

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, AUGUST 6, 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 (7:30pm), Ms. Woodard, Mr. Babula. (6) Absent: Mr. Swan. (1)

Also present: Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Director of Public Works- Craig Leshner, Capt. 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 August 6, 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

INVOCATION

Father Connor Haynes of St. Mary's Episcopal Church

SALUTE TO FLAG

PRESENTATION

Angeline Stefanoni Weidman - 100th Birthday

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR JULY 2015

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of June 2015 \$ 24,887.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

07-01 Historic Preservation Commission, Meeting August 5, 2015

PETITIONS OF APPEALS:

07 -30 Block 9032 lot 44 Verizon

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

07-300 Alaimo Group, dated July 7, 2015, re: 2013 NJDOT Municipal & Transit Villages

07-301 Alaimo Group, dated July 1, 2015, re: Engineer's Status Report

07-302 Environmental Resolutions, Inc., dated July 13, 2015, re: Phi Lake Avenue 97th Street Water Tank)

07-303 Alaimo Group, dated July 27, 2015, re: Punch List

07-304 Alaimo Group, dated July 23, 2015, re: Notice of award contract, notice to proceed and preconstruction meeting

07-305 Alaimo Group, dated July 24, 2015, re: WaWa Store 221.01 lot 1

07-306 Alaimo Group, dated July 23, 2015, re: 2014 Small Cities Community Development Block Grant

07-307 Alaimo Group, re: High Visibility Crosswalks High Street and Belmont Street

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

07-501 Filed with the Court, Superior Court of New Jersey, Burlington County - Chancery Division ref; Carole T. Zellely a/k/a Carol T. Motlas / Order Vacating Final Judgement

07-502 Burlington County Board of Taxation - to Municipalities dated July 29, 2015 re: Real Property Demonstration Program (ADP)

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

07-700 State of New Jersey, dated July 13, 2015, re: Oakland Avenue & Laumaster Street Reconstruction

MISCELLANEOUS CORRESPONDENCE

07-800 Endeavor Emergency Squad, Inc., re: 2015 Monthly Report for June

07-801 NJ Animal Rabies Cases by County and Species

07-802 Williams Transco Pipeline; re: Transco Pipeline Overview

07-803 Elaine McClammy, dated July 6, 2015, re: safety issues

07-804 PSE&G tips to stay cool

07-805 Elaine McClammy, dated July 2, 2015, re: delivery Notification : Delivery has failed

07-806 Elaine McClammy, dated July 20, 2015, re: Oakland

07-807 Elaine McClammy, dated July 20, 2015, re: Oakland Avenue

07-808 Elaine McClammy, dated July 27, 2015, re: speeding and dangers on rt 130 S Mehleville

07-809 CME Associates, dated July 10, 2015,

07-810 Notification to Residents, re: Seventh Street Water Tank Exterior Painting near 1300 Walnut Street

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 300, ARTICLE II OF THE CODE OF THE CITY OF BURLINGTON (RECYCLING)

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

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 2, ARTICLE VIII OF THE CODE OF THE CITY OF BURLINGTON (DEPARTMENT OF PUBLIC SAFETY – POLICE DIVISION)

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hatala, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Conaway, Ms. Hatala, Ms. Lollar, Ms. Woodard, Mr. Babula. (5) NAYS: (0); ABSTAIN: Mr. Ghaul. (1); ABSENT: Mr. Swan. (1).

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 154-2015

RESOLUTION NO. 154-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CITY OF BURLINGTON TO RENEW A FOAM TENDER/TRAILERS AND EQUIPMENT PROGRAM RECIPIENT AGREEMENT WITH THE COUNTY OF BURLINGTON, DEPARTMENT OF PUBLIC SAFETY SERVICES, DIVISION OF EMERGENCY MANAGEMENT

WHEREAS, the County of Burlington, Department of Public Safety Services, Division of Emergency Management has selected the City of Burlington as one of the municipalities in the County to receive a foam tender/trailer and related equipment for use in emergencies requiring or suitable for the application of foam in connection with fire-fighting activities; and

WHEREAS, in order to participate in the Foam Tender/Trailers and Equipment Program and receive a foam tender/trailer and related equipment for use by the City of Burlington, the County of Burlington, Department of Public Safety Services, Division of Emergency Management requires that the City of Burlington enter into a “Foam Tender/Trailers and Equipment Program Recipient Agreement” in the form annexed hereto to be executed by the City of Burlington, and to comply with all terms thereof, and

WHEREAS, the Mayor and Common Council of the City of Burlington deem that it is in the best interests of the City of Burlington to participate in the Foam Tender/Trailers and Equipment Program and to receive a foam tender/trailer and related equipment for use by the City of Burlington;

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

- 1) Common Council of the City of Burlington hereby authorizes the renewal of the agreement with the County of Burlington, Department of Public Safety Services, Division of Emergency Management for participation in the County of Burlington’s Foam Tender/trailer and Equipment Program; and
- 2) The Common Council of the City of Burlington, County of Burlington, State of New Jersey hereby authorize the Mayor and Municipal Clerk to enter into a renewal agreement with the County of Burlington, Department of Public Safety Services, Division of Emergency Management for participation in the Foam Tender/Trailers and Equipment Program effective August 1, 2015 through July 31, 2020, and further authorizes and directs that all actions required to comply with all provisions thereof as set forth in the attached agreement be undertaken.

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

On the question, Councilman Conaway asked where we stand with the foam issue.

Councilman Ghaul said the City houses it but it is owned by the County.

Mr. Ballard mentioned that it was used at the Public Service fire.

Councilman Ghaul said it has only been used 3 times in the time that the City has stored it.

The Resolution was then adopted by the following roll call vote: AYES: Mr. Conaway, Ms. Hatala, Ms. Lollar, Ms. Woodard, Mr. Babula. (5) NAYS: (0); ABSTAIN: Mr. Ghaul. (1); ABSENT: Mr. Swan. (1).

Resolution No. 155-2015

AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH THE CITY ENGINEER
ALAIMO GROUP IN CONJUNCTION WITH THE IMPLEMENTATION OF THE

New Jersey Department of Transportation FY 2015 Municipal Aid Program
for Paving on Oakland Avenue and Laumaster Street

WHEREAS, on April 10, 2015, the City of Burlington was awarded a New Jersey Department of Transportation Grant in the amount of \$196,000.00 from the Municipal Aid Grant Program for the Oakland Avenue and Laumaster Street Reconstruction Project; and

WHEREAS, professional services are required in association with this grant funded project, for grant administration including preparation of the design and bidding specification package, contract management and contract administration; and

WHEREAS, the City of Burlington received a proposal dated May 15, 2015 in the amount of \$43,000.00 for said professional services from the City's Engineer, Alaimo Group; and

WHEREAS, the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available,

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, that the Mayor is hereby authorized to execute a contract in a form acceptable to the City Solicitor, with Alaimo Group for professional services in connection with the implementation of the New Jersey Department of Transportation Grant from the Municipal Aid Program,

BE IT FURTHER RESOLVED that a notice stating the service and the amount of this contract shall be published and this Resolution shall be maintained on file and available for public inspection in the office of the Municipal Clerk.

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

On the question, Councilman Conaway asked do we know many hours that they worked on the project.

Mr. Ballard said with the bills, all items are broken down into hours and what was done.

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

Resolution No. 156-2015

RESOLUTION NO. 156-2015 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSES AND PLENARY DISTRIBUTION ALCOHOLIC BEVERAGE LICENSES

WHEREAS, all of the following applicants have applied for renewal of existing licenses for the year 2015-2016:

ONO Inc. t/a Oliver's Liquors

Route 130 and Mc Neal Street (0305-32-022-008)

River City Spirits LLC t/a Legends Gourmet Pizza and Salads

318 High Street (0305-33-020-009)

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

NOW, THEREFORE BE IT RESOLVED, on this 6th day of August, 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 Lollar, seconded by Councilwoman Woodard, the foregoing resolution was introduced.

On the question, Councilwoman Hatala asked how many licensee have still not renewed.

Mr. Crivaro spoke of possibly 4 and it being a mix of Consumptions, Distributions and Clubs.

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

Resolution No. 157-2015*

RESOLUTION NO. 157-2015 OF THE CITY OF BURLINGTON SUPPORTING THE GOALS AND PURPOSES OF THE 2004 HIGHLANDS WATER PROTECTION AND PLANNING ACT

WHEREAS, New Jersey Highlands Water Protection and Planning Act (The Highlands Act) was enacted in order to protect the State's water supplies and other significant resources; and

WHEREAS, The Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

WHEREAS, subsequently in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan, and proceeded with a program for its implementation through a Plan Conformance process.

WHEREAS, The City of Burlington is a municipality that receives all or a portion of its drinking water from sources within the Highlands Region; and that the City of Burlington relies on the resources of the Highlands to meet the current and future needs of its residents.

NOW, THEREFORE , BE IT RESOLVED that the governing body of the City of Burlington wishes that it be known that we strongly support the goals, policies and objectives of the 2004 Highland Water Protection and Planning Act and the Highlands Regional Master Plan.

Approved by Consent Agenda. All were in favor.

Resolution No. 158-2015*

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 August 6, 2015, that an Executive Session Closed to the Public shall be held on August 6, 2015, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

- Contracts N.J.S.A. 10:4-12 (7) Equipment Usage Agreement
- Real Estate N.J.S.A. 10:4-12(7) Block 33, Lots 5 & 6

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 August of 2015 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 159-2015*

RESOLUTION TO CANCEL OLD OUTSTANDING CHECKS IN COURT BANK ACCOUNTS

WHEREAS, there exists various old outstanding checks in the Court General and Bail Accounts, that have not been cashed, and

WHEREAS, these checks were most likely replaced by another check or should have been voided on the books and the City Auditor recommends that they be voided and that checks be issued out of the various accounts to the City of Burlington Current Fund and recorded as Miscellaneous Revenue;

NOW THEREFORE, BE IT RESOLVED that the Common Council hereby authorizes the Municipal Court Clerk to void the following outstanding checks and disburse the amount of the

voided checks from the various accounts to the City of Burlington Current Fund to be recorded as Miscellaneous Revenue:

COURT GENERAL ACCOUNT:

#1005 \$12.00	12/12/13
#1018 \$1.00	01/09/14
#1026 \$10.00	01/09/14
#1032 \$2.00	02/03/14
\$1033 \$1.00	02/03/14
#1041 \$15.00	05/08/14
#1074 \$1.00	05/08/14
#1092 \$110.00	06/12/14
#1110 \$4.00	08/13/14
#1111 \$1.00	08/13/14
#1112 \$1.00	08/13/14
#1113 \$1.00	08/13/14
#1114 \$1.00	08/13/14
#1146 \$1.00	10/08/14
#1147 \$1.00	10/08/14
#1150 \$5.00	10/08/14
#1174 \$10.00	11/13/14
#1175 \$20.00	11/13/14
#1190 \$5.00	12/10/14

BAIL ACCOUNT:

#1021	\$1,000.00	11/19/13
#1060	\$1.00	12/13/13
#1151	\$21.00	02/25/14
#1432	\$2.00	09/30/14
#1436	\$1.00	09/30/14
#1461	\$250.00	10/24/14
#1485	\$36.00	11/20/14

Approved by Consent Agenda. All were in favor.

Resolution No. 160-2015*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Mohamed Abdelaal, 9 New Castle Court, East Windsor, N.J. to operate a business at 1001 Route 130 t/a "Burlington Auto Outlet."

Approved by Consent Agenda. All were in favor.

Resolution No. 161-2015*

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 22, 2015 from 2:00 pm to 9:00 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 162-2015*

Common Council of the City of Burlington hereby authorizes the temporary closure of a portion of the alleyway adjacent to Sisterhood, Inc. for a Block Party on Saturday, August 22, 2015 from 10:00 am to 5:00 pm.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

None.

ADMINISTRATION COMMENTS

Mr. Ballard spoke of many updates: trash issues; all fire truck have insurance and are all properly insured; vegetation at Kennedy Lake; the completion of Farner Avenue and the Roundabout; Memorial Hall should be starting next week; the air conditioning problem at City Hall; mold problems at the YMCA; gave an update on the Water Treatment Plant Superintendent position.

Councilwoman Woodard asked about the T4 license for the Water Treatment Plant Superintendent position.

Councilwoman Hatala spoke of the Festival of Lights.

Councilman Conaway asked about the YMCA and why this is a City issue.

Mr. Ballard said that the City owns the building.

COUNCIL COMMENTS

Councilman Ghaul requested Lee Brahin to provide update to Council on the McNeal Mansion Property.

Councilman Conaway spoke of renters of the Budd Building receiving letters about raising of the rent.

CONFERENCES

- Recycling Program Proposed Ordinance Amendment- David Ballard Administrator & Justin Vining, Jr., Recycling Coordinator
- Princeton Circle Repaving Project- David Ballard Administrator

EXECUTIVE CONFERENCES

- Equipment Usage Agreement- David Ballard, Administrator
- Block 33, Lots 5 & 6

ADJOURNMENT

Upon the motion of Councilwoman Hatala, seconded by Councilman Ghaul, this meeting of August 6, 2015 was adjourned.

Cindy A. Crivaro, RMC

Municipal Clerk