

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, SEPTEMBER 20, 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: Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (5); Absent: Mr. Babula, Mr. Chachis. (2)

Also present: Mayor Conaway, Municipal Attorney- George Saponaro, 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 September 20, 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

Councilwoman Hatala is the Pope's Run Bridge Project started yet.

Mr. Ballard said not that he is aware of.

PUBLIC COMMENTS - RESOLUTIONS / CONSENT AGENDA RESOLUTIONS

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. 223-2016

RESOLUTION NO. 223-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN AMENDMENT #1 TO CONTRACT #14-021 WITH TRIAD ASSOCIATES FOR THE GRANT MANAGEMENT AND CLOSEOUT OF THE FY2014 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (SC CDBG) FOR PUBLIC FACILITIES FOR THE ADA IMPROVEMENTS TO MEMORIAL HALL AND VARIOUS ADA RAMP INSTALLATIONS THROUGHOUT THE CITY

BE IT RESOLVED, that the Common Council of the City of Burlington hereby authorizes the execution of Amendment #1 to the Professional Services Agreement, Contract #14-021, with Triad Associates in the amount of \$1,000.00 for a revised total contract amount of \$21,000.00 for the Grant Management and Closeout of the City's FY2014 Small Cities CDBG Grant for Public Facilities for the ADA Improvements to Memorial Hall and Various ADA Ramp Installations throughout the City; and

BE IT FURTHER RESOLVED that, the Chief Financial Officer has executed a Certification of Funds for this contract and that sufficient funds are available for this purpose.

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

Resolution No. 224-2016

RESOLUTION NO. 224-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN AMENDMENT #1 TO CONTRACT #13-024 WITH TRIAD ASSOCIATES FOR THE GRANT MANAGEMENT AND CLOSEOUT OF THE FY2013 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (SC CDBG) ASSISCUNK CREEK LEVEE IMPROVEMENT PROJECT – PHASE 1AT COLUMBUS PARK

BE IT RESOLVED, that the Common Council of the City of Burlington hereby authorizes the execution of Amendment #1 to the Professional Services Agreement, Contract #13-024, with Triad Associates in the amount of \$1,500.00 for a revised total contract amount of \$21,500.00 for the Grant Management and Closeout of the City's FY2013 Small Cities CDBG Grant for the Assiscunk Creek Levee Improvement Project at Columbus Park; and

BE IT FURTHER RESOLVED that, the Chief Financial Officer has executed a Certification of Funds for this contract and that sufficient funds are available for this purpose.

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

Chachis. (2).

Resolution No. 225-2016

RESOLUTION NO. 225-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN AMENDMENT #2 TO CONTRACT #14-036 WITH TRIAD ASSOCIATES FOR THE GRANT PROJECT MANAGEMENT AND CLOSEOUT OF THE FY2014 SMALL CITIES COMMUNITY DEVELOPMENT BLOCK GRANT (SC CDBG) FOR HOUSING REHABILITATION

BE IT RESOLVED, that the Common Council of the City of Burlington hereby authorizes the execution of Amendment #2 to the Professional Services Agreement, Contract #14-036, with Triad Associates in the amount of \$2,187.50 for a revised total contract amount of \$37,787.50 for the Project Management and Closeout of the City's FY2014 Small Cities CDBG Grant for Housing Rehabilitation; and

BE IT FURTHER RESOLVED that, the Chief Financial Officer has executed a Certification of Funds for this contract and that sufficient funds are available for this purpose.

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

Resolution No. 226-2016

RESOLUTION NO. 226-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO APPROVE THE CITY'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the City of Burlington ("City") to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the Common Council for the City of Burlington has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED AND RESOLVED by the Common Council for the City of Burlington that:

Section 1: No official, employee, appointee or volunteer of the City of Burlington by whatever title known, or any entity that is in any way a part of the City of Burlington shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the City of Burlington's business or using the facilities or property of the City of Burlington.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the City of Burlington to provide services that otherwise could be performed by the City of Burlington.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Business Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the City of Burlington as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Business Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the City of Burlington. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the City of Burlington's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the City of Burlington in order for the public to be made aware of this policy and the City of Burlington's commitment to the implementation and enforcement of this policy.

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

Resolution No. 227-2016

RESOLUTION NO. 227-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE UPDATES TO THE CITY'S PERSONNEL POLICIES AND PROCEDURES MANUAL

WHEREAS, the City of Burlington has a Policies and Procedures Manual setting forth policies and procedures for employees of the City of Burlington; and

WHEREAS, from time to time certain updates are necessary to effectuate updates to federal, state and other laws; and

WHEREAS, the City of Burlington is a member of the Municipal Excess Liability Joint Insurance Fund; and

WHEREAS, the City of Burlington, in order to receive certain rate incentives, must ensure that its manual is updated and compliant with certain requirements of the Municipal Excess Liability Joint Insurance Fund and changes in the law; and

WHEREAS, the Solicitor for the City of Burlington has reviewed these procedures, and has updated the same to ensure that they are current and in compliance with all appropriate language, and has done so in conjunction with the City of Burlington's Risk Managers.

NOW THEREFORE BE IT resolved by the Common Council for the City of Burlington that the Personnel Policies and Procedures Manual revised September 9, 2016 be and hereby is adopted.

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

Resolution No. 228-2016

RESOLUTION NO. 228-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 05-2014 TO THE AGREEMENT FOR PROFESSIONAL SERVICES CONTRACT #14-003, FOR ENVIRONMENTAL

RESOLUTIONS, INC.

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 Municipal Water Engineer for calendar year 2014; and

WHEREAS, there is a need to amend this agreement for additional professional engineering services for the 7th Street Tank Exterior Rehabilitation Project; and

WHEREAS, the City's Water Engineer, Environmental Resolutions, Inc. has submitted a proposal dated September 6, 2016, providing for water department engineering services including but not limited to additional construction observation and contract administration time to properly oversee the project to completion, in an amount not to exceed \$4,000.00; and

WHEREAS, this project is inherently beneficial to the City of Burlington to maintain compliance with DEP regulations; 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 THAT the Common Council of the City of Burlington hereby authorizes the Mayor and Municipal Clerk to execute Amendment No. 05-2014 with Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mount Laurel, NJ 08054 in the amount of \$ 4,000.00 making a revised total contact amount of \$152,000.00.

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

Resolution No. 229-2016

RESOLUTION NO. 229-2016 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF A PLENARY RETAIL DISTRIBUTION ALCOHOLIC BEVERAGE LICENSE

WHEREAS, the following applicant has applied for renewal of an existing license for the year 2016-2017:

Black Lithium, LLC

Pocket License (0305-44-009-009)

WHEREAS, the applicant for a Plenary Retail Distribution Alcoholic Beverage License has submitted the application forms to the Municipal Clerk, which forms are complete in all respects; and

WHEREAS, this applicant is qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws; and

NOW, THEREFORE BE IT RESOLVED, on this 20th day of September, 2016 by the Common Council, of the City of Burlington, County of Burlington, State of New Jersey, that he aforesaid application is hereby approved and the Municipal Clerk is authorized and directed to issue the appropriate license applied for by said applicant.

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

Resolution No. 230-2016*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Jocelyn Ransaw, 22 E. Broad Street, Burlington, N.J. to operate a business at 22 E. Broad Street, 1st Floor t/a “Jocelyn Ransaw Salon, Spa & Wig Boutique, LLC.”

Approved by Consent Agenda. All were in favor.

Resolution No. 231-2016*

Common Council of the City of Burlington hereby authorizes the temporary closure of E. Second Street, between High Street and James Street for a Block Party on Monday, October 31, 2016 from 4:00 pm to 9:30 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 232-2016*

WHEREAS, in accordance with Section 2-39©.) of the Municipal Code, no portion of the equipment or apparatus of the Fire Division shall be permitted to leave the City to attend social functions (parades, musters, etc.) except with the written consent of the Chief of the Fire Division and approval of the City Council.

WHEREAS, the Neptune Hose Company No. 5 has requested through the Fire Chief, that the Company be given permission to attend parades and musters during the year 2016; and

NOW, THEREFORE BE IT RESOLVED that the Common Council of the City of Burlington, hereby authorizes the Neptune Hose Company No. 5 to attend the following parades:

September 14-18, 2016 Wildwood, N.J.

Approved by Consent Agenda. All were in favor.

Resolution No. 233-2016*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Michael Canterino/MCAD Enterprises, LLC, 1482 South Bailey Road, Coatsville, PA to operate a business at 611 W. Route 130 t/a "Primo Hoagies."

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Mary Richter, 400 Wood Street- spoke of a Beverly Bee article concerning residents getting citations for grass in sidewalks overgrown and only given a short time to fix the problem; spoke of concerns with the use of chemicals; spoke of all the foreclose properties.

Richard Rummer, 214 St Mary Street- spoke of having problems with a neighbor and not being able to see parking lines; it is becoming a problem; spoke of his neighbor screaming at him because he is not parked corrected.

Shaun Stippick, 707 Bordentown Road- spoke of State of the Arts Program, Artistacon; spoke of the city hiring Mrs. Fisher, commends who ever hired her, very good choice; thanked the Mayor for being present and supporting the program, along with Mr. Ballard; read a letter from the Artist Program, said they would never work with the City of Burlington again, spoke of several issues.

INFRASTRUCTURE COMMENTS

Councilman Swan spoke of 240 Washington Avenue & W. Broad Street, PSE&G tore up; spoke of a vacant house with vegetation at 245 W. Federal; spoke of pot holes on the 200 block of Wood Street and at 203 West Federal; spoke of an issue with the trash can near Conover Street.

Mr. Ballard stated that Public Works will be taking care of this with a different type of can; there has been a problem with this.

Councilwoman Mercuri thanked Administration for taking care of the sink hole on Dewey Street.

Councilwoman Lollar spoke of Lincoln Avenue between Elm and Glenwood, asked to place this on the list for repairs next year.

ADMINISTRATION REPORT

Mr. Ballard responded to Ms. Richter's comments regarding the Code Enforcement issue in the Beverly Bee; spoke of the bump out at High and Belmont Streets and concerns with rain water

there; stated he wrote a letter to the State requesting permission to continue work; spoke of the Bridge Commission wanting on lease the Canon building; spoke of no success for shared services for salt; spoke of the need to construct a salt barn; we are okay for this year, but have concerns for 2017, this would be a Capital Project; read a letter from the U.S. Department of Commerce regarding a re-certification application by the City to be recognized as a StormReady Community; spoke of an RFP for Burlington Island.

COUNCIL COMMENTS

Councilwoman Hatala reminded everyone of the E. Union Street Yard Sale.

Mayor Conaway spoke of the Police Department being selected as Honorees of the National Liberty Museum's Awards of Valor; thanked the Police Department for their efforts.

Councilman Swan announced the Ward 2 Town Hall Meet & Greet at the Keegan Center on September 27, 2016 at 7pm.

ADJOURNMENT

Upon the motion of Councilman Lollar, seconded by Councilman Swan, this meeting of September 20, 2016 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk