that are ascribed to such terms in the Project Note Resolution.

## ARTICLE II

### AUTHORIZATION OF SERIES 2010 NOTES

**Section 201. Authorization of Series 2010 Notes.** Pursuant to and in accordance with the provisions of Section 201 of the Project Note Resolution, the Commission hereby authorizes the issuance of a series of Project Notes, in an aggregate principal amount not to exceed \$25,140,000, in order to pay, together with other available funds: (i) the principal of and interest on the Series 2009 Notes; (ii) additional costs of the Landfill Project; and (iii) the costs of issuance relating to the Series 2010 Notes. The Series 2010 Notes shall be designated "Project Notes (Solid Waste Project), Series 2010."

#### **Section 202. Terms of Series 2010 Notes.**

(a) The Series 2010 Notes shall be dated their date of issuance, shall mature no later than one year after their date of issuance and shall bear interest at such rate or rates of interest per annum as shall be determined by the Series Certificate delivered prior to the authentication and delivery upon original issuance of the Series 2010 Notes. The Series Certificate may contain such other terms and provisions with respect to the Series 2010 Notes that are not established by the terms of the Project Note Resolution or by the terms hereof and that are not inconsistent with the provisions thereof and hereof.

(b) The Series 2010 Notes shall be issued in fully registered form in Authorized Denominations. Unless the Commission shall otherwise direct the Registrar, the Series 2010 Notes shall be lettered and numbered from one upward in order of maturities preceded by the letter "R" and/or such other letter or letters as determined by the Trustee prefixed to the number. Subject to the provisions of this Resolution, the form of the Series 2010 Notes and the Trustee's certificate of authentication shall be substantially in the form set forth in Sections 1401 and 1402 of the Project Note Resolution.

(c) The Series 2010 Notes shall be dated, and shall bear interest from the dated date thereof as shall be established in the Series Certificate, except as otherwise provided in Section 301 of the Project Note Resolution. The Series 2010 Notes shall mature on the date and in the Principal Amount, and shall bear interest payable on the Note Payment Date at the rate per annum set forth in the Series Certificate relating thereto.

**Section 203. Application of Proceeds of Series 2010 Notes.** The proceeds from the sale of the Series 2010 Notes shall be applied by the Trustee, upon receipt, in the manner set forth in Section 201 hereof and as may be further set forth in the Series Certificate.

**Section 204. Sale of Series 2010 Notes.**

(a) Pursuant to and in accordance with the terms of the Project Note Resolution, the Commission hereby determines that the Authorized Commission Representatives, are authorized to sell and to award the Series 2010 Notes on behalf of the Commission to the purchaser(s) thereof, including the power to determine, among other things, (a) the amount of the Series 2010 Notes to be issued, in amounts not to exceed the amount of the Series 2010 Notes that are authorized to be issued pursuant to the terms of Section 201 hereof, (b) the time and manner of sale of the Series 2010 Notes, (c) the maturity date of the Series 2010 Notes (subject to the limitations contained below and in Section 202 hereof) and the provisions pertaining to redemption, if any, of the Series 2010 Notes, (d) the rate or rates of interest for the Series 2010 Notes, and (e) such other terms and conditions as may be necessary or related to the sale of the Series 2010 Notes, and the Authorized Commission Representatives are hereby authorized to determine the details of and execute a contract of purchase or other similar document, if any, in connection with the sale of the Series 2010 Notes ("Purchase Contract"). The Authorized Commission Representatives are hereby authorized to award the Series 2010 Notes to the purchaser or purchasers thereof. Such award shall be evidenced by the execution of a Series Certificate.

(b) The Purchase Contract, if any, and the Series Certificate shall determine the terms and conditions relating to the sale of the Series 2010 Notes, including the maturity schedule for the Series 2010 Notes, the rate or rates of interest to be borne by the Series 2010 Notes and the Underwriter's discount, if any, that is payable to the Underwriter in connection with the sale of the Series 2010 Notes; provided, however, that without the further authorization of the Commission, the final maturity date for the Series 2010 Notes shall be not later than July 28, 2010, the rate or rates of interest (or the net interest rate in the event that the Series 2010 Notes are issued as fixed interest rate obligations) or the initial rate of interest (in the event the Series 2010 Notes bear interest at a variable rate of interest), as the case may be, to be borne by the Series 2010 Notes shall not exceed three percent (3.00%) per annum, and the Underwriter's discount for the Series 2010 Notes shall not exceed \$3.75 per \$1,000 principal amount of the Series 2010 Notes. The Purchase Contract and the Series Certificate shall contain such other terms and conditions as shall be deemed necessary in connection with the sale of the Series 2010 Notes.

(c) Any Authorized Commission Representative is also authorized to accept terms and conditions relating to the Series 2010 Notes required as a condition to the issuance thereof and to make such necessary changes in this 2010 Supplemental Resolution to reflect such terms and conditions as such Authorized Commission Representative deems necessary and appropriate with the advice of Bond Counsel and to set forth such provisions in the Series Certificate.

(d) The sale and award of the Series 2010 Notes by the Authorized Commission Representatives shall be evidenced by the execution of the Series Certificate as of the date of the sale and award of the Series 2010 Notes, and the Series

Certificate shall be presented to the members of the Commission at the next regular meeting of the Commission following such sale and award as evidence of the terms and details of the sale of the Series 2010 Notes.

(e) The Commission's Bond Counsel and the Commission's investment bankers are hereby authorized to prepare and distribute a Preliminary Official Statement on behalf of the Commission in connection with the sale of the Series 2010 Notes. The form and content of such Preliminary Official Statement shall, prior to the distribution thereof, be approved by the Commission, or by any Authorized Commission Representative, as the case may be, acting on behalf of the Commission. Subsequent to obtaining such approval, the Preliminary Official Statement may be revised, if necessary, and may contain additional terms and information relating to the sale of the Series 2010 Notes; provided, however, that the form and content of such revised Preliminary Official Statement shall have been previously approved by the Commission, or by any Authorized Commission Representative, as the case may be, acting on behalf of the Commission, prior to the distribution thereof.

(f) The Chairman or the Vice Chairman of the Commission are each hereby authorized to execute the final Official Statement and such officers, including the Chairman or the Vice Chairman, the Executive Director, the Secretary and any other Authorized Commission Representative, shall execute any closing documents which are required to be executed in connection with the delivery of the Series 2010 Notes. Any actions which are not determined by this or any other resolution of the Commission duly adopted prior to the authentication and delivery of the Series 2010 Notes shall be determined by an Authorized Commission Representative.

(g) The Chairman, Vice Chairman, Secretary and any other Authorized Commission Representative, be, and each of them hereby is, authorized and directed to execute and deliver any and all documents and instruments and to do and cause to be done any and all acts and things necessary or proper for carrying out the transactions contemplated by this 2010 Supplemental Resolution, the Leases, the Preliminary Official Statement, the Official Statement and the Purchase Contract and for the authorization, sale and issuance of the Series 2010 Notes. The execution by such officers of any such documents with such changes, insertions or omissions as shall be approved by the Commission's Chairman or Vice Chairman in consultation with the Commission's Bond Counsel shall be conclusive evidence of the approval of such changes, insertions or omissions and no further ratification or other actions by the Commission members shall be required with respect thereto.

#### **Section 204. Amendments to Lease Agreement.**

(a) Exhibit B of the Improvement Lease Agreement is hereby deleted in its entirety and replaced by Exhibit B attached to the Third Amendment to Improvement Lease, and all references in the Improvement Lease Agreement to Exhibit B shall be references to Exhibit B attached to the Third Amendment to Improvement Lease.

(b) Exhibit A of the Equipment Lease Agreement is hereby deleted in its entirety and replaced by Exhibit A attached to the Third Amendment to Equipment Lease, and all references in the Equipment Lease Agreement to Exhibit A shall be references to Exhibit A attached to the Third Amendment to Equipment Lease.

### **ARTICLE III**

## MISCELLANEOUS

**Section 301. Supplemental Resolutions; Amendment of 2010 Supplemental Resolution.** At any time or from time to time, a Supplemental Resolution of the Commission may be adopted for the purpose of supplementing or amending the Project Note Resolution or amending or supplementing this 2010 Supplemental Resolution, in each case upon the terms and conditions set forth in Article XI of the Project Note Resolution. Notwithstanding the foregoing, the authorization of the issuance and sale of any of the Series 2010 Notes may be modified or rescinded at any time prior to the issuance or sale thereof by resolution duly adopted by the Commission.

**Section 302. Severability of Invalid Provisions.** If any one or more of the provisions, covenants or agreements in this 2010 Supplemental Resolution on the part of the Commission or any fiduciary to be performed should be contrary to law, then such provision or provisions, covenant or covenants, or agreement or agreements shall be deemed separable from the remaining provisions, covenants and agreements and shall in no way affect the validity of the other provisions of this 2010 Supplemental Resolution or of the Series 2010 Notes.

**Section 303. Successors and Assigns.** Whenever in this 2010 Supplemental Resolution the Commission is named or referred to, it shall and shall be deemed to include its successors and assigns, whether so expressed or not. All of the covenants, stipulations, obligations and agreements by or on behalf of, and other provisions for the benefit of, the Commission contained in this 2010 Supplemental Resolution shall bind and inure to the benefit of such successors and assigns and of any officer, board, commission, authority, agent or instrumentality to whom or to which there shall be transferred by or in accordance with law any right, power or duty of the Commission or of its successors or assigns, the possession of which is necessary or appropriate in order to comply with any such covenants, stipulations, obligations, agreements or other provisions of this 2010 Supplemental Resolution.

**Section 304. No Recourse on Series 2010 Notes.** No recourse shall be had for the payment of the principal or redemption premium, if any, of or interest on the Series 2010 Notes or for any claim based thereon or on the Project Note Resolution or this 2010 Supplemental Resolution against any member, commissioner or other officer of the Commission or any person executing the Series 2010 Notes. The Series 2010 Notes are not and shall not be in any way a debt or liability of the State or of any political subdivision thereof (other than the Commission, to the limited extent set forth in the Project Note Resolution and this 2010 Supplemental Resolution, and the County, to the extent set forth in the Leases), and do not and shall not create or constitute any indebtedness, liability or obligation of the State or of any political subdivision thereof (other than the Commission, to the limited extent set forth in the Project Note Resolution and this 2010 Supplemental Resolution, and the County, to the extent set forth in the Leases), either legal, moral or otherwise. The Commission has no taxing power.

**Section 305. Incorporation of Project Note Resolution by Reference.** All other provisions of the Project Note Resolution, as heretofore amended and supplemented, are incorporated by this reference, as if the same were set forth in full herein, and such provisions shall remain in full force and effect.

**Section 306. 2010 Supplemental Resolution to Constitute a Contract; Governing Law.** This 2010 Supplemental Resolution shall be deemed to be a contract made under the laws of the State, and for all purposes shall be construed in accordance with the laws of the State.

**Section 307. Effective Date.** In accordance with the terms of Section 1101 of the Project Note Resolution, this 2010 Supplemental Resolution shall be fully effective in accordance with its terms upon the filing with the Trustee of a copy of this 2010 Supplemental Resolution, certified by an Authorized Commission Representative.

Adopted: September 14, 2010

**RECORDED VOTE**

<b>NAME</b>	<b>AYE</b>	<b>NO</b>	<b>AB STAIN</b>	<b>AB SENT</b>
<b>Priscilla B. Anderson</b>	<b>X</b>			
<b>John B. Comegno II</b>	<b>X</b>			
<b>Troy E. Singleton</b>	<b>X</b>			

The foregoing is a true copy of a resolution adopted by the governing body of the Burlington County Bridge Commission on September 14, 2010.

---

Secretary  
09/14/2010

---

Date

[SEAL]

Chairman Comegno asked for a motion to approve. Commissioner Singleton moved to approve. Vice Chairwoman Anderson seconded the motion. The motion passed unanimously.

**RESOLUTION NO. 2010-88**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AUTHORIZING APPLICATION TO THE LOCAL FINANCE BOARD  
PURSUANT TO N.J.S.A. 40A:5A-6.**

**WHEREAS**, the Burlington County Bridge Commission (the "Commission") desires to make application to the Local Finance Board for its review, pursuant to N.J.S.A. 40A:5A-6, of the proposed issuance of County Financed Revenue Bonds to finance loans to certain local units within the County of Burlington, New Jersey (the "County") under the 2010 Governmental Loan Program and to refinance the Commission's County-Guaranteed Pooled Loan Revenue Bonds (2002 Governmental Loan Program), Series 2002; and

**WHEREAS**, the Commission believes that:

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

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

**Section 1.** The application to the Local Finance Board is hereby approved, and the Commission's bond counsel and financial advisor, along with other representatives of the Commission, are hereby authorized to file such application and to represent the Commission in matters pertaining thereto.

**Section 2.** The Executive Director of the Commission is hereby directed to prepare and file a copy of the proposed resolution authorizing the issuance of the bonds with the Local Finance Board as part of such application.

**Section 3.** The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

**Section 4.** This Resolution shall take effect immediately.

Adopted: September 14, 2010.

**RECORDED VOTE**

NAME	AYE	NO	ABSTAIN	ABSENT
Priscilla B. Anderson	X			
John B. Comegno II	X			
Troy E. Singleton	X			

The foregoing is a true copy of a resolution adopted by the governing body of the Burlington County Bridge Commission on September 14, 2010.

---

Secretary  
09/14/2010

---

Date

[SEAL]

**RESOLUTION NO. 2010-89**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AUTHORIZING THE ISSUANCE AND SALE OF ECONOMIC  
DEVELOPMENT BONDS ON BEHALF OF OCCUPATIONAL TRAINING  
CENTER OF BURLINGTON COUNTY, INC. AND AUTHORIZING OTHER  
NECESSARY ACTION IN CONNECTION THEREWITH.**

**WHEREAS**, the Burlington County Bridge Commission (the "Commission") is authorized pursuant to the Self-Liquidating Bridges Act, constituting Chapter 17 of the Pamphlet Laws of 1934 of the State of New Jersey, as amended (the "Act"), to extend credit or make loans to any person for the planning, design, acquisition, construction, improvement, equipping and funding of any project authorized by the Act; and

**WHEREAS**, an application for financial assistance, dated November 25, 2009 (the "Application") has been received from Occupational Training Center of Burlington

County, Inc. (the "Applicant") for the purpose of financing a project consisting of (i) the refinancing of existing loans that financed facilities (the "Facilities") located at various locations in the County of Burlington (the "Property") which Facilities are used as adult training centers to provide individuals with developmental disabilities training in daily living and community integration, (ii) the financing of various improvements at the Facilities, including the reimbursement of costs incurred by the Applicant prior to issuance of the Bonds (as hereinafter defined), and (iii) the payment of certain costs of issuance (collectively, the "Project"); and

**WHEREAS**, the Commission proposes to provide financing for the Project through the issuance of its Economic Development Bonds (Occupational Training Center of Burlington County, Inc. Project), Series 2010 (the "Bonds") in an aggregate principal amount not to exceed \$4,100,000; and

**WHEREAS**, TD Bank, National Association ("Bank") has agreed to purchase the Bonds pursuant to the terms and conditions set forth in the Bank's commitment letter, dated July 28, 2010, addressed to the Applicant; and

**WHEREAS**, the Bonds will be issued and the proceeds of the Bonds will be loaned to the Applicant pursuant to and in accordance with the provisions of the Act and a Bond Agreement (the "Agreement") by and among the Commission, the Applicant and the Bank, as purchaser (in such capacity, the "Purchaser" and as escrow agent in such capacity, the "Escrow Agent"); and

**WHEREAS**, the Bonds will be secured by, among other things, a mortgage on the Property and a security interest in the Project pursuant to a Mortgage and Security Agreement (the "Mortgage"); and

**WHEREAS**, pursuant to the Agreement and a Commission Assignment, the Commission will assign (subject to certain reserved rights) its rights and benefits under the Agreement, the Mortgage and other loan documents to the Purchaser as security for the Bonds; and

**WHEREAS**, the Commission desires to authorize the issuance, execution and delivery of the Bonds and the execution and delivery of the Agreement, the Mortgage, and such other documents required to accomplish the foregoing and to authorize all other necessary action:

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

**Section 1. Determinations Concerning the Project.** In accordance with the purposes and objectives of the Act, the Commission hereby determines that the Project will aid and assist in the economic development in the County of Burlington, New Jersey (the "County"). Based on such findings and determinations, the Project as described in this Resolution and in the Application is hereby approved and determined to be eligible

for financing by the Commission. The Commission hereby determines to finance the Project as described in this Resolution and in the Application.

**Section 2. Authorization of the Financing.** Based on the foregoing findings and determinations and with the understanding that the availability of such financial assistance will aid and assist in the economic development in the County, the Commission hereby determines to issue the Bonds in an aggregate principal amount not to exceed \$4,100,000, and to loan the proceeds of the Bonds to Applicant to finance the costs of the Project, such Bonds to be secured by and payable solely from the revenues to be derived by the Commission under the terms of the Agreement.

**Section 3. Authorization of the Agreement.** The Commission is hereby authorized to enter into the Agreement providing for the issuance of the Bonds; the application of the proceeds of the Bonds; the assignment to the Purchaser (subject to certain reserved rights) of the Commission's rights and benefits under the Agreement and the other loan documents executed in connection therewith; the application of the payments to be made by the Applicant to the repayment of the Bonds; the loan of the proceeds of the Bonds to the Applicant to finance the Project in the manner set forth therein; and containing certain covenants of the Applicant for the benefit of the Commission and the bondholders. The Applicant is hereby authorized to proceed with the Project in accordance with the terms of the Agreement. The form of the Agreement (a copy of which has been filed with the Commission) is hereby approved, and the Chairman, Vice Chairman, Executive Director, Secretary or Treasurer or any other officer who has the power to execute contracts pursuant to the By-laws of the Commission or any resolution adopted thereunder (each an "Authorized Officer") is hereby authorized and directed to execute or accept and deliver, and (where appropriate) any Authorized Officer is hereby authorized and directed to affix the corporate seal of the Commission to, and attest, documents in substantially such forms and upon the terms and conditions therein set forth, with such changes, insertions and variations therein as are necessary or desirable and as such Authorized Officers shall approve, such approval to be evidenced by their execution thereof.

**Section 4. Authorization and Issuance of the Bonds.** In order to provide funds to finance the Project, the Commission is hereby authorized to issue the Bonds in a total aggregate principal amount not to exceed \$4,100,000 to finance the loan to the Applicant. The Bonds shall be dated, shall bear interest at a tax-exempt rate of interest and shall be payable as to principal, premium, if any, and interest, all as is specified therein. The Bonds shall be issued in the form, shall mature, shall be subject to redemption prior to maturity and shall have such further terms and conditions as are prescribed by the Agreement. The Bonds shall be special, limited obligations of the Commission, payable solely from and secured by payments made by the Applicant pursuant to the Agreement and other revenues pledged by the Applicant pursuant to the terms thereof. Neither the members of the Commission nor any person executing the Bonds issued pursuant to this Resolution and the Act shall be liable personally on the Bonds by reason of the issuance thereof. The Bonds shall not in any way create a debt or liability of the State of New Jersey (the "State"), the County or any political subdivision thereof (other than the Commission) and shall not create or constitute any

indebtedness, liability or obligation of the State, the County or any political subdivision thereof (other than the Commission), legal, moral or otherwise.

**Section 5. Form and Execution of the Bonds.** The Bonds, substantially in the form and substance set forth in the Agreement and all of the terms set forth therein are hereby approved and are incorporated as part of this Resolution with the same effect as if the entire text thereof were set forth herein in full. The Authorized Officers of the Commission are hereby authorized to execute the Bonds by manual or facsimile signature in substantially the form set forth in the Agreement with appropriate insertions or variations; and to attest by manual or facsimile signature the seal of the Commission or a facsimile thereof on the Bonds (which is hereby authorized to be impressed or imprinted on the Bonds); following such execution, any of the Authorized Officers of the Commission are authorized to cause the Bonds to be delivered to the Trustee for authentication and, after such authentication, to cause them to be delivered to the purchasers thereof against receipt of the purchase price and to apply the proceeds of the Bonds to the Project in accordance with the provisions of the Agreement.

**Section 6. Execution and Delivery of Documents.** Any Authorized Officer of the Commission is hereby authorized and directed to execute, deliver, attest and affix the seal of the Commission to such other instruments, opinions, certificates, affidavits and other loan documents and to take such other action as may be necessary or appropriate in order to effectuate the execution and delivery of the Agreement and such other loan documents as are determined to be reasonable and appropriate to complete the financing for the Project, all in accordance with the foregoing sections hereof. Copies of any such loan documents, together with the other documents referred to in this Resolution and relating to the transactions authorized hereby, in final form as executed and delivered by the parties thereto, shall be filed in the official records of the Commission.

**Section 7. Binding Effect of Covenants and Agreements.** All covenants, obligations and agreements of the Commission set forth in this Resolution and in the documents authorized hereby shall be deemed to be the covenants, obligations and agreements of the Commission to the full extent authorized or permitted by law, and all such covenants, obligations and agreements shall be binding upon the Commission and its successors from time to time and upon any board or body to which any powers or duties affecting the same shall be transferred by, or in accordance with, law. Except as otherwise provided in this Resolution, all rights, powers and privileges conferred and duties and liabilities imposed upon the Commission or the members thereof by the provisions of this Resolution or the documents authorized hereby shall be exercised or performed by such members, officers or other representatives of the Commission as may be required or permitted by law to exercise or perform the same. No covenant, obligation or agreement herein contained or contained in any document authorized hereby shall be deemed to be a covenant, obligation or agreement of any member, officer, agent or employee of the Commission in his or her individual capacity and neither the members of the Commission nor any officer executing the Bonds, the Agreement, the Mortgage or other documents authorized by this Resolution shall be

liable personally thereunder or be subject to any personal liability or accountability by reason of the execution and delivery thereof.

**Section 8. Designation pursuant to Section 265 of the Code.** The Commission hereby designates the Bonds as "qualified tax-exempt obligations", for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code").

**Section 9. Effective Date.** This Resolution shall take effect immediately.

Adopted: September 14, 2010

**RECORDED VOTE**

NAME	AYE	NO	ABSTAIN	ABSENT
Priscilla B. Anderson	X			
John B. Comegno II	X			
Troy E. Singleton	X			

The foregoing is a true copy of a resolution adopted by the governing body of the Burlington County Bridge Commission on September 14, 2010.

---

Secretary  
09/14/2010

---

Date

[SEAL]

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

**RESOLUTION NO. 2010-90**

**RESOLUTION OF THE BURLINGTON COUNTY BRIDGE COMMISSION  
AUTHORIZING THE EXECUTION OF THE FIRST SUPPLEMENTAL  
LOAN AND TRUST AGREEMENT BETWEEN THE BURLINGTON  
COUNTY BRIDGE COMMISSION AND THE EVERGREENS.**

**WHEREAS**, in connection with the issuance by the Burlington County Bridge Commission (the "Commission") of its Economic Development Bonds on behalf of The Evergreens (the "Corporation"), the Commission executed a Loan and Trust Agreement dated as of October 1, 2007 (the "Agreement") with the Corporation and The Bank of New York Trust Company, N.A., as trustee; and

**WHEREAS** the Agreement was entered into for the purpose, inter alia, of providing for the issuance of and security for Obligations (as defined in the Agreement) of the Corporation; and

**WHEREAS**, the Corporation has determined to secure a loan (the "Loan") from Citizens Bank of Pennsylvania to finance a project consisting of health center housing and to evidence the Loan with a promissory note (the "Note"); and

**WHEREAS**, the Note will constitute an Obligation under the Agreement; and

**WHEREAS**, to issue the Note, the Corporation will be required to amend and supplement the Agreement by a First Supplemental Loan and Trust Agreement ("First Supplement Agreement"); and

**WHEREAS**, the Commission desires to authorize the execution and delivery of the First Supplemental Agreement:

**NOW, THEREFORE, BE IT RESOLVED** by the Burlington County Bridge Commission as follows:

**Section 1.** The Commission hereby approves the First Supplemental Agreement, in substantially the form presented at this meeting.

**Section 2.** The Vice Chairman or the Executive Director (each an "Authorized Officer") are hereby authorized to execute the First Supplemental Agreement on behalf of the Commission, and any Authorized Officer or the Secretary or any Assistant Secretary of the Commission are hereby authorized to attest the validity of such signatures. The execution of the First Supplemental Agreement by an Authorized Officer shall evidence the Commission's approval of the terms thereof and no further action therefor shall be required.

**Section 3.** This resolution shall take effect immediately.

**Adopted:** September 14, 2010

**RECORDED VOTE**

NAME	AYE	NO	ABSTAIN	ABSENT
Priscilla B. Anderson	X			
John B. Comegno II			X	
Troy E. Singleton	X			

The foregoing is a true copy of a resolution adopted by the governing body of the Burlington County Bridge Commission on September 14, 2010.

---

Secretary  
09/14/2010  
Date

---

[SEAL]

Chairman Comegno asked for a motion to approve.

Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. Commissioner Singleton indicated his support for this resolution today noting a responsibility that the Commission Economic Development Committee adhere focus on developers utilizing prevailing wage.

**ROLL CALL:**

<b>Yeas</b>	<b>-- Anderson</b>
	<b>Singleton</b>
<b>Abstain</b>	<b>Comegno</b>

### **Economic Development**

Economic Development and Regional Planning Director Mark Remsa introduced Ed Fox, Regional Planning Coordinator, to discuss activities involving the Route 130 River Route corridor, specifically, an ongoing planning program initiated by the Freeholders and now continuing under the direction of the Bridge Commission. Mr. Fox noted that with twelve municipalities in this corridor working together, this was the most successful regional planning effort in the state of New Jersey south of the Meadowlands. Efforts to revitalize dying shopping centers on Route 130, update community plans, redevelop plans to put communities on track have made the Route 130 River Route corridor a model of how towns work together in the state. Some examples of projects include the Willingboro Plaza, Roebing Plant, Palmyra Route 73 Redevelopment and other brown field sites. Thousands of jobs have been created in the county in the past four years.

### **Palmyra Cove Nature Park**

Ms. Ruvolo reported on scheduled activities at PCNP including visits during September by about 375 students including those from Moorestown Upper Elementary School and Rice Elementary School of Evesham who chose PNCP environmental education programs for their one allotted field trip for the school year. Due to budget cuts, schools are experiencing difficulties funding trips, with the highest expense being transportation costs.

Other activities for September include Family Hiking, Beginning Birding for Adults, Cove Caterpillars, a two-night campout by Boy Scout Troop 9 from Medford and the 9<sup>th</sup> Annual Cinnaminson Water Festival. Also, September 25<sup>th</sup> is the Adopt-A-Beach clean-up.

### **Human Resources**

Ms. Borman reported on the following personnel issues:

	<u>New Hires</u>	
Jason Miller	Administration – E.D.	Effective 8/24/2010
	<u>Retirement</u>	
Captain Bruce Herbst	Police	Effective 10/1/2010

Chairman Comegno asked for a motion to approve all of the above personnel actions. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

Mrs. Borman indicated Worknet will be on site October 14, 2010 to administer flu shots, pneumonia shots, pneumonia boosters and diabetes screenings for all employees who sign up.

Executive Director Jeffers asked that his report remain open until after Executive Session.

### **OLD BUSINESS**

Chairman Comegno called for any old business to come before the Commission.

### **NEW BUSINESS**

Chairman Comegno called for any new business to come before the Commission.

### **PUBLIC COMMENT**

Chairman Comegno called for any additional public comment to come before the Commission. Freeholder Mary Anne Reinhart requested information on the Commission's net assets, \$730,000 of Open Space assistance provided by the County, Dredge material going to Camden, and awareness of West Nile Virus in the County which the Commission addressed. Freeholder Reinhart's questions on several resolutions from the minutes of the Commission's August meeting were discussed along with consideration of minutes being posted on the Commission's website.

### **RESOLUTION REGARDING EXECUTIVE SESSION**

Resolved that pursuant to the Open Public Meetings Act the public shall be excluded from that portion of the meeting involving contractual, collective bargaining and personnel matters.

Chairman Comegno asked for a motion to approve. Commissioner Singleton moved to approve. Vice Chairwoman Anderson seconded the motion. The motion passed unanimously.

Chairman Comegno asked for a motion to return to Open Session. Commissioner Singleton moved to approve. Vice Chairwoman Anderson seconded the motion. The motion passed unanimously.

Mr. Jeffers asked for permission to bid on Travel and Participation in the 2010 League of Municipality Conference, Pennsauken Creek Trails and a new telephone system for the Bridge Commission.

Chairman Comegno asked for a motion to approve. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

Chairman Comegno asked for any further business to come before the Commission. There being none, Chairman Comegno asked for a motion to adjourn the meeting. Vice Chairwoman Anderson moved to approve. Commissioner Singleton seconded the motion. The motion passed unanimously.

Respectfully submitted,

---

Marie J. Ozalis  
Secretary