

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JULY 19, 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, Ms. Lollar (late), Ms. Mercuri, Ms. Woodard. (6); Absent: Mr. Swan. (1)

Also present: Mayor Conaway, Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, 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 July 19, 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

SALUTE TO FLAG

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS - RESOLUTIONS / CONSENT AGENDA RESOLUTIONS

None.

CONSENT AGENDA

Approved by Consent Agenda. All were in favor.

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 185-2016

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

Class II- Special Law Enforcement Officer

Nicholas Taylor
30 Devlin Avenue
Burlington, N.J.

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

Resolution No. 186-2016

Upon the recommendation of the Pennoni Associates, Inc., 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 Hamilton Electrical Contracting, Inc., 207 Boulevard, Florence, New Jersey, for an increase in the amount of \$13,257.48 providing for additional items in connection with the Electrical Maintenance of the Wastewater Treatment Plant.

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

Resolution No. 187-2016- REMOVED

RESOLUTION NO. 187-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN AMENDMENT #2 TO THE PROFESSIONAL SERVICES AGREEMENT, CONTRACT #16-004, WITH PENNONI ASSOCIATES, INC. FOR SEWER ENGINEERING

Resolution No. 188-2016

RESOLUTION NO. 188-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REJECTING ALL BIDS FOR THE REPLACEMENT OF POPE'S RUN PEDESTRIAN BRIDGE

WHEREAS, the City of Burlington requested prospective bidders to submit bids for the replacement of Pope's Run Pedestrian Bridge; and

WHEREAS, all qualified bids substantially exceeded the estimate provided by the City's Engineer; and

WHEREAS, *N.J.S.40A:11-13.2(a)* allows for the rejection of bids when all qualified bids substantially exceed the estimates;

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

All bids received by the City of Burlington for the Pope's Run Pedestrian Bridge Replacement Project on July 14, 2016, are hereby rejected as the City has determined that the qualified bids substantially exceed their professional estimates.

The Mayor, Municipal Clerk or the appropriate department heads, are hereby authorized to prepare the proposal specifications for the Pope's Run Pedestrian Bridge Replacement Project to be re-bid.

Upon the motion of Councilwoman Mercuri, seconded by Councilman Chachis, the foregoing resolution was introduced.

On the question, Mr. Saponaro spoke of the bid being so much higher, \$118,000.00;

Ms. Crivaro advised everyone of the rebid date scheduled for August 11, 2016 at 10am.

Councilwoman Lollar asked if we had to accept the higher bid, would we have the money to do so.

Mr. MacMillan said no, he does not think so.

Mayor Conaway explained that the bridge failed engineer inspections; spoke of school kids walking across it, it is a dangerous situation; the City had wanted done by start of the school year; the City budgeted \$64,000.00, but bid came in so much higher, that is the reason for the resolution to rebid.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Swan. (1).

Resolution No. 189-2016*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Danalis Anderson, 47 Hoistone Lane, Willingboro, N.J. to operate a business at 400 High Street #3 t/a "Venices Full Figure Boutique."

Approved by Consent Agenda. All were in favor.

Resolution No. 190-2016*

RESOLUTION NO. 190-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE LIENS AGAINST PROPERTIES FOR EMERGENCY SEWER LATERAL REPAIR

WHEREAS, the City of Burlington Construction Official has certified that an Emergency Sewer Lateral Repair was required to be made to secure public health; and

WHEREAS, the Construction Official has certified that the City expended funds for the Emergency Repair; and

WHEREAS, the Construction Official has certified that the owner of the following property is liable for the costs incurred by the City of Burlington on behalf of the property owners for the Emergency Sewer Lateral Repair; and

WHEREAS, the costs incurred by the City shall become a lien upon the property 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 property for an Emergency Sewer Lateral Repair to maintain public health and safety.

<u>Block & Lot</u>	<u>Address</u>	<u>Amount</u>
Block 154, Lot 34	125 Belmont Street	\$ 3,925.00

Approved by Consent Agenda. All were in favor.

Resolution No. 191-2016*

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 19, 2016, that an Executive Session Closed to the Public shall be held on July 19, 2016, 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) Pearl Pointe Redevelopment
Contracts/Real Estate N.J.S.A. 10:4-12 (7) U.S. Pipe Site Redevelopment
Litigation N.J.S.A. 10:4-12 (9) ABC Potential Litigation

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. 192-2016

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 #2, with Levy Construction Company, Inc., 134 Cuthbert Blvd., Audobon, New Jersey, for an increase in the amount of \$2,024.90 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, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Swan. (1).

PUBLIC COMMENTS

Paul Bracey, 12 Regency drive, Mt. Holly, N.J.- spoke of Dodie's Way; complemented the Police Department; spoke of New Yorkshire needing to be addresses; asked how he could help.

Sam Richter, 400 Wood Street- spoke of a video on the City's website; it shows Shoprite in Burlington Township.

Jennifer Montone, 938 E. Broad Street- thanked the Mayor, Council, Chief of Police for continuing to support the Police Youth Academy.

INFRASTRUCTURE COMMENTS

None.

ADMINISTRATION REPORT

None.

COUNCIL COMMENTS

None.

EXECUTIVE CONFERENCES

Pearl Pointe Redevelopment Update
U.S. Pipe Site Redevelopment Update
ABC Potential Litigation

ADJOURNMENT

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, this meeting of July 19, 2016 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk