

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, SEPTEMBER 6, 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, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7) Absent: (0)

Also present: Mayor Conaway, Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, Chief Snow, Redevelopment Attorney- Brooks DiDonato, Redevelopment Consultant- Jim Kennedy.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on September 6, 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**

Father Connor Haynes of St. Mary's Episcopal Church

**SALUTE TO FLAG**

**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.

**PETITIONS AND COMMUNICATIONS\***

Approved by Consent Agenda. All were in favor.

**CORRESPONDENCE FOR AUGUST 2016**

**NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED**

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of July 2016 \$5,187.35

**AGENDAS RECEIVED FROM VARIOUS BOARDS**

08-01 Screening Board Agenda for August 2016

**MINUTES RECEIVED FROM VARIOUS BOARDS**

08-10 Board of Island Managers, dated July 28, 2016

08-11 Board of Island Managers, dated August 28, 2016

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

08-40 Manatec Smith - Unite or Die Campaign / Community at One Together

**CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:**

08-100 Notice of Public Hearing, re: Land Use Board McNeal Mansion and Vicinity

**COMMUNICATION TO AND FROM MUNICIPAL ENGINEER**

08-300 Alaimo Group, dated August 1, 2016, re: Engineer's Status Report

**CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY**

08-700 Department of Environmental Protection, dated July 22, 2016, re: Notice of Administrative Completeness Treatment Works Approval Application no. 16-0289

08-701 Division of Local Government Services, Local Finance Notice dated August 2, 2016

08-702 Department of Transportation, dated August 5, 2016, re: Transportation Alternatives Program

**MISCELLANEOUS CORRESPONDENCE**

08-800 NJRA Redevelopment Training Institute, dated August 4, 2016, re: Case Study Approach

08-801 Lisa Hibbs, Burlington County Energy Aggregation Program, dated August 4, 2016

08-802 Endeavor Emergency Squad, Inc., re: July 2016 Monthly Statistics

08-803 Elaine McClammy, dated August 19, 2016, re: Knowledgeable employees

08-804 Burlington County Auto Parts, dated August 8, 2016, re: parking on sidewalk in front of business

08-805 NJRA Redevelopment Training Institute, re: Investing in your Success Location Housing & Urban Development (HUD) Newark, NJ ref: Redevelopment Planning Law Through Case Study Analysis

08-806 Burlington City Landlord Association, re: meeting dated August 30, 2016, 6:30pm

08-807 Elaine McClammy, dated August 22, 2016, re: continuing issues

08-808 Elaine McClammy, dated August 29, 2016, re: info for all officials, things you turn your blind eye too

08-809 Elaine McClammy, dated September 1, 2016, re: making street safe and enforcing state laws and ordinances

08-810 MACCS - Holiday Trash Schedule

08-811 Burlington City High School - Sports events

**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 ARTICLE VIII OF THE CODE OF THE CITY OF BURLINGTON (CHAPTER 195. HOUSING STANDARDS & CHAPTER 146-15. FEE SCHEDULE)

Upon the motion of Councilwoman Lollar, 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, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 211-2016

**WHEREAS**, the Mayor has appointed Chief Alan Snow as Police Chief for the City of Burlington; and

**WHEREAS**, the City has entered into Contract negotiations and negotiated a Contract with the Chief of Police; and

**WHEREAS**, the Contract has been negotiated and reviewed by the City Solicitor; and

**WHEREAS**, the Contract from March 1, 2016 through February 28, 2019 has been reviewed and approved by the Chief of Police; and

**WHEREAS**, the Common Council for the City of Burlington has reviewed the same and found it to be fair, reasonable, and in the best interest of the citizens in the City of Burlington;

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

1. The Common Council for the City of Burlington hereby accepts and ratifies the Contract as written and presented; and
2. The Mayor and Municipal Clerk are hereby directed to execute the within Contract.

Upon the motion of Councilman Babula, seconded by Councilwoman Lollar, 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. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 212-2016

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

Class I- Special Law Enforcement Officer

Terrance Osborne, 127 Sheffield Drive, Willingboro, N.J. 08016

Andrew Kostic, 928 Woodland Avenue, Burlington, N.J.

Sean Mullen, 8 Yubas Avenue, Burlington, N.J.

Sean Fitzpatrick, 425 Summer Avenue, Burlington, N.J.

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. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 213-2016

RESOLUTION NO. 213-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO AWARD A CONTRACT TO T.R. WENIGER, INCORPORATED FOR A NEW PEDESTRIAN BRIDGE OVER POPE'S RUN LOCATED ON JACKSONVILLE ROAD

WHEREAS, the City of Burlington Engineers, Alaimo Group, did advertise for and receive bids for the construction of a replacement pedestrian bridge over Pope's Run on Jacksonville Road; and

WHEREAS, bids were received on Thursday, August 11, 2016 for this project as outlined on the bid tabulation sheet; and

WHEREAS, the amount of the lowest bid for the PEDESTRIAN BRIDGE OVER POPE'S RUN PROJECT, is \$79,900.00, submitted by T.R. WENIGER, INCORPORATED; AND

WHEREAS, the of Burlington Chief Financial Officer has certified that funds are available to award a contract to T.R. WENIGER, INCORPORATED; and

WHEREAS, T.R. WENIGER, INCORPORATED 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 T.R. WENIGER, INCORPORATED, located at 1900 New Brunswick Avenue, Piscataway, NJ 08854 as per the Engineer's letter dated August 16, 2016;

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 T.R. WENIGER, INCORPORATED, for the PEDESTRIAN BRIDGE OVER POPE'S RUN PROJECT in the amount of \$79,900.00.

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, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 214-2016

RESOLUTION NO. 214-2016 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH AVIS REALTY AND REDEVELOPMENT, LLC

WHEREAS, the Common Council of the City of Burlington previously authorized the execution of a Development Agreement with Avis Realty and Redevelopment, LLC; and

WHEREAS, the Developer has requested an extension of 120 days as to a certain section of the Development Agreement; and

WHEREAS, the Director of Law has prepared an amendment to the Development Agreement confirming all terms of the Agreement and granting the 120 day extension as to a section of the same; and

WHEREAS, the Common Council of the City of Burlington finds it to be in the best interest of the City of Burlington to authorize an amendment to the Development Agreement;

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

The Mayor and Municipal Clerk are hereby authorized and directed to execute an amendment to the Development Agreement with Avis Realty and Redevelopment, LLC in the form and manor as prepared by the City Director of Law and attached hereto as Exhibit A;

The Business Administrator and Administration are authorized and directed to take all steps necessary to effectuate the amendment to the Development Agreement with Avis Realty and Redevelopment, LLC.

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. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 215-2016

RESOLUTION NO. 215-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN AMENDMENT #1 TO THE PROFESSIONAL SERVICES AGREEMENT, CONTRACT #16-005, WITH ENVIRONMENTAL RESOLUTIONS, INC. FOR WATER ENGINEERING

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

WHEREAS, due to unforeseen circumstances, additional engineering services which are above and beyond the scope of the original contract are now required in order to perform essential tasks that must be completed this year regarding the water division, including Water System Mapping; Water Audit for the Delaware River Basin Commission; Security Improvements; Regulatory Compliance relative to disinfection byproducts; Evaluation of Plant filters and sediment basins; and Instrumentation Maintenance contract specs and bidding; and

WHEREAS, the City of Burlington has received a proposal from Environmental Resolutions, Inc., the City's Water Engineer, dated August 12, 2016, in the amount of \$25,000.00 for the above listed additional engineering services; and

WHEREAS, the City of Burlington's Financial Officer has certified that funds for this project are available in the 2016 budget;

NOW THEREFORE BE IT RESOLVED THAT the Common Council of the City of Burlington hereby authorizes the Mayor and Municipal Clerk to execute Amendment #1-2016 with Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, NJ 08054 in the amount of \$25,000.00 making a revised total contact amount of \$65,000.00.

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

Babula. (1).

Resolution No. 216-2016

RESOLUTION NO. 216-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON WAIVING CONSTRUCTION PERMIT FEES FOR IMPROVEMENTS TO 23 WEST UNION STREET

WHEREAS, The Library Company of Burlington located at 23 West Union Street has proudly served the City of Burlington community for over 255 years; and

WHEREAS, the City of Burlington recognizes the public benefit that The Library Company of Burlington offers to the residents to the City of Burlington; and

WHEREAS, The Library Company of Burlington is undertaking needed renovations to improve their patrons' experience at the Library including the updating of a heating system, electric and lighting.

WHEREAS, The Library Company of Burlington, in their letter dated August 30, 2016, has respectfully requested the waiving of the permit fees associated with this project.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington hereby authorizes and directs the Administration for the City of Burlington to waive the Administrative Surcharge Fee associated with the Uniform Construction Code permits needed for the above project for the property situate 23 West Union Street.

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. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 217-2016

WHEREAS, an application has been filed for a person to person and pocket to place transfer of Plenary Retail Consumption License 0305-33-011-005, a pocket license, heretofore issued to Alleycat Investments, LLC; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Common Council, of the City of Burlington, does hereby approve, effective September 6, 2016, that the transfer of the aforesaid Plenary Retail Consumption License from Alleycat Investments, LLC, a pocket license, to 273 Route 130 Enterprises, LLC to be located at 273 Route 130, Burlington, N.J. and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to 273 Route 130 Enterprises, LLC located at 273 Route 130, Burlington, N.J., effective September 6, 2016.”

Upon the motion of Councilman Mercuri, seconded by Councilwoman Lollar, 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. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 218-2016\*

RESOLUTION NO. 218-2016 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.

<u>Block &amp; Lot</u>	<u>Address</u>
<u>Amount</u>	
Block 25, Lot 13	218 W. Broad Street
\$ 350.00	
Block 138.01, Lot 8	122 E. Broad Street
\$ 200.00	

Approved by Consent Agenda. All were in favor.

Resolution No. 219-2016

RESOLUTION NO. 219-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A BID TO GRAN TURK EQUIPMENT COMPANY, INC. FOR A STREET SWEEPER FOR THE DIVISION OF PUBLIC WORKS

WHEREAS, the City of Burlington adopted Bond Ordinance No. 03-2016 for various capital improvements including funding for the purchase of a street sweeper for the Division of Public Works; and

WHEREAS, the City of Burlington advertised and solicited bids on July 19, 2016 for one street sweeper; and

WHEREAS, the bid opening was held on August 9, 2016 at 10:00 AM at City Hall, 525 High Street, Burlington, New Jersey; and

WHEREAS, Craig Leshner, Public Works Supervisor, has reviewed the one (1) submitted bid and recommends that the Common Council award a bid to the lowest qualified bidder, the sole bidder: GranTurk Equipment Company, Inc., 1 Schuylkill Parkway, Building B, Bridgeport, PA 19405-1069, in the amount of \$179,967.00 (One hundred seventy-nine thousand nine hundred sixty-seven dollars and no cents);

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that the bid be awarded to GranTurk Equipment Company, Inc. in the amount of \$179,967.00 and that the Chief Financial Officer is hereby

authorized to issue a purchase order to GranTurk Equipment Company, Inc. for a street sweeper;

BE IT FURTHER RESOLVED that the Public Works Supervisor is to ensure that said equipment received from GranTurk Equipment Company, Inc. is compliant with the specifications of the bid.

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. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 220-2016- ADDED

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 September 6, 2016, that an Executive Session Closed to the Public shall be held on September 6, 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) Commerce Square Redevelopment  
Contracts (7) Roll-Off Truck Bids

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 September of 2016 or shortly there after.

Upon the motion of Councilwoman Lollar, 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. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

**PUBLIC COMMENTS**

Eric Burro, 449 High Street- spoke of March 13, 1913; told a story of a young boy named Billy Bosco who was a Boy Scout hero; spoke of an accident that had occurred involving a steamboat and an on coming ferry that threw the boy off a pier; will continue his story at the next meeting.

Samuel Richter, 400 Wood Street- spoke of trash collection and times; asked that the ordinance

be looked at concerning bringing in the recycling bucket after 11 pm; spoke of the City website, feels it is deceiving, it appears that we have movie theater, Shoprite and shopping malls in the City of Burlington.

### **COMMUNITY EVENT ANNOUNCEMENTS FOR THE MONTH OF SEPTEMBER**

Councilwoman Lollar announced the Wood Street Fair.

Mayor Conaway announced an Artistacon event on September 17<sup>th</sup> at the Lyceum Hall.

### **INFRASTRUCTURE COMMENTS**

Councilman Swan spoke of construction waste in an old 55 gallon drum at the corner of Conover & Ellis; Public Works took the bucket away, now they are dumping without; asked for a replacement.

### **ADMINISTRATION REPORT**

None.

### **COUNCIL COMMENTS**

Councilman Babula spoke of the Endeavor Emergency Squad, Inc. monthly report; recognized them for their service.

### **CONFERENCES**

Burlington County Auto Parts Request to Park on Sidewalk - Frank Balderossi, Business & Property Owner

### **EXECUTIVE CONFERENCES- ADDED**

Commerce Square Redevelopment

### **RESOLUTIONS**

Resolution No. 221-2016- ADDED

RESOLUTION NO. 221-2016 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A BID TO MID ATLANTIC TRUCKING FOR A ROLL OFF TRUCK FOR THE DIVISION OF PUBLIC WORKS

WHEREAS, the Common Council of the City of Burlington adopted Bond Ordinance No. 03-2016 for various capital improvements including funding for the purchase of a roll off truck for the Division of Public Works; and

WHEREAS, the Common Council of the City of Burlington advertised and solicited bids on July 19, 2016, 2016 for a roll off truck; and

WHEREAS, the bid opening was held on August 9, 2016 at 10:30 a.m. at City Hall, 525 High Street, Burlington, New Jersey; and

WHEREAS, Craig Leshner, Public Works Supervisor, has reviewed the 3 bids and recommends that the Common Council award a bid.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, State of State that the bid be awarded to Mid Atlantic Truck, in the amount of \$163,592.00 (One hundred sixty-three thousand, five hundred ninety-two dollars and no cents), and that the Chief Financial Officer is hereby authorized to issue a purchase order to Mid Atlantic Truck for a roll off truck.

Upon the motion of Councilwoman Lollar, seconded by Councilman Swan, 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. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

#### **ADJOURNMENT**

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, this meeting of September 6, 2016 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk

