

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JULY 5, 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 (7:22pm), Ms. Lollar, Ms. Mercuri, Mr. Swan (facetime), Ms. Woodard. (7); Absent: (0)

Also present: Municipal Attorney- George Saponaro, Administrator- David Ballard, Chief Snow, Redevelopment Attorney-Brooks DiDonato.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on July 5, 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

Rev. Dr. Lonnie Gibbs, III

SALUTE TO FLAG

PUBLIC COMMENTS - RESOLUTIONS / CONSENT AGENDA RESOLUTIONS

CONSENT AGENDA

Councilwoman Mercuri, 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 JUNE 2016

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of June 2016 \$1,360.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

06-01 Historic Preservation Commission Meeting Agenda, July 6, 2016

PETITIONS OF APPEALS:

06-30 Block 9032, Lot 44

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

06-40 St. Mary Street United Methodist Church 5k walk-run race, October 8, 2016

06-41 Burlington Seventh Day Adventist Church walk-September 25, 2016

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

06-100 Alaimo Group, dated June 23, 2016, re: Engineer Status Report

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

06-300 Pennoni Associates, dated May 27, 2016, re: 18" storm water check valve installation

06-301 Environmental Resolution, Inc., dated May 24, 2016, re: Burlington City Water Treatment Plant Security Project

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

06-501 Board of Chosen Freeholders, dated June 6, 2016, re: Low-Moderate Income Limits Annual Update for FY 2016

06-502 Board of Chosen Freeholders, dated June 1, 2016, re: County Road System

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

06-700 State of New Jersey, dated June 9, 2016, re: Phase VI TV: Broad Street /Town Center Station FY 2016 Transit Village Program

MISCELLANEOUS CORRESPONDENCE

06-800 Elaine McClammy, dated June 1, 2016 re: overweight trucks speeding up and down Uhler

06-801 Township of Egg Harbor, dated May 26, 2016, re: Resolution No. 255-2016

06-802 C. Stevenson & Son, Inc., June 2, 2016, re: Burlington City Water Treatment Plant Security Project

06-803 Endeavor Emergency Squad, Inc., re: May 2016 Monthly Statistics Report

06-804 Important Safety Information for Public Official - 811 Know what below before you dig

06-805 Township of Buena Vista, re: Resolution 153-2016 opposing licenced casino's outside of Atlantic City

06-806 Jeanne Clayton, dated June 10, 2016, re: Will Burlington City Take a Stand Against inhumanity

06-807 Elaine McClammy, dated June 13, 2016, re: Rt 130 and other issues

06-808 Elaine McClammy, dated June 23, 2016, re: old and new issues

06-809 Elaine McClammy, dated June 23, 2016, re: speeding and other issues

06-810 Elaine McClammy, dated June 27, 2016, re: 563 Uhler Ave

06-811 Elaine McClammy, dated June 29, 2016, re: Uhler Ave

06-812 Elaine McClammy, dated July 1, 2016, re: squalid area

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. 170-2016

**RESOLUTION NO. 170-2016 DESIGNATING CAPODAGLI PROPERTY COMPANY/
MERIDIA AS REDEVELOPER FOR THE AREA GENERALLY DESCRIBED AS
MCNEAL MANSION AND VICINITY**

WHEREAS, on the 21st of December, 2004, the Common Council of the City of Burlington adopted Resolution No. 04-356-R-298 authorizing the Joint Land Use Board (“Land Use Board”) of the City of Burlington and/or its consultants to undertake and conduct a preliminary investigation into whether the area within Burlington City inclusive of Blocks 201, 202, 203, 207, 225 and 226 or any part thereof that meets the criteria set forth at N.J.S.A. 40A:12A-1 et. Seq. and is an area in need of redevelopment pursuant to such criteria; and

WHEREAS, the Land Use Board conducted such investigation of that area, and including the right of ways for parts of Pearl Street and Jones, generally described as the “McNeal Mansion and Vicinity”; and

WHEREAS, in connection with the investigation conducted by the Land Use Board, a report was prepared and titled “Determination of Need McNeal Mansion & Vicinity”, dated June 22, 2005 (revised August 24, 2005 in accordance with Land Use Board Changes) affixed to which was a map prepared pursuant to N.J.S.A. 40A:12A-6(b)1 (the “Report”), which report was made available for public inspection and considered by the Land Use Board during its deliberation; and

WHEREAS, the Land Use Board, as required by Statute, provided due notice of hearing to be had and did hold such a hearing on August 24, 2005 in order to determine whether the subject area met the statutory criteria of an area in need of a redevelopment; and

WHEREAS, at the Land Use Board the interests of the public were afforded the opportunity to be heard; and

WHEREAS, the Land Use Board adopted a Resolution dated August 24, 2005, which was memorialized on October 26, 2005, finding that the subject area was appropriate for redevelopment and recommending that said area be designated a redevelopment area – an area in need of redevelopment; and

WHEREAS, the Common Council of the City of Burlington, after reviewing and considering the report, the recommendation of the Land Use Board and the Resolution of the Land Use Board, as well as any comments of the public and the criteria set forth at N.J.S.A. 40A:12A-5 for determining an area to be in need of redevelopment, adopted the Resolution No. 05-305-R-231 on November 1, 2005 in which the Common Council determined the subject area to be and designated the subject area as an area in need of redevelopment – redevelopment area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

WHEREAS, the City of Burlington, thereafter, caused to be prepared a Redevelopment Plan for the subject area prepared by Mark A. Remsa, Director of the Burlington County Department of Economic Development and Regional Planning, and Jeffrey B. Taylor, Director of Engineering, Housing and Community Development for the City; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7e, the Redevelopment Plan for the subject area was forwarded and referred to the Land Use Board for review and comment; and

WHEREAS, a final Redevelopment Plan for the subject area dated June 15, 2006, entitled “Redevelopment Plan – McNeal Mansion & Vicinity of the City of Burlington, New Jersey” was presented to the Common Council which incorporated the comments and changes recommended by the Land Use Board; and

WHEREAS, Capodagli Property Company/Meridia, having its offices at 201 South Wood Avenue, Linden, New Jersey 07036 (hereinafter referred to as “CPC ”), has expressed a willingness and ability to implement and effectuate a project (the “Project”) upon the land identified as McNeal Mansion & Vicinity that will be defined and agreed upon by the Redeveloper and the City of Burlington in the full Redevelopment Agreement to be entered into by same; and

WHEREAS, CPC proposes to devote substantial efforts and funds to the completion of such Project, and the City of Burlington believes that CPC is ready and able to cause the Redevelopment Plan to be adopted and implemented so as to achieve the goals and objective of the City; and

WHEREAS, the Redevelopment Law authorizes the City to enter into one or more contracts for the planning, construction or undertaking of any project or redevelopment work in an area designated in need of redevelopment; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington that CPC be and hereby is designated as Redeveloper of Block 203, Lots 1, 2.02 and 2.03; Block 207, Lot 1.01; Block 225, Lots 1 and 3; Block, 226, Lot 1, 1.03, 1.05, 1.06, 1.07, 1.08, and a portion of lot 1.02 commonly referred to as “McNeal Mansion & Vicinity ”, with all rights,

obligations, and protections afforded to a Redeveloper under the Redevelopment and Housing Law.

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

Resolution No. 172-2016

RESOLUTION NO. 172-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ENVIRONMENTAL RESOLUTIONS, INC. FOR THE PREPARATION OF A COMPLETE TECHNICAL REPORT ON THE POTABLE WATER SYSTEM OF THE CITY OF BURLINGTON

WHEREAS, the City of Burlington entered into a professional services agreement with Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, New Jersey, 08054 to serve as the City Water Engineer for calendar year 2016 as authorized by Resolution #11-2016 dated 1/05/2016; and

WHEREAS, the Engineer is to submit a scope of work and budgetary costs for each Work Assignment; and

WHEREAS, the City of Burlington has received a proposal from Environmental Resolutions, Inc., dated June 27, 2016 in the amount of \$39,000.00 for professional services for the preparation of a complete technical report on the Potable Water System of the City of Burlington; and

WHEREAS, this technical report is inherently beneficial to the City of Burlington as it will assist the City in its long range planning efforts with respect to the City's Potable Water System by providing an inventory and status of all City owned components thereof; and

WHEREAS, the City of Burlington's Financial Officer has certified that funds for these professional services are available;

NOW THEREFORE BE IT RESOLVED THAT the Common Council of the City of Burlington hereby authorizes the Mayor and Municipal Clerk to execute the attached Professional Services Agreement with Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, New Jersey, 08054 in the amount of \$39,000.00 for the preparation of a complete technical report on the Potable Water System of the City of Burlington.

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. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

Resolution No. 173-2016

Common Council of the City of Burlington hereby appoints the following Special Law Enforcement Officers, Class II, as per recommendation of the Administration for the year 2016:

Class II- Special Law Enforcement Officer

Xavier Morris
7 Wesley Lane
Burlington, N.J.

Makenzie Murphy
910 Deacon Road
Hainesport, N.J. 08036

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. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms Hatala. (1).

Resolution No. 174-2016

RESOLUTION NO. 174-2016 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE

WHEREAS, the following applicant has applied for renewal of existing licenses for the year 2016-2017:

ONO Inc. t/a Oliver's Liquors
Route 130 and Mc Neal Street (0305-32-022-008)

WHEREAS, the applicant for Plenary Retail Consumption Alcoholic Beverage Licenses 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

NOW, THEREFORE BE IT RESOLVED, on this 5th day of July, 2016 by the Common Council, of the City of Burlington, County of Burlington, State of New Jersey, that:

The aforesaid application is hereby approved and the Municipal Clerk is authorized and directed to issue the appropriate license applied for said applicant.

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. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

Resolution No. 175-2016

Upon the recommendation of the Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order #1, with J. H. Williams Enterprises, Inc., 231 Haines Drive, Moorestown, New Jersey, for a reduction in the amount of \$40,298.00 providing for quantity adjustments additional items in connection with the YMCA Building Repair Project.

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. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (6); ABSENT: Ms. Hatala. (1).

Resolution No. 176-2016

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 #1, with Levy Construction Company, Inc., 134 Cuthbert Blvd., Audobon, New Jersey, for an increase in the amount of \$5,571.90 providing for additional items in connection with the Lyceum Hall Repair and Renovation Project.

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. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

Resolution No. 177-2016*

RESOLUTION NO. 177-2016 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.

Block & Lot Address Amount

| | |
|------------------|-------------------------------|
| Block 66, Lot 78 | 342 Mott Avenue\$ 200.00 |
| Block 144, Lot 5 | 218 W. Broad Street \$ 250.00 |

Approved by Consent Agenda. All were in favor.

Resolution No. 178-2016*

Common Council of the City of Burlington hereby authorizes the temporary closure of Rigg Road between #907 and #920 for a Block Party on Saturday, August 20, 2016 from 2:00 pm to 10:00 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 179-2016*

Common Council of the City of Burlington hereby authorizes the temporary closure of Green Street, between Linden Avenue and York Street for a Block Party on Saturday, September 17, 2016 from 12noon to 4:00 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 180-2016*

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 July 5, 2016, that an Executive Session Closed to the Public shall be held on July 5, 2016, 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) Waterworks Site

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 July of 2016 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 181-2016*

Common Council of the City of Burlington hereby authorizes the temporary closure of Ellis Street, between W. Pearl Street and Brown Street for a Block Party on Saturday, July 16, 2016 from 1:00 to 10:00 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 182-2016

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2014 has been filed by a Registered Municipal Accountant with the City Clerk pursuant to N.J.S.A.40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all member of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Findings and Responses"; and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled; "Findings and Responses", as evidence by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 - to with:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City to Burlington hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Upon the motion of Councilwoman Mercuri, seconded by Councilman Babula, 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. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

PUBLIC COMMENTS

Ernestine Brown, 36 E. Federal Street- spoke in support of the BCPD; thanked them and congratulated them on a job well done.

COMMUNITY EVENT ANNOUNCEMENTS FOR THE MONTH OF JULY

Lisa Schiller gave an update on upcoming community events.

INFRASTRUCTURE COMMENTS

Councilman Chachis asked about 309 Stacy Street also known as Kings Alley.

Mr. Ballard spoke of a possible buyer.

Councilwoman Lollar spoke of potholes on Lincoln Avenue between Firewood and Glenwood.

ADMINISTRATION REPORT

Mr. Ballard spoke of the County Road Project; spoke of the construction of the new crosswalk at Belmont Street.

President Woodard asked for an update on the St. Mary Street properties.

Mr. Ballard said the properties should be cleared within the next 2 weeks; they should be coming in for permits shortly, this week; everyone was very patient, has heard that the owner of 311 was possibly interested in purchase the properties from the others.

Chief Snow announce that John Fine was promoted to Captain on June 27th, feels he will do an outstanding job; spoke of the security cameras, they are working, many crimes have been solved using the cameras.

COUNCIL COMMENTS

Councilman Swan asked for the status of the guide wires on Washington Avenue.

Mr. Ballard said he will get back with Councilman Swan, waiting to hear back from PSE&G.

CONFERENCES

City of Burlington Public Schools Request for Financial Assistance for Football Field Scoreboard/PA System

EXECUTIVE CONFERENCES

Waterworks Site

ADJOURNMENT

Upon the motion of Councilman Lollar, seconded by Councilman Chachis, this meeting of July 5, 2016 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk