

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JULY 21, 2015, 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. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) Absent: (0)

Also present: Municipal Attorney- George Saponaro, Municipal Engineer - Kevin Snowden, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Acting Chief Wonderlin, Acting Captain 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 21, 2015 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**

Vice President Ghaul spoke of several issues regarding trash pick up.

Councilwoman Hatala also expressed concerns with the trash collection service.

Mr. Ballard spoke in response to the complaints and will follow up.

Vice President Ghaul spoke of the insurance for the fire vehicles.

Councilman Swan spoke of the Burlington Court Apartments trash pick up not being done.

Mr. Ballard spoke of Burlington Court Apartments being under a separate trash contract, the MACCS Program.

Councilwoman Woodard reiterated the complaints about trash pick up.

Councilman Swan spoke of tall grass along the lake at Kennedy Park.

Mr. Ballard spoke of the lack of man power in the Public Works Department.

**CONSENT AGENDA**

Councilwoman Hatala, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard. All were in favor.

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

**ORDINANCE(S) - SECOND READING & FINAL DISPOSITION**

ORDINANCE NO. 10-2015 OF THE CITY OF BURLINGTON, TO AMEND SECTIONS 146-22, CHAPTER 277 ENTITLED “SEWERS” AND 146-29. CHAPTER 354 ENTITLED “WATER SERVICE” OF CHAPTER 146 ENTITLED “FEE SCHEDULE” SO AS TO MODIFY THE FEES TO BE CHARGED IN THE CITY OF BURLINGTON FOR MUNICIPAL SEWER AND WATER SERVICE CONNECTION FEES

BE IT ORDAINED by the COMMON COUNCIL of the CITY OF BURLINGTON, County of Burlington, State of New Jersey, as follows:

SECTION ONE. Burlington Municipal Code Section 146-22. Chapter 277, subsection B Sewers is hereby amended as follows:

B. Sewer Connection charges:

(1) Residential dwelling unit/apartment: \$3,000.

(2) Commercial and industrial users, per 300 gallon per day usage or part thereof: \$3,000.

All other subsections of Burlington Municipal Code Section 146-22. Chapter 277 shall remain unchanged.

SECTION TWO. Burlington Municipal Code Section 146-29. Chapter 354, subsections B, Water Service is hereby amended as follows:

B. Connection fee: The water connection fee shall be \$2,800 for each connection based upon 300 gallons per day usage or part thereof.

All other subsections of Burlington Municipal Code Section 146-29. Chapter 354 shall remain unchanged.

**BE IT FURTHER ORDAINED** by the Common Council for the City of Burlington that this ordinance shall take effect upon final passage and publication as required by law.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Lollar, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

None.

This ordinance was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

BOND ORDINANCE NO. 02-2015 AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT FOR THE CITY FIRE DEPARTMENT IN THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$450,000; 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 \$425,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

**BE IT ORDAINED** by the Common Council of the City of Burlington, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

**Section 1.** The purpose described in Section 7 hereof is hereby authorized as general improvements to be made or acquired by the City of Burlington, County of Burlington, New Jersey ("City").

**Section 2.** It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purpose stated in Section 7 hereof is \$450,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is up to \$425,000; and
- © a down payment in the amount of \$25,000 for the purpose stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A.* 40A:2-11.

**Section 3.** The sum of up to \$425,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$25,000, which amount represents the required down payment, are hereby appropriated for the purpose stated in this bond ordinance ("Bond Ordinance").

**Section 4.** The issuance of negotiable bonds of the City in an amount not to exceed

\$425,000 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

**Section 5.** In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$425,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 6.** The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$25,000.

**Section 7.** The improvements hereby authorized and the purpose for which said obligations are to be issued; the estimated costs of said purpose; the amount of down payment for said purpose; the maximum amount obligations to be issued for said purpose and the period of usefulness of said purpose within the limitations of the Local Bond Law are as follows:

	<b><u>Purpose</u></b>	<b><u>Estimated Total Cost</u></b>	<b><u>Down Payment</u></b>	<b><u>Amount of Obligations</u></b>	<b><u>Period of Usefulness</u></b>
A.	Acquisition of Various Capital Equipment for the Fire Department including, but not limited to, Self-contained Breathing Equipment, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$450,000	\$25,000	\$425,000	10 years

**Section 8.** Grants or other monies received from any governmental entity, other than those described in Section 7 above, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purpose described in Section 7 above.

**Section 9.** The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$425,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

**Section 10.** The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

**Section 11.** The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

**Section 12.** The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefitted thereby.

**Section 13.** The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

**Section 14.** The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

© it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

**Section 15.** All ordinances or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

**Section 16.** In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

None.

This ordinance was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 145-2015

RESOLUTION NO. 145-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZES EXTENSION #2 OF THE DESIGNATION OF WATER RESOURCE MANAGEMENT, INC. AS TEMPORARY WATER PLANT SUPERINTENDENT

**WHEREAS**, the City of Burlington operates a water plant which provides for fresh drinking water and other services to the City of Burlington residents; and

**WHEREAS**, in a need still exists for Water Plant Superintendent Services to be provided by Water Resources Management;

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

1. The contract authorized by Resolution No. 54-2015 to Water Resource Management, Inc. is hereby extended (Extension #2) in the amount of \$10,875.00 per month for services as temporary Water Plant Superintendent;
2. The Common Council for the City of Burlington hereby authorizes the extension of this contract for the period of July 20, 2015 - December 31, 2015 to ensure that the residents of the City of Burlington receive healthy and safe drinking water and other

services from the City of Burlington Water Plant.

3. The Mayor is hereby authorized to execute an extension (Extension #2) of this contract subject to review by the City Solicitor with Water Resource Management, Inc. for such extraordinary, unspecifiable services with Water Resource Management, Inc.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was introduced.

Vice President Ghaul asked for an update on the status of this position.

Mr. Ballard said that the State only provided two names; one turned down the salary and the other was from Cape May.

Councilman Conaway asked if it is posted on the Department of Labor website.

Mr. Ballard said he will look into this.

Councilman Conaway asked if we have reached out to PA residents.

Mr. MacMillan said that you have to be a NJ resident to work in NJ Government.

Councilwoman Hatala asked if they are bound by license.

Mr. Saponaro responded, typically yes; the residency law is relatively new.

This resolution was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

**Resolution No. 146-2015 - TABLED**

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 #2, with Curb Con, Inc. of Barnegat, New Jersey, for an increase in the amount of \$3,152.00 providing for quantity adjustments and additional items in connection with the High Street Roundabout Construction Project.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was introduced.

On the question, Councilwoman Hatala said she was not happy with the brick situation and that the lines are not solid.

Councilwoman Hatala then made a motion to table this resolution. It was seconded by

Councilwoman Lollar. The foregoing resolution was the TABLED by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 147-2015

**BURLINGTON COUNTY  
MUTUAL AID AND ASSISTANCE AGREEMENT  
BETWEEN PARTICIPATING UNITS**

**RESOLUTION NO. 147-2015 AUTHORIZING MEMBERSHIP IN A MUTUAL AID AND ASSISTANCE AGREEMENT WITH PARTICIPATING UNITS**

**WHEREAS**, mutual aid and assistance agreements between municipalities, counties, law enforcement agencies police, Emergency Medical Service, fire departments, fire companies or EMS organizations and fire departments situated in fire districts operated by a Board of Fire Commissioners, are permitted pursuant to N.J.S.A. 40A: 14-26 and 40A: 14-156.1; and

**WHEREAS**, the President in Homeland Security Directive (HSPD)- 5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach to Federal, State, local and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

**WHEREAS**, “The New Jersey Civilian Defense and Disaster Control Act” App.A9-33 et. Seq, provides for the health, safety and welfare of the people of the State of New Jersey during any emergency by centralizing control of all civilian activities having to do with such emergency giving the Governor control over the resources of each and every political subdivision to cope with any condition that shall arise out of such emergency; and

**WHEREAS**, The Director of the Division of Fire Safety in the Department of Community Affairs promulgated rules in accordance with the “Fire Service Resource Emergency Deployment Act,” N.J.A.C. 52:14E-11 et seq., Commonly referred to as the “Fire Service Resource Emergency Deployment Regulations” N.J.A.C. 5:75 A et. seq, and

**WHEREAS**, it is deemed to be in the best interests of the residents of this municipality and/or fire district to enter into a mutual aid and assistance agreement with the County of Burlington and other municipalities including (but not limited to) municipal police, Emergency Medical Service or fire departments, volunteer fire companies or EMS organizations and /or fire districts to provide additional protection against loss, damage or destruction by fire, catastrophe, civil unrest, major emergency or other extraordinary devastation damage or destruction to person and property, in those situations when outside aid and assistance is needed.

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



County of Burlington, and State of New Jersey as follows;

A. That the Mayor and Municipal Clerk are hereby authorized and directed to enter into the Burlington County Mutual Aid and Assistance Agreement Between Participating Unit, a copy of which is attached hereto and made part hereof, on the terms and conditions contained herein.

B. That the Mayor and Municipal Clerk of the City of Burlington are hereby authorized and directed to execute said Mutual Aid and Assistance 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 Department of Public Safety Services, Office of Emergency Management. Said Office shall serve as the central repository and shall maintain a master listing of all Participating Unites to the Mutual Aid and Assistance Agreement.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 148-2015

RESOLUTION NO. 148-2015 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 2015-2016:

**Peak & Peak, LLC t/a Geraghty's Pub  
148 W. Broad Street (0305-33-006-005)**

**Italian American Roma Club t/a Italian American Roma Club  
739 Lincoln Avenue (0305-31-029-001)**

**Curtins Wharf Inc. t/a Curtins Wharf  
501 East Pearl Street (0305-33-005-003)**

**Doc's Pub, LLC t/a Doc's Pub  
100-104 Jones Street (0305-33-016-003)**

**Misiorek, Mary t/a East End Hotel  
357 East Pearl Street (0305-33-012-003)**

**Scully-Bozarth Post 1817 Veterans of Foreigns Wars t/a Scully-Bozarth Post 1817 VFW**

**142 Riverbank (0305-31-036-001)**

**AP Liquor Inc. t/a 130 Liquor Store  
653 High Street (0305-44-014-005)**

**Oneida Boat Club - t/a Oneida Boat Club  
3 York Street (0305-31-031-001)**

**Keim Boulevard Beverage Co. LLC t/a Tankard Pub  
3 Keim Boulevard (0305-33-023-004)**

**Dolan's Irish Pub & Restaurant, Inc.  
630 Route 130 West (0305-33-001-008)**

**TIPJ Enterprises, Inc. t/a Discount Liquor World  
703 Route 130 North (0305-44-017-005)**

**High Street at Burlington, LLC  
19 E. Union Street (0305-33-019-004)**

**Tadeuz Kosciuzko Club t/a Tadeuz Kosciuzko Club  
York Street & Route 130 (0305-31-035-001)**

**Alleycat Investments, LLC  
Pocket License (0305-33-011-005)**

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

WHEREAS, all applicants for Plenary Retail Consumption Alcoholic Beverage Licenses and applicants for Plenary Retail Distribution 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

WHEREAS, the applicants for Alcoholic Beverage Club Licenses have 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 21<sup>st</sup> day of July, 2015 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.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 149-2015

RESOLUTION NO. 149-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON HONORING THE UNITED STATES WOMEN'S NATIONAL SOCCER TEAM AND SOUTH JERSEY NATIVE CARLI LLOYD

**WHEREAS**, the United States Women's National Soccer Team entered into the FIFA Women's World Cup Soccer Tournament in June of 2015; and

**WHEREAS**, the FIFA Women's World Cup Soccer Tournament is an international competition amongst the highest level of Women's Soccer players; and

**WHEREAS**, Carli Lloyd, of Delran Township, New Jersey, as one of 23 members of the United States Women's National Soccer Team and served as Team Captain during four of the team's matches; and

**WHEREAS**, the United States Women's National Soccer Team went undefeated in the tournament, with a record of 6-0-1, en route to the team's and nation's first World Cup in 16 years and a record-setting third World Cup in the history of the tournament; and

**WHEREAS**, Burlington County's own Carli Lloyd scored three goals in the Finals against the Japanese National Team, recording the FIFA Women's World Cup's first ever "hat trick" in a FIFA Women's Final and Ms. Lloyd was named the "Player of the Match."

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Burlington, hereby recognizes the outstanding ability and talent of the United States Women's National Soccer Team and South Jersey Native, Carli Lloyd;

**BE IT FURTHER RESOLVED**, that the Common Council of the City of Burlington, on behalf of the residents of City of Burlington, do hereby extend their accolades and congratulations to Carli Lloyd on a job well done and being named the “Player of the Match” as well as a FIFA World Cup Champion with her team.

Upon the motion of Councilman Ghaul, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 150-2015\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Mesut Kilic, 3001 Route 130 South, Apt. 1G, Delran, N.J. to operate a business at 240 E. Route 130 S. t/a “Pizza Empire.”

Approved by Consent Agenda. All were in favor.

Resolution No. 151-2015\*

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 21, 2015, that an Executive Session Closed to the Public shall be held on July 21, 2015, 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) U.S. Pipe 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 2015 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 152-2015\*

Common Council of the City of Burlington hereby authorizes the temporary closure of the alley at Conover and Ellis Streets for a Block Party on Saturday, August 30, 2015 from 2:00 pm to 6:00 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 153-2015

RESOLUTION NO. 153-2015 OF THE CITY OF BURLINGTON TO AWARD A CONTRACT TO THE EARLE COMPANIES FOR THE BROWN STREET IMPROVEMENT PROJECT

WHEREAS, the City of Burlington did apply for and did receive a Fiscal Year 2014 Municipal Aid

Program Grant from the New Jersey Department of Transportation for the BROWN STREET IMPROVEMENT PROJECT, in the amount of \$196,000; and

WHEREAS, bids were received on Friday, July 17, 2015 for this project as outlined on the bid tabulation sheet; and

WHEREAS, the amount of the lowest bid for the BROWN STREET IMPROVEMENT PROJECT, is \$207,913.13, submitted by The Earle Companies; and

WHEREAS, the City of Burlington Chief Financial Officer has certified that funds are available to award a contract to The Earle Companies; and

WHEREAS, The Earle Companies submitted the lowest acceptable bid, and the City Engineer, Kevin L. Snowden, P.E., of Alaimo Group has reviewed the qualifications of the bidder and finds them to be in order; and

WHEREAS, the City Engineer recommends that the Common Council of the City of Burlington award a contract to The Earle Companies, with a Corporate Headquarters at 1800 Route 34, Building 2, Suite 205, Wall, NJ 07719 and a mailing address of Post Office Box 556, Farmingdale, NJ 07727; per the engineer's letter dated July 20, 2015;

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 The Earle Companies, for the BROWN STREET IMPROVEMENT PROJECT in the amount of \$207,913.13.

Upon the motion of Councilman Ghaul, seconded by Councilwoman Hatala, the foregoing resolution was introduced.

On the question, Councilman Conaway asked if this was the total cost to complete the project.

Mr. MacMillan said no, that price is only for construction.

The resolution was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

### **PUBLIC COMMENTS**

Danny Kiple, 843 Woodland Avenue- spoke of streets in need of repaving; asked that the City notify the residents of repaving.

Beverly Jones, 2 Mitchell Court- spoke of a vacant lot in between 9 & 11 Mitchell Court, it is a

forest, problems with wild animals, needs to be cut and the trees need trimming; complained of cars speeding.

### **ADMINISTRATIVE COMMENTS**

Mr. Ballard spoke of the street repair process; Brown Street re-paving is being recommended to be awarded to Earl Asphalt, as lowest bid received; will look into resident concerns at Mitchell Court; spoke of Mill Road being the responsibility of the Township in regard to repaving; spoke of Memorial Hall improvements, work is scheduled to start first week in August with a completion November 11, 2015; the Small Cities Block Grant for ADA ramp improvements a completion date of September 12, 2015.

Councilman Ghaul spoke of the steps in front of Memorial Hall.

Councilwoman Lollar spoke of Farner Avenue; nothing has been done since the middle of July.

Mr. Ballard spoke of 8 of 10 ramps that had to be approved; there was no problem, just the survey was incorrect.

Councilwoman Lollar asked for a start date for Oakland Avenue.

Mr. Ballard said the specs are now being prepared.

Mr. Snowden spoke of Oakland & Laumaster, should be ready to go in the spring.

### **COUNCIL COMMENTS**

Councilwoman Woodard spoke of the residential property on the promenade; spoke of a possible 4 way stop and Wood & Mill and Mill & Lake, it is a very dangerous area.

Councilwoman Hatala spoke of an easement for utility work at Mitchell Avenue; the residential property on the promenade is a redevelopment area; we should go to condemnation; spoke of fair market value.

Mr. Saponaro said he will report back to Council regarding the residential property on the promenade.

### **CONFERENCES**

- High Visibility Crosswalks & High Street at Belmont Street Construction Concept Plan- Kevin Snowden & Steven Malvey of Alaimo Group
- Proposed Ordinance Changes: Extra Duty Assignments- Acting Lt. John Fine

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### **EXECUTIVE CONFERENCES**

- U.S. Pipe Site- Jim Kennedy of Skye Consulting

### **ADJOURNMENT**

Upon the motion of Councilwoman Woodard, seconded by Councilman Swan, this meeting of July

21, 2015 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk