

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JUNE 19, 2018, 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 (7:15pm), Ms. Mercuri, Mr. Swan, Ms. Woodard (8:00pm-9:15pm), Ms. Lollar. (7) Absent: (0)

Also present: Mayor Conaway, Municipal Attorney- Lou Garty, 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 June 19, 2018 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

PRESENTATIONS

BCHS Student Jahlen Brown, NJLM Statewide Essay Contest Semi-Finalist - “Future Municipal Leadership Program”

UNFINISHED BUSINESS

Ms. Schiller announced upcoming events.

PUBLIC COMMENTS - RESOLUTIONS / CONSENT AGENDA RESOLUTIONS

None.

CONSENT AGENDA

Councilwoman Hatala, moved that all Consent Agenda items be approved. It was seconded by Councilman Babula. All were in favor. Absent: Ms. Woodard. (1).

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING GENERAL REVISED ORDINANCE CHAPTER 54-28 SETTING FORTH TITLES AND SALARY RANGES FOR VARIOUS POSITIONS WITHIN THE CITY OF BURLINGTON

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 150-2018*

RESOLUTION NO. 150-2018 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSES AND ALCOHOLIC BEVERAGE CLUB LICENSES

WHEREAS, all of the following applicants have applied for renewal of existing licenses for the year 2018-2019:

**Slade Valentine American Legion Post 336
149 Linden Avenue (0305-31-025-002)**

**Burlington General Store, LLC
219 High Street (0305-33-024-005)**

WHEREAS, said applicant for a Plenary Retail Consumption Alcoholic Beverage License has submitted application forms to the Municipal Clerk, which forms are complete in all respects; and

WHEREAS, this applicant is qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws; and

WHEREAS, the applicant for a Alcoholic Beverage Club License has submitted applications which are complete in all respects, including the submission of the various club membership lists; and

WHEREAS, the officers and directors of the clubs are qualified according to statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations; and

WHEREAS, the various Alcoholic Beverage Club Licensees maintain all records required by N.J.S.A. 13:2-8.8 and N.J.A.C. 13:2-8.12;

NOW, THEREFORE BE IT RESOLVED, on this 19th day of June, 2018 by the Common Council, of the City of Burlington, County of Burlington, State of New Jersey, that:

Each of the aforesaid applications are hereby approved and the Municipal Clerk is authorized and

directed to issue the appropriate licenses applied for by each of said applicants.

Approved by Consent Agenda. All were in favor.

Resolution No. 151-2018*

Common Council of the City of Burlington hereby authorizes the temporary closure of Clarkson Street, between Lawrence Street and York Street for a Block Party on Thursday, July 19, 2018 from 2:30 pm to 7:30 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 152-2018*

Resolution No. 152-2018 of the Common Council of the City of Burlington Urging the Legislature to Amend S-716, S-477 and S-1766

Whereas, While it is commendable that legislation is being considered to provide additional compensation to Firefighters with cancer, S-716 as currently written, without responsible amendments, will prove to be very expensive to municipalities and taxpayers, and

Whereas, While it is also commendable that the statute of limitations is being extended for claims involving sexual abuse, S-477 as currently written would eliminate the statute of limitations entirely leaving officials and volunteers with the near impossible task of defending a claim that is decades old.

Whereas, Under current law family members can already collect substantial compensation for actual losses such as medical bills, lost income as well as loss of companionship.

Whereas, Without appropriate amendments, the combined impact of these bills would devastate local government insurance budgets at a time when the local taxpayers are being squeezed because of changes in the Federal Tax code.

Now, Therefore Be It Resolved by the Mayor and Common Council of the City of Burlington that:

- S-716 be amended to provide that the cancer presumption be limited to types of cancer that scientific evident establishes that Firefighters develop at a higher rate than the general public, and
- S-716 be amended to end the presumption at age 65 when the firefighter becomes eligible for Medicare. Alternatively, S-716 should be amended to remove volunteers and establish a special program for them along the lines recently adopted by New York, Connecticut, Michigan, Colorado and Georgia, and
- S-716 also be amended so that the standard to rebut the presumption remains at the current “preponderance of the evidence”, and

- S-477 be amended to increase statute of limitation on claims involving sexual molestation against public entities to 7 years, subject to no limitation against the molester, and
- S-1766 be amended to remove public entities from “emotional distress” compensation for wrongful death claims subject to Title 59, and

A copy of this resolution be forwarded to the Governor, the legislative delegation in the 7th district, the Governor, the Senate President and the Speaker of the Assembly.

Approved by Consent Agenda. All were in favor.

Resolution No. 153-2018*

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 June 19, 2018, that an Executive Session Closed to the Public shall be held on June 19, 2018, in the Council Meeting Room for discussion of matters relating to the specific items designated in this resolution:

- Contracts/Real Estate N.J.S.A. 10:4-12 (7) Commerce Square Redevelopment
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 June of 2018 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 154-2018*

RESOLUTION NO. 154-2018 PF THE COMMON COUNCIL OF THE CITY OF BURLINGTON CANCELLING TAXES AND REFUND OVERPAYMENT ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, the property identified herein as Block 222 Lot 62, located at 1006 Columbus Rd is owned by Mr. James Harper, 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 2018 taxes in the amount of \$1,851.61, an overpayment will occur on property in the amount of \$1,851.61;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2018 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 \$1,851.61 for the overpayment of 2018 taxes. The refund to be issued as follows:

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
222 (1006 Columbus Rd)	62	James Harper II	\$ 1,851.61

Approved by Consent Agenda. All were in favor.

Resolution No. 155-2018*

RESOLUTION NO. 155-2018 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
REFUNDING WATER METER CHARGES

WHEREAS, a 3/4" water meter purchased for the property located at 435 Locust Ave was purchased in error; and

WHEREAS, the meter was returned to the City of Burlington;

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 2018 water meter charges as follows;

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amt.</u>
32 (435 Locust Ave)	13	Desmond Webb	\$ 253.16 Water Meter

Approved by Consent Agenda. All were in favor.

Resolution No. 156-2018*

RESOLUTION NO. 156-2018 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
REFUNDING OVERPAYMENT OF TAXES

WHEREAS, an overpayment of 2018 taxes, has occurred on the property identified herein due to a sale of the property;

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 2018 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>
60 (932 Oakland Ave)	9	Federal National Mortgage Assoc.	\$ 1,231.59
221.05 (12 Bisbee Dr)	12	Jeffrey D & Sasha N	\$ 2,375.98

Approved by Consent Agenda. All were in favor.

Resolution No. 157-2018*

**RESOLUTION NO. 157-2018 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
REFUNDING OVERPAYMENT OF TAXES**

WHEREAS, an overpayment of 2018 taxes, has occurred on the property identified herein due to a sale of the property;

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 2018 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amt</u>
227 (1001 East Route 130)	3.02	1001 East Rt. 130, LLC	\$ 2,452.27

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Sam Richter, 400 Wood Street- spoke of naming alley “Susan’s Way” without an apostrophe; complained of “No Parking” signs.

Jim Thompson, 935 Rigg Road- spoke of a successful fishing event and Neighborhood Watch event to be held on June 30th at the Columbus Park playground.

Donna VanSciver, 805 Neptune Avenue- needs brush pick up; spoke of tree roots uplifting her sidewalks.

ADMINISTRATION REPORT

Mr. Ballard also spoke of the fishing event; spoke of issues with the City docks at Oneida; spoke of a meeting at BCHS regarding the Route 130 Impact Study.

COUNCIL COMMENTS

Councilman Swan thanked Mr. Ballard for improved conditions on Washington Avenue; spoke PSE&G repaving and sealing of the seems of the roads and construction debris at 225 W. Broad Street.

Mr. Ballard stated that PSE&G hired an outside agency with regard to Mr. Richter’s complaints about the “No Parking” signs.

Councilman Swan reminded everyone of his Ward 2 gathering on Wednesday at the Keegan Center at 7pm.

CONFERENCES

- Request to make Locust Avenue One-Way Street
- Request to name Alley Susan's Way

EXECUTIVE CONFERENCES

- Commerce Square Redevelopment - Riverwalk Station Development Associates, LLC

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilman Swan , this meeting of June 19, 2018 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk