

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 10, 2017, 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. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7) Absent: (0)

Also present: Mayor Conaway, Municipal Attorney- George Saponaro, Municipal Engineer - Frank Morris, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Chief Snow.

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 10, 2017 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. All were in favor.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR DECEMBER 2016

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of November 2016
\$3,085.
00

AGENDAS RECEIVED FROM VARIOUS BOARDS

12-01 Historic Preservation Agenda, December 7, 2016

NOTICE TO PROPERTY OWNERS

12-20 1150 E Broad Street block 212 lot 1.01

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

12-300 Alaimo Group, dated December 5, 2016, re: Engineers Report

12-301 Pennoni Engineering, re: Sewer and Drainage Engineer Report

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

12-700 NJDOT, dated December 2, 2016, re: TE/TAP Design and NJDOT

12-701 NJDEP, dated December 12, 2016, re: Snow Removal and Disposal Policy

12-702 NJDOT, dated December 1, 2016, re: Route 130 and Columbus Road/Jones St
Operational & Safety Improvements

MISCELLANEOUS CORRESPONDENCE

12-800 Endeavor Emergency Squad, Inc. for November 2016 monthly statistics

12-801 Elaine McClammy, dated December 12, 2016, re: Repetitive parking issues ignored

12-802 City of Burlington Sewer Department, re: Thank you for fruit basket

12-803 Slade Valentine Post 336 American Legion, dated November 28, 2016, re: Boys State /
Girls State Sponsorship

12-804 Lisa Hibbs, BCEAP, dated December 14, 2016

12-805 Lisa Hibbs, BCEAP, dated December 29, 2016

12-806 Elaine McClammy, dated December 15, 2016, re: Businesses with no emergency exit

12-807 Mark C Hutton, Executor, dated November 29, 2016, re: Loan Debt

12-808 Chief of Police, Alan Snow to Rick and Mary Ann Bailey, re: Cancellation of Service -
M & R Wildlife, effective January 1, 2017

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 01-2017*

Common Council of the City of Burlington, hereby approves the following appointments for the
year 2017:

Councilman Chachis and Councilwoman Mercuri as Council's representatives to the Tourism
Council;

Councilwoman Lollar as Council's representative to the City of Burlington Municipal Alliance;

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

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

Councilman Swan 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 Hatala as liaison to the Greater Burlington Chamber of Commerce;

1st Ward Councilman Chachis, Councilwoman Woodard and Councilman Swan; 2nd Ward Councilwoman Woodard, Councilwoman Mercuri and Councilman Swan; 3rd Ward Councilwoman Hatala, Councilwoman Mercuri and Councilman Babula; 4th 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. 02-2017*

**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 2017 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 10, 2017 | June 20, 2017 |
| January 24, 2017 | July 11, 2017 |
| February 7, 2017 | July 18, 2017 |
| February 21, 2017 | August 3, 2017 |
| March 7, 2017 | September 5, 2017 |
| March 21, 2017 | September 19, 2017 |
| April 4, 2017 | October 3, 2017 |
| April 18, 2017 | October 17, 2017 |
| May 2, 2017 | November 2, 2017 |
| May 16, 2017 | December 5, 2017 |
| June 13, 2017 | December 12, 2017 |

WORK SESSIONS

(formal action may or may not be taken)

January 17, 2017
February 14, 2017
March 14, 2017

May 9, 2017
September 12, 2017
October 10, 2017

Approved by Consent Agenda. All were in favor.

Resolution No. 03-2017*

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. 04-2017*

RESOLUTION NO. 04-2017 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 2017,

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 2017 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. 05-2017*

RESOLUTION NO. 05-2017 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 2017.

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, 2017 through December 31, 2017.
2. The compensation of the Engineer and services of the Engineer for the 2017 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, 2017 through December 31, 2017
- b. Hourly rates and compensation not in excess of that set forth in Alaimo Group’s proposals; and
- c. The following not to exceed amounts:

2017

General Engineering Services	\$60,000.00
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Approved by Consent Agenda. All were in favor.

Resolution No. 06-2017*

RESOLUTION NO. 06-2017 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 2017.

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, 2017 through December 31, 2017.
2. The compensation of the Sewer Engineer for the 2017 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, 2017 through December 31, 2017
 - b. Hourly rates and compensation not in excess of that set forth in Pennoni Associates, Inc. proposals; and

c. The following not to exceed amounts:

2017

Sewer Engineering Services \$70,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 07-2017*

RESOLUTION NO. 07-2017 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 2017.

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, 2017 through December 31, 2017.

2. The compensation of the Water Engineer for the 2017 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, 2017 through December 31, 2017

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

c. The following not to exceed amounts:

2017

Water Engineering Services \$50,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 08-2017*

RESOLUTION NO. 08-2017 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 2017.

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, 2017 through December 31, 2017.
1. The compensation of the Insurance - Third Party Administrator for the 2017 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, 2017 through December 31, 2017
 - 2 Compensation of \$19,954.00, set forth in Qual-Lynx proposal.

Approved by Consent Agenda. All were in favor.

Resolution No. 09-2017*

RESOLUTION NO. 09-2017 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 2017;

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, 2017 through December 31, 2017.
2. The compensation of the Attorney and services of the Attorney for the 2017 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, 2017 through December 31, 2017
 - b. the following not to exceed amount:

2017

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

Resolution No. 10-2017

Appointment of Grace & Lenti, Attorneys at Law 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

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 Grace & Lenti, Attorneys at Law as Workers' Compensation Special Counsel, for the period January 1, 2017 to December 31, 2017, at an amount not to exceed \$20,000.00.

- 1 The compensation of the Workers' Compensation Special Counsel for the 2017 calendar year shall be in accordance with the professional services contract to be entered into between the City of Burlington and Grace & Lenti, Attorneys at Law; 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 Professional Services Contract for the Workers' Compensation Special Counsel services with Grace & Lenti, Attorneys at Law; 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.

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

Resolution No. 11-2017*

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, 2017 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. 12-2017

RESOLUTION NO. 12-2017 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 4-2016 TO THE PROFESSIONAL SERVICES AGREEMENT WITH PENNONI ASSOCIATES, INC. FOR SEWER ENGINEERING

WHEREAS, the City of Burlington entered into a professional services agreement with Pennoni Associates, Inc., 515 Grove Street, Suite 2C, Haddon Heights, NJ 08035 to serve as the Municipal Sewer and Drainage Engineer, for calendar year 2016 as authorized by Resolution No. 10-2016; and

WHEREAS, this agreement was amended by Amendment No. 1 on April 19, 2016 (Resolution No. 122-2016), Amendment No. 2 on July 19, 2016 (Resolution No. 187-2016) and Amendment No. 3 on December 6, 2016 (Resolution No. 274-2016) for additional unforeseen professional engineering services; and

WHEREAS, due to unforeseen circumstances, additional engineering services which are above and beyond the scope of the annual contract are now required in order to perform essential tasks that must be completed this year regarding the sewer and drainage division, including items related to the outfall improvements, Surface Water DMR Report, NJDEP Stormwater Compliance Inspection inquiries & Construction Master General Permit draft renewal, NJDEP

snow removal policies, 2017 WWTP Electrical Maintenance Contract bid protest and the CRS status review; and

WHEREAS, the City of Burlington has received a proposal from Pennoni Associates, Inc., the City's Sewer Engineer, dated December 29, 2016 in the amount of \$22,000.00 for the above listed additional engineering services; and

WHEREAS, the City of Burlington's Financial Officer has certified that funds for this project are available in the 2016 municipal sewer budget;

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. 4-2016 with Pennoni Associates, Inc., 515 Grove Street, Suite 2C, Haddon Heights, NJ 08035 in the amount of \$22,000.00 making a revised total contact amount of \$172,300.00.

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

Resolution No. 13-2017*

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 2017.

Approved by Consent Agenda. All were in favor.

Resolution No. 14-2017*

RESOLUTION NO. 14-2017 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 Mercadien, P.C. 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 2017.

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 Mercadien, P.C. to serve as the Municipal Auditor for the term of January 1, 2017 through December 31, 2017.
- 2 The compensation of the Municipal Auditor for the 2017 calendar year shall be in accordance with the professional services contract to be entered into between the City and Mercadien, P.C..
- 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 Mercadien, P.C. to provide auditing services setting forth the following terms:
 - 1 A term of January 1, 2017 through December 31, 2017
 - 2 Compensation of \$34,500.00 as set forth in Mercadien, P.C. proposal.

Approved by Consent Agenda. All were in favor.

Resolution No. 15-2017*

RESOLUTION NO. 15-2017 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 Pennoni Associates, 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 Pennoni Associates, Inc. to serve as a Special Projects Engineer during the year 2017.
2. The compensation of the Special Projects Engineer for the 2017 calendar year shall be in accordance with the professional services contract entered into between the City and Pennoni Associates, Inc..

Resolution No. 16-2017*

RESOLUTION NO. 16-2017 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 2017.
2. The compensation of the Special Projects Engineer for the 2017 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. 17-2017*

RESOLUTION NO. 17-2017 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 2017.
2. The compensation of the Special Projects Engineer for the 2017 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. 18-2017*

RESOLUTION NO. 18-2017 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 2017.
2. The compensation of the Special Projects Engineer for the 2017 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. 19-2017*

RESOLUTION NO. 19-2017 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 2017.
2. The compensation of the Special Projects Engineer for the 2017 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. 20-2017*

RESOLUTION NO. 20-2017 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 2017.
2. The compensation of the Special Projects Engineer for the 2017 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. 21-2017*

RESOLUTION NO. 21-2017 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, 2017 through December 31, 2017.
2. The compensation and services for the 2017 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, 2017 through December 31, 2017
- 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:

2017

Redevelopment	\$35,000.00
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Approved by Consent Agenda. All were in favor.

Resolution No. 22-2017*

RESOLUTION NO. 22-2017 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; 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 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. 23-2017*

RESOLUTION NO. 23-2017 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 \$11,175.00 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 \$134,100.00, 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. 24-2017*

RESOLUTION NO. 24-2017 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 2017 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 2017 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. 25-2017*

RESOLUTION NO. 25-2017 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 2017;

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, 2017 through December 31, 2017.
2. The compensation and services for the 2017 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, 2017 through December 31, 2017
 - b. the following not to exceed amount:

Bond Counsel \$15,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 26-2017*

Common Council of the City of Burlington hereby appoints the following Special Law Enforcement Officers, as per recommendation of the Administration for the year 2017:

Class II- Special Law Enforcement Officers

Fred Hatten	Chad Haney	Nicholas Taylor
Christopher Snyder	Raymond Christopher Rivell	Mackenzie Murphy
Cameron Lung	David Ekelburg	Liz Centeno

Class I- Special Law Enforcement Officers

Kenneth Kramer	Bernard Freeman	Andrew Kostic
Howard Caruso	Sean Mullen	Woodley Duga
Michael Tomaszewski	Keith Spencer	Sean Fitzpatrick-Ruth
Tyler Trumbetti	Davon Jones	Terrance Osbourne

Approved by Consent Agenda. All were in favor.

Resolution No. 27-2017*

Common Council of the City of Burlington, hereby approves the following Emergency Driver's for the year 2017:

<u>Mitchell Sta. 903</u>	<u>Neptune Sta. 905</u>	<u>Niagara Sta. 906</u>
Michael Adams	Edward Ator, Jr.	Robert Williams
Zachary Adams	David Fugh	Jeff Iwanicki
Kevin Barger	Douglas Ghaul	Rusty Caruso
Roy Barkewich	Arthur Sheridan, Jr.	Howard Caruso
Jonathan Cassidy	Mark Lawshe	Timothy Fitch
Shawn Meredith	Robert Maronski	Robert Dorrell
Brian Curiale	Ryan Phillips	Matthew Field
Christopher Curiale	Jamie Sabo	Brian Hicks

Glenn Mettrock	Alfred J. Erzak, III	Jennifer Lambing
Andrew Grandin	Keith Spencer	Jamie Lambing
Matthew Kaplan	Christopher Thill	Thomas Ryder, III
Justin Leeds	Jeffery Tinnick	Kenneth Brown
Brandon Brelsford	John Tinnick	Nicolas Wirth
Kevin Sexton	Michael Tomaszewski	Roseann Torres
John Warren	Shaun Zoll	William Naprawa
Duane Stevenson	Richard Spotts	Kenneth Naprawa
Joseph Stevenson	Joshua Maugeri	Christopher Reeves
Brent Tomer	John Fillippine	Thomas Ryder, IV
Robert Viereck	Richard Edge	Brian Smith
Todd Viereck	Rick Iovine	Derrick Tucker
Robert Sexton		Timothy Viereck
Jeff Steere, Jr.		Eric Willitts
Crystal Kellert		George Willitts
Pedro Torres		Charles Winkelspecht
Howard Nixon		David Kampe, Jr.
Dawn Brelsford		Ryan Caruso
Robert Cann		
David Kampe, Sr.		
Thomas Johnson		
David Lamont		
Howard Wilkins		

Approved by Consent Agenda. All were in favor.

Resolution No. 28-2017*

Common Council of the City of Burlington, hereby appoints the following, Pedestrian Traffic Control Officers, as per recommendation of the Administration for the year 2017:

Gail Sabo	Christine W. Dragon	John Gusrang
Lucille Coats	Thomas McConnell	Dorothea Vizachero
David Traughber	Mary Marinella	Shirley Moore
William Sabo	Jean Sills	James Ogburn
John Lipscomb	Enman Thompson	William G. Hood
Michelle L. Flowers	Roselynn Thurston	Gene Vizachero
Frank (James) Rettig	James Krause	Kathleen O'Connor
Pauline V. KeaneLester Smith		Patricia Shaw
Andrew G. Cross	Clifton A. Greene	Mattie L. Dean

Myles Marks, Jr.

Joanne D. Cosme
Rodney

Hyacinth

Winston C. Forbes

Approved by Consent Agenda. All were in favor.

Resolution No. 29-2017*

RESOLUTION NO. 29-2017 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. 30-2017*

2016 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. 31-2017*

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, 2017 to December 31, 2017.

Approved by Consent Agenda. All were in favor.

Resolution No. 32-2017*

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

Milton Smith, as a Class "A" Member, for a 4-year term 01/01/17 to 12/31/20

Emma Jean Morgan, as a Class "C" Member, for a 4-year term 01/01/17 to 12/31/20

Chance VanSciver, as a Class "C" Member, for a 4-year term 01/01/17 to 12/31/20

Frank F. Caruso, as a Class "C" Member, (4-year term) to fulfill the unexpired term of Brian White who resigned with one year remaining, 01/01/17 to 12/31/17

John Krimmel, as Alternate #1, for a 2-year term 01/01/17 to 12/31/18

Approved by Consent Agenda. All were in favor.

Resolution No. 33-2017*

A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE CITY OF BURLINGTON FOR THE YEAR 2017 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 3rd day of January, 2017, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that:

1. 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 2017.

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. 34-2017*

RESOLUTION RE-ESTABLISHING PETTY CASH FUNDS FOR THE YEAR 2017

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 2017:

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. 35-2017*

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. 36-2017

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 2017 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, 2017; and

WHEREAS, the total appropriations in the 2016 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2016 budgets is the sum of \$16,049,600.02 for the Current Fund, \$2,015,426.61 for the Water Fund, and \$2,738,559.52 for the Sewer Fund;

WHEREAS, 26.25% of the total appropriations in the 2016 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2016 budgets is the sum of \$4,213,020.01 for the Current Fund, \$529,049.49 for the Water Fund, and \$718,871.87 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 - 2017

	SALARIES	OTHER EXPENSES
General Administration	\$ 85,000	\$ 7,000
City Clerk	40,000	16,000
Mayor and Council	10,000	3,000
Financial Administration	60,000	15,000
Audit Services		27,000
Assessment of Taxes	19,000	7,000
Collection of Taxes	65,000	8,000
Legal Services & Costs		60,000
Municipal Prosecutor		10,000
Municipal Court		110,000
Engineering Services & Costs		15,000
Economic Development		15,000

Office of Programs Coordinator	25,000	5,000
Planning Board	5,000	10,000
Historic Preservation Commission	1,500	5,000
Group Insurance Plan for Employees		400,000
Liability Insurance		170,000
Workers Compensation Insurance		50,000
Fire	5,000	50,000
Police	1,150,000	52,000
Animal Control Officer		5,000
Emergency Management Service	3,000	2,000
Public Buildings and Grounds	30,000	17,000
Public Works Road Repair & Maintenance	95,000	16,000
Public Works Department	25,000	45,000
Vehicle Maintenance	35,000	25,000
Parks and Playgrounds	12,000	16,000
Sanitation		80,000
Board of Health	10,000	1,000
Recreation Programs	31,000	20,000
Celebration of Public Events	50,000	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	10,000	20,000
Housing Code Inspections		4,000
Rental Unit Inspections	45,000	2,000
Plumbing Inspections		4,000
Electrical Inspections		6,000
Uniform Fire Safety Act	21,000	2,000
Contingent		200
P.E.R.S.		10,000
O.A.S.I.		80,000
Police & Firemens' Retirement System		10,000
Defined Contribution Retirement Program		4,000
NJ Unemployment Compensation Fund		20,000
Recycling Tax		5,000
Emergency Management Assistance Grant		7,000

Small Cities CDBG – Housing Rehab	175,000
Small Cities CDBG – Housing Rehab (Local Share)	20,000
Small Cities CDBG – Public Facilities	400,000
Small Cities CDBG – Public Facilities (Local Share)	48,250
	\$ 1,832,500 \$2,402,650

WATER FUND - TEMPORARY APPROPRIATIONS -2017

	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 - 2017

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

Resolution No. 37-2017*

RESOLUTION – 2017 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, 2016; and

WHEREAS, principal and interest will be due on various dates from January 1, 2017 to December 31, 2017, 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, 2017 to December 31, 2017 inclusive:

DEBT SERVICE - CURRENT FUND

Payment of bonds	\$ 327,000.00
Interest on bonds	96,600.00

DEBT SERVICE - SEWER UTILITY

Payment of bonds	\$ 63,000.00
Interest on bonds	18,220.00

N.J. Environmental Infrastructure Trust:

State of New Jersey Fund Loan

Payment of Principal	\$201,628.99
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State of New Jersey Trust Loan

Payment of Principal	\$185,000.00
Payment of Interest	\$111,290.00

Approved by Consent Agenda. All were in favor.

Resolution No. 38-2017*

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 2017.

Approved by Consent Agenda. All were in favor.

Resolution No. 39-2017*

RESOLUTION NO. 47-2017 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. 40-2017

RESOLUTION NO. 40-2017 OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A CONTRACT FOR THE 2017 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 2017 Supply & Delivery of the Various Chemicals listed below. The bid opening was held on Thursday, December 1, 2016 at 10 AM in the City Hall Council Chambers; and

Whereas, the Administration reviewed the submitted bids; and

Whereas, the bid results showed that there were two bids of equal price for the chemical Sodium Bisulfite; and

Whereas, as per N.J.S.A. 40A:11-6.d. states that "whenever there are two or more responses to a request of a contracting agent offer equal prices and are the lowest responsible bids or proposals, the contracting unit may award the contract to the vendor whose response, in the discretion of the contracting unit, is the most advantageous, price and other factors considered.

Whereas, the City has determined it more advantageous to award the contract for Sodium Bisulfite to Coyne Chemical due to location in connection with response times in addition to continuing service, with Coyne being the 2016 vendor.

Whereas, the Administration recommends that the Common Council award the contracts to the lowest qualified bidder based on the bid summary and Coyne Chemical for Sodium Bisulfite, being the most advantageous.

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-16-053	1151 B. Highway #33 Farmingdale, NJ 07727	Miracle Chemical Co. Hypochlorite	Sodium \$54,604.80
BC-16-054	Univar USA, Inc. 5 Steele Road East Morrisville, PA 19067	Sodium Hydroxide	\$25,440.00
BC-16-056	5202 Belle Wood Ct., Suite 104 Buford, GA 30518	Chemrite, Inc. Permanganate	Potassium \$ 6,097.44
BC-16-051	Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Powdered Activated Carbon	\$29,677.20
BC-16-055	SNF Polydyne, Inc. One Chemical Plant Road Riceboro, GA 31323	Sludge Polymer Zetalyte	\$5,888.85
BC-16-052	Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Sodium Bisulfite	\$36,960.00

Be It Further Resolved, that any and all payment documents shall carry the contract identification numbers.

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

Resolution No. 41-2017*

WHEREAS, pursuant to N.J.A.C. 17:27-3.5, each public agency is annually required to designate an employee to serve as its Public Agency Compliance Officer with respect to public contracts, including procurement contracts, service contracts, and construction contracts that exceed that agency's public bidding threshold; and

WHEREAS, the Public Agency Compliance Officer ensures that no public contracts exceed the agency's public bidding threshold is awarded and moneys paid until the prospective vendor has agreed to contract performance which complies with current Affirmative Action Regulations and State Laws; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, that David H. Ballard be designated the City of Burlington's Public Agency Compliance Officer for the year 2017.

Approved by Consent Agenda. All were in favor.

Resolution No. 42-2017*

RESOLUTION NO. 42-2017 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO APPROVE THE CITY'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the City of Burlington (“City”) to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the Common Council for the City of Burlington has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED AND RESOLVED by the Common Council for the City of Burlington that:

Section 1: No official, employee, appointee or volunteer of the City of Burlington by whatever title known, or any entity that is in any way a part of the City of Burlington shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person’s constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the City of Burlington’s business or using the facilities or property of the City of Burlington.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the City of Burlington to provide services that otherwise could be performed by the City of Burlington.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Business Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the City of Burlington as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Business Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the City of Burlington. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the City of Burlington's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the City of Burlington in order for the public to be made aware of this policy and the City of Burlington's commitment to the implementation and enforcement of this policy.

Approved by Consent Agenda. All were in favor.

Resolution No. 43-2017*

RESOLUTION NO. 43-2017 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
AWARDING A CONTRACT FOR THE MAINTENANCE OF THE INSTRUMENTATION
AND CHLORINATION EQUIPMENT AT THE WATER AND WASTEWATER TREATMENT
PLANTS FOR THE YEARS 2017 AND 2018

Whereas, Environmental Resolutions, Inc.(ERI), the City's Water Plant Engineer, received bids on December 13, 2016 for Maintenance of the City of Burlington's Water and Wastewater Plants' Instrumentation and Chlorination Equipment; and

Whereas, one acceptable bid was received that was from our current provider: Allied Control Services, Inc.; and

Whereas, ERI has reviewed the submitted bid and finds the qualifications of the bidder to be in order and the proposed pricing to be acceptable within the engineer's estimates; and

Whereas, the City of Burlington may award a contract for the Maintenance of Water and Wastewater Instrumentation and Chlorination Equipment for a period of up to two (2) years with an additional two (2) year Option to Renew; and

Whereas, ERI did submit a letter dated December 13, 2016 recommending that the Mayor and Common Council of the City of Burlington award a contract to Allied Control Services, Inc. for a two (2) year period for the Maintenance of the City's Water and Wastewater Instrumentation and Chlorination Equipment;

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 two (2) year contract with Allied Control Services, Inc., 611 Garfield Avenue, P.O. Box 234, West Point, PA 19486 for the total amount of \$191,305 for the years 2017 and 2018.

Be it further resolved that the City of Burlington reserves the right to enter into an Optional two (2) year renewal of said agreement for the years 2019 and 2020.

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

RESOLUTION NO. 44-2017 IDENTIFYING CDBG FAIR HOUSING OFFICER

WHEREAS, City of Burlington must make efforts to affirmatively further fair housing; and

WHEREAS, City of Burlington has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

WHEREAS, City of Burlington will comply with:

the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and

the Civil Rights Act of 1964, and the regulations issued thereto it; and

the Fair Housing Act of 1968 and will affirmatively further fair housing; and

the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that, David Ballard shall be designated as the Fair Housing Officer for City of Burlington; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from City of Burlington; and

BE IT FURTHER RESOLVED that David Ballard will conduct a public information and outreach campaign to publicize the City of Burlington's fair housing services.

BE IT FURTHER RESOLVED that the City of Burlington will publish in the local newspaper of record and post at the municipal building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing services.

Approved by Consent Agenda. All were in favor.

Resolution No. 45-2017

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 16, 2017, 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 Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 46-2017

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

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

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

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

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

- 1 The City Council does hereby authorize submission of a strategic plan for the City of Burlington Municipal Alliance grant for fiscal year 2018 in the amount of:
 - DEDR \$ 13,574.00
 - Cash Match \$ 3,393.50
 - In-Kind \$ 10,180.50

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

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

Resolution No. 47-2017*

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

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 Contacts 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, 2017 to December 31, 2017, at an amount not to exceed \$15,000.00.

- 1 The compensation of the Workers’ Compensation Special Counsel for the 2017 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;

- 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 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. 48-2017*

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

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 Contacts 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, 2017 to December 31, 2017, at an amount not to exceed \$15,000.00.

- 1 The compensation of the Workers' Compensation Special Counsel for the 2017 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;
- 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 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. 49-2017

RESOLUTION AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES

WHEREAS, various 2016 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 2016 Budget Appropriations in the last two months of 2016; 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 \$5,000.00 be made between the 2016 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
<u>Current Fund:</u>		
Building Inspector:		
Other Expenses	\$ 5,000.00	
Fire Department:		
Other Expenses		\$ 5,000.00

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

All of the appointed professionals stood and introduced themselves and thanked Council for their appointments

Mayor Conaway thanked the professional for providing service to the City of Burlington.

PUBLIC COMMENTS

Paul Bracey, 12 Green Street, Mount Holly, NJ- spoke of segregation and crime in the City; spoke of Doty's Way; spoke of running a summer program.

COUNCIL COMMENTS

Councilman Swan spoke of snow removal; asked if the plows could be dropped lower.

Mr. Ballard said no, they will destroy the roads, will talk to Mr. Leshner.

Councilman Chachis spoke of grant work in reference to 309 and 307 Stacy Street.

Mr. Ballard said he has spoken to Mr. Bonchi and hopes to hear back on Wednesday.

Councilman Babula welcomed everyone and wished a Happy New Year.

Councilwoman Hatala reiterated Councilman Babula's comments.

President Woodard thanked all for coming.

Mr. Ballard spoke of Pope Run Bridge.

ADJOURNMENT

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, this meeting of January 10, 2017 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

