

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, OCTOBER 21, 2014, 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. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) Absent: (0)

Also present: Municipal Attorney- George Saponaro, Municipal Engineer - Kevin Snowden, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Lt. Snow, Director of Public Works- Carl Turner.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on October 21, 2014 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

SALUTE TO FLAG

UNFINISHED BUSINESS

CONSENT AGENDA

Councilwoman Hatala, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard. All were in favor.

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE CITY OF BURLINGTON, CREATING A BUSINESS IMPROVEMENT DISTRICT AND DESIGNATING A DISTRICT MANAGEMENT CORPORATION - **TABLED**

Councilman Ghaul questioned this ordinance and recommended it be pulled or tabled.

Mr. Saponaro recommend that this ordinance be tabled until it can be discussed and with Mr. Kennedy in attendance.

President Babula said that it was the Chamber of Commerce and various business leaders who brought this idea; it is their wish to move forward; the revenue would go toward a Street Downtown Manager as well as the maintenance of the downtown area.

Councilman Ghaul said he would look forward to having discussion again, doesn't want to rush it; stated that the Ordinance did not come from Administration.

Councilwoman Woodard said she remembers a previous discussion on this; we should not rush it now.

Mr. Saponaro said he didn't draft this Ordinance but, did review it; said he will coordinate with Mr. Kennedy.

Councilman Babula asked if Council is interested in discussing this at a later date.

Mr. Saponaro said that there is a lot of other work that needs to be accomplished on this.

Upon the motion of Councilman Ghaul, seconded by Councilwoman Woodard, the foregoing ordinance was TABLED by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

EXECUTIVE CONFERENCES

- Junior's Cheesecakes - George Saponaro, Esq.

Mr. Saponaro requested that Resolution No.'s 215- 220 be approved subject to the Tax Assessor confirming that the Blocks and Lots are correct.

Upon the motion of Councilman Ghaul, seconded by Councilwoman Woodard, all were in favor of Resolution No.'s 215- 220 be approved subject to the Tax Assessor confirming that the Blocks and Lots are correct.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 215-2014

RESOLUTION NO. 215-2014 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON, ACTING AS THE CITY OF BURLINGTON REDEVELOPMENT AGENCY, DESIGNATING BURLINGTON REAL ESTATE HOLDING LLC AS REDEVELOPER FOR THE PROPERTY DESIGNATED AS BLOCK 1, LOT 8 ON THE TAX MAP OF BURLINGTON CITY AND AS INCLUDED IN THE COMMERCE SQUARE REDEVELOPMENT PLAN AND AUTHORIZING THE CITY TO NEGOTIATE AN AGREEMENT WITH THE REDEVELOPER FOR THE CONTINUED USE OF THE SUBJECT PROPERTY .

WHEREAS, the Common Council of the City of Burlington, acting as the “City of Burlington Redevelopment Agency” (“Council”) included property known as Block 1, Lot 8 on the Tax Map of Burlington City (the “Redevelopment Area”) within an area designated as an area in need of redevelopment pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and the Redevelopment Area was included in, and is subject to a valid Redevelopment Plan (the “Commerce Square Redevelopment Plan”), which has been adopted via Ordinance;

WHEREAS, the Council has been designated as redevelopment entity under the Commerce Square Redevelopment Plan to acquire and convey or lease property, contract for professional services, enter into long term financial agreements, grant tax exemptions/abatements, redevelop property, and collect revenue from redevelopers to defray costs of the redevelopment entity with regard to the defined Redevelopment Area pursuant to the “Commerce Square Redevelopment Plan” adopted by the Council pursuant to Ordinance;

WHEREAS, Mother’s Kitchen, Inc., now known as Formerly Mother’s, Inc. has a leasehold interest in the Redevelopment Area;

WHEREAS, as a result of discussions, meetings, and negotiations between the Council and Burlington Real Estate Holdings LLC (“BREH”), the Council hereby desires to designate BREH as Redeveloper and to negotiate with BREH in connection with the assignment of a restated and ratified ground lease, as amended, and lease, as amended, which will merge into one lease (the “Lease”) for the Redevelopment Area now leased by Formerly Mother’s, Inc., to be executed by and between BREH and the Council to insure the continued use of the Redevelopment Area;

WHEREAS, the Council possesses the statutory authority to enter into and execute the Lease;

WHEREAS, BREH, in its role as Redeveloper, will continue to use the Redevelopment Area in compliance with the “Commerce Square Redevelopment Plan;”

WHEREAS, the Council has determined it is in the best interests of the City of Burlington and its citizens to designate BREH as Redeveloper for the Redevelopment Area and to negotiate the Lease with BREH.

NOW THEREFORE, BE IT RESOLVED that the Council authorizes the following:

- 1.The designation of BREH, as Redeveloper, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., for the Redevelopment Area.
- 2.Council to collect or otherwise encourage the payment of any and all funds due in connection with the Lease, including but not limited to fees to escrow fees to cover the City’s cost of negotiating the Lease.

3.The Mayor or other authorized member of the Council or City Administration to negotiate the Lease with BREH for the Redevelopment Area in accordance with terms listed above.

4.The Mayor or other authorized member of the Council or City Administration to negotiate and execute all necessary legal documents and to do all other things necessary or appropriate for successful redevelopment of the Redevelopment Area in accordance with the “Commerce Square Redevelopment Plan.”

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

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

Resolution No. 216-2014

RESOLUTION NO. 216-2014 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF THE RESTATED AND RATIFIED LEASE WITH FORMERLY MOTHER’S INCORPORATED

WHEREAS, the Common Council for the City of Burlington is the City's redevelopment authority pursuant to New Jersey Statutes related to redevelopment law; and

WHEREAS, the City of Burlington desires to promote employment, commercial activity and general economic growth; and

WHEREAS, Mother’s Kitchen, Inc. (“Mother’s”) has a lease dated September 1, 1983; and

WHEREAS, Mother’s Kitchen, Inc., by virtue of a name change proceeding is now known as Formerly Mother’s, Inc. (hereinafter both referred to as “Mother’s”); and

WHEREAS, the City owns Block 1, Lot 8 (Qualifier X), commonly known as Commerce Square, which is designated an area in need of redevelopment; and

WHEREAS, Mother’s is unable to continue its business in the City of Burlington and therefore desires to transfer its lease to Burlington Real Estate Holdings, LLC (“BREH”), also known as Junior’s Cheesecake; and

WHEREAS, the City of Burlington and Mother’s have made several modifications to the aforementioned lease; and

WHEREAS, as the Redevelopment Entity the Common Council and the City of Burlington desire to facilitate that transfer in order to continue to promote employment, commercial activity and general economic growth; and

WHEREAS, in order to facilitate the transfer of Mother’s Lease between Mother’s and the City of Burlington, the parties desire to authorize a “Restated and Ratified Ground Lease” and Lease which encompasses all leases and amendments made to the lease since 1983.

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

1. The Common Council for the City of Burlington hereby authorizes and directs the Mayor or City Clerk to authorize the “Restated and Ratified Ground Lease and Lease.”

2. The “Restated and Ratified Ground Lease and Lease” ratifies, restates, confirms, revives, adopts and affirms the terms conditions, rights and obligations set forth and contained in the existing and viable Lease and several amendments between the City of Burlington as successor in interest of the Joint Burlington Economic Development Corporation and Mother’s.

3. The “Restated and Ratified Ground Lease and Lease” hereby merges and consolidates into one document with the terms, conditions, rights and obligations of the aforementioned Lease and several amendments between the City of Burlington and Mother’s and continues the lease subject to the terms of the “Restated and Ratified Ground Lease and Lease.”

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

Resolution No. 217-2014

RESOLUTION NO. 217-2014 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO LEASE WITH THE BURLINGTON REAL ESTATE HOLDING COMPANY, LLC.

WHEREAS, the Common Council for the City of Burlington is the City's redevelopment authority pursuant to New Jersey Statutes related to redevelopment law; and

WHEREAS, the City of Burlington desires to promote employment, commercial activity and general economic growth; and

WHEREAS, Mother’s Kitchen, Inc. (“Mother’s”) had a lease dated September 1, 1983; and

WHEREAS, Mother’s Kitchen, Inc., by virtue of a name change proceeding is now known

as Formerly Mother's, Inc. (hereinafter both referred to as "Mother's"); and

WHEREAS, Mother's is unable to continue its business in the City of Burlington and therefore transferred and assigned its lease to Burlington Real Estate Holdings, LLC ("BREH"), also known as Junior's Cheesecake; and

WHEREAS, BREH would to agree to assume Mother's right, title and interest under the lease absent delivery of the First Amendment to Lease (the "Amendment"); and

WHEREAS, as the Redevelopment Entity the Common Council and the City of Burlington desire to facilitate that assignment of the lease from Mother's to BREH in order to continue to promote employment, commercial activity and general economic growth; and

WHEREAS, in order to facilitate the transfer of Mother's Lease between Mother's and the City of Burlington, the parties desire to authorize an Amendment to the Lease; and

WHEREAS, the current term of the Lease will expire on September 30, 2033, subject to a renewal option of 25 years, and the City of Burlington and BREH wish to extent the term of the Lease and to make certain other modifications included in the Amendment; and

WHEREAS, the City of Burlington and BREH wish to include an option to purchase the property from the City pursuant to the Laws of the State of New Jersey.

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

1. The Common Council for the City of Burlington hereby authorizes and directs the Mayor or City Clerk to authorize the Amendment.
2. The Common Council for the City of Burlington agrees to an additional renewal option of 25 years as provided for in the Amendment.
3. The Common Council for the City of Burlington agrees to provide BREH with an option to purchase as provided for in the Amendment.

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

Resolution No. 218-2014

RESOLUTION NO. 218-2014 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING A LANDLORD ESTOPPEL CERTIFICATE TO CERTIFY THE CURRENT LEASE BETWEEN THE CITY OF BURLINGTON AND MOTHER'S KITCHEN, INCORPORATED

WHEREAS, the Common Council for the City of Burlington is the City's redevelopment authority pursuant to New Jersey Statutes related to redevelopment law; and

WHEREAS, the City of Burlington desires to promote employment, commercial activity and general economic growth; and

WHEREAS, Mother's Kitchen, Inc. ("Mother's") has a lease dated September 1, 1983; and

WHEREAS, Mother's Kitchen, Inc., by virtue of a name change proceeding is now known as Formerly Mother's, Inc. (hereinafter both referred to as "Mother's"); and

WHEREAS, the City owns Block 1, Lot 8 (Qualifier X), commonly known as Commerce Square, which is designated an area in need of redevelopment; and

WHEREAS, Mother's is unable to continue its business in the City of Burlington and therefore desires to transfer its lease to Burlington Real Estate Holdings, LLC ("BREH"), also known as Junior's Cheesecake; and

WHEREAS, a Landlord Estoppel Certificate is required by BREH's lender to facilitate the transfer of the lease agreement from Mother's to BREH; and

WHEREAS, as the Redevelopment Entity the Common Council and the City of Burlington desire to facilitate that transfer in order to continue to promote employment, commercial activity and general economic growth.

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

1. The Common Council for the City of Burlington hereby authorizes and directs the Mayor or City Clerk to authorize the Certification of the Landlord Estoppel Certificate.
2. The Landlord Estoppel Certificate certifies that there is an existing lease between the City of Burlington and Mother's and that no party is in breach of said lease, that the City of Burlington is the sole landlord and the Township of Burlington has no interest in said lease and that the City became the sole landlord of the property after the Joint Burlington Economic Development Corporation ("JBEDC") ceased operation, regardless of the lack of a formal assignment of the lease from the JBEDC to the City of Burlington.

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

RESOLUTION NO. 219-2014 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF THE NON-DISTURBANCE, RECOGNITION AND ATTORNMENT AGREEMENT WITH THE BURLINGTON REAL ESTATE HOLDING, LLC AND THE BRIDGEHAMPTON NATIONAL BANK.

WHEREAS, the Common Council for the City of Burlington is the City's redevelopment authority pursuant to New Jersey Statutes related to redevelopment law; and

WHEREAS, the City of Burlington desires to promote employment, commercial activity and general economic growth; and

WHEREAS, Mother's Kitchen, Inc. ("Mother's") had a lease dated September 1, 1983; and

WHEREAS, Mother's Kitchen, Inc., by virtue of a name change proceeding is now known as Formerly Mother's, Inc. (hereinafter both referred to as "Mother's"); and

WHEREAS, Mother's is unable to continue its business in the City of Burlington and therefore transferred and assigned its lease to Burlington Real Estate Holdings, LLC ("BREH"), also known as Junior's Cheesecake; and

WHEREAS, BREH assumed Mother's right, title and interest under the lease; and

WHEREAS, as the Redevelopment Entity the Common Council and the City of Burlington desire to facilitate that assignment of the lease from Mother's to BREH in order to continue to promote employment, commercial activity and general economic growth; and

WHEREAS, BREH required a leasehold loan for the acquisition of the leasehold interest in the land contained in Mother's Lease; and

WHEREAS, the Bridgehampton National Bank ("Bank") provided a leasehold loan to BREH in exchange for a leasehold mortgage on BREH's interest in the lease; and

WHEREAS, in order to facilitate the transfer of Lease, the Bank requires a Non-Disturbance, Recognition and Attornment Agreement; and

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

1. The Common Council for the City of Burlington hereby authorizes and directs the Mayor or City Clerk to authorize the Non-Disturbance, Recognition and Attornment Agreement.
2. The Common Council for the City of Burlington agrees and covenants to the terms of the Non-Disturbance, Recognition and Attornment Agreement.

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

Resolution No. 220-2014

RESOLUTION NO. 220-2014 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF THE INDEMNIFICATION AND HOLD HARMLESS AGREEMENT WITH THE BURLINGTON REAL ESTATE HOLDING COMPANY, LLC.

WHEREAS, the Common Council for the City of Burlington is the City's redevelopment authority pursuant to New Jersey Statutes related to redevelopment law; and

WHEREAS, the City of Burlington desires to promote employment, commercial activity and general economic growth; and

WHEREAS, Mother's Kitchen, Inc. ("Mother's") had a lease dated September 1, 1983; and

WHEREAS, Mother's Kitchen, Inc., by virtue of a name change proceeding is now known as Formerly Mother's, Inc. (hereinafter both referred to as "Mother's"); and

WHEREAS, Mother's is unable to continue its business in the City of Burlington and therefore transferred and assigned its lease to Burlington Real Estate Holdings, LLC ("BREH"), also known as Junior's Cheesecake; and

WHEREAS, BREH would not agree to assume Mother's right, title and interest under the lease absent the Indemnification Agreement (the "Agreement"); and

WHEREAS, as the Redevelopment Entity the Common Council and the City of Burlington desire to facilitate that assignment of the lease from Mother's to BREH in order to continue to promote employment, commercial activity and general economic growth; and

WHEREAS, in order to facilitate the transfer of Mother's Lease between Mother's and the City of Burlington, the parties desire to authorize the agreement; and

WHEREAS, BREH only requires indemnification by the City of Burlington as it relates to potential claims from other government subdivisions with the authority to lay claim or place a lien on the property.

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

1. The Common Council for the City of Burlington hereby authorizes and directs the Mayor or City Clerk to authorize the Agreement.

2. The Common Council for the City of Burlington agrees to indemnify BREH in accordance to the agreement.

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

Resolution No. 221-2014

Resolution Requesting Approval of Director of Local Government Services to Establish a Dedication by Rider for Donations Received for Police Department Explorer Expenses

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a county or municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

WHEREAS, the Police Department wishes to receive donations and other fund raiser proceeds to fund the Police Explorer Unit and the City wishes to use the donations for the purpose for which they were raised; and

WHEREAS, the City of Burlington recognizes that Police Exploring is open to young men and women ages 14 and not yet 21 years old with an interest in learning more about careers in the field of Law Enforcement and that this program challenges them to become responsible citizens of their communities and the nation;

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

1. The City of Burlington does hereby request permission of the Director of the Division of Local Government Services to dedicate by rider donations received from time to time (N.J.S.A. 40A:5-29) for the Police Department Explorer Expenses.

2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

Resolution No. 222-2014

Common Council of the City of Burlington, hereby approves the following Emergency Driver's for the year 2014:

Mitchell Sta. 903

Robert Sexton

Jeff Steere, Jr.

Shawn Merideth

Neptune Sta. 905

Alfred J. Erzak, III

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

Resolution No. 223-2014

RESOLUTION TO ESTABLISH A RESERVE FOR PRELIMINARY COSTS FOR ARCHITECTURAL SERVICES FOR REPAIRS AND RENOVATIONS TO LYCEUM HALL

WHEREAS, the Council of the City of Burlington hereby acknowledges the requirement of preliminary costs to determine the scope and cost of a proposed undertaking. The purpose of these preliminary costs are for the architectural design and preparation of plans and specifications for various repairs and renovations to Lyceum Hall located at 432 High Street, and that the amount to be charge is for a purpose for which bonds may be issued under Chapter 2 of Title 40A;

NOW THEREFORE, BE IT RESOLVED that the amount appropriated for preliminary costs shall not exceed \$17,000.00 and the Chief Financial Officer is authorized to set up a reserve for preliminary expenses out of the Capital Improvement Fund.

Upon the motion of Councilwoman Lollar, seconded by Councilman Swan, the foregoing resolution was introduced.

On the question, Councilwoman Hatala spoke of being shotty work, felt sometimes you should walk away.

Councilman Conaway asked if there is a time line for the work to be complete.

Mr. Saponaro said there is no time line right now; it should be completed shortly; we will be negotiating.

The resolution was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 224-2014*

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 21, 2014, that an Executive Session Closed to the Public shall be held on October 21, 2014, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

- Real Estate / Contracts N.J.S.A. 10:4-12(7) Junior's Cheesecakes

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 2014 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 225-2014*

Common Council of the City of Burlington, hereby authorizes the temporary closure of Second Street, between James Street and the 1st driveway of the Burlington City High School for a Block Party on Friday, October 31, 2014 from 6:30 pm to 10:00 pm.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Dean Cavalier, 112 James Street- spoke of 2 tickets he recieved, one on his personal vehicle and one on his work vehicle for parking less than 25 feet from the crosswalk in front of his house; asked what can be done; no one uses the crosswalk; no warning or notification was given.

Harry Heck, 116 E. Union Street- asked for an update of the petition he submitted requesting for a bus stop to be moved; asked if the City checks on handicapped signs be sure that the people who they were issued to are still around; spoke of the policing of the 2 hour parking limit; suggested the City consider putting the parking meters back; asked if the Hope is being taxed for their property; heard that the Mayor gave them Tax Exempt status; spoke of the cats being fed in the Stacy Street parking lot.

Rudy Smith, 205 W. Federal Street- spoke in support of the SID Ordinance; has a business in town and will not benefit from the Ordinance but, is willing to pay; it's not a tax, it's the cost of doing business; expressed concerns with putting off the Ordinance.

ADMINISTRATIVE COMMENTS

None.

Councilwoman Lollar reminded Administration that PSE & G still have not taken care of the tree on the wires on Wood Street near 8th and 9th Streets.

Councilwoman Woodard spoke of the landlord at 114 East Federal Street; he continuously brings in bad tenants; requested Code Enforcement look into this.

Councilman Swan reported a traffic signal out at the intersection of W. Union & High Streets and the spot lights for the flags on the promenade are also out; the Colonial flag is deteriorated.

COUNCIL COMMENTS

Councilman Ghaul spoke of James Street parking; suggested Administration and the Police Department look into this; feels there are ways to address this issue; asked for the status of the repaving of Farner Avenue.

Mr. Ballard said that they have not started yet; it is being documented.

Councilman Ghaul stated that the Hope is no longer a Fire House, it is owned by the Hope; their Tax Exempt status was given by the State; in reference to the boat at the Hope, they hold Safety Training Classes there; it is not correct if residents are stating they were made Tax Exempt by the Mayor.

Councilman Conway spoke of struggles in getting streets repaved; suggested looking at Dewey/Blue Devil Way in the future.

Mr. Saponaro will speak with the Engineer to document the delay in the Farner Avenue Paving Project.

Councilman Swan suggested that the Wilbur Watts School also use High Street as an exit/entrance; Wood Street will need to be repaved due to the heavy traffic coming from the school; interested in the BID/SID; don't want to delay, just do it properly.

President Babula reiterated Councilwoman Woodard's comments regarding BID/SID; spoke of creating a dialogue for preparation in 2015.

Councilwoman Hatala spoke of the previous Council discussions on the BID/SID.

CONFERENCES

- Memorial Hall Handicap Accessibility - Kevin Snowden, Alaimo Group
- Grant for Roundabout - Kevin Snowden, Alaimo Group
- Special Improvement District (SID) Proposed Ordinance - George Saponaro, Esq.
- Best Practices Initiative- Ken MacMillan, CFO

ADJOURNMENT

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Lollar, this meeting of October 21, 2014 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk