

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 5, 2016, 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, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5) Absent: Ms. Lollar. (1)

Also present: Mayor Conaway, Municipal Attorney- George Saponaro, Municipal Engineer - Frank Morris, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Capt. Snow, 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 January 5, 2016 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC  
Municipal Clerk

**CONSENT AGENDA**

Councilwoman Hatala, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Mercuri .

On the question, Councilwoman Mercuri asked that Resolution No. 18-2016 and 25-2016 be added to the Consent Agenda. It was seconded by Councilman Swan.

All were in favor.

Councilwoman Hatala made a motion to approve Resolution No.'s 03-2016 through 06-2016 and 08-2016 through 29-2016 in one motion. It was seconded by Vice President Babula.

All were in favor.

**PETITIONS AND COMMUNICATIONS\***

Approved by Consent Agenda. All were in favor.

**CORRESPONDENCE FOR DECEMBER 2015**

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

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of November 2015. \$125.00

**AGENDAS RECEIVED FROM VARIOUS BOARDS**

12 -01 Screening Board for December 2015

**NOTICE TO PROPERTY OWNERS**

12 -20 block 32 lots 2.01, 4 &4.01

**CORRESPONDENCE TO AND FROM MUNICIPAL ATTORNEY**

12-200 Pennoni Associates, Inc., dated November 25, 2015, re: Conover Street Subsurface Investigation

12-201 Alaimo Group, dated December 4, 2015, re: Engineer's Status Report

**COMMUNICATION TO AND FROM MUNICIPAL ENGINEER**

12-300 Environmental Resources, Inc., dated November 19, 2015, re: Phi Lake Avenue -7<sup>th</sup> Street water tank

12-301 Environmental Resolutions, Inc., dated December 18, 2015, re: Burlington City Water Treatment Plant Security Project

12-302 Environmental Resolutions, Inc., dated December 18, 2015, re: Burlington City Water Treatment Plant Security Project

**CORRESPONDENCE TO AND FROM BURLINGTON COUNTY**

12-501 Greater Burlington Chamber of Commerce, dated December 28, 2015, re: Monthly Chamber Dinner Meeting

12-502 Greater Burlington Chamber of Commerce, dated December 21, 2015, re: Elcon

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

12-700 DEP News Release, dated December 29, 2015, re: Christie Administration Awards \$14.3 Million in Grants to support local recycling efforts

12 -701 DEP News Release, dated December 14, 2015, re: Wood Burning During Colder months

12-702 DEP News Release, dated December 13, 2015, re: NJ Division of Fish and Wildlife Extends Black Bear Hunt-additional 4 day s

**MISCELLANEOUS CORRESPONDENCE**

12-800 Lisa Schiller, re: Citizen of the Year- Thank You to Council

12-801 New Jersey Municipal Self Insurers' Joint Insurance Fund, dated December 1, 2015, re: Claims Sweep for Public Officials/Employment Practices Liability Claims

12-802 Elaine McClammy, dated December 7, 2015, re: speeding on Uhler

12-803 Elaine McClammy, dated December 7, 2015 re: years of inaction concerning dangerous cats

12-804 Annual Housing Authority Meeting Schedule for 2016

12-805 Lisa Schiller, re: Citizen of the Year- Thank You to Council

- 12-806 Board of Education, re: PARCC Testing
- 12-807 Elaine McClammy, dated December 3, 2015, re: parking on from lawns
- 12-808 Elaine McClammy, dated December 21, 2015, re: talked to Corporal Kramer
- 12-809 Elaine McClammy, dated December 11, 2015, re: dangerous crossing area for students
- 12-810 Elaine McClammy, dated December 21, 2015, re: cat with no tags
- 12-811 Endeavor Emergency Squad, Inc., November monthly Report
- 12-812 Cross County Connection Transportation Management Association, re: Complete Streets Free Workshop
- 12-813 Eli Mireles, Jr., re: 531 York Street - Complaint concerning boxing gym
- 12-814 PSE&G, dated December 14, 2015, re: warning to customers about increase scams

**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 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 Mercuri, seconded by Councilwoman Hatala, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5) NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Lollar. (1).

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 01-2016\*

Common Council of the City of Burlington, hereby approves the following appointments for the year 2016:

Councilwoman Hatala and Councilwoman Lollar as Council's representatives to the Tourism Council;

Councilwoman Hatala and Councilwoman Lollar as Council's liaison to Main Street;

Councilwoman Hatala as Council's representative to the Land Use Board;

Councilwoman Mercuri, as Council's liaison to the Board of Education;

Councilman Babula as Council's liaison to the Board of Island Managers;

Councilwoman Woodard and Councilwoman Mercuri as Council's representatives to the Local Emergency Planning Committee;

Councilwoman Lollar as liaison to the Greater Burlington Chamber of Commerce;

1<sup>st</sup> Ward Councilwoman Woodard and Councilman Swan; 2<sup>nd</sup> Ward Councilwoman Woodard, Councilwoman Mercuri and Councilman Swan; 3<sup>rd</sup> Ward Councilwoman Hatala, Councilwoman Mercuri and Councilman Babula; 4<sup>th</sup> Ward Councilwoman Lollar, Councilman Babula and Councilwoman Hatala to serve as Council's representatives to the Ward Redevelopment sub-committee.

Approved by Consent Agenda. All were in favor.

Resolution No. 02-2016\*

**CITY OF BURLINGTON  
COMMON COUNCIL MEETING SCHEDULE**

**NOTICE** is hereby given that the following is the schedule of the Regular Meeting Dates and Work Session Meeting Dates of the Common Council of the City of Burlington (which may include executive sessions) for 2016 to be held in the Council Meeting Room, located at 525 High Street, Burlington, N.J., beginning at 7:00 p.m. except where specifically set forth otherwise herein:

**REGULAR MEETINGS**

(formal action will be taken- work session may follow)

January 5, 2016	June 21, 2016
January 19, 2016	July 5, 2016
February 2, 2016	July 19, 2016
February 16, 2016	August 4, 2016
March 1, 2016	September 6, 2016
March 15, 2016	September 20, 2016
April 5, 2016	October 4, 2016
April 19, 2016	October 18, 2016
May 3, 2016	November 1, 2016
May 17, 2016	December 6, 2016
June 14, 2016	December 13, 2016

**WORK SESSIONS**

(formal action may or may not be taken)

January 12, 2016	July 12, 2016
February 9, 2016	September 13, 2016
May 10, 2016	October 11, 2016

Approved by Consent Agenda. All were in favor.

Resolution No. 03-2016\*

Common Council of the City of Burlington hereby affirms that Barry W. Conaway, Mayor of the City of Burlington, is duly appointed Public Safety Director for the City of Burlington for a term to run concurrently with his term as Mayor.

Approved by Consent Agenda. All were in favor.

Resolution No. 04-2016\*

WHEREAS, in accordance with N.J.S.A. 40:69A-43, the term of appointment for Department Directors is concurrent with the term of the Mayor appointing him; and

WHEREAS, Mayor Barry W. Conaway has elected to continue the services of David H. Ballard as Director of the Department of Administration.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby consents to Mayor Barry W. Conaway's appointment of David H. Ballard as the Director of the Department of Administration, for a four-year term, January 1, 2016 to December 31, 2019, at a salary as per the salary ordinance.

Approved by Consent Agenda. All were in favor.

Resolution No. 05-2016\*

WHEREAS, in accordance with N.J.S.A. 40:69A-43, the term of appointment for Department Directors is concurrent with the term of the Mayor appointing him; and

WHEREAS, Mayor Barry W. Conaway has elected to continue the services of Kenneth R. MacMillan as Director of Finance.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby consents to Mayor Barry W. Conaway's appointment of Kenneth R. MacMillan, as the Director of Finance, for a four-year term, January 1, 2016 to December 31, 2019 at a salary as per salary ordinance.

Approved by Consent Agenda. All were in favor.

Resolution No. 06-2016\*

WHEREAS, in accordance with N.J.S.A. 40:69A-43, the term of appointment for Department Directors is concurrent with the term of the Mayor appointing him; and

WHEREAS, Mayor Barry W. Conaway has elected to continue the services of John Alexander as Director of Public Affairs.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby consents to Mayor Barry W. Conaway's appointment of John Alexander as the Director

of Public Affairs, for a four-year term, January 1, 2016 to December 31, 2019, at a salary as per the salary ordinance.

Approved by Consent Agenda. All were in favor.

Resolution No. 07-2016\*

WHEREAS, should the occasion arise whereby the Mayor is prevented by absence from the municipality, due to disability, or other just cause from attending to the duties of his office, and in accordance with N.J.S.A. 40:69A-42, Mayor Barry W. Conaway hereby selects David H. Ballard and Kenneth R. MacMillan as Acting Mayor; and

WHEREAS, if the Mayor is ever unable to attend to the duties of his office for a period of sixty (60) consecutive days, for any of the above stated reasons, an acting mayor will then be appointed by the Common Council who shall succeed to all the rights, powers, duties of the mayor, or the then acting mayor.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington does hereby confirm the Mayor's appointments for Acting Mayor.

Approved by Consent Agenda. All were in favor.

Resolution No. 08-2016\*

RESOLUTION NO. 08-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF SOLICITOR/MUNICIPAL ATTORNEY/DIRECTOR OF LAW

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, N.J.S.A.40:69a-43(b) provides the appointment of Directors as department heads by the Mayor and with the consent and advice of Council to serve for the term of the Mayor; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposal for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor as appointed and selected George R. Saponaro, Esq. of the Saponaro Law Firm to serve as the Municipal Attorney/Solicitor and Director of Law based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2016,

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of George R. Saponaro, Esquire of the Saponaro Law Firm to serve as Municipal Attorney/Solicitor and Director of Law (hereinafter "Solicitor") for a term to run concurrent with Mayor Conaway's term and qualification as a successor.
2. The compensation of the Solicitor and services of the Solicitor for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and George R. Saponaro.
3. The City of Burlington is hereby authorized to enter into the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for George R. Saponaro, Esquire of the Saponaro Law Firm to provide legal services and serve as Municipal Attorney/Solicitor setting forth the following terms:

\$162,000.00 per year—Pursuant to the bid and contract(includes 100 hrs of litigation—any additional hours thereafter will be billed at the rate of \$150.00 per hour)

Approved by Consent Agenda. All were in favor.

Resolution No. 09-2016\*

RESOLUTION NO. 09-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF THE ALAIMO GROUP AS CITY ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the Engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected the Alaimo Group to serve as the City Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2016.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of the Alaimo Group to serve as the City Engineer for the term of January 1, 2016 through December 31, 2016.
2. The compensation of the Engineer and services of the Engineer for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Alaimo Group.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for the Alaimo Group to provide engineering services and serve as City Engineer setting forth the following terms:
  - a. A term of January 1, 2016 through December 31, 2016
  - b. Hourly rates and compensation not in excess of that set forth in Alaimo Group's attached proposals; and
  - c. The following not to exceed amounts:



2016

General Engineering Services                      \$60,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 10-2016\*

RESOLUTION NO. 10-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF PENNONI ASSOCIATES, INC. AS SEWER ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Sewer Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the sewer engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Pennoni Associates, Inc. to serve as the Municipal Sewer Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2016.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Pennoni Associates, Inc. to serve as the Sewer Engineer for the term of January 1, 2016 through December 31, 2016.

2. The compensation of the Sewer Engineer for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and Pennoni Associates, Inc..

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Pennoni Associates, Inc. to provide sewer engineering services setting forth the following terms:

a. A term of January 1, 2016 through December 31, 2016

b. Hourly rates and compensation not in excess of that set forth in Pennoni Associates, Inc. attached proposals; and

c. The following not to exceed amounts:

2016

Sewer Engineering Services                      \$70,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 11-2016\*

RESOLUTION NO. 11-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ENVIRONMENTAL RESOLUTIONS, INC. AS WATER ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Water Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the water engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Environmental Resolutions, Inc. to serve as the Municipal Water Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2016.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Environmental Resolutions, Inc. to serve as the Water Engineer for the term of January 1, 2016 through December 31, 2016.

2. The compensation of the Water Engineer for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and Environmental Resolutions, Inc..

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Environmental Resolutions, Inc. to provide water engineering services setting forth the following terms:

a. A term of January 1, 2016 through December 31, 2016

b. Hourly rates and compensation not in excess of that set forth in Environmental Resolutions, Inc. attached proposals; and

c. The following not to exceed amounts:

	<u>2016</u>
Water Engineering Services	\$40,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 12-2016\*

RESOLUTION NO. 12-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF QUAL-LYNX AS THE THIRD PARTY INSURANCE CLAIMS ADMINISTRATOR

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69 A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for an Insurance - Third Party Claims Administrator whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain an Insurance - Third Party Administrator will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed Qual-Lynx to serve as the municipal Insurance - Third Party Claims Administrator based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2016.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Qual-Lynx to serve as the Third Party Claims Administrator for the term of February 1, 2016 through December 31, 2016.
1. The compensation of the Insurance - Third Party Administrator for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and Qual-Lynx.

2. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for Qual-Lynx to provide Third Party Claims Administration setting forth the following terms:

- 1 A term of January 1, 2016 through December 31, 2016
- 2 Compensation of \$19,467.00, set forth in Qual-Lynx attached proposal.

Approved by Consent Agenda. All were in favor.

Resolution No. 13-2016\*

RESOLUTION NO. 13-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF THE GARTY LAW FIRM, LLC AS SPECIAL SELF INSURANCE LITIGATION COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Self Insurance Litigation Attorney, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the special self insurance litigation attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has selected The Garty Law Firm, LLC to serve as the Self Insurance Special Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2016;

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of The Garty Law Firm, LLC to serve as Self Insurance Special Counsel-(hereafter "Attorney") for the term of January 1, 2016 through December 31, 2016.
2. The compensation of the Attorney and services of the Attorney for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and The Garty Law Firm, LLC.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with The Garty Law Firm, LLC to provide legal services and serve as Self Insurance Special Counsel setting forth the following terms:
  - a. The term of January 1, 2016 through December 31, 2016
  - b. the following not to exceed amount:

2016

Self Insurance Special Counsel	\$60,000.00
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Approved by Consent Agenda. All were in favor.

Resolution No. 14-2016\*

RESOLUTION NO. 14-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF THE DECOTIS, FITZPATRICK & COLE, LLP AS CONFLICT SPECIAL SELF INSURANCE LITIGATION COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Self Insurance Litigation Attorney, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the special self insurance litigation attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has selected Decotis, FitzPatrick & Cole, LLP to serve as the Conflict Self Insurance Special Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015;

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Decotis, FitzPatrick & Cole, LLP to serve as Conflict Self Insurance Special Counsel-(hereafter "Attorney") for the term of January 1, 2016 through December 31, 2016.
2. The compensation of the Attorney and services of the Attorney for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and Decotis, FitzPatrick & Cole, LLP.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services

Contract with Decotis, FitzPatrick & Cole, LLP to provide legal services and serve as Conflict Self Insurance Special Counsel setting forth the following terms:

- a. The term of January 1, 2016 through December 31, 2016
- b. the following not to exceed amount:

2016

Self Insurance Special Counsel                      \$30,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 15-2016\*

RISK MANAGEMENT CONSULTANT

Whereas, the Governing Body of the City of Burlington is a member of the New Jersey Municipal Self Insurers' Joint Insurance Fund (NJMSIJif - a self insurance pooling fund); and

Whereas, the Bylaws of said Fund require that each member appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

Whereas, the Bylaws indicate that NJMSIJIF shall pay each Risk Management Consultant a fee approved by the member.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Burlington, does hereby appoint Hardenberg Insurance Group as its Risk Management Consultant for the City effective January 1, 2016 in accordance with the Fund's Bylaws.

BE IT FURTHER RESOLVED that the Governing Body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1)(a)(i).

Approved by Consent Agenda. All were in favor.

Resolution No. 16-2016\*

Appointment of The Walker Law Firm, LLC as Workers' Compensation Special Counsel

WHEREAS, there exists a need in the City of Burlington, for a Workers' Compensation Special Counsel, and funds are available and have been certified by the local finance officer, and certification being attached to this resolution; and



WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into will not exceed the \$17,500.00 threshold established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised:

NOW, THEREFORE, BE IT RESOLVED, that the Common Council, of the City of Burlington hereby approves Mayor Barry W. Conaway’s appointment of The Walker Law Firm, LLC as Workers’ Compensation Special Counsel, for the period January 1, 2016 to December 31, 2016, at an amount not to exceed \$20,000.00.

- 1 The compensation of the Workers’ Compensation Special Counsel for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City of Burlington and The Walker Law Firm, LLC; and
- 2 The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, the attached Professional Services Contract for the Workers’ Compensation Special Counsel services with The Walker Law Firm, LLC; and
- 3 This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1) (a) of the local public contracts law.
- 4 This resolution shall be printed once in the City’s official newspaper.

Approved by Consent Agenda. All were in favor.

Resolution No. 17-2016\*  
Appointment of Decotis, FitzPatrick & Cole, LLP as  
Workers’ Compensation Special Counsel

WHEREAS, there exists a need in the City of Burlington, for a Workers’ Compensation Special Counsel, and funds are available and have been certified by the local finance officer, and certification being attached to this resolution; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into will not exceed the \$17,500.00 threshold established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised:

NOW, THEREFORE, BE IT RESOLVED, that the Common Council, of the City of Burlington hereby approves Mayor Barry W. Conaway's appointment of Decotis, FitzPatrick & Cole, LLP, as Workers' Compensation Special Counsel, for the period January 1, 2016 to December 31, 2016, at an amount not to exceed \$20,000.00.

- 1 The compensation of the Workers' Compensation Special Counsel for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City of Burlington and Decotis, FitzPatrick & Cole, LLP; and
- 2 The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, the attached Professional Services Contract for the Workers' Compensation Special Counsel services with Decotis, FitzPatrick & Cole, LLP; and
- 3 This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1) (a) of the local public contracts law.
- 4 This resolution shall be printed once in the City's official newspaper.

Approved by Consent Agenda. All were in favor.

Resolution No. 18-2016\*

RESOLUTION NO. 18-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF A MUNICIPAL AUDITOR

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69 A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for a Municipal Auditor whereby proposals were solicited and evaluated by the Common Council based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain a Municipal Auditor will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed John J. Maley, Jr. to serve as the Municipal Auditor based upon the Council's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2016.

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

- 1 The Common Council of the City of Burlington hereby approves the appointment of John J. Maley, Jr. to serve as the Municipal Auditor for the term of January 1, 2016 through December 31, 2016.
- 2 The compensation of the Municipal Auditor for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and John J. Maley, Jr..
- 3 The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for John J. Maley, Jr. to provide auditing services setting forth the following terms:
  - 1 A term of January 1, 2016 through December 31, 2016
  - 2 Compensation of \$35,000.00 as set forth in John J. Maley, Jr. attached proposal.

Approved by Consent Agenda. All were in favor.

Resolution No. 19-2016\*

RESOLUTION NO. 19-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF BOND COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Bond Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the special self insurance litigation attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has and selected the law firm of Parker McCay, P.A. to serve as Bond Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2016;

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of the law firm of Parker McCay, P.A. to serve as Bond Counsel for the term of January 1, 2016 through December 31, 2016.

2. The compensation and services for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and the law firm of Parker McCay, P.A.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with the law firm of Parker McCay, P.A. to provide Bond Counsel services setting forth the following terms:

- a. The term of January 1, 2016 through December 31, 2016
- b. the following not to exceed amount:

2016

Bond Counsel \$20,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 20-2016\*

RESOLUTION NO. 20-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, the Mayor has selected Remington & Vernick Engineers and Affiliates to serve as the Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's designation of Remington & Vernick Engineers and Affiliates to serve as a Special Projects Engineer during the year 2016.
2. The compensation of the Special Projects Engineer for the 2016 calendar year shall be in accordance with the professional services contract entered into between the City and Remington & Vernick Engineers and Affiliates.

Approved by Consent Agenda. All were in favor.

Resolution No. 21-2016\*

RESOLUTION NO. 21-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, the Mayor has selected Environmental Resolutions, Inc. to serve as the Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's designation of Environmental Resolutions, Inc. to serve as a Special Projects Engineer during the year 2016.
2. The compensation of the Special Projects Engineer for the 2016 calendar year shall be in accordance with the professional services contract entered into between the City and Environmental Resolutions, Inc..

Approved by Consent Agenda. All were in favor.

Resolution No. 22-2016\*

RESOLUTION NO. 22-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, the Mayor has selected Alaimo Group to serve as the Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's designation of Alaimo Group to serve as a Special Projects Engineer during the year 2016.
2. The compensation of the Special Projects Engineer for the 2016 calendar year shall be in accordance with the professional services contract entered into between the City and Alaimo Group .

Approved by Consent Agenda. All were in favor.

Resolution No. 23-2016\*

RESOLUTION NO. 23-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, the Mayor has selected Adams, Rehmann & Heggan Engineers to serve as the Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's designation of Adams, Rehmann & Heggan Engineers to serve as a Special Projects Engineer during the year 2016.

2. The compensation of the Special Projects Engineer for the 2016 calendar year shall be in accordance with the professional services contract entered into between the City and Adams, Rehmann & Heggan Engineers .

Approved by Consent Agenda. All were in favor.

Resolution No. 24-2016\*

RESOLUTION NO. 24-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, the Mayor has selected CME Associates to serve as the Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's designation of CME Associates to serve as a Special Projects Engineer during the year 2016.
2. The compensation of the Special Projects Engineer for the 2016 calendar year shall be in accordance with the professional services contract entered into between the City and CME Associates.

Approved by Consent Agenda. All were in favor.

Resolution No. 25-2016\*

RESOLUTION NO. 25-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF REDEVELOPMENT ATTORNEY

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected the law firm of Parker McCay, P.A. to serve as the Redevelopment Attorney based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2016.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry w. Conaway's appointment of the law firm of Parker McCay, P.A. to serve as Redevelopment Attorney for the term of January 1, 2016 through December 31, 2016.

2. The compensation and services for the 2016 calendar year shall be in accordance with the professional services contract to be entered into between the City and Parker McCay, P.A. .

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for the law firm of Parker McCay, P.A. to provide Redevelopment legal services setting forth the following terms:

a. A term of January 1, 2016 through December 31, 2016

b. Hourly rates and compensation not in excess of that set forth in Parker McCay, P.A. proposal; and

c. The following not to exceed amounts:

	<u>2016</u>
Redevelopment	\$25,000.00



Approved by Consent Agenda. All were in favor.

Resolution No. 26-2016\*

**RESOLUTION NO. 26-2016 OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR TAX FORECLOSURE BANKRUPTCY SPECIAL COUNSEL SERVICES**

WHEREAS, there exists a need for Tax Foreclosure Bankruptcy Special Counsel, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

- 1 The Mayor and the Municipal Clerk are hereby authorized and directed to execute the attached agreement with Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Guild , in an amount not to exceed \$10,000.00.
- 2 This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
- 3 A notice of this action shall be printed once in the Burlington County Times.

Approved by Consent Agenda. All were in favor.

Resolution No. 27-2016\*

**RESOLUTION NO. 27-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON DESIGNATING WATER RESOURCE MANAGEMENT, INC. AS TEMPORARY WATER PLANT SUPERINTENDENT**

**WHEREAS**, the City of Burlington operates a water plant which provides for fresh drinking water and other services to the City of Burlington residents; and

**WHEREAS**, the Common Council for the City of Burlington recognizes the need to ensure that its residents obtain clean and safe drinking water; and

**WHEREAS**, there are certain state laws, regulations, and requirements which require that the safe operations of a water plant include regulations that such a water plant superintendent include certain licensing, certifications, and other specialized training which is required by the State of New Jersey Department of Environmental Protection (NJDEP); and

**WHEREAS**, there exists a very limited number of eligible individuals in the State of New Jersey who possess the specialized training, certifications, and licensing as required by the NJDEP, and the total number of said eligible individuals who possess such licensing is only roughly 150 individuals statewide; and

**WHEREAS**, the City of Burlington has requested from the NJ Civil Service Commission that an list of eligible individuals be promulgated; and

**WHEREAS**, the position of Water Plant Superintendent has not yet been certified by the NJ Civil Service Commission as having an eligible list for the City of Burlington Water Plant Superintendent at this point in time; and

**WHEREAS**, the Common Council for the City of Burlington recognizes the importance and requirements of having a licensed Water Plant Superintendent; and

**WHEREAS**, pursuant to NJ Statute 40A:11-5, a contract in excess of \$17,500.00 may be awarded for extraordinary, unspecifiable services without the advertising for public bids; and

**WHEREAS**, the Common Council for the City of Burlington has reviewed the proposal of Water Resource Management, Inc., and finds that they possess the required certifications, licensing, and other extremely specialized training as required by the NJDEP, including staffing which involves consultants for licensed T-4, W-2, and other operators for the City of Burlington water system;

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

- 1 Water Resource Management, Inc. is hereby awarded a contract pursuant to N.J.S.A. 40A:11-5, in the amount of \$10,975.00 per month for services as Water Plant Superintendent;
- 2 The Common Council for the City of Burlington hereby authorizes the award of this contract for an amount not to exceed \$131,700.00, or otherwise for a period of one (1) year to ensure that the residents of the City of Burlington receive healthy and safe drinking water and other services from the City of Burlington Water Plant.
- 3 The Mayor is hereby authorized to execute a contract subject to review by the City Solicitor with Water Resource Management, Inc. for such extraordinary, unspecifiable services with Water Resource Management, Inc.;
- 4 The City Clerk is hereby directed to print and publish a notice of the award of this contract in accordance with NJ Statute 40A:11-5.

Approved by Consent Agenda. All were in favor.

Resolution No. 28-2016\*

RESOLUTION NO. 28-2016 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON DESIGNATING R. LOUIS GALLAGHER AS MUNICIPAL PROSECUTOR

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to a Shared Service Agreement with the Township of Burlington, the City of Burlington has the need for a Municipal Prosecutor; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated Professional Services Contract to be entered into will exceed the \$17,500.00 threshold established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the local Public Contracts Law requires Resolution authorizing the award of contracts for "professional services" without competitive bidding must be publically advertised; and

WHEREAS, the City of Burlington made a request for proposals for the position of Municipal Prosecutor, and R. Louis Gallagher submitted a proposal and was deemed qualified for the position;

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

- 1 The Common Council of the City of Burlington hereby approves the Mayor's appointment of R. Louis Gallagher as Municipal Prosecutor for the 2016 calendar year.
- 2 The City of Burlington is hereby authorized to enter into, and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a contract in a form approved by the City Solicitor designating R. Louis Gallagher as the Municipal Prosecutor at a rate of \$600.00 per court session attended for the 2016 calendar year.
- 3 This contract is awarded without competitive bidding as professional services in accordance with 40A:11-5 Local Public Contracts Law.
- 4 This Resolution shall be printed in the City's official newspaper.

Approved by Consent Agenda. All were in favor.

Resolution No. 29-2016\*

Common Council of the City of Burlington hereby approves the Mayor's appointment of The Law Office of Naeem Akhtar as Alternate Public Defender, on an as needed basis, for the period of January 1, 2016 to December 31, 2016.

Approved by Consent Agenda. All were in favor.

Resolution No. 30-2016\*

Common Council of the City of Burlington hereby affirms Mayor Conaway's appointment of Herman T. Costello as Mayor Emeritus of the City of Burlington, for the year 2016.

Approved by Consent Agenda. All were in favor.

Resolution No. 31-2016\*

Common Council of the City of Burlington hereby appoints the following Special Law Enforcement Officers, as per recommendation of the Administration for the year 2016:

Class II- Special Law Enforcement Officers

Fred Hatten	Richard Maerten	Eric Osterlind
Christopher Snyder	Raymond Christopher Rivell	Aaron Martinez
Cameron Lung		

Class I- Special Law Enforcement Officers

Kenneth Kramer	Bernard Freeman	Shane Pettit
Howard Caruso	Tajinder Kaila	Woodley Duga
Michael Tomaszewski	Keith Spencer	Xavier Morris
Kelly Branin	Tyler Chrupcala	Kyle Ruskowski
Nicholas Taylor	Mackenzie Murphy	

Approved by Consent Agenda. All were in favor.

Resolution No. 32-2016\*

Common Council of the City of Burlington, hereby approves the following Emergency Driver's for the year 2016:

Mitchell Sta. 903

Michael Adams  
Zachary Adams  
Kevin Barger  
Roy Barkewich  
Jonathan Cassidy  
Shawn Meredith  
Brian Curiale  
Christopher Curiale  
Glenn Mettrock  
Andrew Grandin  
Matthew Kaplan

Neptune Sta. 905

Edward Ator, Jr.  
David Fugh  
Douglas Ghaul  
Arthur Sheridan, Jr.  
Mark Lawshe  
Robert Maronski  
Ryan Phillips  
Jamie Sabo  
Alfred J. Erzak, III  
Keith Spencer  
Christopher Thill

Niagara Sta. 906

Timothy Field  
Jeremy Bright  
Rusty Caruso  
Howard Caruso  
Pedro Torres  
Robert Dorrell  
Matthew Field  
Brian Hicks  
Jennifer Lambing  
Jamie Lambing  
Thomas Ryder, III

Justin Leeds  
Brandon Brelsford  
Kevin Sexton  
John Warren  
Duane Stevenson  
Joseph Stevenson  
Brent Tomer  
Robert Viereck  
Todd Viereck  
Robert Sexton  
Jeff Steere, Jr.  
Crystal Kellert  
Keith Tom Suden  
Howard Nixon  
Dawn Brelsford  
Robert Cann  
David Kampe, Sr.  
David Kampe, Jr.  
David Lamont

Jeffery Tinnick  
John Tinnick  
Michael Tomaszewski  
Shaun Zoll  
Richard Spotts  
Joshua Maugeri  
John Fillippine

Kenneth Brown  
Nicolas Wirth  
Roseann Torres  
William Naprawa  
Kenneth Naprawa  
Christopher Reeves  
Thomas Ryder, IV  
Brian Smith  
Derrick Tucker, Sr.  
Timothy Viereck  
Eric Willitts  
George Willitts  
Charles Winkelspecht

Approved by Consent Agenda. All were in favor.

Resolution No. 33-2016\*

Common Council of the City of Burlington, hereby appoints the following, Pedestrian Traffic Control Officers, as per recommendation of the Administration for the year 2016:

Gail Sabo	Christine Dragon	John Gusrang
Lucille Coats	Winston Forbes	Thomas McConnell
Shirley Jones	David Traughber	Mary Marinella
William Sabo	Jean Sills	James Ogburn
John Lipscomb	Chester Valosen	Enman Thompson
Dorothy Thompson	Robert Bakelaar	Michelle Flowers
James Rettig	Grover Shively	James Krause
Paulina Keane	Lester Smith	Patricia Shaw
Andrew Cross	Joann Casmer	Cliff Greene
Myles Marks		

Approved by Consent Agenda. All were in favor.

Resolution No. 34-2016\*

RESOLUTION NO. 34-2016 APPOINTING A MUNICIPAL HOUSING LIAISON (MHL) /  
RCA ADMINISTRATOR FOR THE CITY OF BURLINGTON IN THE COUNTY OF  
BURLINGTON

WHEREAS, the Governing Body of the City of Burlington petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan which was filed with COAH on December 19, 2005; and

WHEREAS, the City of Burlington's Fair Share Plan and Project Plan promote an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27d-301, et seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et seq.); and

WHEREAS, the Governing Body of the City of Burlington adopted resolutions entering into Regional Contribution Agreements ("RCA") with the Townships of Delran, Burlington and Evesham for the transfer of 43, 52 and 10 units respectively pursuant to the Fair Housing Act, (N.J.S.A. 52:27d-301 et seq.), N.J.A.C. 5:94-1, et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 5:94-7 and N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint a Municipal Housing Liaison for the administration of the City of Burlington's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint an administrator for the administration of the City of Burlington's RCA Housing Program to enforce the requirements of N.J.A.C. 5:94-1 et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, the City of Burlington has amended Chapter 70, Article III of the Municipal Code to provide for the appointment of an MHL to administer the City of Burlington's affordable housing program and to provide for the appointment of an RCA Administrator to administer the City of Burlington's RCA affordable housing program; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington in the County of Burlington and the State of New Jersey that David H. Ballard is hereby appointed by the Governing Body of the City of Burlington as the Municipal Housing Liaison for the administration of the affordable housing program and as the RCA Administrator for the administration of the RCA affordable housing program, pursuant to and in accordance with Chapter 70, Article III of the City of Burlington's Municipal Code.

Approved by Consent Agenda. All were in favor.

Resolution No. 35-2016\*  
Appointment of Municipal Tax Search Officer

Whereas, there exists a need for a Municipal Tax Search Officer.

Be it resolved that the Common Council, of the City of Burlington hereby affirms Mayor Conaway's appointment of Lynette Miller as the Municipal Tax Search Officer for the City of Burlington for a term of January 1, 2016 through December 31, 2019.

Approved by Consent Agenda. All were in favor.

Resolution No. 36-2016\*

2015 Tonnage Grant Application Resolution

Whereas, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the City of Burlington, NJ to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

Whereas, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

Now, therefore be it resolved, by the Mayor and Common Council of the City of Burlington that City of Burlington hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Justin Vining, Recycling Coordinator to ensure that the application is properly filed.

Be it further resolved, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Approved by Consent Agenda. All were in favor.

Resolution No. 37-2016\*

Common Council of the City of Burlington hereby approves the Mayor's appointment of Emma Jean Morgan and John Alexander to the Burlington County River Route Advisory Committee for the period of January 1, 2016 to December 31, 2016.

Approved by Consent Agenda. All were in favor.

Resolution No. 38-2016\*

Common Council of the City of Burlington, hereby consents to the following appointments by the Mayor to the City of Burlington Historic Preservation Commission:

William Stewart, as a Class "B" Member, for a 4-year term 01/01/16 to 12/31/19

Brian White, as a Class "C" Member, to fulfill the unexpired term of Doris Johnston with two years remaining, 01/01/16 to 12/31/17

Frank F. Caruso, as Alternate #1, to fulfill the unexpired term of Brian White who moved to the Class "C" position with one year remaining, 01/01/16 to 12/31/16

Approved by Consent Agenda. All were in favor.

Resolution No. 39-2016\*

Common Council of the City of Burlington hereby consents to the Mayor's appointment of Ezell Jackson, Jr., 18 Bisbee Drive to the Housing Authority for a five-year term, January 1, 2016 to December 31, 2020.

Approved by Consent Agenda. All were in favor.

Resolution No. 40-2016

Whereas, in accordance with N.J.S. 40:10A-4, the governing body of any municipality may establish the position of local historian who serves without compensation but may be reimbursed for approved expenses incurred; and

Whereas, the City of Burlington Municipal Code Chapter 2-53 establishes the Division of Historian within the Department of Public Affairs; and

Whereas, the local historian shall be appointed in the manner generally provided by law for appointments of the local unit, and shall serve at the pleasure of the appointing authority;

Now, Therefore Be It Resolved, that the Common Council of the City of Burlington does hereby affirm the Mayor's appointment of Richard Timbers, Sr. to the position of local historian for a four-year term, January 1, 2016 to December 31, 2019.

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



On the question, Mayor Conaway thanked Mr. Timbers for all his work, has a wealth of knowledge; he will be an asset.

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

Resolution No. 41-2016\*

A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE CITY OF BURLINGTON FOR THE YEAR 2016 AND AUTHORIZING INVESTMENT OF FUNDS

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of effecting investments,

NOW, THEREFORE, BE IT RESOLVED on the 5<sup>th</sup> day of January, 2016, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that:

1. Beneficial Bank
  - Bank of America
  - Santander Bank
  - Cornerstone Bank
  - New Jersey Cash Management Fund
  - Bank of New York Mellon (Debt Service Payments)
  - Wells Fargo (Debt Service Payments)
  - TD Bank (Debt Service Payments)
  - Investors Bank

be and are hereby designated as depositories for the City of Burlington for the year 2016.

2. Prior to the deposit of any municipal funds in the above-mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (R.S. 17:9-41).

BE IT FURTHER RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institution, and that the Chief Financial Officer is hereby authorized to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from the City of Burlington's checking or savings accounts to other City accounts.
2. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of investing for the account of the City of Burlington.
3. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of making debt service payments of the City of Burlington.

Approved by Consent Agenda. All were in favor.

Resolution No. 42-2016\*

RESOLUTION RE-ESTABLISHING PETTY CASH FUNDS FOR THE YEAR 2016

BE IT RESOLVED by the Common Council of the City of Burlington that the Chief Financial Officer be and is hereby authorized to re-establish the following petty cash accounts for the year 2016:

Petty Cash Accounts - Checking Accounts

- |                    |           |
|--------------------|-----------|
| 1. Chief of Police | \$ 200.00 |
| 2. City Clerk      | \$ 400.00 |
| 3. Fire Department | \$ 200.00 |

Petty Cash Accounts - Restricted Cash Accounts (1)

- |                     |           |
|---------------------|-----------|
| 1. Water Department | \$ 200.00 |
| 2. Public Works     | \$ 100.00 |
| 3. Sewer Department | \$ 100.00 |

(1) Restricted to use in accordance with the meal allowance provision of the union contract during the year.

Approved by Consent Agenda. All were in favor.

Resolution No. 43-2016\*

RESOLUTION AUTHORIZING SIGNATURES ON CITY CHECKS

BE IT RESOLVED, by the Common Council of the City of Burlington that the following City Officials are hereby authorized to sign checks or withdrawal slips where a combination of three principal signatures are required:

MAYOR

AND CITY CLERK OR DEPUTY CLERK

AND CHIEF FINANCIAL OFFICER OR  
TAX COLLECTOR

BE IT FURTHER RESOLVED, that signature cards with the signatures of the persons authorized to sign be forwarded to the appropriate City Depositories when required.

Approved by Consent Agenda. All were in favor.

Resolution No. 44-2016

RESOLUTION - TEMPORARY BUDGETS

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2016 budgets, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2016; and

WHEREAS, the total appropriations in the 2015 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2015 budgets is the sum of \$15,919,379.91 for the Current Fund, \$1,947,116.00 for the Water Fund, and \$2,590,651.61 for the Sewer Fund;

WHEREAS, 26.25% of the total appropriations in the 2015 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2015 budgets is the sum of \$4,178,837.23 for the Current Fund, \$511,117.95 for the Water Fund, and \$680,046.05 for the Sewer Fund;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

CURRENT FUND - TEMPORARY APPROPRIATIONS - 2016

	SALARIES	OTHER EXPENSES
General Administration	\$ 87,000	\$ 7,000
City Clerk	46,000	16,000
Mayor and Council	11,000	3,000

Financial Administration	62,000	15,000
Audit Services		30,000
Assessment of Taxes	17,000	7,000
Collection of Taxes	67,000	8,000
Legal Services & Costs		60,000
Municipal Prosecutor		9,000
Municipal Court		105,000
Engineering Services & Costs		15,000
Economic Development		10,000
Office of Programs Coordinator	20,000	20,000
Planning Board	6,000	10,000
Historic Preservation Commission	2,000	5,000
Group Insurance Plan for Employees		400,000
Liability Insurance		170,000
Workers Compensation Insurance		50,000
Fire	5,000	50,000
Police	1,095,000	52,000
Animal Control Officer		5,000
Emergency Management Service	2,500	2,000
Public Buildings and Grounds	28,000	17,000
Public Works Road Repair & Maintenance	94,000	16,000
Public Works Department	30,000	45,000
Vehicle Maintenance	41,000	25,000
Parks and Playgrounds	6,000	16,000
Sanitation		80,000
Board of Health	10,000	1,000
Recreation Programs	26,000	20,000
Celebration of Public Events	55,000	25,000
Operations of Boat Ramp		1,200
Public Defender		1,000
Electricity and Natural Gas		140,000
Telecommunications		14,000
Petroleum Products		37,000
Landfill Solid Waste Disposal Costs		105,000
Building Inspections	8,000	30,000
Housing Code Inspections		15,000
Rental Unit Inspections	35,000	2,000
Plumbing Inspections		4,000
Electrical Inspections		6,000
Uniform Fire Safety Act	20,000	2,000

Contingent	200
P.E.R.S.	10,000
O.A.S.I.	85,000
Police & Firemens' Retirement System	10,000
Defined Contribution Retirement Program	3,000
NJ Unemployment Compensation Fund	20,000
Recycling Tax	5,000
Emergency Management Grant	5,000

\$ 1,773,500	\$1,789,400
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WATER FUND - TEMPORARY APPROPRIATIONS -2016

	SALARIES	OTHER EXPENSES
Water	\$ 220,000	\$ 225,000
Water P.E.R.S.		5,000
Water O.A.S.I.		18,000
Water NJ Unemployment Compensation Fund		2,000
	\$ 220,000	\$ 250,000

SEWER FUND - TEMPORARY APPROPRIATIONS - 2016

	SALARIES	OTHER EXPENSES
Sewer	\$ 250,000	\$ 300,000
Sewer P.E.R.S.		5,000
Sewer O.A.S.I.		19,000
Sewer NJ Unemployment Compensation Fund		1,000
	\$ 250,000	\$ 325,000

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Lollar. (1).

Resolution No. 45-2016\*

RESOLUTION – 2016 DEBT SERVICE REQUIREMENTS

WHEREAS, N.J.S. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20 of the year preceding the beginning of the fiscal year; and

WHEREAS, the date of this resolution is subsequent to December 19, 2015; and

WHEREAS, principal and interest will be due on various dates from January 1, 2016 to December 31, 2016, inclusive, on sundry bonds issued and outstanding:

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made to cover the period from January 1, 2016 to December 31, 2016 inclusive:

DEBT SERVICE - CURRENT FUND

Payment of bonds	\$ 310,000.00
Interest on bonds	112,100.00

DEBT SERVICE - SEWER UTILITY

Payment of bonds	\$ 60,000.00
Interest on bonds	21,220.00

N.J. Environmental Infrastructure Trust:

State of New Jersey Fund Loan

Payment of Principal	\$200,884.17
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State of New Jersey Trust Loan

Payment of Principal	\$175,000.00
Payment of Interest	\$137,137.50

Approved by Consent Agenda. All were in favor.

Resolution No. 46-2016\*

Common Council of the City of Burlington hereby designates the Burlington County Times as the official newspaper and the Trenton Times as the secondary newspaper for the year 2016.

Approved by Consent Agenda. All were in favor.

Resolution No. 47-2016\*

RESOLUTION NO. 47-2016 AUTHORIZING THE PROPER CITY OFFICIALS AND DEPARTMENTS TO COORDINATE THE EFFORTS WITH THE COLONIAL BURLINGTON FOUNDATION, INC. TO PROVIDE NEEDED SERVICES FOR THE ANNUAL WOOD STREET FAIR, AND UNAUTHORIZED VENDORS BE RESTRICTED FROM SELLING THEIR WARES, AND NO POLITICAL CAMPAIGN MATERIALS BE DISPLAYED.

RESOLVED: That the Common Council of the City of Burlington hereby authorizes the proper City Officials and Departments to coordinate the efforts with the Colonial Burlington Foundation, Inc. to provide needed services for the Annual Wood Street Fair.

BE IT FURTHER RESOLVED: That unauthorized vendors be restricted from selling their wares and that yard sale permits not be issued within the Fair and Art Show areas, as defined by the Colonial Burlington Foundation and City Historical Society; and

BE IT FURTHER RESOLVED: That the City of Burlington Fire Official strictly enforces the Fire Ordinance in accordance with the Uniform Safety Code, in reference to open fires in or near art exhibits.

Approved by Consent Agenda. All were in favor.

Resolution No. 48-2016

RESOLUTION NO. 48-2016 OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A CONTRACT FOR THE 2016 SUPPLY & DELIVERY OF VARIOUS CHEMICALS

Whereas, the City Administration, after consultation with the Public Works Director, has requested Common Council's consideration of this resolution; and

Whereas, the City Administration was authorized to solicit sealed bids by the Common Council for the 2016 Supply & Delivery of the Various Chemicals listed below. The bid opening was held on Tuesday, December 1, 2015 at 10 AM in the City Hall Council Chambers; and

Whereas, the Administration reviewed the submitted bids and recommends that the Common Council award the contracts to the lowest qualified bidder, based on the attached bid summary; and

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 the companies listed below:

<u>CONTRACT</u>	<u>VENDOR</u>	<u>CHEMICAL</u>	<u>AMOUNT</u>
BC-15-050	Miracle Chemical Co. 1151 B. Highway #33 Farmingdale, NJ 07727	Sodium Hypochlorite	\$56,966.40
BC-15-052	Univar USA, Inc. 5 Steele Road East Morrisville, PA 19067	Sodium Hydroxide	\$24,720.00
BC-15-047	Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Potassium Permanganate	\$ 6,309.12
BC-15-051	Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Powdered Activated Carbon	\$29,444.80
BC-15-049	SNF Polydyne, Inc. One Chemical Plant Road Riceboro, GA 31323	Sludge Polymer Zetalyte	\$5,956.50
BC-15-048	Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Sodium Bisulfite	\$35,380.00

Be It Further Resolved, that any and all payment documents shall carry the contract identification numbers and that the Municipal Clerk shall provide the Business Administrator with two (2) certified copies of this resolution.

Upon the motion of Councilwoman Mercuri, seconded by Councilman Swan, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Lollar. (1).

Resolution No. 49-2016



**RESOLUTION OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON  
CONCURRING WITH THE PROPOSED SPEED LIMIT CORRECTIONS ALONG  
ROUTE 130**

**WHEREAS**, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on Route 130 in the City of Burlington; and

**WHEREAS**, NJDOT investigation revealed the speed limit zones are incorrectly defined in the approved regulation as the current references to Lincoln Avenue (Route 413) should be changed to Keim Boulevard (Route 413) and if left unchanged, the 40mph zone beginning at Logan Street will change to 50mph at Lincoln Avenue instead of Keim Boulevard as it was intended; and

**WHEREAS**, NJDOT desires and the Common Council for the City of Burlington concurs that these regulations should be corrected and the Common Council wishes to support and aid this correct; and

**WHEREAS**, NJDOT requires a Resolution of Concurrence by this Governing Body to begin to correct this issue;

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

The City of Burlington concurs with the corrections to the regulations as follows:

Speed Limits:

Along Route US 130:

In the City of Burlington

**For both directions of traffic:**

Zone 1: 50 MPH between the Burlington Township – City of Burlington southerly corporate line and route NJ 413 (Keim Boulevard) (approximate mileposts 42.24 – 45.69).

Zone 2: 45 MPH between Logan Avenue and the City of Burlington – Burlington Township northerly corporate line (approximate mileposts 46.82 – 47.55)

**For the northbound direction of traffic:**

Zone 1: 40 MPH between Route NJ 413 (Keim Boulevard) and Logan Avenue except for 25 MPH between a point 300 feet south of the southerly curb line of Wood Street and Jacksonville Road (County Route 670) when the presence of children is clearly visible from the roadway during recess, or while children are going to or leaving school during opening and closing hours for the Burlington City Junior/High School and the Wilbur Watts Intermediate School (Approximate mileposts 45.69 – 46.82); thence

**For southbound direction of traffic:**

Zone 1: 40 MPH between Route NJ 413 (Keim Boulevard) and Logan Avenue except for 25 MPH between a point 400 feet north of the northerly curb line of Jacksonville Road (County Route 670) and Wood Street when the presence of children is clearly visible from the roadway during recess, or while children are going to or leaving school during opening or closing hours for the Burlington City Junior/High School and the Wilbur Watts Intermediate School (Approximate mileposts 45.69 – 46.82)

The Mayor, Business Administrator, City Clerk, and/or City Attorney are authorized and directed to effectuate all purposes of this Resolution by causing to be executed.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be forwarded to NJDOT as requested.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Lollar. (1).

Resolution No. 50-2016\*

**RESOLUTION RE-ESTABLISHING THE AUTHORIZATION OF INTEREST RATE AND GRACE PERIOD FOR 2016**

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.

Resolution No. 51-2016\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Ashwin Patel, 7 Savoy Court, Burlington, N.J. to operate a business at 101 Route 130 South, Unit 9 t/a “ECO Dry Cleaners.”

Approved by Consent Agenda. All were in favor.

Resolution No. 52-2016\*

Common Council of the City of Burlington, hereby approves a fire member application for Crystal R. Kellert, 124 Glenwood Avenue, Burlington, N.J., in the Mitchell Fire Company, she having filed the necessary papers.

Approved by Consent Agenda. All were in favor.

Resolution No. 53-2016\*

Common Council of the City of Burlington, hereby approves a fire member application for David E. Lamont, 124 Glenwood Avenue, Burlington, N.J., in the Mitchell Fire Company, he having filed the necessary papers.

Approved by Consent Agenda. All were in favor.

Resolution No. 54-2016

RESOLUTION NO. 54-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 04-2014 TOT HE AGREEMENT FOR

PROFESSIONAL SERVICES CONTRACT #14-003, FOR ENVIRONMENTAL RESOLUTIONS, INC.

WHEREAS, the City of Burlington entered into a professional services agreement with Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, NJ 08054 to serve as the Municipal Water Engineer for calendar year 2014; and

WHEREAS, there is a need to amend this agreement for additional professional engineering services for the 7<sup>th</sup> Street Tank Exterior Rehabilitation Project; and

WHEREAS, the City's Water Engineer, Environmental Resolutions, Inc. has submitted a proposal dated December 11, 2015, providing for water department engineering services including but not limited to additional construction observation and contract administration time to properly oversee the project to completion, in an amount not to exceed \$12,000.00; and

WHEREAS, this project is inherently beneficial to the City of Burlington to maintain compliance with DEP regulations; 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 THAT the Common Council of the City of Burlington hereby authorizes the Mayor and Municipal Clerk to execute Amendment No. 04-2014 with Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, NJ 08054 in the amount of \$12,000.00 making a revised total contact amount of \$148,000.00.

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 Hatala, seconded by Councilman Babula, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Lollar. (1).

Resolution No. 55-2016

Upon the recommendation of the 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 #1, with Arawak Paving Company, Inc. of 7503 Weymouth Road, Hammonton, NJ 08037, for an increase in the amount of \$30,750.00 for quantity adjustments in connection with the Farnar Avenue Improvement Project and , making the total revised contract amount \$277,750.00.

Upon the motion of Councilwoman Hatala, seconded by Councilman Babula, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Lollar. (1).

Resolution No. 56-2016

Upon the recommendation of the 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 Arawak Paving Company, Inc. of 7503 Weymouth Road, Hammonton, NJ 08037, for a decrease in the amount of \$19,768.70 for quantity adjustments in connection with the Farner Avenue Improvement Project and , making the total revised contract amount \$257,981.30.

Upon the motion of Councilwoman Babula, seconded by Councilman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Lollar. (1).

Resolution No. 57-2016

Common Council, of The City of Burlington, hereby acknowledges and celebrates Reverend Dr. Martin Luther King, Jr.

Whereas, the City of Burlington Common Council resolved to celebrate Monday, January 18, 2016, as the Reverend Dr. Martin Luther King, Jr., Day; and

Whereas, Dr. King, of the Southern Christian Leadership Conference, led the struggle for equal opportunities for all Americans regardless of race or creed; and

Whereas, Dr. King was taken from us on April 4, 1968, his legacy and deeds have not been forgotten:

Now, Therefore, Be It Resolved, that as the Oliver Cromwell Black History Society, triumphs African-American heritage in the City of Burlington, we join them in remembering Dr. Martin Luther King Jr., on this day.

Upon the motion of Councilman Babula, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Lollar. (1).

Resolution No. 58-2016\*

Common Council of the City of Burlington hereby approves Mayor Conaway's appointment of Frank Caruso as Emergency Management Coordinator for a 3 year term- 01-01-16 to 12-31-18.

Approved by Consent Agenda. All were in favor.

**PUBLIC COMMENTS**

None.

**COUNCIL COMMENTS-**

Vice President Babula wished everyone a Happy New Year and thanked everyone for attending.

Councilwoman Hatala congratulated all the professionals, thanked them for all their hard work last year.

Councilman Swan congratulated all the Council Members and the Mayor who won the last election; Happy Belated Merry Christmas and a Happy New Year to all.

President Woodard asked that Mr. Timbers stand to be acknowledge and also congratulated the Mayor Conaway.

Mr. Timbers spoke a few words and wished Council good luck.

Mayor Conaway thanked everyone for coming out; to the professionals, we appreciate what you have done for the City; wished everyone a great 2016.

**ADJOURNMENT**

Upon the motion of Councilwoman Mercuri, seconded by Councilman Swan, this meeting of January 5, 2016 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk

