

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, OCTOBER 3, 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, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Director of Housing - Bill Harris, Chief Snow, Redevelopment Counsel - Kevin Sheehan.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on October 3, 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

INVOCATION

Rev. Stephen Miller of Holy Light Church of Jesus Christ

SALUTE TO FLAG

PUBLIC COMMENTS - RESOLUTIONS / CONSENT AGENDA RESOLUTIONS

None.

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 SEPTEMBER 2017

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of August 2017 \$111.80

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 09- 01 Historic Preservation Commission September 6, 2017
- 09-02 Land Use Board September 11, 2017, Special Meeting
- 09-03 Land Use Board September 27, 2017
- 09-04 Historic Preservation Commission October 4, 2017

The following application(s) for parade permit(s) received and approved.

- 09 -40 Parish of St. Katherine October 1, 2017
- 09 -41 City of Burlington Holiday Parade December 2, 2017
- 09-42 Veterans Day Parade November 11, 2017
- 09-43 Tabernacle Baptist Church October 7, 2017

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

- 09-500 Board of Chosen Freeholders, dated September 6, 2017, re: Recycling Program
- 09-501 Board of Chosen Freeholders, dated September 6, 2017, re: Invitation

CORRESPONDENCE TO AND FROM THE NJLM

- 09 -600 NJLM, dated September 18, 2017, re: Conference Sessions - Ethics

MISCELLANEOUS CORRESPONDENCE

- 09-800 Greater Burlington Chamber of Commerce, re: Citizen of the Year
- 09-801 Elaine McClammy, (4) dated September 11, 2017, re: 932 Oakland Avenue
- 09-802 Endeavor Emergency Squad, Inc., re: August Statistics Report
- 09-803 Elaine McClammy, dated September 11, 2017 re: parking issues
- 09-804 Mayor Conaway, re: article from Burlington County, How the County is handling homelessness
- 09-805 Burlington City High School, re: City Pride Partnership Business Breakfast October 12, 2017

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 12-2017 OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AUTHORIZING EXECUTION OF A FINANCIAL AGREEMENT BETWEEN THE CITY OF BURLINGTON AND MATRIX BURLINGTON RIVER ROAD NORTH URBAN RENEWAL LLC PURSUANT TO N.J.S.A. 40A:20-9 GOVERNING PAYMENTS IN LIEU OF TAXES FOR PROPERTY TO BE IDENTIFIED AS BLOCK 226, LOT 1.01 ON THE TAX MAPS OF THE CITY OF BURLINGTON -(Tabled 09-19-17)

WHEREAS, the City of Burlington (the “City”) is a municipal entity organized and existing under the laws of the State of New Jersey and located in the County of Burlington; and

WHEREAS, the Common Council of the City of Burlington (the “Common Council”) adopted a “Redevelopment Plan Part of McNeal Mansion & Vicinity Redevelopment Area Block 226, Lot 1” (the “Redevelopment Plan”), for the property designated on the Tax Map of the City of Burlington as Block 226, Lot 1 and to be subdivided and identified as Lots 1.01 and 1.02 on the minor subdivision plan filed with the City of Burlington Land Use Board (“Redevelopment Tract”), pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., which Redevelopment Tract was part of the larger area designated as an area in need of redevelopment following investigation of the area designation and public hearings held in accordance with the Act; and

WHEREAS, the Common Council is authorized to enter into a financial agreement, pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1, et seq.; and

WHEREAS, Matrix Burlington River Road North Urban Renewal LLC (hereafter "Matrix North Urban Renewal") is an "urban renewal entity" as defined by N.J.S.A. 40A:20-3; and

WHEREAS, the Common Council has actively negotiated with Matrix North Urban Renewal to redevelop Block 226, Lot 1.01 consistent with the approved Redevelopment Plan; and

WHEREAS, Matrix North Urban Renewal will obtain all necessary development approvals necessary for the redevelopment project on Block 226, Lot 1.01; and

WHEREAS, Matrix North Urban Renewal will provide significant new development and jobs to the City of Burlington and help spur further redevelopment pursuant to the City's Redevelopment Plan; and

WHEREAS, the ability to enter into a Financial Agreement is a material factor to securing Matrix North Urban Renewal’s financial participation in the redevelopment of Block 226, Lot 1.01; and

WHEREAS, the Common Council desires to execute an agreement with Matrix North Urban Renewal to bring these and other benefits to the City of Burlington and the redevelopment

area, and has agreed to enter into a Financial Agreement for Block 226, Lot 1.01 to ensure the completion of the project.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Common Council of the City of Burlington that the Mayor and Municipal Clerk be and are hereby authorized to enter into and execute the Financial Agreement for Block 226, Lot 1.01, and any and all related documents or agreements, with Matrix North Urban Renewal for the purposes set forth above, in the form attached hereto as Exhibit "A" and incorporated herein by reference, subject to minor modification or revision as deemed necessary and appropriate after consultation with counsel, and as further set forth herein:

SECTION 1. The Common Council makes the determinations and findings set forth above by virtue of and pursuant to and in conformity with N.J.S.A. 40A:20-1, et seq.

SECTION 2. The improvements on Block 226, Lot 1.01 shall be exempt from real property taxation and in lieu of real property taxes on such improvements, Matrix North Urban Renewal shall make payments to the City of an annual service charge during the term and under the provisions set forth in the Financial Agreement attached as Exhibit "A".

SECTION 3. Upon adoption of this Ordinance and execution of the Financial Agreement, a certified copy of this Ordinance and the Financial Agreement shall be filed with the City Tax Assessor and shall be transmitted to the Chief Financial Officer of Burlington County and to Burlington County Counsel.

SECTION 4. If any part of this Ordinance shall be deemed invalid, such part shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

SECTION 5. This Ordinance shall take effect upon adoption and publication in accordance with the law.

Upon the motion of Councilman Swan, seconded by Councilwoman Hatala, the foregoing ordinance was introduced.

Public Comments

Amber Ciccanti, 1015 Grant Avenue- spoke in opposition of the PILOT; the school will be losing money; services cost money for the City, Police, Fire etc.; feels money is being taken away from the school.

Council Comments

Mr. Sheehan gave a brief summary of the ordinance.

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

CONFERENCES

- Street Paving List for Grant Application Submission (Continued from 09/19/17)- Dave Ballard, Administrator

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 210-2017

Resolution No. 210 -2017 Authorizing the City of Burlington to submit a FY2018 grant application to and execute a grant contract with the New Jersey Department of Transportation Municipal Aid Program for a Paving Project for portions of Dickinson Road, Hulme Street, Lincoln Avenue and all of Moorland Avenue

NOW, THEREFORE, BE IT RESOLVED that Common Council of the City of Burlington formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application, on or before the due date of October 6, 2017, identified as MA-2018-Burlington City-00118 to the New Jersey Department of Transportation on behalf of the City of Burlington.

BE IT FURTHER RESOLVED that Mayor Barry W. Conaway and the Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the City of Burlington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Upon the motion of Councilman Babula, 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. 211-2017

RESOLUTION NO. 211-2017 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A CHANGE ORDER #1 TO THE 2017 MECHANICAL MAINTENANCE CONTRACT #16-00.02M, WITH MUNICIPAL MAINTENANCE COMPANY

WHEREAS, the City of Burlington awarded a publicly bid annual service contract for mechanical maintenance at the Burlington City Wastewater Treatment; and

WHEREAS, it became possible to inspect Sludge Thickener #1 and #2 mechanical parts, partially or fully submerged in sludge within a confined space location, under the course of work for a project presently under contract with the City; and

WHEREAS, the original contract amount was \$38,970.00; and

WHEREAS, the City Sewer and Drainage Engineer has received and reviewed price quotations from contractors for extra work at Sludge Thickener #1 and #2; and

WHEREAS, the contract now requests Change Order #1 which seeks an additional \$62,000.00 which represents a 159% increase from the original contact amount for extra work; and

WHEREAS, to provide necessary maintenance repair to Sludge Thickener #1 and #2, a change order over 20% is required; and

WHEREAS, the cost of the Change Order exceeds the twenty percent cap permitted by law unless the Change Order complies with N.J.A.C. 5:30-11.9; and

WHEREAS, the governing body has reviewed this recommendation of the City Administrator and Chief Financial Officer along with the attached exhibit and determines that this Change Order is immediately necessary to maximize the dollars with bidding the work; and

WHEREAS, the City of Burlington's Chief Financial Officer has confirmed that funds for this extra work are available in the 2017 municipal sewer budget;

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. 212-2017*

Common Council of the City of Burlington hereby amends Resolution No. 208-2017 appointing members of the Selection Committee for the selection of Battalion Chiefs within the Fire Department pursuant to Municipal Code 2-33 replacing the name Tim Pearson with Howard Caruso as a former Burlington City Fire Departments Chief.

Approved by Consent Agenda. All were in favor.

Resolution No. 213-2017*

Common Council of the City of Burlington hereby appoints John A. Fillipine, Jr. as an Emergency Driver for Neptune Hose Company No. 5 for the year 2017.

Approved by Consent Agenda. All were in favor.

Resolution No. 214-2017*

Common Council of the City of Burlington hereby authorizes the temporary closure of E. Second Street, between High Street and James Street for a Block Party on Tuesday, October 31, 2016 from 5:00 pm to 10:00 pm.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Jim Thompson, 935 Rigg Road- spoke of a fishing tournament and a block party both in October, all are invited; thanked Mr. Ballard for helping with the large bees nest; Mr. Leshner and Mr. Everham of the Public Works Department took care of it; thanked Mr. Ballard for taking care of the piles of dirt in the street left by contractors.

Jamal Taylor, 109 Belmont Street- spoke of no redevelopment happening in the New Yorkshire neighborhood; spoke of the need to deal with homelessness and drug activity.

COMMUNITY EVENT ANNOUNCEMENTS FOR THE MONTH OF OCTOBER

Ms. Schiller announced upcoming events.

INFRASTRUCTURE COMMENTS

Councilman Swan said he will talk to residents on Locust Avenue about brush in the 400 and 300 block of Wood Street; St. Mary Street also has brush; 220 Brown Street has tall grass, along with 413 Independence Drive; the porch on the front and the back of 473 Locust Avenue is a hazard, needs Code Enforcement, the landlord is not taking care of the property; spoke of lines hanging from pole number 60143 on W. Broad Street; thanked Mr. Ballard for all of his help.

Councilman Chachis spoke of a crumbling alley behind the 300 block of E. Union and Barclay, asked if can be repaved; asked for Administration to get an estimate; spoke of safety concerns with the Holiday House Tour coming up in December.

Mr. Ballard said he will work on an estimate, every alley in the City needs work.

Councilwoman Lollar asked for an update on Elm Avenue and Lincoln Avenue repaving.

Mr. Ballard said the project should take a couple of weeks.

Councilwoman Hatala thanked Mr. Ballard for putting Hulme Street on the repaving list; the old Unemployment Office will be restored for medical professionals; the leaf pick up schedule is in the Beverly Bee, during that time there will not be brush pick up; thanked the Mayor for coming out to her house when someone hit her house.

Mr. Saponaro spoke of the PILOT agreement.

Mayor Conaway thanked everyone for coming out to the recent City event; announced upcoming events; Matrix Project will provide approximately 600 jobs, 900 will be during the holiday season; there will be training, working with the County; the Burlington County Historical Society is working on a Children's History Center; the City entered into a contract with Jones, Lang, LaSalle (JLL) to evaluate, rehab and sell or rent homes in the New Yorkshire; will use local contractors.

ADMINISTRATION REPORT

Mr. Ballard spoke of the bollard at the Belmont Street bumpout, it has been hit 3 times; 309 Stacy Street is coming along thanks to Mr. Harris; spoke of the Salt Barn Project, a contract was awarded to FreeSpan; spoke of a NJDOT permit required, had a preconstruction meeting today; if NJDOT gets us the approval we will be ready for the first snow storm; the safety of the public is the key.

Mr. Harris gave a brief report on a meeting he attended with Borgers, Saunder, Taylor and Associates (BST) who formed a successful business that go after banks; they would like to make a presentation to Council to show how they bought hundreds of thousands of dollars in revenue from cities that are trying to cope with abandoned, bank owned properties

President Woodard ask that they come before Council in November.

COUNCIL COMMENTS

President Woodard spoke of Councilman Chachis' Ward meeting, there was good attendance; a lot of exchange with Council Members; the Parking Committee (Councilman Chachis, Councilman Swan and Councilwoman Mercuri) met with Jim Kennedy, he gave them a lot of good ideas; the Farm Animals Committee (Councilwoman Lollar, Councilwoman Hatala and Councilman Babula) will meet in the next few weeks.

Councilman Chachis thanked Officer Perro and Mr. Kownatsky for attending his Ward Meeting; spoke how helpful Sheila Williamson was from the St. Mary's Street United Methodist Church where the meeting was held.

Councilman Babula spoke of Jones, Lang, LaSalle, how great their process has been.

President Woodard spoke of how Council cares about the town, but are ignoring what is around the corner; spoke of limited resources.

Mr. Saponaro referred to Robin Lord, Esq. Attorney to Gary Singh.

Ms. Lord requested to speak with Council in Closed Session.

HEARING

- Fresh to Go, 200 E. Federal Street, Burlington, N.J.

ADJOURNMENT

Upon the motion of Councilwoman Lollar, seconded by Councilman Swan, this meeting of October 3, 2017 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk