

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, SEPTEMBER 16, 2014, 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, Chief Finance Officer- Ken Mac Millan, Lt. 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 16, 2014 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**

Councilman Ghaul requested the grass be cut at City Hall.

Councilman Swan spoke of tattered flags and lights out on the promenade.

President Babula spoke of a street light that is behind the old waterworks, it is on 24 hours; spoke of a conflict of events, Back to School Night causing parking problems at Memorial Hall during Ladies Auxiliary Night.

Councilman Swan spoke of traffic light out on the NE corner of W. Broad and Wood Streets.

Councilwoman Lollar said that the Ladies Auxiliary meets the 3<sup>rd</sup> Tuesday of every month; maybe they can juggle one time a year; requested the lights in the Council Chambers be replaced, many are out.

**CONSENT AGENDA**

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

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

**EXECUTIVE CONFERENCES**

- Alleycat Investments, LLC Liquor License

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 166- 2014 (tabled 8/7/14)

RESOLUTION NO. 166-2014 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF A PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE

WHEREAS, the following applicant has applied for renewal of an existing license for the year 2014-2015:

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

WHEREAS, the applicant for a Plenary Retail Consumption 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 2<sup>nd</sup> day of September, 2014 by the Common Council, of the City of Burlington, County of Burlington, State of New Jersey, that:

the 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 Hatala, seconded by Councilman Ghaul, 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. (6) NAYS: (0); ABSTAIN: Mr. Babula. (1); ABSENT: (0).

Resolution No. 196- 2014

RESOLUTION NO. 196-2014 OF THE CITY OF BURLINGTON DIRECTING ALAIMO GROUP CONSULTING ENGINEERS TO AMEND THE 1998 REDEVELOPMENT PLAN AND THE 2010 REDEVELOPMENT PLAN AMENDMENT, MORE SPECIFICALLY AMENDING SAID PLANS FOR BLOCK 112 LOT 1 AND BLOCK 118 LOTS 2 & 60

WHEREAS, on May 14, 1998, the Common Council of the City of Burlington declared certain properties as an Area in Need of Redevelopment; and

WHEREAS, on July 7, 1998, the 1998 Redevelopment Plan for areas in the City of Burlington,

became effective as per Ordinance No. 3-1998; and  
WHEREAS, on January 15, 2011, an Amended Redevelopment Plan for Block 118, Lots 2 & 60, became effective as per Ordinance No. 26-2010; and

WHEREAS, Peron Development, LLC proposes to redevelop Block 112, Lot 1 and Block 118, Lots 2 & 60 as a Mixed Use Project; and

WHEREAS, there is a need to prepare an amended redevelopment plan for this Redevelopment Area, specifically for Block 112, Lot 1 and Block 118, Lots 2 & 60 in order to allow for the Mixed Use Project proposed by Peron Development, LLC; and

WHEREAS, the Common Council desires to direct Alaimo Group Consulting Engineers to draft an amendment to the 1998 Redevelopment Plan and to the 2010 Redevelopment Plan Amendment for Block 112, Lot 1 and Block 118, Lots 2 & 60;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, in the County of Burlington, in the State of New Jersey that Alaimo Group Consulting Engineers is hereby directed to prepare an amendment to the Redevelopment Plans in an amount not to exceed \$10,000 as proposed in the attached proposal dated August 28, 2014; and

BE IT FURTHER RESOLVED that the cost of preparing said amendment to the Redevelopment Plans will be paid from an Escrow Account established by Peron Development, LLC for this purpose.

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. 197- 2014

RESOLUTION NO. 197-2014 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING WORK ASSIGNMENT NO. 2 TO ENVIRONMENTAL RESOLUTIONS INCORPORATED, SPECIAL PROJECTS ENGINEER FOR THE CITY OF BURLINGTON

WHEREAS, the City of Burlington has previously proposed, negotiated, and exchanged documents with the State of New Jersey Department of Environmental Protection for property exchanges involving the City's Waterfront and Grants related to the same; and

WHEREAS, due to various factors, the State of New Jersey Tidelands Commission did not complete all required documents to effectuate the exchange; and

WHEREAS, the within transaction required a Tidelands, Riverfront, and Promenade area survey of all affected areas; and

WHEREAS, as a result of recent meetings between City Officials, including the City Solicitor, Business Administrator, and CFO a new survey shall be required in order to complete the transaction; and

WHEREAS, professional engineering and surveying is required in order to prepare the appropriate surveys for submission to the Tidelands Commission in contemplation of a proposal to complete the transaction; and

WHEREAS, Environmental Resolutions Inc., and its successor firms had performed earlier surveys on the same site; and

WHEREAS, Environmental Resolutions Inc. was awarded a contract as Special Projects Engineer by the Common Council for the City of Burlington for engineering services at its January 2014 Reorganization Meeting; and

WHEREAS, Environmental Resolutions Inc. has submitted a letter of proposal for said services dated September 15, 2014 in the amount of \$14,800.00; and

WHEREAS, the CFO has certified in writing that funds as described herein are available in the Reserve for Title I Expenditures (UDAG);

NOW THEREFORE, BE IT RESOLVED by the Common Council for the City of Burlington that it hereby authorizes Environmental Resolutions Inc. to perform Work Assignment No. 2 pursuant to their contract for engineering services as Special Projects Engineer for the 2014 year, and are not to exceed \$14,800.00 for Special Projects Engineering and the surveying services in connection with the Tidelands Grant program and proposed exchange; and

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be provided to the City Administrator and City CFO.

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. 198- 2014

WHEREAS, September 17, 2014 marks the two hundred twenty-seventh anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915, guarantees the issuing of a proclamation each year by the President

of the United States of America designating September 17<sup>th</sup> through September 23<sup>rd</sup> as Constitution Week.

NOW, THEREFORE, I, James A. Fazzino, by virtue of the authority vested in me as Mayor of the City of Burlington, County of Burlington, State of New Jersey, do hereby proclaim the week of September 17<sup>th</sup> through 23<sup>rd</sup> as

CONSTITUTION WEEK

AND urge all citizen to study the Constitution, and reflect on the privilege of being an America with all the rights and responsibilities which that privilege involves.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Burlington to be affixed this 16<sup>th</sup> day of September, in the year of our Lord two thousand fourteen.

Upon the motion of Councilwoman Lollar, 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. 199- 2014

Common Council of the City of Burlington, hereby wishes all of our residents of the Jewish faith, a Happy Rosh Hashanah and Yom Kippur.

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. 200- 2014\*

RESOLUTION NO. 200-2014 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	\$ 100.00
Block 72, Lot 13	800 Wood Street	\$ 110.00
Block 49, Lot 4	523 Chelton Avenue	\$ 85.00
Block 137, Lot 29	490 Lawrence Street	\$ 90.00
Block 154, Lot 2	103 E. Federal Street	\$ 125.00
Block 48, Lot 2.03	457 Chelton Avenue	\$ 165.00
Block 222, Lot 17	854 Route 130	\$ 100.00
Block 141, Lot 25	315 Jones Avenue	\$ 80.00
Block 141, Lot 27	323 Jones Avenue	\$ 90.00
Block 162, Lot 7	112 Wall Avenue	\$ 100.00
Block 28, Lot 18	210 W. Federal Street	\$ 100.00

Approved by Consent Agenda. All were in favor.

Resolution No. 201- 2014\*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Kashmira Singh, 19 Augusta Drive, Westampton, N.J. and Rasbir Rasu, 100 New Bridge Road, Egg Harbor, N.J., to operate a business at 125 Route 130 South t/a “India Bazaar.”

Approved by Consent Agenda. All were in favor.

Resolution No. 202- 2014\*

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 16, 2014, that an Executive Session Closed to the Public shall be held on September 16, 2014, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

- Attorney-Client Privilege N.J.S.A. 10:4-12(7) Alleycat Investments, LLC Liquor License
- Public Safety N.J.S.A. 10:4-12(6) Police Surveillance Camera System
- Real Estate / Contracts N.J.S.A. 10:4-12(7) Cooper School

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 2014 or shortly there after.

Approved by Consent Agenda. All were in favor.

**PUBLIC COMMENTS**

Matthew Pennisi, 207 Wood Street- thanked everyone involved in the Wood Street Fair on behalf of the Burlington Colonial Foundation.

Demetrius Cope, 122 E. Federal Street- spoke on behalf of his tenant at 442 St. Mary Street; spoke of out of towners in the area who come to sell drugs and gamble in the neighborhood; his tenant doesn't feel safe; spoke of tenant not feeling safe just walking down the street.

Harry Heck, 116 E. Union Street- suggested the City eliminate the park on Juniper Street, it is over grown and drugs are sold there; the lot between Imhoff's and the building next to it is also over grown; bus stop patrons continue to throw trash on the ground; spoke of ordinances not being enforced: littering, gambling, curbing dogs; 225 Stacy Street there is an archway that you drive through that has a hole in the roof; promoted the Accent Deli on Washington Avenue, owned by Liz; implied that City trucks and City employees were used to move the Mayor into his new apartment.

Mr. MacMillan advised Council that they would get a report on Mr. Heck's allegation about the Mayor; a private citizen lent his truck to the Mayor and the Mayor hired some people (not City Employees) to assist him.

Mr. Saponaro requested Lt. Snow to follow up with Mr. Heck to see who told him this information about the Mayor.

Lisa Schiller announce upcoming events.

**ADMINISTRATIVE COMMENTS**

Mr. MacMillan announce that the Endeavor Building has been sold.

**COUNCIL COMMENTS**

Councilwoman Hatala complained of weeds on River Road.

Councilwomen Woodard spoke of Mr. Heck allegation against the Mayor; spoke of safety in the neighborhoods.

Councilman Swan said that 142 Juniper Street is overgrown along with two houses on Cherry Street; spoke of Constitution Week and how privileged we are to be American.

Councilman Conaway spoke of a Job Fair on Friday, September 19<sup>th</sup> at the Burlington Center; thanked Mr. Cope for his comments; spoke of the lack of quality of life in the neighborhoods; City employees should not be doing private matters; thanked the Burlington Colonial Foundation for their efforts with the Wood Street Fair.

Councilman Ghaul asked that the Police, in their report on code violations, include the address of the violation so that Council will know if a property has been cited if asked; asked Administration to provide a written report of the claim that the City employees and City trucks moved the Mayor, whether it happened or not; glad the Endeavor is sold; this December will be the 100<sup>th</sup> Anniversary of the Municipal Christmas Tree in front of City Hall.

Councilman Swan also spoke of 243 and 245 W. Broad Street being overgrown.

Councilman Babula spoke of the Wood Street Fair; thanked Shaun Stippick for the Art Event.

**EXECUTIVE CONFERENCES**

- Police Surveillance Camera System
- Cooper School

**ADJOURNMENT**

Upon the motion of Councilwoman Conaway, seconded by Councilwoman Woodard, this meeting of September 16, 2014 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk