

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 5, 2013, AT 7:00 PM, IN THE CITY HALL, 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: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) Absent: (0)

Also present: Mayor Fazzone, Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, Director of Housing- David Ballard, Representing the Police Department Lt. Alan Snow, Director of Public Works- Carl Turner, Mgt. Assistant- Robin Snodgrass, Director of Public Affairs- John Alexander.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on March 5, 2013 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC  
Municipal Clerk

### **INVOCATION**

Rev. Stephen Miller of Holy Light Church

### **SALUTE TO FLAG**

### **PRESENTATIONS**

Introduction of new Patrol Officer Ricardo Ortiz

Thank you to Mother's Kitchen for Donation of Defibrillator- Mike Ball, Representative of Rich Foods Corporation

Thank you to Rufus Fienagha for assisting Officer O'Brien during a Police incident at Rite Aid

### **UNFINISHED BUSINESS**

Councilwoman Hatala spoke of the Land Use Board's Official Newspaper; read from the statute; stated that the Burlington County Times has a much larger circulation than the Courier Post.

Mr. Saponaro stated that he discussed this with the Land Use Board Attorney; she expressed that they were going to change it, but will discuss it with her again.

Councilwoman Hatala suggested that he would need to do it before the next meeting.

Councilman Ghaul asked for written notification when action regarding the Land Use Board's Official Newspaper will be taking place; waiting for the HPC to come back to Council as discussed at the December 12<sup>th</sup> Conference regarding gazebos; requested information regarding cats at the last meeting, have not received anything yet; Council had a resolution on the floor and a discussion regarding the Redevelopment of the McNeal Mansion, the resolutions have not been received yet.

Mayor Fazzone asked for clarification on the request for information on cats.

Councilman Ghaul spoke of complaints by residents concerned with feeding cats; if there is nothing that we can do because there is no ordinance, then we owe the resident an answer stating that there is no ordinance against this.

President Lollar spoke of being ill at the last meeting; thanked everyone for their concerns; spoke in response to a question asked by Councilwoman Mercuri at the last meeting regarding Resolution No. 60-2013; explained in more detail.

## **RESOLUTION**

### **Resolution No. 69-2013**

Upon the recommendation of City Engineer, Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order #2, with Curb Con, Inc., for an increase in the amount of \$3,510.00 for changes due to field conditions in connection with the NJDOT Safe Streets to Transit Project, making a revised contract total of \$187,845.42.

Upon the motion of Councilman Babula, seconded by Councilwoman Woodard, the foregoing resolution was introduced.

On the question, Councilman Ghaul asked for an explanation of the field conditions.

Mr. MacMillan explained that this is for an additional 117 lineal feet of concrete for curb at various intersections.

Councilwoman Hatala asked if the handicapped curb at the ice cream parlor was included.

Ken MacMillan stated it was not.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

### **CONSENT AGENDA**

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

### **PETITIONS AND COMMUNICATIONS\***

Approved by Consent Agenda. All were in favor.

## **CORRESPONDENCE FOR FEBRUARY 2013**

### **NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED**

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of January 2013 \$ 1,420.00

### **AGENDAS RECEIVED FROM VARIOUS BOARDS**

- 2-01 Historic Preservation Members and Applicants, February 2013
- 2-02 Screening Board Members and Applicants, February 2013
- 2-03 Screening Board Members and Applicants, Amended for February 2013
- 2-04 Land Use Board Agenda, February 27, 2013

### **NOTICE TO PROPERTY OWNERS**

- 2-20 303 Wood Street, Block 13, Lot 2

### **PETITIONS OF APPEALS:**

- 2-30 Block 30, Lot 33
- 2-31 Block 23, Lot 10
- 2-32 Block 176, Lot 14
- 2-33 Block 182, Lot 37
- 2-34 Block 23, Lot 12
- 2-35 Block 121, Lot 2
- 2-36 Block 34, Lot 33
- 2-37 Block 2, Lot 3

### **COMMUNICATION TO AND FROM MUNICIPAL ENGINEER**

- 2-300 Alaimo Group, dated January 31, 2013 to Lori Mathews, Re: City of Burlington 2013 Roadway Construction Projects
- 2-301 Alaimo Group, dated January 31, 2013 to Ms. Julia Penn, Re: City of Burlington PSE&G Street Openings 216 Orchard
- 2-302 Alaimo Group, dated January 31, 2013 to Ms. Julia Penn, Re: City of Burlington PSE&G Street Opening 928 Wood

- 2-303 Alaimo Group, dated January 31, 2013 to Ms. Julia Penn, Re: City of Burlington PSE&G Street Opening 138 E 6<sup>th</sup> Street
- 2-304 Alaimo Group, dated January 31, 2013 to Ms. Julia Penn, Re: City of Burlington PSE&G Street Opening 212 Riverbank at Talbot
- 2-305 Alaimo Group, dated January 24, 2013 to Ms. Julia Penn, Re: City of Burlington PSE&G Street Opening 158 & 212 Riverbank
- 2-306 Alaimo Group, dated January 24, 2013 to Ms. Julia Penn, Re: City of Burlington PSE&G Street Opening 246 Orchard \*& 1345 Belgrade Ave
- 2-307 Alaimo Group, dated January 23, 2013 to Ms. Julia Penn, Re: City of Burlington PSE&G Street Opening 205 Penn
- 2-308 Alaimo Group, dated February 19, 2013 to Ms Robin Snodgrass, Re: Engineer Status Report

#### **CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES**

- 2-600 NJLM, March 15, 2013, Re: WIMG 9am Princeton Marriott
- 2-601 NJLM, dated February 27, 2013 to Mayor, Re: Lt Governor Guadagno Offers Economic Development Tools

#### **CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY**

- 2-700 NJ DEP -Immediate Release /approves 2.2million trail grants
- 2-701 State of New Jersey, dated January 29, 2013, from Robert M. Confer, Chief , Re: Burlington City Sanitary Landfill
- 2-702 State of New Jersey, dated February 12, 2013 from Michael Russo, Director, Thank you for your interest in Safe Roads Program

#### **MISCELLANEOUS CORRESPONDENCE**

- 2-800 Endeavor Emergency Squad Inc., Re: Monthly Report
- 2-801 YMCA, Helping Others Grow
- 2-802 Elaine McClammy, dated February 6, 2013, re: tractor trailer parked on Uhler
- 2-803 Elaine McClammy, dated February 6, 2013, re: tractor trailer
- 2-804 Elaine McClammy, dated February 5, 2013, re: un leased dogs and speeding on Rt 130
- 2-805 Elaine McClammy, dated February 4, 2013, re: crossing guards
- 2-806 Stavitsky & Associates, dated January 31, 2013 re: Burlington Coat Factory c/o Dollar General v. City of Burlington
- 2-807 East Windsor Township, Mercer County-Lieutenant Governor Kim Guadagno/Business Growth Team on March 5<sup>th</sup> 4-6.
- 2-808 Elaine McClammy, dated February 20, 2013, re: safety of student
- 2-809 Elaine McClammy, dated February 19, 2013, re: tractor trail on Uhler
- 2-810 Elaine McClammy, dated February 11,2013, re; unkept window
- 2-811 Elaine McClammy, dated February 13, 2013, re: oversize vehicles
- 2-812 Elaine McClammy, dated February 11, 2013, re: ordinances
- 2-813 Board of Island Managers, dated January 19, 2013, re: Directors and Officers Insurance

Policy

- 2-814 Board of Education, Public Notice for March 4, 2013 6pm
- 2-815 Board of Education, Public Notice for February 5, 2013 6pm
- 2-816 Board of Education, Public Notice for February 12, 2013 5pm
- 2-817 Monte Carlo Night, Friday March 8, 2013 6-11 Merion Caterers
- 2-818 The Home for Aged Women, dated February 19, 2013, Thank You for Walmart gift cards
- 2-819 Board of Education , Public Notice dated February 12, 2013
- 2-820 Elaine McClammy, dated February 25, 2013, re: Oversized Vehicles

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

**APPROVAL OF MINUTES\***

Approved by Consent Agenda. All were in favor.

**ORDINANCE(S) - INTRODUCTION & FIRST READING**

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING THE CITY CODE SECTIONS 2-23 & 2-26 (POLICE-OTHER SUPERVISORY PERSONNEL)

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

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

**Resolution No. 70-2013- REMOVED FROM THE AGENDA**

Common Council of the City of Burlington, hereby authorizes the transfer Plenary Retail Consumption License heretofore issued to Lynsey Inc. to TIPJ Enterprises, Inc. t/a "Discount Liquor World."

**Resolution No. 71-2013**

RESOLUTION NO. 71-2013 AWARDING A CONTRACT FOR AN ELECTRICAL MAINTENANCE CONTRACT FOR THE YEAR 2013 THE WASTEWATER TREATMENT PLANT OF THE CITY OF BURLINGTON

WHEREAS, Bids were received on February 13, 2013, for Electrical Maintenance of the Wastewater Treatment Plant in the City of Burlington; and

WHEREAS, David A. Hamilton Electric Contracting submitted the low bid, in the amount of \$39,418.08; and

WHEREAS, the City Sewer Engineer, Pennoni Associates, Inc. has reviewed the bid and finds

the bid price and the qualifications of the low bidder to be in order; and

WHEREAS, the City Sewer Engineer, Pennoni Associates, Inc recommends that Common Council award the contract to the lowest qualified bidder known as David A. Hamilton Electrical Contracting, Inc., 207 Boulevard, Florence, N.J. 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 for the pricing contained in their bid, total amount not to exceed \$39,418.08.

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 Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 72-2013

RESOLUTION NO. 72-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON, ACTING as the CITY OF BURLINGTON REDEVELOPMENT AGENCY, DESIGNATING DOMINIC ASTEMBORSKI AS MASTER REDEVELOPER FOR THE PROPERTY DESIGNATED AS THE ENDEAVOR PARCEL AS INCLUDED in the 1998 REDEVELOPMENT PLAN AND AUTHORIZING the city to NEGOTIATE A REDEVELOPMENT AGREEMENT WITH THE MASTER REDEVELOPER for the redevelopment of THE ENDEAVOR PARCEL

WHEREAS, the Common Council of the City of Burlington, acting as the “City of Burlington Redevelopment Agency” (“Council”) designated all of Block 118 as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and Block 118 was included in, and is subject to a valid Redevelopment Plan (the “1998 Redevelopment Plan”), which has been adopted via Ordinance;

WHEREAS, Block 118 contains Lots 31 and 37, which are owned by the City of Burlington and Lots 32, 33, and 34 which are owned by the Endeavor Fire Company (with all of these lots collectively referred to as the “Endeavor Parcel” and the “Redevelopment Area”);

WHEREAS, the Council has been designated as redevelopment entity under the 1998 Redevelopment Plan to acquire and convey property, contract for professional services, enter into long term financial agreements, grant tax exemptions/abatements, redevelop property, and collect

revenue from redevelopers to defray costs of the redevelopment entity with regard to the defined Redevelopment Area pursuant to the “1998 Redevelopment Plan” adopted by the Council pursuant to Ordinance;

WHEREAS, the Council, as redevelopment entity, conducted a diligent search for a Master Redeveloper qualified to redevelop the defined Redevelopment Area;

WHEREAS, as a result of discussions, meetings, and negotiations between the Council and DOMINIC Astemborski (“Astemborski”), the Council hereby desires to designate Astemborski as Master Redeveloper for the defined Redevelopment Area designated as the Endeavor Parcel conditioned upon negotiation of and entry into a Redevelopment Agreement to be executed by and between Astemborski and the Council to guide the development of the Endeavor Parcel;

WHEREAS, the Council possesses the statutory authority to enter into and execute a Redevelopment Agreement with Astemborski and the Council has further authority pursuant to Ordinance to enter into Five Year Exemption and Abatement Agreements as well as Long Term Financial Agreements for redevelopment areas, if the Council so desires; and

WHEREAS, Astemborski, in his role as Master Redeveloper, will undertake such redevelopment pursuant to a pending Redevelopment Agreement with the Council and in compliance with the “1998 Redevelopment Plan;” and

WHEREAS, the Council has determined it is in the best interests of the City of Burlington and its citizens to designate Astemborski as Master Redeveloper for the Endeavor Parcel and to negotiate a Redevelopment Agreement with Astemborski for such Project.

NOW THEREFORE, BE IT RESOLVED that the Council authorizes the following:

The designation of Astemborski, as Master Redeveloper, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., for the Endeavor Parcel.

Council to collect or otherwise encourage the payment of any and all funds due under a Redevelopment Agreement, including but not limited to fees for site plan approvals and/or site plan waiver to be paid by Astemborski and escrow fees to cover the City’s cost of negotiating a potential Redevelopment Agreement and potential Abatement Agreements and/or Long Term Financial Agreements.

The Mayor or other authorized member of the Council or City Administration to negotiate a Redevelopment Agreement with Astemborski for the defined Redevelopment Area;

The Mayor or other authorized member of the Council or City Administration to negotiate a Five Year Exemption and Abatement Agreement and/or a Long Term Financial Agreement, if

deemed appropriate and if requested by Astemborski.

To do all things necessary or appropriate for successful redevelopment of the Endeavor Parcel within the “1998 Redevelopment Plan.”

Effective Date: This Resolution shall take effect immediately upon adoption.

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

Resolution No. 73-2013

RESOLUTION NO. 73-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 2-2012 TO THE AGREEMENT FOR PROFESSIONAL SERVICES, CONTRACT #12-003, FOR PENNONI ASSOCIATES, INC. DUE TO UNFORESEEN FLOODING

WHEREAS, the City of Burlington entered into a Professional Services Agreement with Pennoni Associates, Inc., 515 Grove Street, Suite 2C, Haddon Heights, N.J. 08035, to serve as the Municipal Sewer Engineer for calendar year 2012; and

WHEREAS, due to unforeseen circumstances resulting in street flooding on Federal Street at High Street; Mitchell Avenue at Linden Avenue; Mitchell Avenue at Williams Street; and Talbot Street at Riverbank, additional engineering investigation was required; and

WHEREAS, the City has determined that this additional work was necessary, and additional monies should be added to the Sewer Engineer’s Professional Services contract for 2012, negotiated the payment terms, prepared the amendment and recommends approval of Amendment No. 2-2012 to the 2012 Professional Services Agreement with Pennoni Associates, Inc..

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington, hereby authorizes the Mayor and Municipal Clerk to execute an amended agreement with Pennoni Associates, Inc., 515 Grove Street, suite 2C, Haddon Heights, N.J. 08035 in the amount of \$1,666.37, making a revised total contract amount of \$60,000.37.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Mercuri, the foregoing resolution was introduced.

On the question, Councilwoman Hatala stated she thought these areas were corrected; asked for an explanation from the Engineers.

Councilman Conaway asked if this included Kennedy Park.



Mr. MacMillan stated yes, it did.

Mayor Fazzino spoke of flooding during the hurricane; fortunately the storm took a turn and didn't directly hit the City; we are working to improve.

The Resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 74-2013

RESOLUTION NO. 74-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPOINTING TANYA DICKERSON AS THE CITY OF BURLINGTON MUNICIPAL ALLIANCE COORDINATOR

WHEREAS, the City of Burlington participates in the State funded Burlington County Municipal Alliance Program; and

WHEREAS, the City of Burlington receives grant funds from the Burlington County Municipal Alliance Program that are used to plan and develop local community and evidenced-based addiction prevention strategies and programs, as well as public education and awareness activities at the local level; and

WHEREAS, the City of Burlington Municipal Alliance is a coalition of leaders, private citizens, and representatives of public and private education, health and human service agencies who make a comprehensive and coordinated effort to promote and support drug, alcohol and delinquency prevention and education programs and related activities; and

WHEREAS, the City of Burlington Municipal Alliance engages schools, residents, local government, law enforcement officials, non-profit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse within the City; and

WHEREAS, it is required that the City of Burlington appoint a Coordinator of the local Municipal Alliance Program; and

WHEREAS, the City's Municipal Alliance Committee, with input from the Burlington County Municipal Alliance Program, are recommending that Tanya M. Dickerson, 327 Brown Street, Burlington, NJ 08016 be appointed as the City of Burlington Municipal Alliance Coordinator.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that Tanya M. Dickerson be appointed to the position of Municipal Alliance Coordinator for the City of Burlington Municipal Alliance Program effective immediately.

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

Resolution No. 75-2013\*

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 March 5, 2013, that an Executive Session Closed to the Public shall be held on March 5, 2013, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

Contracts N.J.S.A. 10:4-12(7) Skye Consulting  
Attorney-Client Privilege N.J.S.A. 10:4-12(7) CR & JL Associates, Inc.

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 March 2013 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 76-2013\*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Glen J. Matlack, 308 Sunset Road, Burlington, N.J. and Marlon Smith, 8600 Temple Road, Philadelphia, Pa. to operate a business at 214 Cherry Street t/a "G & M Caterers."

Approved by Consent Agenda. All were in favor.

Resolution No. 77-2013\*

WHEREAS, in accordance with Section 2-39(C.) of the Municipal Code, no portion of the equipment or apparatus of the Fire Division shall be permitted to leave the City to attend social functions (parades, musters, etc.) except with the written consent of the Chief of the Fire Division and approval of the City Council.

WHEREAS, the Fire Chief of the City of Burlington has requested, in writing to the Common Council, that the Companies of the Fire Departments be given permission to attend parades during the year 2012; and

NOW, THEREFORE BE IT RESOLVED that the Common Council of the City of Burlington, hereby authorizes the City of Burlington Fire Department to attend the following parades:

May 4, 2013  
May 11, 2013

Burlington County Junior Competition, Westampton, N.J.  
Absecon, N.J.

May 11, 2013	Maple Shade, N.J.
June 1, 2013	Hillsborough, N.J.
June 8, 2013	Williamstown, N.J.
June 15, 2013	Sterling, N.J.
June 22, 2013	Bound Brook, N.J.
September 13-15, 2013	New Jersey State Fireman's Convention, Wildwood, N.J.

Approved by Consent Agenda. All were in favor.

Resolution No. 78-2013

RESOLUTION NO. 78-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON WAIVING PERMIT FEES AND REFUNDING ADMINISTRATIVE FEES PAID FOR INSPECTIONS TO 132 EAST BROAD STREET (RELATING TO THE CITY OF BURLINGTON'S SPONSORSHIP OF THE SISTERHOOD, INCORPORATED FOR THE SMALL CITIES IDF PROGRAM GRANT)

WHEREAS, the City of Burlington acted as a sponsor for the Sisterhood Incorporated in the Application for a Small Cities IDF Program Grant; and

WHEREAS, in so doing the City of Burlington recognizes the public benefit that the Sisterhood offers to the residents to the City of Burlington;

WHEREAS, the City, as a sponsor for the said program was in receipt of a grant in the amount of \$400,000.00 and has worked with the Sisterhood Incorporated for the Grant application and programs, as well as uses toward the rehabilitation of its building located at 132 East Broad Street; and

WHEREAS, the Sisterhood Incorporated has its Chief Business Offices at 132 East Broad Street, Burlington, and the Grant Application related to work to be performed at 132 East Broad Street; and

WHEREAS, as part of the Small Cities IDF Program Grant that the City of Burlington sponsored on behalf of the Sisterhood Incorporated Program that the Grant was to provide for repairs including but not limited to the roof of the said program; and

WHEREAS, as part of the program an Architect prepared plans in relation to repairs on behalf of the Sisterhood Incorporation in furtherance of the Grant; and

WHEREAS, it was later determined that the roof at 132 East Broad Street, as well as other aspects of the building required repairs greater than originally anticipated, thereby increasing the cost of the rehabilitation of the building; and

WHEREAS, as part of its Partnership and Sponsorship of the Sisterhood Incorporated the City of Burlington has worked in conjunction with the Sisterhood Incorporated in the furtherance of the

Small Cities IDF Program; and

NOW THEREFORE, BE IT RESOLVED by the Common Council for the City of Burlington as follows:

1. That the Common Council hereby authorizes and directs the Administration for the City of Burlington to waive Administrative City permit fees in the amount of \$3,094.00 in relation to inspections for electrical, building, and plumbing for the Property situate 132 East Broad Street, Burlington, as a result of the City's partnership with the Sisterhood Incorporated;
2. Administration is hereby authorized and directed to refund any administrative fees in the amount of \$3,094 to the Sisterhood, Incorporated for fees paid in relation to these inspections.

Upon the motion of Councilwoman Woodard, seconded by Councilman Babula, the foregoing resolution was introduced.

On the question, Councilwoman Hatala stated that she will vote for this Resolution, but it will set a precedence.

Mr. Saponaro suggested that this was a unique circumstance; the City partnered with Sisterhood on this grant.

Councilwoman Hatala suggested that the person who did the survey should have been more careful; could have included the figures in the grant.

Councilman Ghaul stated this is a great project; spoke of other nonprofits doing work; all should be treated the same; spoke of the financial condition of the City and not setting a precedence; we should wave for all.

Mayor Fazzone stated that he was aware of the ordinance and the statute regarding waiving fees; this was a competitive grant; much of the work could have been \$750,000 worth of work; we need to make sure this is a safe and secure building; we needed to find more creative ways of getting more money into the project.

Councilwoman Woodard stated that there is a substantial amount of damage that was uncovered in the roof; spoke of the CFO who posed that when we have fees that are over what we are allow to make; Sisterhood paid a substantial amount of fees.

Mr. Saponaro explained that not all fees are being waved, this is only a small portion.

The Resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri. (6) NAYS: (0); ABSTAIN: Ms. Woodard. (1); ABSENT: (0).

## **PUBLIC COMMENTS**

Theresa Branham, 106 Stacy Court- spoke of potholes and dirt in front of 102, 104 and 110 Stacy Court; spoke of a leaning Stop sign at Stacy and E. Pearl.

Sammy Cohen, 180 Riverbank- spoke of the LUB newspaper situation; stated she was at the LUB meeting last week; hope the Agenda items were published; spoke of trees on the promenade that need to be cut; spoke of a past presentation regarding cats.

Claudine Conaway, 110 James Street- spoke of people not curbing their dogs on the promenade; stated that she told the Burlington County Times reporter that the LUB was using the Burlington County Times and the Camden Courier.

## **COUNCIL COMMENTS**

Councilwoman Woodard spoke of the dredging of Kennedy Lake; spoke of Emma Jean Morgan, she is doing better and thanked everyone for their concerns and well wishes.

Councilman Conaway extend well wished for students Blanco and Davis who will be in the State Wrestling Finals; thanked Administration for their involvement with the Summer Jobs Program; the Pipefitters Union will be taking applications next week in Englishtown; the 2013 Joe Laufer College Scholarship is open.

Mayor Fazzone spoke of requesting a report regarding the dredging of Kennedy Lake.  
President Lollar spoke of upcoming events.

## **CONFERENCES**

Website Update- John Alexander, Director of Public Affairs  
Construction Code Fees- Ken MacMillan, CFO

## **EXECUTIVE CONFERENCES**

Skye Consulting- Jim Kennedy of Skye Consulting, LLC  
CR & JL Associates, Inc.- Cindy Crivaro, RMC

## **ADJOURNMENT**

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hatala, this meeting of March 5, 2013 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk

