

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 4, 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: Mayor Fazzone, Municipal Attorney- George Saponaro, Municipal Engineer - Kevin Snowden, Chief Financial Officer- Ken Mac Millan, Mgt. Assistant- Robin Snodgrass, 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 March 4, 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

INVOCATION

Deacon Walter Karpecik of St. Catherine Drexel Parish

SALUTE TO FLAG

UNFINISHED BUSINESS

None.

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR FEBRUARY 2014

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of January 2014. \$ 440.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 02-01 Historic Preservation Commission, February 5, 2014
- 02-02 Screening Scheduled, February 6, 2014

PETITIONS OF APPEALS:

- 02-30 Block 25, Lot 10

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

- 02-101 City of Burlington 2014 Year-Round Calendar of Events

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

- 02 -501 Greater Burlington Chamber of Commerce, re: Dinner, February 19, 2014
- 02-502 The Burlington County Beacon /Board of Chosen Freeholders
- 02-503 Greater Burlington Chamber of Commerce, re: Business after Business Networking
- 02-504 Greater Burlington Chamber of Commerce, re: Upcoming Bristol Meeting - incinerator
- 02-505 Burlington County Parks - Volunteer Clean up Opportunities Spring 2014, sponsored by the Burlington County Board of Chosen Freeholders
- 02-506 Greater Burlington Chamber of Commerce, dated February 24, 2014, re: Upcoming Events

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

- 02 -700 State of New Jersey, re: New Year, New Jersey Recovery after Sandy -Immediate Release "Christie Administration Takes Action to Protect Water and Wastewater Systems Against Disasters Like Sandy"

MISCELLANEOUS CORRESPONDENCE

- 02 -800 DVRPC, dated January 2014, re: Environmental Planning Services for Municipalities
- 02-801 Elaine McClammy, dated January 31, 2014, re: old and continuing issues
- 02-802 Elaine McClammy, dated February 4, 2014, re: paving of Uhler Ave by PSE&G
- 02-803 Elaine McClammy, dated February 4, 2014, re: old issues that need attention
- 02-804 Harry Heck, Council Meeting Hand Out 2/4/14, re: Article- Below Grade Average City High School
- 02-805 Harry Heck, Council Meeting Hand Out 2/4/14, photo, re: cat litter situation
- 02-806 Elaine McClammy, dated February 5, 2014, re: unshoveled walks
- 02-807 Greater Burlington Chamber of Commerce, dated February 3, 2014, re: Blancher fundraiser
- 02-808 Elaine McClammy, dated February 6, 2014, re: un shoveled walks
- 02-809 Walter L. Markowitz, Jr., dated February 10, 2014, re: Police Response to City Residents
- 02-810 City of Burlington Public Schools, dated January 24,2014, re: Agenda submitted by Councilman Conaway
- 02-811 Doane Academy information on "Taste of the Best" February 28, 2014
- 02-812 Elaine McClammy, dated February 10, 2014, re: ordinance pertaining to oversized vehicles

- 02-813 Elaine McClammy, dated February 9, 2014, re: old issues
- 02-814 Elaine McClammy, dated February 6, 2014, re: unshoveled snow
- 02-815 Harlem Wizards VS Blue Devils, February 6th BCHS
- 02-816 Endeavor Emergency Squad, Inc. Monthly Report
- 02-817 Elaine McClammy, dated February 19, 2014, re: abandoned vehicles
- 02-818 Elaine McClammy, dated February 14, 2014, re: lack of action by City
- 02-819 Burlington City Youth Football night, Soul vs Tampa Bay Storm
- 02-821 Elaine McClammy, dated February 19, 2014, re: abandoned vehicles
- 02-822 Rancocas Valley Clergy Association, dated February 18, 2014, re: Stand Up, Speak Out
- 02-823 City of Burlington Board of Education, Notice-February 24, 2014
- 02-824 City of Burlington Board of Education, Notice-February 10, 2014
- 02-825 The Wiz, Burlington City Auditorium February 27, 28 and March 1
- 02-826 Incinerator Proposed in Bucks Stirs Opposition -article /Philly.com
- 02-827 The Library Company of Burlington, re: Free Practice SAT- March 22, 2014
- 02-828 The House of Representatives, Commonwealth of PA, Harrisburg, January 28, 2014, re: incinerator
- 02-829 The Company of Burlington Library, re: Black History-A Retrospective, March 7, 2014
- 02-830 Elaine McClammy, dated February 24, 2014, re: fearful citizens
- 02-831 Cleary/Giacobbe/Alfieri/Jacobs, LLC, dated February 24, 2014, re: Endeavor at Burlington Block 118, Lots 31 & 37

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 AND SUPPLEMENTING THE CODE OF THE CITY OF BURLINGTON, CHAPTER 344, VEHICLES AND TRAFFIC, SECTION 344-37 "BUS STOPS"

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 69-2014

RESOLUTION NO. 69-2014 OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO.1-2014 TO THE AGREEMENT FOR PROFESSIONAL SERVICES CONTRACT #14-002, FOR PENNONI ASSOCIATES, INC.

WHEREAS, the City of Burlington entered into a Professional Services Agreement with Pennoni Associates, Inc., 515 Grove Street, Suite 2C, Haddon Heights, N.J. 08035 to serve as the Municipal Sewer and Drainage Engineer for calendar year 2014; and

WHEREAS, in connection with the previously submitted Letters of Intent for Hazard Mitigation Protects for the City of Burlington that were submitted by Pennoni Associates, Inc. to the Burlington County Office of Emergency Management and to the New Jersey Office of Emergency Management, the City of Burlington was notified on December 16, 2013, by Kevin Tuno, the Burlington County Emergency Coordinator, that the City of Burlington was selected to receive funding from the FEMA/NJOEM Grant Funds for the Stormwater Pump Upgrade Project that will mitigate potential future flooding; and

WHEREAS, the Stormwater Pump Upgrade Project provides for flood mitigation by upgrading one 60 hp and one 100 hp pump to two 150 hp pumps that will provide a redundant systems to maximize the City's ability to handle stormwater runoff more efficiently; and

WHEREAS, a full, formal application is required to be submitted to FEMA by April 28, 2014 in order to move forward with the grant funding process for this project; and

WHEREAS, the City of Burlington has received a proposal from Pennoni Associates, Inc. in the amount not to exceed \$10,000.00 to complete the formal application for submission to FEMA; and

WHEREAS, this project is inherently beneficial to the City of Burlington to provide relief from potential flooding that would be caused if the existing pumps failed;

NOW THEREFORE BE IT RESOLVED THAT the Common Council of the City of Burlington hereby authorizes the Mayor and Municipal Clerk to execute Amendment #1-2014 with Pennoni Associates, Inc., 515 Grove Street, Suite 2C, Haddon Heights, N.J. 08035 in the amount of \$10,000.00 making a revised total contract amount of \$60,000.00.

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

On the question, Councilman Swan- are we replacing them at their currently location?

Mr. MacMillan- this project would upgrading one 60 hp and one 100 hp pump to two 150 hp pumps; they are being replaced at the same location; they used to take the drainage from JFK lake and shoot it out to the river.

Councilwoman Hatala- the pumps will provide a back up?

Mr. MacMillan- there will be one back up, yes.

Councilwoman Hatala- we have to apply to FEMA by April 28th?

Mr. MacMillan- yes, we have applied for 9 different projects to the County through OEM; the County determined what applied; the City was chosen to have two projects; these pumps need to be replaced; if they break down it would be a serious situation.

Councilwoman Woodard- these are the original pumps? How many times have they been replaced?

Mr. MacMillan- I don't know off hand, but they are 50-60 years old.

Councilwoman Woodard- the City's portion is \$675,000?

Mr. MacMillan- yes, FEMA is 15%.

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).

Resolution No. 70-2014

RESOLUTION NO. 70-2014 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON NAMING CINDY CRIVARO AS ACTING LAND USE BOARD SECRETARY

WHEREAS, the City of Burlington Land Use Board has a Secretary for the purposes of filing public notices, taking applications, preparing minutes, and other general duties of the Land Use Board Secretary; and

WHEREAS, there presently exists a vacancy in the position of Secretary for the Land Use Board; and

WHEREAS, the Common Council for the City of Burlington recognizes the need to have an acting Secretary for the Land Use Board; and

NOW THEREFORE, BE IT RESOLVED by the Common Council for the City of Burlington that Cindy Crivaro is hereby designated as the Acting Secretary to the City of Burlington Land Use Board effective February 18, 2014.

BE IT FURTHER RESOLVED by the Common Council for the City of Burlington that immediately upon final vote and passage of this resolution that the same shall be forwarded to the Chairperson for the Land Use Board.

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

On the question, Vice President Ghaul- where in the ordinance does it say that Council appoints the Land Use Board Secretary?; Council does not select the Secretary, Council does not have the

right based on the Ordinance Book; spoke of compensation for Ms. Crivaro for doing this position temporarily.

Councilman Conaway made a motion to put an end date on this position.

Councilman Swan agreed with Vice President Ghaul.

Vice President Ghaul made a motion to table this resolution. It was seconded by Councilman Conaway.

Vice President Ghaul, Councilwoman Hatala and Councilwoman Woodard were opposed to an end date.

President Babula spoke of this being an emergent situation

Councilwoman Woodard- this should be discuss in Closed Session under personnel.

Upon the motion of Councilwoman Woodard, seconded by Councilman Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Ms. Hatala, Ms. Lollar, Ms. Woodard, Mr. Babula. (5); NAYS: Mr. Ghaul, Mr. Swan. (2); ABSTAIN: Mr. Conaway. (1); ABSENT: (0).

Resolution No. 71-2014*

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 March 4, 2014, that an Executive Session Closed to the Public shall be held on March 4, 2014, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

- Real Estate / Contracts N.J.S.A. 10:4-12(7) Olin Waterfront Proposal
- Real Estate / Contracts N.J.S.A. 10:4-12(7) The Carriage House

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 March 2014 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 72-2014*

Common Council of the City of Burlington, hereby authorizes Mitchell Fire Company No. 3 to conduct a "Pass the Boot" fundraiser at 300 East Federal Street, they having filed the necessary papers on the following dates pending the proper permits from the New Jersey Department of Transportation, State Highway Occupancy Department:

May 17, 2014	9:00am - 3:00pm
July 19, 2014	9:00am - 3:00pm

September 6, 2014
October 4, 2014

9:00am - 3:00pm
9:00am - 3:00pm

Approved by Consent Agenda. All were in favor.

Resolution No. 73-2014*

RESOLUTION NO. 73-2014 OF THE CITY OF BURLINGTON SUPPORTING THE
DISTRACTED DRIVING 2014 STATEWIDE CRACKDOWN

WHEREAS, distracted drivers on our nation's roads injure and kill people each year; and

WHEREAS, for drivers 15-19 years old involved in fatal crashes, 21 % of the distracted drivers are distracted by the use of cell phones; and

WHEREAS, the best way to end distracted driving is to increase awareness and educate all American of the danger that it poses; and

WHEREAS, the State of New Jersey will participate in a Distracted Driving Crackdown mobilization from April 1 – April 21, 2014; and

WHEREAS, this effort to increase awareness about distracted driving through a combination of enforcement and education will help save lives in New Jersey.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington, hereby supports the Distracted Driving Crackdown mobilization from April 1 – April 21, 2014 and pledges to increase awareness of the dangers of distracted driving.

Approved by Consent Agenda. All were in favor.

Resolution No. 74-2014

RESOLUTION NO. 74-2014 OF THE COMMON COUNCIL FOR THE CITY OF
BURLINGTON DESIGNATING FLORIO, PERRUCCI, STEINHARDT & FADER, LLC
AS SPECIAL LEGAL COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, there exists a need for an a Special Litigation Attorney related to an issue of the utmost importance to the citizens of the City of Burlington, specifically for litigation involving an incinerator which was proposed in Bristol, Pennsylvania which could have an adverse impact on the health, safety and welfare to the residents of the City of Burlington; and

WHEREAS, the above litigation involves particularly specialized services including Environmental Law, the Commonwealth of Pennsylvania Law, and other particularly specialized litigation; and

WHEREAS, the Chief Financial Officer has determined that the value of the Professional Services Contract entered into will exceed the bid threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this contract for the calendar year 2014; and

WHEREAS, the Administration for the City of Burlington became aware of the issues leading to the necessary litigation, deemed the necessity for Special Counsel to be emergent in nature, and requiring immediate action; and

WHEREAS, Florio, Perrucci, Steinhardt & Fader, LLC was determined to have the requisite requirements to serve the City of Burlington in the specialized legal capacity, specifically handling environmental matters, Pennsylvania Land Use Law and other applicable necessities for the residents of the City of Burlington;

NOW THEREFORE, BE IT RESOLVED by the Common Council for the City of Burlington that the Common Council for the City of Burlington hereby confirms as follows;

1. A contract for special litigation and specialized legal work is awarded to Florio, Perrucci, Steinhardt & Fader, LLC pursuant to New Jersey Statute 19:44A-20.4, *et. seq* as a non-fair and open contract.
2. The Mayor and Municipal Clerk are hereby authorized to execute a contract with Florio, Perrucci, Steinhardt & Fader, LLC pursuant to the non-fair and open contract in a forum approved by the City Solicitor and upon receipt for the proper certification from the contractor pursuant to the non-fair and open contract process.
3. A copy of this award of contract shall be published in the official newspaper of the City in accordance with the non-fair and open process.

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

Councilwoman Hatala asked for an explanation of th non-fair & open process.

Mr. Saponaro explained the limits under the non-fair & open process.

Councilman Babula asked to explain what was accomplished.

Mr. Saponaro gave an explanation of the result of the proposed incinerator to be located in Bristol Township and the work that was done by this firm subsequently the application was withdrawn.

President Babula thanked all those involved to defeat the incinerator.

Councilwoman Hatala thanked Col. Caruso for bringing it to the City's attention.

Councilman Babula asked if any of the other town have expressed financial support.

Mr. Saponaro- yes, Westampton, Florence, Edgewater Park and Beverly.

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).

Resolution No. 75-2014

RESOLUTION NO. 75-2014 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON DESIGNATING R. LOUIS GALLAGHER AS MUNICIPAL PROSECUTOR

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to a Shared Service Agreement with the Township of Burlington, the City of Burlington has the need for a Municipal Prosecutor; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated Professional Services Contract to be entered into will exceed the \$17,500.00 threshold established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the local Public Contracts Law requires Resolution authorizing the award of contracts for "professional services" without competitive bidding must be publically advertised; and

WHEREAS, the City of Burlington made a request for proposals for the position of Municipal Prosecutor, and R. Louis Gallagher submitted a proposal and was deemed qualified for the position;

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

1. The Common Council of the City of Burlington hereby approves the Mayor's appointment of R. Louis Gallagher as Municipal Prosecutor for the 2014 calendar year.
2. The City of Burlington is hereby authorized to enter into, and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a contract in a form approved by the City Solicitor designating R. Louis Gallagher as the Municipal Prosecutor at a rate of \$600.00 per court session attended for the 2014 calendar year.

3. This contract is awarded without competitive bidding as professional services in accordance with 40A:11-5 Local Public Contracts Law.
4. This Resolution shall be printed in the City's official newspaper.

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

On the question, Councilwoman Woodard asked how much does this impact us financially?

Mr. MacMillan- this was anticipated.

Councilwoman Hatala- will this continue through December 31, 2014?

Mr. Saponaro- yes, it is through the course of the year.

Councilwoman Hatala- how long is this contract?

Mr. Saponaro- it is a 5 year contract; Mr. Gallagher had a salaried position a few years ago, it was bided differently this year.

Councilwoman Hatala requested that all of Council get a copy of the signed contract.

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).

Resolution No. 76-2014

RESOLUTION NO. 76-2014 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE SUBMISSION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION AN APPLICATION TO THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND TO PERFORM ADDITIONAL ENVIRONMENTAL ASSESSMENTS AND INVESTIGATIONS AT THE COMMERCE SQUARE SITE

WHEREAS, the Hazardous Discharge Site Remediation Fund (HDSRF) was established to provide financial assistance to municipalities, businesses and homeowners for the investigation and/or remediation of suspected or known discharges of a hazardous substance; and

WHEREAS, grants are available to conduct environmental assessments and investigations for real property in cases in which a municipality owns the property for the purposes of redevelopment; and

WHEREAS, the City of Burlington acquired Commerce Square in 1977 by voluntary conveyance from the United States government for the purposes of redevelopment; and

WHEREAS, the City of Burlington has determined that there has been, or it suspects that there has been, a discharge of hazardous substances or hazardous waste on the Property; and

WHEREAS, the City of Burlington Determined that Commerce Square was an Area In Need of Redevelopment by Land Use Board (Planning Board) Resolution dated March 24, 2004 and by Common Council Resolution dated May 4, 2004; and

WHEREAS, a Redevelopment Plan was prepared for Commerce Square which upon review by the Land Use Board, was adopted by Common Council by ordinance on June 1, 2004; and

WHEREAS, the City of Burlington did apply for and was awarded a grant in the amount of \$162,800.00 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the preliminary assessment, site investigation, site investigation addendum and reports for the Commerce Square Industrial Park property; and

WHEREAS, there is additional investigation to be completed at the site that is eligible to be paid for from the HDSRF Grant Program; and

WHEREAS, the original resolution authorizing a grant application to the HDSRF, Resolution # 07-289-R-231 is more than five (5) years old having been dated October 16, 2007; and

WHEREAS, the State of New Jersey DEP requires a new resolution by the governing body to be on file at their offices if it has been more than a period of five (5) years since the first resolution;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that the City of Burlington is committed to the redevelopment of Commerce Square **(REMOVED- for commercial, residential and/or park purposes)** and finds that a realistic opportunity exists for the redevelopment of Commerce Square within a three (3) year period after the completion of the remediation of this site either through the planned redevelopment project or through alternate redevelopment;

AND, BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to sign the HDSRF grant application and related documents on behalf of the City of Burlington;

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the City's Licensed Site Remediation Professional, (LSRP), same being Maser Engineering and also to the New Jersey Economic Development Authority.

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

On the question, Mr. MacMillan stated that this is a matter of formality.

Councilwoman Hatala- this is an Industrial Park, when did Council approve residential in Commerce Square?

Councilwoman Hatala made a motion to withdraw “for commercial, residential and/or park purposes” from the resolution. It was seconded by Councilman Ghaul.

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

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the resolution as amended 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. 77-2014

RESOLUTION NO. 77-2014 OF THE COMMON COUNCIL AUTHORIZING THE FUNDING OF THE CITY OF BURLINGTON SHARE OF THE MACCS CONTRACT WITH CENTRAL JERSEY WASTE & RECYCLING, INC. FOR BASIC SERVICES SOLID WASTE AND REPUBLIC SERVICES OF MOUNT LAUREL FOR BULK COLLECTION

Whereas the Governing Body of the City of Burlington, County of Burlington, State of New Jersey agreed to participate in a Joint Purchasing Program for the provision and performance of goods and services, more specifically, for the collection of disposal of solid waste and bulk from apartments and condominiums within the municipality; and

Whereas, the City of Burlington entered into a Joint Purchasing Agreement with the program known as “Municipal Apartment and Condominium Collection Services” (“MACCS”) which agreement designates Maple Shade Township as the Lead agency for the program; and

Whereas, Central Jersey Waste & Recycling, Inc. is to be awarded the contract to provide basic services for solid waste collection including open top containers and compactors beginning April 1, 2014 which contract provides for a three year term in an amount not to exceed \$46,183.85 for collection services and \$31,953.91 for which the contract provides for two one-year renewal periods; and

Whereas, Republic Services of Mount Laurel, Inc. is to be awarded the contract to provide bulk collection services beginning April 1, 2014 which contract provides for a three year term in an amount not to exceed \$21,018.56 for collection services and \$15,678.18 for which the contract provides for two one-year renewal periods; and

Whereas, the cost of the contract allocated to the City of Burlington for the three year term, based on its current level of service is \$67,202.41 for basic collection services including open top containers and compactors and bulk; and

Whereas, pursuant to the Local Public Contracts Law, N.J.S.A. 40A: 11-1 *et seq.* and the regulations promulgated there under, more specifically, N.J.A.C. 5:34-7.14, prior to the award of contract, each member of a joint purchasing system must issue a purchase order and certification of funds for its share of the contract amount; and

Whereas, it appears that it is in the best interest of the City of Burlington to fund its portion of the contract with Central Jersey Waste & Recycling Inc., and Republic Services of Mount Laurel in an amount not to exceed \$114,834.49 subject to the availability of funds; and

Whereas, the City of Burlington certifies that there are sufficient funds in the 2014 budget to provide for this purpose for the period from April 1, 2014 through December 31, 2014 in the amount of \$16,382.35 as indicated in the attached Certification of Funds;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Burlington, County of Burlington, State of New Jersey, as follows:

1. The share of the solid waste collection contract for the MACCS program allocated to the City of Burlington for the contract with Central Jersey Waste & Recycling, Inc. and Republic Services of Mount Laurel is hereby accepted;
2. The Chief Financial Officer is hereby authorized to issue the purchase order funding the municipality's 2014 portion of the contract.

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).

CONFERENCES

- Lyceum Budget and Staffing Proposals- Shaun Stipick & John Alexander, Public Affairs Director
- Master Plan & Redevelopment Plan Proposed Revisions - Mark Remsa, Economic Development & regional Planning Director

PUBLIC COMMENTS

Murray Sonstein, 214 High Street- spoke of the Lily Inn, Bed & Breakfast; spoke of what the City of Burlington has to offer; complemented Mr. Stipick on his presentation; asked Mr. Stipick to give presentation to the Chamber of Commerce; hopes that the City will move forward with the progress.

Barbara Morse, 215 W. 3rd Street- Florence, N.J.- spoke as a member of the Burlington County Animal Alliance in reference to the Feral Cat Program; asked when the City will be putting the plan in action.

Renee Calderone, 432 Hulme Street- spoke of th Feral Cat Program; stated she has been taking care of the cats for 1½ years now; got a ticket; stated that she feels that she should have gotten a warning; there are no signs saying not to feed the cats.

David Fugh, 744 Bordentown Road- spoke of trash in yards and in the middle of the streets; asked if anything has been done on the markings for 541 at High Street and Bordentown Road.

ADMINISTRATION COMMENTS

None.

COUNCIL COMMENTS

Vice President Ghaul- in last Administrative packet there was no progress as of yet regarding the High Street and Bordentown Road repaving projects.

Councilwoman Woodard- spoke of trash all over town; suggested that bidding gets the worst results.

Councilwoman Lollar- also spoke of the recycling in the streets; spoke of picking up in the neighborhood; understands that Justin has spoken to the County and this has been addressed.

Councilman Conaway - spoke of the Mitchell Street Project, asked about plans, if had they have been approved and finalized; they should be given to Council for review; spoke of 2 signs on the Mitchell Street Bridge and another on High Street- “Special Enforcement Zone”; asked if they are needed or required for the area; the information presented at this and last meeting was nice, but as the Redevelopment Authority it should come before Council to make the best decision.

Vice President Ghaul - requested a conference on redevelopment to look at bringing back CoBRA.

Councilwoman Lollar - request that Mr. Ballard bring forward Mr. Brahin for an update on the Mc Neal Mansion Project.

Councilwoman Hatala- plans for Mitchell Avenue have been approved by the Land Use Board.

President Babula requested Ingerman to provide copies of the renderings for their project.

Councilwoman Woodard- Council was overlooked as to the final renderings; it is unacceptable; spoke of CoBRA being reinstated; concurred with Councilman Ghaul, it needs to be looked at; would like to see the NYS Report done by Buster Soaries.

EXECUTIVE CONFERENCES

- The Olin Group Waterfront Proposal - Richard Newton
- The Carriage House - David Ballard, Administrator

ADJOURNMENT

Upon the motion of Councilman Swan, seconded by Councilwoman Lollar, this meeting of March 4, 2014 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk