

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JUNE 20, 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, Redevelopment Attorney - Brooks DiDonato, Esq. & Kevin Sheehan, Esq., 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 20, 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

### **SALUTE TO FLAG**

### **UNFINISHED BUSINESS**

None.

### **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.

### **APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

### **ORDINANCE(S) - INTRODUCTION & FIRST READING**

AN ORDINANCE OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY APPROVING THE REDEVELOPMENT PLAN PART OF McNEAL MANSION AND VICINITY REDEVELOPMENT AREA, BLOCK 226 LOT 1

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing ordinance 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).

A BOND ORDINANCE OF THE CITY OF BURLINGTON AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$609,000; 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 \$578,550; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing ordinance 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).

A BOND ORDINANCE OF THE CITY OF BURLINGTON AUTHORIZING VARIOUS IMPROVEMENTS TO THE SEWER UTILITY SYSTEM IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$610,000; 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 \$610,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing ordinance 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).

A BOND ORDINANCE OF THE CITY OF BURLINGTON AUTHORIZING VARIOUS IMPROVEMENTS TO THE WATER UTILITY SYSTEM IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$3,600,000; 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 \$3,600,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing ordinance 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).

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 142-2017

RESOLUTION NO. 142-2017 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON NAMING SKYE CONSULTING, LLC AS REDEVELOPMENT CONSULTANT

WHEREAS, the Common Council of the City of Burlington is the City's Redevelopment Authority pursuant to New Jersey Statutes relating to redevelopment law; and

WHEREAS, the Common Council of the City of Burlington recognizes the importance of redevelopment for the City of Burlington; and

WHEREAS, the City of Burlington has designated certain areas as being in need of redevelopment pursuant to New Jersey laws; and

WHEREAS, Pursuant to N.J.S. 40A:11-5 a contract in excess of \$17,500.00 may be awarded for extraordinary unspecifiable services without the advertising for public bids; and

WHEREAS, the contract naming Skye Consulting, LLC, as Redevelopment Consultant, shall be funded out of the UDAG Trust Account; and

WHEREAS, the Common Council for the City of Burlington has reviewed the proposal of Skye Consulting LLC, and finds Skye Consulting, LLC to be specialized in having a unique experience, extensive training and experience in redevelopment projects, and a proven reputation in the areas of redevelopment consulting;

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

1. Skye Consulting, LLC is hereby awarded a contract pursuant to N.J.S. 40A:11-5 for a period of one year in an amount not to exceed \$68,000.00 (\$13,000 the first month and \$5,000 per month thereafter) and paid from the UDAG Trust Account;
2. The Mayor and Municipal Clerk are hereby authorized to execute a contract subject to the review of the City Solicitor with Skye Consulting, LLC for services as Redevelopment Consultant;
3. The Municipal Clerk is hereby directed to print and publish a notice of the this award of this contract in accordance with N.J.S. 40A:11-5.

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. 143-2017

RESOLUTION NO. 143-2017 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AWARDING A CONTRACT TO MUNICIPAL MAINTENANCE COMPANY, INC. FOR THE STORMWATER PUMP UPGRADES PROJECT

WHEREAS, bids were received by the City of Burlington on Wednesday, May 24, 2017 for the Stormwater Pumps Upgrades Project (“Project”); and

Whereas, the City Sewer Engineers, Pennoni Associates, Inc., reviewed the submitted bids; and

Whereas, the bid results showed that there were two bids of equal price for the Project in the amount of \$1,289,000.00 submitted by Municipal Maintenance Company of Cinnaminson, N.J. and Sublevel Installations, Inc. of Lumberton, N.J.; and

Whereas, as per N.J.S.A. 40A:11-6.d. states that “whenever there are two or more responses to a request of a contracting agent offer equal prices and are the lowest responsible bids or proposals, the contracting unit may award the contract to the vendor whose response, in the discretion of the contracting unit, is the most advantageous, price and other factors considered.”

Whereas, the City has determined it more advantageous to award the contract for the Stormwater Pumps Upgrades Project to Municipal Maintenance Company due to their familiarity with the City’s Wastewater Treatment Plant, being a current vendor and having successfully administered similar projects in the past.

WHEREAS, the City of Burlington Chief Financial Officer has certified that funds are available to award a contract to Municipal Maintenance Company; and

WHEREAS, the City Sewer Engineer has reviewed the qualifications of the bidder and finds them to be in order and recommends that the Common Council award the contract to Municipal Maintenance Company, 1352 Taylors Lane, Cinnaminson, N.J. 08077, being the most advantageous for the Stormwater Pumps Upgrades Project, per the Engineer’s letter dated June 13, 2017;

WHEREAS, this contract award is contingent upon NJDEP approval.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with Municipal Maintenance Company for the Stormwater Pumps Upgrades Project, in the amount of \$1,289,000.00.

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. 144-2017

RESOLUTION NO. 144 -2017 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING PARTICIPATION IN THE BURLINGTON COUNTY SAFE STREETS INITIATIVE COOPERATION AGREEMENT FOR MUTUAL AID

WHEREAS, law enforcement agencies have the responsibility of protecting lives and property, enforcing the law, as well as keeping the peace; and

WHEREAS, extra-jurisdictional sharing of resources and capabilities is an efficient and effective use of law enforcement assets to protect life and property, enforce the law and maintain the peace; and

WHEREAS, criminal activity may affect more than one jurisdiction, which necessitates joint cooperation between law enforcement agencies to best protect persons and property, enforce the law and maintain peace; and

WHEREAS, a proactive approach to addressing crime in our communities is desired; and

WHEREAS, N.J.S.A 40A:14-156 and N.J.S.A. 40A:14-156.1 et seq., authorize mutual aid between law enforcement agencies; and

WHEREAS, the BURLINGTON COUNTY SAFE STREETS INITIATIVE has been formed to provide a coordinated multi-jurisdictional approach to fighting violent crime and protecting life and property in Burlington County:

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey as follows:

- A. That the Mayor and Municipal Clerk are hereby authorized and directed to enter into the Burlington County Cooperation Agreement for Mutual Law Enforcement Aid, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.
- B. That the Police Department of the City of Burlington is hereby authorized and directed to execute said Burlington County Cooperation Agreement for Mutual Law Enforcement Aid Agreement on behalf of the City of Burlington.
- C. That the Municipal Clerk is hereby authorized and directed to forthwith file a certified copy of this Resolution and an executed copy of the agreement with the Burlington County Prosecutor's Office. Said Office shall serve as the central repository and shall maintain a master listing of all Signatory Agencies to this Agreement.

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. 145-2017

RESOLUTION TO AMEND ADOPTED BUDGET FOR AN CLEAN COMMUNITIES GRANT FROM THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the City of Burlington received **Clean Communities Grant** in the amount of \$21,654.63 from the New Jersey Department of Environmental Protection;

**SECTION 1**

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$21,654.63 as follows which item is now available as a revenue from:

Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

**Clean Communities Grant** \$ 21,654.63

**SECTION 2**

BE IT FURTHER RESOLVED that a like sum of \$ 21,654.63 be and the same is hereby appropriated under the caption of:

General Appropriations Operations-Excluded from "CAP"  
Public and Private Programs Offset by Revenues:

**Clean Communities Grant** \$ 21,654.63

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. 146-2017

**SECOND 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:

Changing the amounts for the following projects:

	<u>From</u>	<u>To</u>
<b>Replacement of Water Meters</b>	<b>\$1,500,000.00</b>	<b>\$2,600,000.00</b>
<b>Paving of Various Streets</b>	<b>\$ 250,000.00</b>	<b>275,000.00</b>
<b>Construction of a Salt Barn</b>	<b>\$ 300,000.00</b>	<b>260,000.00</b>
<b>Installation of Shredders at the Waste Water Treatment Plant</b>	<b>\$ 70,000.00</b>	<b>160,000.00</b>

; 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 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. 147-2017\*

**RESOLUTION NO. 147-2017 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE LIENS AGAINST PROPERTIES FOR THE REMOVAL OF WEEDS AND DEBRIS**

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed to secure public health; and

WHEREAS, the Construction Official has certified that the City expended funds for weed and debris removal; and

WHEREAS, the Construction Official has certified that the owners of the following properties are responsible for maintaining said properties and are liable for the costs incurred by the City of Burlington on behalf of the property owners for weed and debris removal; and

WHEREAS, the costs incurred by the City shall become a lien upon the properties and shall be collected and enforced in the same manner as taxes.

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

that the City is hereby authorized to cause a lien for said costs in the following amounts to be placed against said properties for weed and debris removal to maintain public health and safety.

<u>Block &amp; Lot</u>	<u>Address</u>	<u>Amount</u>
Block 150, Lot 3	304 Jones Avenue	\$ 100.47
Block 248, Lot 20	949 Valentine Road	\$ 100.47
Block 137, Lot 21	438 Lawrence Street	\$ 100.47
Block 152, Lot 2	547 Linden Avenue	\$ 100.47
Block 12, Lot 54	18 W. Pearl	\$ 260.47 (includes board up of rear door)

Approved by Consent Agenda. All were in favor.

Resolution No. 148-2017\*

RESOLUTION NO. 148-2017 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSES, PLENARY DISTRIBUTION ALCOHOLIC BEVERAGE LICENSES AND ALCOHOLIC BEVERAGE CLUB LICENSES

WHEREAS, all of the following applicants have applied for renewal of existing licenses for the year 2017-2018:

**273 Route 130 Enterprises, LLC**  
**273 Route 130 (0305-33-011-006)**

**High Street at Burlington, LLC**  
**19 E. Union Street (0305-33-019-005)**

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

**G & G Business, Inc. t/a Goodfriends Liquors**  
**240 Rte 130 S @ Jacksonville Road (0305-44-018-008)**

WHEREAS, all applicants for Plenary Retail Consumption Alcoholic Beverage Licenses have submitted application forms to the Municipal Clerk, which forms are complete in all respects; and

WHEREAS, these applicants are qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws; and

NOW, THEREFORE BE IT RESOLVED, on this 20<sup>th</sup> day of June, 2017 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. 149-2017\*

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 June 20, 2017, that an Executive Session Closed to the Public shall be held on June 20, 2017, 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) NJDOT Improvements - Route 130 & Columbus Road/Jones Street
- Real Estate/Contracts N.J.S.A. 10:4-12(7) SS Mart Update
- 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 June of 2017 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 150-2017\*

Common Council of the City of Burlington hereby amends Resolution No. 94-2017 authorizing Niagara Hose Co. #6 to conduct a “Pass the Boot” fundraiser at 656 High Street, changing the date of June 3, 2017 to July 1, 2017, pending the proper permits from the New Jersey Department of Transportation, State Highway Occupancy Department.

Approved by Consent Agenda. All were in favor.

**PUBLIC COMMENTS**

None.

**INFRASTRUCTURE COMMENTS**

Councilwoman Lollar spoke of a pothole in the alleyway behind Davis Honda and also one on Farner Avenue.

Councilwoman Hatala spoke of the new striping on Route 130 along the businesses.

Councilman Swan stated that the RED on the light at Wood Street isn't working.

**ADMINISTRATION REPORT**

Mr. Ballard spoke of the flood in Construction Office due to the air conditioning system; spoke of the Belmont Street bump-outs; we are considering a change order to move the signs in 3 feet so they are not so exposed, paint the area in yellow and installation of reflectors; gave an update on

the Barclay Street Repaving Project.

Councilwoman Lollar thanked Mr. Ballard for taking care of issues on Mott Avenue and Wood Street.

Mr. Ballard stated he is working on the vacant properties for Vice President Babula.

Councilwoman Hatala spoke of the new lines on Route 130 near Villa Rosa and also by McDonald's, the lines are not consistent.

Chief Snow gave an update on the speeding on Salem Road; spoke of shared services with other agencies, for the Light Rail; spoke of traffic enforcement; spoke of shared services with the Prosecutors Office concentrating on the New Yorkshire.

Councilwoman Lollar ask to include Mott Avenue with regard to signage for the speeding.

President Woodard spoke of the 25 MPH blinking lights on Route 130 they should not be blinking when school is out.

Mr. Ballard spoke of the NJT tower.

Councilman Swan spoke of a damaged traffic light on Wood Street, green works red does not; spoke of over growth on the tracks; spoke of the trash can on Conover Street

Mr. Ballard said they are working on looking at different types.

### **COUNCIL COMMENTS**

Councilwoman Mercuri spoke of BCHS Graduation on June 23<sup>rd</sup>.

Councilman Babula asked for a copy of the Traffic Study delivered today by Matrix.

Councilwoman Lollar spoke of Project Graduation, still taking donations; spoke of fund-raising events at the Lyceum Hall.

Mayor Conaway thanked to those who supported the Costello family at the time of former Mayor Costello's passing.

### **EXECUTIVE CONFERENCE**

- NJDOT Improvements - Route 130 & Columbus Road/Jones Street
- SS Mart Update - Brooks DiDonato, Redevelopment Counsel
- Burlington Island - Brooks DiDonato, Redevelopment Counsel

### **CONFERENCES**

- Real Estate/Contracts N.J.S.A. 10:4-12(7) U.S. Pipe Site Redevelopment Concept Plan

- Emergency Rescue Services Ordinance - Fire Chief Rusty Caruso and Deputy Fire Chief Matt Field

**ADJOURNMENT**

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, this meeting of June 20, 2017 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk