

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 19, 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. Lollar, Ms. Mercuri, Ms. Woodard.  
(6) Absent: Ms. Hatala. (1)

Also present: Municipal Attorney- George Saponaro, Municipal Engineer - Frank Morris, Director of Housing- David Ballard, Lt. Snow, Director of Public Works- Carl Turner.

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 19, 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

### **SALUTE TO FLAG**

A moment of silence was held for the passing of Stella G. Hatala, sister to Councilwoman Hatala.

### **PRESENTATIONS**

Recognition of Ghost Tour Volunteers  
Recognition of Car Show Volunteers

### **UNFINISHED BUSINESS**

None.

### **CONSENT AGENDA**

Councilwoman Woodard, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Mercuri. All were in favor. Absent: Ms. Hatala. (1)

### **APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor. Absent: Ms. Hatala. (1)

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

BOND ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING REPAIRS TO DRAINAGE OUTFALL LINES IN THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$245,000; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$226,100; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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. Lollar, Ms. Mercuri, Ms. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REDUCING THE ADMINISTRATIVE SURCHARGE FOR SUBCODE PERMIT FEES

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

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING GENERAL REVISED ORDINANCE CHAPTER 54-28 SETTING FORTH TITLES AND SALARY RANGES FOR VARIOUS POSITIONS WITHIN THE CITY OF BURLINGTON

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

**ORDINANCE(S) - SECOND READING & FINAL DISPOSITION**

ORDINANCE NO. 01-2013 OF THE CITY OF BURLINGTON AMENDING THE CITY CODE SECTIONS 2-23 & 2-26 (POLICE-OTHER SUPERVISORY PERSONNEL)

WHEREAS, the Common Council for the City of Burlington recognizes the need for supervisory personnel within its police department;

WHEREAS, presently the Code for the City of Burlington does not provide for the position of Police Captain, but provides for three Lieutenants;

WHEREAS, at the recommendation of the Police Chief and after review of the Code for the City of Burlington, the Common Council for the City of Burlington believes it is in the best interest of the health, safety, and welfare of the citizens of Burlington to make changes to better effectuate the administration of the City;

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

1. The Code for the City of Burlington Section 2-23 (Establishment) shall be amended to state as follows:

"Composition. The Police Division of the City is established. The Police Division shall consist of a Chief of Police, a maximum of one Captain, a maximum of two Lieutenants, a maximum of five Sergeants and a maximum of 36 patrol officers. Appointments shall be made by the Mayor."

2. The Code for the City of Burlington Section 2-26 (Other Supervisory Personnel) shall be amended as follows:

Subsection A shall be inserted and added to the Code for the City of Burlington and read as follows: "Captains. Captains shall serve as command personnel and shall be responsible for the supervision of the personnel of the Police Division. Captains shall perform all duties and perform such duties as the Chief of Police may assign, and all other duties as listed by the title of Captain pursuant to the Civil Service Commission of the State of New Jersey."

Subsection B shall be inserted and added to the Code for the City of Burlington and read as follows: "Lieutenants. Lieutenants shall serve as command personnel and shall be responsible for the supervision of the personnel of the Police Division. The Lieutenants shall also perform such other duties as the Captain and Chief of Police may assign."

Subsection C shall be inserted and added to the Code for the City of Burlington and read as follows: "Sergeants. Under the supervision of a Lieutenant, a Sergeant shall be responsible for police activities intended to provide assistance and protection for persons, safeguard property, and assure observance of the law. The Sergeants shall also perform such other duties as Lieutenants, the Captain or the Chief of Police may assign."

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

#### Public Comments

William McClammy, 561 Uhler Avenue- stated that the City did this Ordinance a few years ago in the reverse; suggested that either the Captain's position was never needed or the Lieutenant's position was never needed; nothing has been improved or changed; officers need to be supervised after 5pm.

#### Council Comments

Councilman Ghaul made a motion to amend the Ordinance adding the following:

1. The Lieutenants shall also perform such other duties as the **Captain** and Chief of Police may assign.”
2. The Sergeants shall also perform such other duties as Lieutenants, the **Captain** or the Chief of Police may assign.”

Councilman Babula stated that the Chief explained that this is a process; spoke of the three Lieutenants competing through the Civil Service process; the position is not an appointment by the Chief.

Councilman Ghaul suggested that the City should have a Captain.

Councilman Dave Babula agreed and seconded Councilman Ghaul's motion to amend the ordinance.

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

#### **RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

##### **Resolution No. 70-2013-REMOVED**

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. 81-2013**

#### **RESOLUTION ADOPTING 2013 TEMPORARY CAPITAL BUDGET**

WHEREAS, the City of Burlington desires to constitute the 2013 Temporary Capital Budget of the City of Burlington by inserting therein **Repairs to Drainage Outfall Lines**,

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

Section 1. The 2013 Temporary Capital Budget of the City of Burlington is hereby constituted by the adoption of a schedule to read as follows:

TEMPORARY CAPITAL BUDGET OF THE  
CITY OF BURLINGTON, NEW JERSEY  
Projects Scheduled for 2013  
Method of Financing

<u>Project</u>	Estimated Total <u>Costs</u>	Funded by Reserve for <u>Outfall Repairs</u>	Debt <u>Authorized</u>
Repairs to Drainage Outfall Lines	\$245,000.00	\$ 18,900.00	\$226,100.00

BE IT FURTHER RESOLVED that one certified copy of this resolution authorizing the projects be filed forthwith in the Office of the Director of Local Government within three days after adoption, to be included in the 2013 Permanent Capital Budget as adopted.

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. Lollar, Ms. Mercuri, Ms. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

Resolution No. 82-2013

RESOLUTION AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES

WHEREAS, various 2012 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2012 Budget Appropriations in the last two months of 2012; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances to appropriation reserves which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the council of the City of Burlington that the

transfers in the amount of \$31,000.00 be made between the 2012 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
<u>Current Fund:</u>		
Engineering:		
Other Expenses		\$ 31,000.00
Police:		
Salaries and Wages	\$ 31,000.00	

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. Lollar, Ms. Mercuri, Ms. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

Resolution No. 83-2013

RESOLUTION NO. 83-2013 AWARDING A CONTRACT FOR MECHANICAL MAINTENANCE FOR THE YEAR 2013 FOR THE WASTEWATER TREATMENT PLANT OF THE CITY OF BURLINGTON

WHEREAS, Bids were received for Mechanical Maintenance at the City's Wastewater Treatment Plant in the City of Burlington; and

WHEREAS, KRS Services, Inc. submitted the lowest bid, in the amount of \$42,967.20; and

WHEREAS, the City Sewer Engineer, Pennoni Associates, Inc. has reviewed all submitted bids and finds 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 KRS Services, Inc., 1806 Route 206, Southampton, N.J., 08088

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 KRS Services, Inc. for the pricing contained in their bid, total amount not to exceed \$42,967.20.

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 introduced.

On the question, Councilman Babula asked for clarification from Mr. Dougherty of Pennoni.

Mr. Dougherty explained that every year this project goes out to bid; KRS was the lowest bidder; Shafts and Sleeves were disqualified for paper work and math errors.

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

Resolution No. 84-2013

RESOLUTION NO. 84-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON WAIVING CONSTRUCTION PERMIT FEES FOR IMPROVEMENTS TO 23 WEST UNION STREET

WHEREAS, The Library Company of Burlington located at 23 West Union Street has proudly served the City of Burlington community for over 255 years; and

WHEREAS, the City of Burlington recognizes the public benefit that The Library Company of Burlington offers to the residents to the City of Burlington; and

WHEREAS, The Library Company of Burlington is undertaking needed renovations to improve their patrons' experience at the Library including the construction of an accessible restroom.

WHEREAS, The Library Company of Burlington, in their letter dated March 4, 2013, has respectfully requested the waiving of the permit fees associated with this project.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington hereby authorizes and directs the Administration for the City of Burlington to waive the Administrative Surcharge Fee associated with the Uniform Construction Code permits needed for the above project for the property situate 23 West Union Street.

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

On the question, Councilman Conaway asked if Administration has a procedure for waiving fees; requested that Administration look the procedure and come back to Council with a plan; others may see this and want their fees to be waived also.

Councilman Ghaul thanked Councilman Conaway for the question on the procedure.

Councilwoman Woodard spoke of the difference in this request and the request from Sisterhood; the City's fees were covered, the excess fees were given back; it was thousands of dollars for Sisterhood.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (5) NAYS: (0); ABSTAIN: Mr. Ghaul. (1); ABSENT: Ms. Hatala. (1).

Resolution No. 85-2013

RESOLUTION NO. 85-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON

AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH TRIAD ADVISORY SERVICES, INC. IN CONJUNCTION WITH THE IMPLEMENTATION OF THE New Jersey Department of Community Affairs (NJCA) FY2013 Small Cities Community Development Block Grant (CDBG) for Flood Control Improvements along The Assiscunk Creek in the Vicinity of Columbus Park

WHEREAS, the City of Burlington received a 2013 Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (Grant #2013-02292-0135-00) in the amount of \$399,300.00 for the Public Facilities Project: Flood Control Improvements along the Assiscunk Creek in the vicinity of Columbus Park; and

WHEREAS, consultant services are required in association with this grant funded project, for grant administration including preparation of the Environmental Review Record, preparation of bid specification package in conjunction with the design engineer, oversight of Fair Labor Standards compliance, coordination of Small Cities activities and administration including creation and maintaining of project files, forms, applications, record-keeping and general implementation of the program; and

WHEREAS, the City of Burlington received a proposal in the amount of \$20,000.00 for said consulting services from Triad Advisory Services, Inc. and payment of these services in the amount of \$20,000.00 is included in the grant budget that has been approved; and

WHEREAS, under the Local Public Contracts Law, NJSA 40A:11-1 et. seq. (the "LPCL"), a municipality may enter into a contract for the performance of goods and services without competitive public bidding if the goods and services being procured qualify as professional services and/or extraordinary unspecifiable services; and

WHEREAS, the services necessary to implement the Small Cities Community Development Block Grant Public Facilities Program qualify as extraordinary unspecifiable services because the services to be provided are of such a qualitative nature that the performance of the services cannot be reasonably described by written specifications because they involve subjective management and planning abilities; and

WHEREAS, due to the unique nature of the work performed by Triad Associates, Inc. and its



experience in implementing community-based development projects, the City wishes to enter into a contract with Triad Associates authorizing Triad to perform the services necessary to implement the Program; and

WHEREAS, Triad has demonstrated that it is qualified by its training and experience to provide the required services in the manner and on the terms and conditions set forth in the proposed contract;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, that the Mayor is hereby authorized to execute a contract in a form acceptable to the City Solicitor, with Triad Associates, Inc. for the provision of consulting services in connection with the implementation of the Small Cities Community Development Block Grant Public Facilities Program for an amount not to exceed \$20,000.00; and

BE IT FURTHER RESOLVED, that due to the unique nature of the services being provided, it was impracticable to obtain two competitive quotations; and

BE IT FURTHER RESOLVED, that the Certification of Extraordinary Unspecifiable Service, as required by the NJAC 5:34-2.3(b.) shall be filed in the Office of the Municipal Clerk with the original resolution; and

BE IT FURTHER RESOLVED, that the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available, and

BE IT FURTHER RESOLVED, that a notice stating the service and the amount of this contract shall be published and this Resolution shall be maintained on file and available for public inspection in the office of the Municipal Clerk.

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

Resolution No. 86-2013

RESOLUTION NO. 86-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH ENVIRONMENTAL\_RESOLUTIONS, INC. IN CONJUNCTION WITH THE IMPLEMENTATION OF THE

Delaware Valley Regional Planning Commission (DVRPC)  
Transportation and Community Development Initiative (TCDI) Grant Project  
For Zoning Ordinance Consistency Review and Update as Related to City of Burlington

## New Master Plan

WHEREAS, the City of Burlington received a 2012 TCDI Grant from the Delaware Valley Regional Planning Commission (DVRPC Grant #12-66-101) for Zoning Ordinance Consistency Review and Update as related to the City's New Master Plan; and

WHEREAS, professional services are required in association with this grant funded project, for grant administration and implementation including monthly meetings for the revision and updating of the current code and presentation of recommendations for the revised code to the Land Use Board and Common Council; and

WHEREAS, the DVRPC has reviewed and approved the proposal and Scope of Work submitted by Environmental Resolutions, Inc. on behalf of the City of Burlington for implementation of this project; and

WHEREAS, the DVRPC has approved the budget for this project at \$79,998.71 of which \$64,000.00 is approved to be funded by the DVRPC grant and the required 25% match of \$15,998.71 is to be funded by the City of Burlington; and

WHEREAS, the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available,

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, that the Mayor is hereby authorized to execute a contract in a form acceptable to the City Solicitor, with Environmental Resolutions, Inc. for professional services in connection with the implementation of the 2012 TCDI Grant from the Delaware Valley Regional Planning Commission (DVRPC Grant #12-66-101) for Zoning Ordinance Consistency Review and Update as related to the City's New Master Plan in an amount not to exceed \$79,998.71.

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, Mr. Ghaul, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

### Resolution No. 87-2013

RESOLUTION NO. 87-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH PENNONI ASSOCIATES, INC. IN CONJUNCTION WITH THE IMPLEMENTATION OF THE

New Jersey Department of Community Affairs (NJDC) FY2013 Small Cities Community Development Block Grant (CDBG) for Flood Control Improvements along The Assiscunk Creek in the Vicinity of Columbus Park

WHEREAS, the City of Burlington received a 2013 Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (Grant #2013-02292-0135-00) in the amount of \$399,300.00 for the Public Facilities Project: Flood Control Improvements along the Assiscunk Creek in the vicinity of Columbus Park; and

WHEREAS, professional services are required in association with this grant funded project, for grant administration including preparation of the design and bidding specification package, application to New Jersey Department of Environmental Protection for various permits for Soil Erosion, Freshwater Wetlands, and Waterfront Development/Flood Hazard Area permits, and contract administration; and

WHEREAS, the City of Burlington received a proposal dated March 14, 2013 in the amount of \$135,000.00 for said professional services from the City Sewer Engineer, Pennoni Associates, Inc. and. and payment of these services in the amount of \$135,000.00 ( is included in the grant budget that has been approved to be funded \$115,000.00 from grant proceeds and \$20,000.00 from the City's required 10% matching funds; and

WHEREAS, the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available,

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, that the Mayor is hereby authorized to execute a contract in a form acceptable to the City Solicitor, with Pennoni Associates, Inc. for professional services in connection with the implementation of the 2013 Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (Grant #2013-02292-0135-00),

BE IT FURTHER RESOLVED, that a notice stating the service and the amount of this contract shall be published and this Resolution shall be maintained on file and available for public inspection in the office of the Municipal Clerk.

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. Lollar, Ms. Mercuri, Ms. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

Resolution No. 88-2013

Common Council of the City of Burlington, hereby authorizes Amendment No. 5-2012 to the General Engineering Services Professional Services Agreement with the Alaimo Group, Contract

#12-002, to provide for engineering services in connection with the Preliminary Investigation Report, Designation of the Landfill as a Redevelopment Area and preparation of a Redevelopment Plan for the Landfill, in an amount not to exceed \$16,000.00.

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. Lollar, Ms. Mercuri, Ms. Woodard. (5) NAYS: Mr. Ghaul. (1); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

#### Resolution No. 89-2013

Common Council of the City of Burlington, hereby authorizes Amendment No. 6-2012 to the General Engineering Services Professional Services Agreement with the Alaimo Group, Contract #12-002, to provide for engineering services in connection with the preparation and issuance of a request for Proposals for a Solar Project at the Landfill Site, in an amount not to exceed \$75,000.00.

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

On the question, Councilman Babula asked Mr. Morris for an explanation of this resolution.

Mr. Morris explained that \$75,000 would be reimbursed if the project is successful.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (5) NAYS: Mr. Ghaul. (1); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

#### Resolution No. 90-2013

Common Council of the City of Burlington, hereby authorizes Amendment No. 7-2012 to the General Engineering Services Professional Services Agreement with the Alaimo Group, Contract #12-002, to provide for engineering services in connection with the demolition of 316 York Street and restoration of adjacent walls at 314 and 318 York Street, in an amount not to exceed \$15,000.00.

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, Mr. Ghaul, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

#### Resolution No. 91-2013

Common Council of the City of Burlington, hereby authorizes Amendment No. 8-2012 to the General Engineering Services Professional Services Agreement with the Alaimo Group, Contract #12-002, to provide for engineering services in connection with the Lyceum Hall HVAC System

and the preparation of four grant applications, in an amount not to exceed \$31,000.00.

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

On the question, Councilman Babula asked about the construction issues, things were not properly installed; asked how much of the \$31,000 could be charged back.

Mr. Saponaro explained that this is still in litigation; we hope for most or all of it; not able to give an amount at this time.

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

Resolution No. 92-2013

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS

RESOLVED: That WHEREAS, an emergent condition has arisen with respect to paying salaries and wages for various City employees and various other expenses necessary to provide essential services to the residents of the City of Burlington prior to the final adoption of the budget and no adequate provision has been made in the 2013 temporary appropriations for the aforesaid purpose, and N.J.S.40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2013 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A: 4-20) including this resolution total \$4,081,759.37 for Current Fund, \$ 454,334.00 for Water Utility and \$ 900,730.00 for Sewer Utility;

NOW, THEREFORE, BE IT RESOLVED: (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the purposes found on attachment "A" attached.
2. That said emergency temporary appropriations will be provided for in the 2013 budget under the titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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, Mr. Ghaul, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

Resolution No. 93-2013\*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Aminatou Diallo, 30 Regency Drive, Mt. Holly, N.J. to operate a business at 227 High Street t/a "H & H Hair Braiding."

Approved by Consent Agenda. All were in favor. Absent: Ms. Hatala. (1)

**PUBLIC COMMENTS**

William McClammy, 561 Uhler Avenue- spoke of an ordinance regarding parking on residential streets; the ordinance needs to be clarified; spoke of the ordinance creating the Captain's position; asked Council to review the overall structure of Police Department; officers on duty at night are without supervision; there should be a Sergeant on duty after 5pm.

**COUNCIL COMMENTS**

Councilman Ghaul spoke of listing citations on the Agenda; Council didn't know what or who was being recognized; why are we not letting the public know who we are recognizing; spoke of a meeting that took place in the building regarding the Redevelopment Project in 3<sup>rd</sup> Ward; Ward Representative's were not called; reminded Council President Lollar that there are subcommittees and the Clerk should be directed to call the representatives.

Councilman Conaway spoke of the City High School play, Barnum.

Councilman Ghaul spoke as Council Historian, 125 years ago tomorrow would had been the last day of the 13 Members of Council.

President Lollar spoke information received from Triad for an Open House at 519 Lawrence Street to be held on April 6<sup>th</sup> ; on April 26<sup>th</sup> Cafe Gallery will be hosting Oysters Overboard; the Burlington City Alumni Foundation Annual Soul Line Dance will be held on May 3<sup>rd</sup>; spoke of the Ingerman Project, the Burlington County Board of Chosen Freeholders awarded ½ million dollars for this project.

Councilman Conaway spoke of a Sheet Metal Worker's job opportunity, Local Union 25 in Camden,

the deadline is April 22<sup>nd</sup>.

**CONFERENCES**

Becoming a Storm Ready Community- Alex Elefante, Deputy EMC

Hurricane Sandy FEMA Reimbursement Process- Frank Caruso, EMC

**ADJOURNMENT**

Upon the motion of Councilman Babula, seconded by Councilwoman Mercuri, this meeting of March 19, 2013 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk