

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 18, 2011, AT 7:00 PM, AT THE CITY HALL BUILDING, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The Deputy Municipal Clerk advised the public of the location of the two fire exits; one on the left after exiting the Council Chamber and the other being the entrance to the building.

Members present: President Ghaul, Mr. Babula, Mr. Conaway, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) Absent: (0)

Also present: Mayor Fazzino, Business Administrator- Eric Berry, Municipal Attorney- George Saponaro, Municipal Engineer - Frank Morris, Chief Financial Officer- Ken Mac Millan.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on January 18, 2011 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

SALUTE TO FLAG

PUBLIC COMMENTS

Jim Fischer, 35 W. Union Street- spoke in opposition of the proposed development in the parking lot behind the Endeavor /Café Gallery.

Frank Mc Donnell, 333 W. Union Street- spoke in opposition of the proposed development in the parking lot behind the Endeavor /Café Gallery.

Robert Haines, business at 238 High Street- spoke in opposition of the proposed development in the parking lot behind the Endeavor /Café Gallery.

Emma Jean Morgan, 1517 Chestnut Street- spoke in opposition of the proposed development in the parking lot behind the Endeavor /Café Gallery.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

Councilwoman Mercuri, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard . All were in favor.

APPROVAL OF INVOICES

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 33-2011*

A RESOLUTION OF THE CITY OF BURLINGTON RE-ESTABLISHING THE AUTHORIZATION OF INTEREST RATE AND GRACE PERIOD

WHEREAS, N.J.S.A. 54:4-67 et seq., permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, assessments or other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington that the rate of interest on unpaid taxes shall be eight percent per annum on the first One Thousand, Five Hundred Dollars(\$1,500.00) of delinquency and eighteen percent per annum on any amount in excess of One Thousand, Five Hundred Dollars, to be calculated from the date the tax amount was payable until the date of actual payment, provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the due date; and,

BE IT FURTHER RESOLVED, that the rate of interest on unpaid water and sewer bills shall be eight percent per annum up to One Thousand, Five Hundred Dollars (\$1,500.00) of delinquency and eighteen percent per annum on any amount in excess of One Thousand, Five Hundred Dollars to be calculated from the date the bill was payable until the date of the actual payment, provided that no interest shall be charged if payment of any bill is made within ten (10) calendar days following the billing date; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk provides a certified copy of this resolution to the Tax Collector and Chief Financial Officer.

Approved by Consent Agenda. All were in favor.

Resolution No. 34-2011

A RESOLUTION AWARDING AN ELECTRICAL MAINTENANCE CONTRACT FOR THE WASTEWATER TREATMENT PLANT OF THE CITY OF BURLINGTON

WHEREAS, Bids were received on December 22, 2010, for Electrical Maintenance of the Wastewater Treatment Plant in the City of Burlington; and

WHEREAS, David A. Hamilton Electrical Contracting, Inc. did submit the lowest qualified bid, and

WHEREAS, Pennoni Associates, Inc., the City Sewer Engineer, has reviewed the qualifications of the low bidder and finds them to be in order; and

WHEREAS, the City Administration reviewed the submitted bids and recommends that the Common Council award the contract to the lowest qualified bidder known as David A. Hamilton Electrical Contracting, Inc., 207 Boulevard, Florence, NJ 08518;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with David A. Hamilton Electrical Contracting, Inc. for the pricing contained in their bid, total amount not to exceed \$25,237.04.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (6) NAYS: (0); Absent: Ms. Hatala. (1)

Resolution No. 35-2011

A RESOLUTION AWARDDING A CONTRACT TO SHAFTS AND SLEEVES CO., INC. FOR MECHANICAL MAINTENANCE FOR 2011 FOR THE WASTEWATER TREATMENT PLANT OF THE CITY OF BURLINGTON

WHEREAS, on December 22, 2010 bids were received for the City of Burlington for Mechanical Maintenance at the City's Wastewater Treatment Plant in the City of Burlington; and

WHEREAS, Shafts and Sleeve Co., Inc. of Roebing, NJ, submitted the lowest bid, in the amount of \$41,228.00; and

WHEREAS, Pennoni Associates, Inc., City Sewer Engineer, has reviewed the qualifications of the low bidder and finds them to be in order; and

WHEREAS, the City Administration reviewed the submitted bids and recommends that Common Council award the contract to the lowest qualified bidder known as Shafts and Sleeves Co., Inc., 2162 U.S. Hwy 130, P.O. Box 153, Roebing, New Jersey, 08554.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with Shafts and Sleeves Co., Inc. for the pricing contained in their bid, total amount not to exceed \$41,228.00; and

BE IT FURTHER RESOLVED that the Municipal Clerk shall provide the City Administrator with two (2) certified copies of the resolution.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (7) NAYS: (0); Absent: (0)

Resolution No. 36-2011*

WHEREAS, The City Council of the City of Burlington, County of Burlington, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, the City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Burlington;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey hereby recognizes the following:

The City Council does hereby authorize submission of an application for the Citizens of Substance Abuse Municipal Alliance grant for calendar year 2010 in the amount of \$15,100.00.

The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Approved by Consent Agenda. All were in favor.

Resolution No. 37-2011*

A resolution providing for a meeting not opened to the public in accordance with the provisions of the New Jersey Open Public Meetings Act. N.J.S.A. 10:4-12: Therefore be it resolved by the Common Council, of The City of Burlington, assembled in public session on January 18, 2011, that an Executive Session Closed to the Public shall be held on January 18, 2011, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

Personnel N.J.S.A. 10:4-12 (8) - Tax Appeals

The nature of the discussion conducted in closed session and or the result thereof may be disclosed to the public in an open public meeting held in January of 2011 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 38-2011

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING AN AMENDMENT NO. TO THE CONTRACT BY AND BETWEEN CASWORTH ENTERPRISES, INC. AND THE CITY OF BURLINGTON DATED FEBRUARY 1, 2009; CONTRACT NO. 09-017

WHEREAS, contract #09-017 for solid waste collection and disposal by and between the City of Burlington and Casworth Enterprises, Inc., the lowest qualified bidder, was issued with two (2) one-year extension options; and

WHEREAS, the City of Burlington adopted Resolution #67-2010 on March 16, 2010 authorizing the first one-year extension for the period February 1, 2010 to January 31, 2011; and

WHEREAS, the City of Burlington is desirous of executing the second one-year extension with Casworth Enterprises, Inc. for solid waste collection and disposal for February 1, 2011 to January 31, 2012, in the amount of \$292,144.00; and

WHEREAS, sufficient funds are available for such amendment as certified by the Finance Officer; and

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that the Mayor is hereby authorized to execute an Amendment No. 2 to Contract #09-017 for solid waste collection and disposal with Casworth Enterprises, Inc. for the period February 1, 2011 to January 31, 2012 in an amount not to exceed \$292,144.00 in the form substantially similar to the form Amendment to Agreement for Professional Services attached hereto.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

Casworth Enterprises, Inc.
Kenneth MacMillan, CFO
Robin Snodgrass, Administration Dept.
Robert Ford, Public Works

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (7) NAYS: (0); Absent: (0)

COUNCIL COMMENTS

None.

CONFERENCES

UDAG Policy and Procedure Amendment

EXECUTIVE CONFERENCE

Personnel N.J.S.A. 10:4-12 (8)

Litigation N.J.S.A. 10:4-12 (7) Tax Appeals

ADJOURNMENT

Upon the motion of Councilwoman Lollar, seconded by Councilman Babula, this meeting of January 18, 2011 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk