

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, OCTOBER 4, 2016, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The Deputy Municipal Clerk advised the public of the location of the two fire exits; one on the left after exiting the Council Chamber and the other being the entrance to the building.

Members present: Mr. Babula, 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, Captain Fine.

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 4, 2016 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

INVOCATION

Deacon Walter Karpecik of St. Katharine Drexel Parish

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 Lollar. All were in favor.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR SEPTEMBER 2016

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of August 2016 \$5,185.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

09-01 Historic Preservation Commission, dated September 7, 2016

09-02 Screening Board, dated September 7, 2016

09-03 Land Use Board, dated September 28, 2016

MINUTES RECEIVED FROM VARIOUS BOARDS

09-10 Board of Island Managers, revised dated August 24, 2016

NOTICE TO PROPERTY OWNERS

09-20 Block 135, Lot 18 - 130 Pub & Grill, LLC

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

09-40 Veteran's Day, November 11, 2016

09-41 Holiday Parade, December 3, 2016

09-42 Tabernacle Baptist Church, October 8, 2016

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

09-501 Burlington County 2016 Abstract of Ratables information

09-502 Regional Chamber of Commerce, re: October 18, 2016 at the Merion, re: The River Route

09-503 Greater Burlington Chamber of Commerce, re: 2016 Festival of Lights

CORRESPONDENCE TO AND FROM THE NJLM

09-600 NJLM, dated August 31, 2016, re: NJLM Annual Conference Ticketed Meal Functions

09-601 NJLM, re: Professional Development Conferences

MISCELLANEOUS CORRESPONDENCE

09-800 Pipeline Safety and meeting schedules

09-801 Trina Peter-Vassallo, dated September 10, 2016, re: 525 York Street

09-802 Endeavor Emergency Squad, Inc., re: August 2016 monthly statistics

09-803 America Works hosting an event dedicated to the Financial, professional and person enrichment of youth in Burlington County

09-804 Lisa Hibbs, Commercial Utility Consultants BCEAP re: Thank you

09-805 T-Mobile, dated August 26, 2016, re: Notification of Equal Employment Opportunity /

Affirmation Action Obligations

09-806 Maple Shade Board of Education, dated September 13, 2016, re: letter of gratitude for assistance during threats of four schools to Chief Snow

09-807 Mike Zalot, re: dredge dumping on Burlington Island

09-808 Elaine McClammy dated September 9, 2016 ref: vacant homes

09-809 Elaine McClammy, dated September 9, 2016 ref: vacant homes

09-810 Elaine McClammy, dated September 19, 2016, re: ordinances need to be enforced

09-811 Donna Caruso, re: concerned resident

09-812 Mayor Conaway, re: Atlantic Brant in 2016 N.C. Duck Stamp

09-813 Vernon Long, Tyrone Pitts, and Delgreco Wilson, dated September 7, 2016, re: Partnership for Achievement

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. 234-2016

Upon the recommendation of the Clarke, Caton, Hintz, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order #4, with Levy Construction Company, Inc., 134 Cuthbert Blvd., Audobon, New Jersey, for an increase in the amount of \$2,918.60 providing for additional items in connection with the Lyceum Hall Repair and Renovation Project.

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. 235-2016

Upon the recommendation of the Pennoni Associates, Inc., the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order #2, with Hamilton Electrical Contracting, Inc., 207 Boulevard, Florence, New Jersey, for an increase in the amount of \$2,250.64 providing for Labor compensation in connection with the Electrical Maintenance of the Wastewater Treatment Plant.

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. 236-2016

RESOLUTION NO. 236-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING RELEASE OF DEMOLITION AND OTHER NECESSARY SERVICES LIENS ON PROPERTIES LOCATED AT 316 EAST UNION STREET IN BURLINGTON

WHEREAS, the City of Burlington is required by Ordinance §195 to protect the public health, safety and welfare in buildings used for dwelling purposes; and

WHEREAS, under N.J.A.C. 52:27D-132 and N.J.A.C. 5:23-2.32, the Construction Official for the City of Burlington issued a “Notice of Unsafe Structure,” which is attached to this resolution, for the property located at 314 East Union Street ordering the owner to correct the unsafe conditions of the structure and specifically the “[o]utside wall and partial roof collapse;”and

WHEREAS, the City of Burlington issued a Warning of Imminent Hazard on January 13, 2014 as to the property located at 314 East Union Street; and

WHEREAS, the owners of 312 and 314 East Union Street did not act to correct the unsafe condition and/or imminent hazard and thereafter the property continued to be unsafe and hazardous to the lives, health and safety of the Residents and Citizens of Burlington; and

WHEREAS, sometime after January 13, 2014, that one of the properties located at 312 or 314 East Union Street did become so unstable and partially collapse causing instability at 312, 314 and possible hazards related to issues at 316 East Union Street; and

WHEREAS, Officials from the City of Burlington met with the owners and/or representatives of the properties located at 312 and/or 314 East Union Street and determined that said structures needed to be either stabilized or demolished; and

WHEREAS, the City of Burlington demolished and/or stabilized the aforementioned properties, including the partial demolition of 312 and 314 East Union Street; and

WHEREAS, in order to effectively protect the residents or dwellers at 316 East Union Street, the City was so required to act to protecting various plumbing and utility items; and

WHEREAS, the City incurred costs of \$4,371.82 for 316 East Union Street; and

WHEREAS, the Common Council for the City of Burlington is authorized, pursuant to Ordinance § 195-23(B) to approve the expenses and costs of said report such that they may become liens against the aforementioned and associated properties.

WHEREAS, the Common Council for the City of Burlington authorized the cost of \$4,371.82 to be retained as a lien against the property located at 316 East Union Street by way of Resolution No. 140-2015; and

WHEREAS, pursuant to the Relocation Assistance Law of 1967 (N.J.S.A. 52:31B-1 et seq.) and

the Relocation Assistance Act / 1971 (N.J.S.A. 20:4-1 et seq.), when a municipality determines that a property is unsafe, the municipality shall provide for payment of rehabilitation of the property to make it safe, if feasible, and thereafter shall apply to the New Jersey Relocation Assistance Program for reimbursement of those funds; and

WHEREAS, the funds needed to complete the work necessary to rehabilitate the property located at 316 East Union was provided for by the Relocation Assistance Law of 1967 (N.J.S.A. 52:31B-1 et seq.) and the Relocation Assistance Act / 1971 (N.J.S.A. 20:4-1 et seq.) and therefore the owner was not to incur those costs directly; and

WHEREAS, the City now desires to release the lien in the amount of \$4,371.82, as such funds are provided to the owner of 316 East Union pursuant to the Relocation Assistance Law of 1967 (N.J.S.A. 52:31B-1 et seq.) and the Relocation Assistance Act / 1971 (N.J.S.A. 20:4-1 et seq.) and the City does so with the information and belief that the owner of the property located at 316 East Union were not responsible for the damages but rather had incurred the damages and expenses through the neglect and Insafe issues resulting from the collapse at 312-314 East Union Street;

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

That the Common Council for the City of Burlington authorizes the release of a lien in the amount of \$4,371.82 retained against the property located at 316 East Union Street.

That a copy of the resolution shall be certified by the Municipal Clerk and filed with the Tax Collector, who shall be responsible for the release or cancellation thereof.

That a copy of the resolution shall be sent by certified mail to the owner of the property located at 316 East Union Street.

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. 237-2016*

RESOLUTION NO. 237-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REFUNDING OVERPAYMENT OF TAXES

WHEREAS, an overpayment of 2016 taxes, has occurred on the property identified herein, due to a reduction in the assessment;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington

authorizes the Chief Financial Officer to issue a refund check for 2016 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amt.</u>
222 (854 E Route 130 N)	17	Kathryn Flynn	\$ 357.78
184 (Belgrade Street)	30	Emil Meisner	\$ 104.54

*Make checks payable to:

CoreLogic
Attn: Refund Dept./Renee Held
1 Corelogic Way
Westlake, Texas 76262

Approved by Consent Agenda. All were in favor.

Resolution No. 238-2016*

RESOLUTION NO. 238-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REFUNDING OVERPAYMENT OF TAXES ON EXEMPT PROPERTY

WHEREAS, the parcel identified herein as Block 117 Lot 8, located at 200 York St is owned by Salt & Light Co. and was granted tax exempt status by the County Board of Taxation, under N.J.S.A. 54:4-3.6c; and

WHEREAS, an overpayment of 2016 Taxes has occurred;

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington authorizes the Chief Financial Officer to issue a refund check of 2016 Taxes as follows:

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY OWNER MAILING ADDRESS</u>	<u>AMOUNT</u>
117 (200 York St)	8	The Salt & Light Co.	\$ 2,038.92

*Make checks payable to:

The Salt & Light Co.
1841 Burl-Mt. Holly Rd
Westampton, NJ 08060

Approved by Consent Agenda. All were in favor.

Resolution No. 239-2016*

RESOLUTION NO. 239-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON CANCELING TAXES AND REFUNDING OVERPAYMENT ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, the property identified herein as Block 227 Lot 5, located at 940 Bordentown Rd is owned by Mr. Harlan Jester, declared to be a 100% permanently and totally disabled veteran; and WHEREAS, the State of New Jersey provides tax exempt status, under N.J.S.A. 54:4-3:30, to veterans declared as such; and

WHEREAS, due to the cancellation of pro-rated 2016 taxes in the amount of \$2,175.23, an overpayment will occur on the property in the amount of \$796.54;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2016 pro-rated taxes are hereby cancelled for the reason set forth above and authorizes the Chief Financial Officer to issue a refund check in the amount of \$796.54 for the overpayment of 2016 taxes. The refund to be issued as follows:

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
227 (940 Bordentown Rd)	5	Harlan Jester	\$ 796.54

***Make check payable to:**

Corelogic
Attn: Refund Dept./Renee Held
1 Corelogic Way
Westlake, Texas 76262

Approved by Consent Agenda. All were in favor.

Resolution No. 240-2016*

Common Council of the City of Burlington hereby approves a fire member application for Christopher A. Clark, 870 E. Route 130, Burlington, N.J., in the Mitchell fire Company Station 903, he having filed the necessary papers.

Approved by Consent Agenda. All were in favor.

Resolution No. 241-2016*

Common Council of the City of Burlington, hereby approves a fire member application for David K. Kampe, Jr., 921 Rigg Road, Burlington, N.J., in the Niagara Hose Company No. 6, he having filed the necessary papers.

Approved by Consent Agenda. All were in favor.

Resolution No. 242-2016*

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

WHEREAS, the Neptune Hose Company No. 5 has requested through the Fire Chief, that the Company be given permission to attend parades and musters during the year 2016; and NOW, THEREFORE BE IT RESOLVED that the Common Council of the City of Burlington, hereby authorizes the Neptune Hose Company No. 5 to attend the following parades:

October 1, 2016 Mercer County Parade, Pennington, N.J.

Approved by Consent Agenda. All were in favor.

Resolution No. 243-2016*

A resolution providing for a meeting not opened to the public in accordance with the provisions of the New Jersey Open Public Meetings Act. N.J.S.A. 10:4-12: Therefore be it resolved by the Common Council of the City of Burlington, assembled in public session on October 4, 2016, that an Executive Session Closed to the Public shall be held on October 4, 2016, in the Council Meeting Room for discussion of matters relating to the specific items designated in this resolution:

Real Estate N.J.S.A. 10:4-12 (7) Burlington Island

The nature of the discussion conducted in closed session and or the result thereof may be disclosed to the public in an open public meeting held in October of 2016 or shortly thereafter.

Approved by Consent Agenda. All were in favor.

Resolution No. 244-2016

RESOLUTION NO. 244-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING

WHEREAS, the Common Council of the City of Burlington (“Common Council”) was designated as redevelopment agency under the City’s Redevelopment Plan to acquire and convey property, contract for professional services, grant tax abatements, redevelop property, and collect revenue from redevelopers to defray costs of the redeveloper entity; and

WHEREAS, the City of Burlington (“City”) and Common Council, in concert as redevelopment entity, have conducted a diligent search for a qualified Master Redeveloper for the Commerce Square Redevelopment Project (“Project Site”); and

WHEREAS, the City desires that the Project Site be redeveloped in accordance with the Redevelopment Plan, as amended from time to time; and

WHEREAS, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented, provides for a process for municipal entities to enter into contracts with redevelopers to carry out and effectuate the terms of a Redevelopment Plan; and

WHEREAS, the City has received and reviewed a redevelopment proposal submitted by Slokker-Townscape which the City has determined meets the project goals for the Redevelopment Plan and is in the best interests of the citizens of the City of Burlington; and

WHEREAS, the City and Slokker-Townscape desire to negotiate toward formulation of a Redevelopment Agreement to allow Slokker-Townscape to redevelop the Project Site in accordance with the City's requirements; and

WHEREAS, the City desires to negotiate exclusively with Slokker-Townscape for a period of sixty (60) days, which period may be extended, at the City's option, in an effort to enter into a Redevelopment Agreement with Slokker-Townscape; and

WHEREAS, the City and Slokker-Townscape desire to memorialize, in writing, their agreement to exclusively negotiate to a Redevelopment Agreement through a Memorandum of Understanding ("MOU") evidencing the Parties' statement of intent.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington is authorized to:

1. Execute the MOU with Slokker-Townscape in the form attached hereto as Exhibit "A," and to execute a Term Sheet consistent with the Proposal, negotiate a Redevelopment Agreement, Agreement of Sale, Pilot Agreement, and other redevelopment contracts, as approved by the Common Council, with concurrence by the City Planner, upon the legal recommendation of the City Solicitor.
2. To collect and expend additional escrow in the amount of Twenty Thousand (\$20,000.00) Dollars from Slokker-Townscape for the City's professional costs, and to incur and expend monies from the Slokker-Townscape Interim Cost Escrow Fund pursuant to the MOU.
3. Based upon Slokker-Townscape's Proposal, designate and recognize Slokker-Townscape as "Potential Master Redeveloper," effective as of the time the parties execute the MOU and the currently required Interim Cost Escrow Fund is delivered by Slokker-Townscape to the City.

Prior Resolutions: All resolutions of the City related to the Project Site which were adopted prior to this resolution are null and void.

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

Upon the motion of Councilwoman Lollar, seconded by Councilman Chachis, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Chachis, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (4); NAYS: (0); ABSTAIN: Mr. Babula, Ms. Hatala, Mr. Swan. (3); ABSENT: (0).

Resolution No. 244-2016

Common Council of the City of Burlington, hereby wishes all of our residents of the Jewish faith a Happy Rosh Hashanah and Yom Kippur.

Upon the motion of Councilwoman Hatala, 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).

PUBLIC COMMENTS

Eric Borroughs, 214 High Street- finished his story he started at the last meeting regarding a Boy Scout from Burlington named Billy Bastian; requested that the City name the Roundabout after him.

Murray Sonstein, 214 High Street- spoke of parking tickets issued to his patrons of the Lily Inn; asked for a few parking spots in front of the Inn; he has been paying the parking tickets himself.

Jamal Taylor, 109 Belmont Street- spoke of the kids in the NYS area, they are in jeopardy; want to collaborate with the City and the Police Department to help them, they have no where to go; spoke of facilities that could be utilized; spoke of the children being afraid to come out and play.

COMMUNITY EVENT ANNOUNCEMENTS FOR THE MONTH OF OCTOBER

Ms. Schiller spoke of upcoming events.

INFRASTRUCTURE COMMENTS

None.

ADMINISTRATION REPORT

Councilman Swan spoke of 309 Stacy Street.

Mr. Ballard said the buyer did not follow thru; spoke of deadline that they would be charged \$1,000 a day.

Councilman Swan spoke of a City sign on the corner of Stacy and Barclay Streets.

Councilman Chachis asked if there was an estimate on the demolition at the Waterworks.

Mr. Ballard said that the City is not allowing them to proceed with the demolition.

Councilman Chachis asked for the status of Barclay Street.

Mr. Ballard said that the State is holding it up; it may be to late due to weather.

Councilwoman Lollar asked about Oakland Avenue in reference to the grant.

Mr. Ballard believes we could lose it all; spoke of the bump-out and the drains at High and Belmont Streets.

Councilwoman Lollar spoke of the junk yard.

Mr. Ballard said there was a court date; the Judge did agree that the fence must come down; if not moved in a certain amount of time there would be fines.

Councilman Babula spoke of speeding and the signage at Rt. 130 near the Niagara Firehouse.

Mr. Ballard said the NJDOT is different, they are very involved with the highway.

Councilwoman Hatala spoke of the Land Use Board in the Township approving warehousing.

Mr. Ballard spoke of the Sewer Engineers, Pennoni.

COUNCIL COMMENTS

None.

CONFERENCES

Burlington Island- Board of Island Managers

EXECUTIVE CONFERENCES

Burlington Island- Brooks DiDonato, Esq.

ADJOURNMENT

Upon the motion of Councilwoman Mercuri, seconded by Councilman Swan, this meeting of October 4, 2016 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

