

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JULY 18, 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. (6);
Absent: Ms. Woodard. (1)

Also present: Mayor Conaway, Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, Capt. Fine, Redevelopment Attorney - Kevin Sheehan.

The following notice of the meeting was sent:

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 155-2017

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 2016 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 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. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Woodard. (1).

Resolution No. 156-2017

RESOLUTION TO AMEND ADOPTED BUDGET FOR "PEDESTRIAN SAFETY, EDUCATION AND ENFORCEMENT" GRANT FROM THE NJ DEPARTMENT OF LAW

AND PUBLIC SAFETY

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 a **Pedestrian Safety, Education and Enforcement Grant** in the amount of \$11,000.00 from the New Jersey Department of Law and Public Safety;

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 \$11,000.00 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:

Pedestrian Safety, Education and Enforcement Grant \$ 11,000.00

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 11,000.00 be and the same is hereby appropriated under the caption of:

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

Pedestrian Safety, Education and Enforcement Grant \$ 11,000.00

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

Resolution No. 157-2017

Upon the recommendation of City Engineer, Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement with The Earle Companies in connection with the 2014 NJDOT Local Aid transit

Village Program, High Visibility Crosswalk Improvements Project, Phase1, Change Order No. 2, a reduction in the amount of \$15,740.36 providing for changes due to field conditions making a revised total contract amount of \$145,882.45.

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

Resolution No. 158-2017*

Common Council of the City of Burlington hereby authorizes the temporary closure of E. Federal Street, between York Street and Lawrence Street for a Candle Light Vigil on Sunday, August 20, 2017 from 6:00 pm to 9:00 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 159-2017*

Common Council of the City of Burlington hereby authorizes the temporary closure of Laumaster Street, between York Street and St. Mary Street for a Block Party on Monday, September 4, 2017 from 12noon to 9:00 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 160-2017*

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 July 18, 2017, that an Executive Session Closed to the Public shall be held on July 18, 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(7) McNeal Mansion & Vicinity Redevelopment
- Contracts/Personnel N.J.S.A. 10:4-12(7)(8) Proposed Salary Ordinance

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 2017 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 161-2017*

Resolution No. 161-2017 of the Common Council of the City of Burlington Urging the State Legislature to Extend the 2% Cap on Police and Fire Arbitration Contract Awards

WHEREAS, local municipalities require specific tools to address the rising cost of municipal

government; and

WHEREAS, in July 2010 the Governor and New Jersey State Legislature enacted a permanent 2% cap on municipal and school board tax levies with limited exceptions that did not include police and fire arbitration contract awards; and

WHEREAS, salary costs, to a great extent, drive property tax increases; and

WHEREAS, in December 2010 the Legislature unanimously approved and the Governor enacted a temporary 2% cap on police and fire arbitration contract awards in an effort to control increasing salary costs and provide a solution to assist local governments in keeping property taxes down and cost under control; and

WHEREAS, the December 2010 legislation included an April 1, 2014 sunset on the 2% arbitration cap while the 2% property tax levy remained permanent for municipalities and school boards; and

WHEREAS, in June 2014 the Legislature unanimously approved and the Governor enacted an extension to December 31, 2017 for the 2% arbitration cap, however, the 2% property tax levy cap continues to remain permanent, without an exemption for police and fire arbitration contract awards; and

WHEREAS, municipalities continue efforts to contain costs and provide vital services to residents within the 2% property tax levy while the New Jersey economy remains sluggish and taxpayers struggle to keep their homes and pay their taxes; and

WHEREAS, we recognize that this change in arbitration reform needs a longer time to mature in order to see the benefits of the legislation and its actual impact on the cost of local government budgets and the impact on taxpayers; and

WHEREAS, the final report and recommendations of the Police and Fire Public Interest Arbitration Impact Task Force, which was established in the December 2010 legislation, is not due until the same day as the expiration of the cap on interest arbitration awards, December 31, 2017; and

WHEREAS, we recognize it is now time for our taxpayers to benefit directly from these cost saving measures as many police and fire contracts will come due for negotiation after the sunset date, and

WHEREAS, if the cap on interest arbitration expires while the 2% levy cap remains in effect, municipalities will be forced to reduce or eliminate municipal services in order to fund interest arbitration awards;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the City of Burlington urges the State Legislature to extend the 2% cap on Police and Fire Arbitration Contract Awards

for 5 more years at which time the Legislature will have hard data to examine and then make a final decision as to whether this law should be made permanent; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to Assemblymen Singleton and Conaway, Senator Diane Allen, the Commissioner of the Department of Labor, the Lieutenant Governor and the Governor of State of New Jersey, The New Jersey Conference of Mayors and the League of Municipalities.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Richard Edge, 311 E. Union Street- complained of weeds overgrown at 307 E. Union Street.

Claudine Conaway, 110 James Street- complained of roosters in her neighborhood.

Jamal Taylor, 109 Belmont Street- spoke of homelessness in Burlington and abandoned buildings that aren't getting any revenue; spoke of shared living.

INFRASTRUCTURE COMMENTS

Councilman Swan spoke of the bus area needing to be cleaned up at Stacy and Broad Streets.

Councilman Chachis thanked Captain Fine for taking care of a situation regarding illegal on E. Union Street.

Councilwoman Lollar thanked Code Enforcement for taking care of a situation with a signs in the windows of a house Wood Street.

Councilwoman Hatala spoke of potholes on Wood street at Route 130.

ADMINISTRATION REPORT

Mayor Conaway spoke of road work on Barclay Street; it will begin Monday, July 24th and will finish before school starts; spoke briefly about grants.

Councilwoman Hatala highly of Triad's housing programs.

COUNCIL COMMENTS

Councilwoman Halala spoke of the Bridge Players, National Night Out and a vagile on Sunday, August 20th at York and Lawrence Streets.

CONFERENCES

- Proposed Ordinance Regulating Farm Animals- **Removed**

EXECUTIVE CONFERENCES

- McNeal Mansion & Vicinity Redevelopment
- FOP Contract
- Proposed Salary Ordinance

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 Councilman Chachis, 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. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Woodard. (1).

ADJOURNMENT

Upon the motion of Councilman Chachis , seconded by Councilwoman Mercuri, this meeting of July 18, 2017 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk