

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, NOVEMBER 2, 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. Chachis, Ms. Hatala (late), Ms. Lollar, Mr. Swan, Ms. Woodard. (5)
Absent: Mr. Babula, Ms. Mercuri. (2)

Also present: Mayor Conaway, Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Director of Housing Bill Harris, Chief Snow, Jim Kennedy Redevelopment Consultant.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on November 2, 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

Pastor John Lee of the Seventh Day Adventist Church

SALUTE TO FLAG

PUBLIC COMMENTS - RESOLUTIONS / CONSENT AGENDA RESOLUTIONS

None.

CONSENT AGENDA

Councilwoman Lollar, moved that all Consent Agenda items be approved. It was seconded by Councilman Chachis. All were in favor.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR OCTOBER 2017

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of September 2017 \$160.00

NOTICE TO PROPERTY OWNERS

- 10-20 Land Use Board, re: 357 E Federal
- 10-21 Land Use Board, re: 213 Wood Street
- 10-22 Land Use Board, re: 350 Riverbank

PETITIONS OF APPEALS:

- 10-30 Petition to restore mercantile license / Singh-Fresh to Go
- 10-31 Petition from Leonard Burr & West Second Street residents, re: re-paving streets
- 10-32 Petition from Leonard Burr & West Second Street residents, re: one way street

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

- 10-500 Burlington County Community Action Program, dated October 2, 2017, re: Historic Allen School
- 10-501 Burlington County NJLINC-HAN, re: New Jersey Animal Rabies Cases

CORRESPONDENCE TO AND FROM THE NJLM

- 10-600 NJLM, dated October 1, 2017, re: Notice of proposed memberships dues

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

- 10-700 New Jersey General Assembly, dated September 22, 2017, re: resolution 216
- 10-701 DOT, dated September 26, 2017, re: NJDOT fiscal year 2018 Local Freight Impact Fund
- 10-702 DOT, dated August 10, 2017, re: Complete Streets Summit Taskforce Awards
- 10-703 DEP, re: Randon Action Partnership Packet

MISCELLANEOUS CORRESPONDENCE

- 10-800 Endeavor Emergency Squad, Inc., re: Monthly Statistic Report for September
- 10-801 Mueller Property Holdings, dated September 26, 2017, re: US Pipe and Foundry Co.
- 10-802 Elaine McClammy, dated October 3, 2017, re: 932 Oakland
- 10-803 Elaine McClammy, dated October 3, 2017, re: clean it up
- 10-804 Etienne J Tucker, re: mercantile appeal / Jemfriend
- 10-805 PSE&G, dated September 2017, re: 55 mile reliability project
- 10-806 PSE&G, re: Notice of upcoming Vegetation Management Work
- 10-807 Roosevelt McKinney, dated October 12, 2017, re: noise, trash, privacy and smell / 918 High Street
- 10-808 City of Burlington Recreation, re: Veterans Day Parade November 11th
- 10-809
- 10-810 Southern Medical Family Medical Center, dated October 6, 2017, re: invite for October 26th Celebration Learning Garden
- 10-811 Elaine McClammy, dated October 17, 2017 ref: black car with MG tags on sidewalk
- 10-812 Elaine McClammy, dated October 17, 2017, re: Enforce ordinances
- 10-813 Elaine McClammy, dated October 24, 2017, re: misc
- 10-814 Elaine McClammy, dated October 24, 2017, re: misc
- 10-815 Endeavor Emergency Squad, Inc., dated October 24, 2017, re: Accreditation
- 10-816 Operation Yellow Ribbon South Jersey, re: Surprise Welcome Home Celebration for Michael Harasyn from his deployment

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - INTRODUCTION & FIRST READING

A BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT FOR THE FIRE DEPARTMENT IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$100,000; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 224-2017

THIRD AMENDMENT TO THE CAPITAL BUDGET FOR 2017

WHEREAS, the City of Burlington, County of Burlington desires to amend the 2017 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

Adding the following projects:

**Acquisition of a Breathing Air System Trailer
For the Fire Department**

\$100,000.00

; and

NOW, THEREFORE, BE IT RESOLVED, by the City of Burlington, County of Burlington that the Capital Budget of the year 2017 is hereby amended as per the attached sheets 40b, 40c and 40d.

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, Mr. Swan, Ms. Woodard. (4); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula, Ms. Hatala, Ms. Mercuri. (3).

Resolution No. 225-2017

RESOLUTION NO. 225-2017 OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 01-2017 TO THE PROFESSIONAL SERVICES AGREEMENT, CONTRACT #17-005, WITH ENVIRONMENTAL RESOLUTIONS, INC. FOR WATER ENGINEERING

WHEREAS, the City of Burlington entered into a professional services agreement with Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, NJ 08054 to serve as the to serve as the City Water Engineer for calendar year 2017 as authorized by Resolution No. 07-2017; and

WHEREAS, due to unforeseen circumstances, additional engineering services which are above and beyond the scope of the original contract are now required in order to perform essential tasks that must be completed this year regarding the water division, including the Water Audit for the Delaware River Basin Commission; the Operation Evaluation Level Exceedance report; Lead and Copper Sampling Plan; and EIT Loan Pre-application preparation; and

WHEREAS, the City of Burlington has received a proposal from Environmental Resolutions, Inc., the City's Water Engineer, dated September 20, 2017, in the amount of \$15,000.00 for the additional engineering services; and

WHEREAS, the City of Burlington's Financial Officer has certified that funds for this project are available in the 2017 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. 01-2017 with Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, NJ 08054 in the amount of \$15,000.00 making a revised total contact amount of \$65,000.00.

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. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula, Ms. Mercuri. (2).

Resolution No. 226-2017

RESOLUTION AUTHORIZING BUDGET TRANSFERS

WHEREAS, there are certain 2017 budget appropriations which have been determined to be insufficient and there are other 2017 budget appropriations which are in excess of the amount deemed necessary to fulfill the purpose of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-58 permits the governing body during the last two months of the fiscal year, by resolution adopted by not less than 2/3 vote of the full membership thereof, to transfer the amount of such excess to those appropriations deemed to be insufficient,

NOW THEREFORE BE IT RESOLVED by the Common Council that the following transfers between the 2017 budget appropriations be made:

<u>CURRENT FUND:</u>	<u>From</u>	<u>To</u>
Program Coordinator - SW	\$ 30,000.00	
Unemployment Compensation	\$ 20,000.00	
Program Coordinator - OE		\$ 20,000.00
Animal Control – OE		\$ 10,000.00
Landfill/Solid Waste Disposal Costs		\$ 15,000.00
Defined Contribution Retirement System		\$ 5,000.00
	\$50,000.00	\$50,000.00

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Chachis, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula, Ms. Mercuri. (2).

Resolution No. 227-2017*

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 November 2, 2017, that an Executive Session Closed to the Public shall be held on November 2, 2017, 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(5):

- Enforcement of Code Violations of Vacant & Abandoned Properties Contract
- BCCAP Senior Housing Request
- The Adaptive Group, LLC Request
- Jones, Lang, LaSalle Contract
- Washington Square Redevelopment Update
- 525 York Street Update
- 524 & 526 High Street Update
- 234 Riverbank Update

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 November of 2017 or shortly there after.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Baki Kahbil, 1118 Lincoln Avenue - spoke of issues with 310 Glenwood Avenue, it is over grown, has varment on the property.

Janet Malve, 313 Orchard Avenue - reiterated comments regarding 310 Glenwood Avenue, it is over grown.

President Woodard directed them to Mr. Ballard

COMMUNITY EVENT ANNOUNCEMENTS FOR THE MONTH OF NOVEMBER

Ms. Schiller announced upcoming events.

INFRASTRUCTURE COMMENTS

Councilman Swan spoke of overgrowth at 244 Conover; at 445 Locust Street the lamp is still out.

Mr. Ballard felt he had directed Mr. Leshner to correct the problem, but he will confirm.

Councilman Chachis asked when Tatham Street be repaired

Mr. Ballard indicated that he would have to check with Alaimo; we are running out of good weather; they will pave ½ the street, unsure if by December, it depends on weather.

Councilman Swan spoke of radar on Broad Street, thanked Mr. Ballard and Chief Snow; spoke of potholes on Ellis and W. Broad Street.

Mr. Ballard asked the Engineers and also reached out to PSE&G; no one seems to know what they holes are for, we are dong side walk work there but not street.

Councilwoman Lollar spoke of Elm Avenue, asked if PSE&G has given a time frame for completion.

Mr. Ballard said the corner of Elm to Lincoln up to Glenwood and Lincoln to Mott will not be done; the area they disturbed they will do repairs when finished.

Councilwoman Hatala spoke of DOT doing an overlay on Route 130, they must do this at night, hasn't seen anything during the day; spoke of another accident at her house; spoke of the need for a rail to stop people from flying off the road.

ADMINISTRATION REPORT

Mr. Ballard gave an update on the Elm Avenue Repaving Project, Broad Street Beautification Project and vandalism at the Mansion Property.

COUNCIL COMMENTS

Councilman Swan thanked everyone for their efforts with the Ghost Tours.

Councilman Chachis asked for an update on the SID/BID.

Mayor Conaway said he needs to sit down with the stakeholders, is working on getting this together.

President Woodard read a letter from Lucille Coats, former Crossing Guard, regarding her resignation.

CONFERENCES

- Parking Committee Update - Councilman Chachis, Councilman Swan & Councilwoman Mercuri
- Farm Animals Committee Update - Councilwoman Lollar, Councilwoman Hatala & Councilman Babula
- PILOT Distribution Request - Mayor Conaway
- Northern Route 130 Transportation Committee Update - Councilwoman Lollar, Councilwoman Hatala & Dave Ballard, Administrator

EXECUTIVE CONFERENCES

- Enforcement of Code Violations of Vacant & Abandoned Properties - Borgers, Saunders, Taylor & Associates and Bill Harris, Director of Housing
- BCCAP Senior Housing Request- Bill Harris, Director of Housing
- The Adaptive Group, LLC Request - Bill Harris, Director of Housing
- Jones, Lang, LaSalle Contract - Bill Harris, Director of Housing
- Washington Square Redevelopment Update - Councilwoman Hatala, Councilman Swan, Councilman Chachis & Dave Ballard, Administrator & Bill Harris, Director of Housing
- 525 York Street Update - George Saponaro, Esq.
- 524 & 526 High Street Update - George Saponaro, Esq.
- 234 Riverbank Update - George Saponaro, Esq.

ORDINANCE(S) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A FINANCIAL AGREEMENT BETWEEN THE CITY OF BURLINGTON AND PERON PEARL URBAN RENEWAL, LLC

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Hatala, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Chachis, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula, Ms. Mercuri. (2).

RESOLUTIONS

Resolution No. 228-2017

RESOLUTION NO. 228-2017 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON DESIGNATING BORGERS, SAUNDERS, TAYLOR & ASSOCIATES, LLC (“BSTA”), AS A RESPONSIBLE PARTY TO COLLECT FINES DUE THE CITY FOR OWNER’S FAILURE TO ABATE CODE VIOLATIONS AT 564 YORK STREET

Whereas, City of Burlington, a body politic, with offices at 525 High Street, Burlington, New Jersey, 08016, (“City”) has determined it needs to enforce its laws related to vacant and abandoned properties (“VAPs”); and

Whereas, City is presently seeking assistance in enforcing its laws in the context of a property, 564 York Street, Burlington, New Jersey 08016 (“564 York Street”); and

Whereas, City has determined that the structure at 564 York Street is unsafe and needs to be demolished as stated in the Notice of Unsafe Structure, dated and signed by the City’s Construction Official on August 23, 2017; and

Whereas, City has provided notice of same to the responsible party; and

Whereas, City seeks assistance in engaging the responsible party in assessing and collecting fines for the responsible party’s failure to make repairs and effecting the demolition determined to be necessary for 564 York Street (the “Services”);

Whereas, Borgers, Saunders, Taylor and Associates LLC (“BSTA”), with offices at 144 Carteret Street, Glen Ridge, New Jersey 07028 (“Vendor”) represents that it is qualified to perform said Services;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City authorizes Vendor to cause a lien for said Services on 564 York Street and to report the amount of any fine collected to the Chief Financial Officer of City.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption.

Upon the motion of Councilman Chachis, seconded by Councilwoman Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Chachis, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula, Ms. Mercuri. (2).

ADJOURNMENT

Upon the motion of Councilman Swan, seconded by Councilwoman Lollar, this meeting of November 2, 2017 was adjourned.

Cindy A. Crivaro, RMC

Municipal Clerk

