

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JUNE 10, 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- Katelyn McElmoyl, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Chief Wallace, 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 June 10, 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

Pastor Kim Crutchfield of the Broad Street Methodist Church

SALUTE TO FLAG

RESOLUTION

Resolution No. 125-2014

Common Council of the City of Burlington, hereby appoints the following Special Law Enforcement Officer, as per recommendation of the Administration for the year 2014:

Class II- Special Law Enforcement Officer

Robert J. Raditz
156 Shreve Street
Mt. Holly, N.J.

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

SWEARING-IN

Class II Special Officer Robert J. Raditz

PRESENTATIONS

Recognition of JROTC:

Patrice Anekwe	Arthur Diggs	Chanel Hannah	Tori Lockhart
Colby Barnes	Adobia Dweh	Yamal Hilton	Damian Mazur
Eriq Bocox	Ja'Lynn Edwards	Richard Hoch	Abigail Palmer
Jharet Crawford	Tyree Fryar	Jazmine Lewis	Kelsie Palmer
Tylica Payne	Carl Schmon	Tylise Throckmorton	

Detective Sgt John Fine spoke of the USA Olympic Torch Run to be held on June 12, 2014, invited all.

UNFINISHED BUSINESS

Councilwoman Woodard spoke of while decluttering at home she came across some letters from 1990's and 2000; suggested that the City is having the same problems now as back then; spoke of the need for effective code enforcement; spoke of certain problems beyond one neighborhood and infecting most neighborhoods in the City; Council has in the last 5 years, enacted laws to “beef up” tools for code enforcement; spoke of the need to clean up the City; we want clean and safe neighborhoods and streets, licensed dogs, poopless streets, sane residents, safe rentals and residential housing; Council has met with resistance from some quarters, an indifference in others with in Administration, while our Police Department accepted the challenge and endorsed the concept over a year ago, they are willing and able; you cannot revitalize a City without dually cleaning up what already exists; it is marvelous that the City has hit a home run with Skye Consulting; the future looks bright and with new opportunity; current residents need to see extensive effort on their quality of life issues as well; there can be no more delay; the Police have been trained on the rudiments and are only waiting for the word to start; spoke of a compromise that had been reached to begin enforcement to coincide with what currently exists on June 1st; another problem arose, pushing the start back to July 1st; even though Council cannot compel the Administration to bodily move forward, I am putting forth a resolution that legislates the start date for Police Code Enforcement effective July 1st.

Councilman Ghaul asked a written report on the reasons for delay from June 1st to July 1st.

President Babula spoke of a meeting held; Council has confidence that in a short period of time we will see improvement.

Councilwoman Hatala asked that Resolution No. 133-2014 be removed from the Agenda so Council could be further informed.

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 MAY 2014

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of April 2014. \$ 405.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 05-01 Historic Preservation Commission, May 7, 2014 7pm
- 05-02 City of Burlington Public Schools, May 9, 2014
- 05-03 Historic Preservation Commission, June 4, 2014 7pm
- 05-04 Screening Board Schedule, June 3, 2014 3pm

NOTICE TO PROPERTY OWNERS

05-20 Block 198, lot 1 / block 197 lots 1&2

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

05 -100 Mayor Fazzone to Rusty Caruso, dated May 12, 2014; re: Appointment of Fire Chief

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

05-300 Richard B.Czekanski, PE BCEE CME, dated April 23, 2014, re: Recommendation for Payment, Removal of Underground Storage Tanks -Burlington Mart

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

- 05 -501 Burlington County, NJLINCS- Public Health Update, re: Recent Animal Rabies Cases
- 05-502 Greater Burlington Chamber of Commerce, dated May 5, 2014, re: Monthly Board Meetings
- 05-503 Burlington County Board of Taxation, dated May 1, 2014, re: resolution 2014-5
- 05-504 Burlington County SPCA Humane Police, dated May 23, 2014, re: change of address
- 05-505 Greater Burlington Chamber of Commerce, dated May 30, 2014, re: monthly meeting June 4, 2014

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

- 05-700 State of New Jersey, Division of Taxation, dated April 30, 2014 re: J & B Bar &
- 05-701 NEWS, dated May 5,2014, re: State History Fair, May 10 at Washington Crossing State Park
- 05-702 NEWS, dated May 8, 2014, re: 2014 Round of Green Acres Preservation Program Funding

- 05-703 State of New Jersey, dated May 7, 2014, re: 2014 Municipal Aid Program for Brown Street Project
- 05-704 State of New Jersey, dated May 7, 2014, re: 2014 Local Aid Transit Village Program
- 05-705 State of New Jersey, dated May 7, 2014, re: Green Acres
- 05-706 State of New Jersey, dated May 12, 2014, re: Environmental Protection reimbursement
- 05-707 State of New Jersey, dated May 28, 2014, re: Burlington Mart Site
- 05-708 NEWS, dated May 22, 2014, re: Improved Waster Quality
- 05-709 NEWS, dated May 21, 2014, re: Clean Communities Grant for Municipalities and Counties
- 05-710 NEWS, dated May 23, 2014, re: DEEP Reminds Boaters to think Green and be cautious when boating in ecologically sensitive area in Barnegat Bay
- 05-711 State of New Jersey, dated May 19, 2014, re: Thank you for interest in NJ Department of Transportation Fiscal year 2014 Safe Streets
- 05-712 State of New Jersey, dated May 13, 2014, re: History Quest LLC, re: application for a new limited brewery license -6 West Pearl St
- 05-713 State of New Jersey, Municipal and County Green Acres Projects Funding Categories and Levels - Acquisition Funding
- 05-714 NJDEP, re: process of updating flood insurance study

MISCELLANEOUS CORRESPONDENCE

- 05-800 Elaine McClammy, dated May 6, 2014, re: refuse needs removal
- 05-801 Elaine McClammy, dated May 6, 2014, re: speeding on Uhler
- 05-802 Invitation for Lt. Anthony S. Caruso Ceremony, graduation from United States Military Academy from West Point
- 05-803 NJ Courts, re: Expungement Seminar at the Burlington County Library
- 05-804 Endeavor Emergency Squad, Inc., re: April Monthly Statistics Report
- 05-805 Harry Heck, photos of litter on the streets
- 05-806 Hulse & Germano, Esqs, LLC, dated May 5, 2014, re: parking space lease
- 05-807 Hulse & Germano, Esqs, LLC, dated May 7, 2014, re: re: parking spaces
- 05-808 Elaine McClammy, dated May 13, 2014, re: Baseball at field on Uhler Ave
- 05-809 SCUCS (Senior Citizens United Community Services) dated May 8, 2014, re: Notice of Public Hearing
- 05-810 PS&G, dated May 7, 2014, re: 231 Penn Street ground water classifications
- 05-811 Endeavor /Job Posting - full time Lieutenant
- 05-812 Elaine McClammy, dated May 19, 2014, re: pertinent issues
- 05-813 Elaine McClammy, dated May 22, 2014, re: careless parents speeding
- 05-814 Elaine McClammy, dated May 20, 2014, re: old issues
- 05-815 Mercuri / Ghaul family, re: Thank you for flowers reference to Dorothy Mercuri passing
- 05-816 JB JW Music , JDM Avenue to Success/Citywide Unity Tour
- 05-817 Beverly Schnegelsberger, Parade Coordinator, dated May 19, 2014, re: Memorial Day Parade - invitation to Council
- 05-818 Elaine McClammy, dated May 29, 2014, re: non compliance of ordinance
- 05-819 Elaine McClammy, dated May 29, 2014, re: Mehieville
- 05-820 Elaine McClammy, dated May 29, 2014, re: old issues
- 05-821 Elaine McClammy, dated June 2, 2014, re: Saturday morning

- 05-822 Elaine McClammy, dated June 2, 2014, re: obliviousness
05-823 Elaine McClammy, dated June 2, 2014, re: City garage-parking on sidewalk
05-824 Elaine McClammy, dated June 2, 2014, re: speeding on Uhler and oversize vehicles parking
05-825 Elaine McClammy dated June 2, 2014, re: students crossing rt 130
05-826 Endeavor Emergency Squad, Inc., posting - Part Time Employee
05- 827 Elaine McClammy, dated June 5, 2014, re: auto parts cars

APPROVAL OF INVOICES*

Upon motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the following attached invoices were approved for payment. Councilman Ghaul abstained.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING SECTION 2-25 OF THE CODE OF THE CITY OF BURLINGTON (POLICE PERSONNEL)

Upon the motion of Councilman Ghaul, 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).

A BOND ORDINANCE AUTHORIZING THE ACQUISITION AND INSTALLATION OF A PUBLIC SAFETY SURVEILLANCE SYSTEM IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$420,000; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$400,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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. 126-2014

RESOLUTION NO. 126-2014 OF THE COMMON COUNCIL AUTHORIZING THE CITY OF BURLINGTON TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE COUNTY OF BURLINGTON

WHEREAS, the Burlington County Board of Chosen Freeholders recognizes the need to provide residents of the County and its various municipalities with appropriate cost-saving measures and opportunities for the benefit of all residents of the County; and

WHEREAS, the City of Burlington has requested that Burlington County, through the Burlington County Prosecutor's Office, Sheriff's Department, and the Department of Information Technology, allow the use of the New World System; and

WHEREAS, the City and County would maintain the mutual responsibilities as detailed in the attached shared service agreement between the parties for the period of January 1, 2014 through May 22, 2019; and

WHEREAS, the City of Burlington evidences its desire to enter into such an agreement through the passage of this resolution; and

WHEREAS, the County and the City of Burlington are authorized by the "Shared Services Act," N.J.S.A. 40A:65-4 et. seq. to enter into any contract with joint provision of any service which any party to the agreement is authorized to render within its own jurisdiction; and

WHEREAS, the parties have agreed to participate as documented in the Shared Service Agreement between the County of Burlington and the City of Burlington establishing the respective rights and obligations of the parties regarding this Shared Service Agreement;

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

1. The attached "Shared Service Agreement between the Burlington County Department of Information Technology and the City of Burlington for utilization of the New World System shall be effective for the period January 1, 2014 through May 22, 2019;
2. The Mayor Municipal Clerk are hereby authorized and directed to sign and execute the attached Shared Service Agreement;
3. The City Administrator is hereby authorized and directed to take any and all further steps necessary to implement the terms of the Shared Service Agreement.
4. The term of the Agreement shall be from January 1, 2014 through May 22, 2019.
5. All terms and conditions and responsibilities between the parties as detailed in the attached Shared Service Agreement shall remain in full force and effect.

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

Councilman Ghaul asked how much is the Shared Service Agreement; wanted to make sure this was not the money that was cut from the budget.

Mr. MacMillan suggested that the maintenance agreement was \$10,000 a year; no specific items were eliminated from the budget.

Councilman Conaway asked how long was this system used.

Chief Wallace said it has been since the 1990's with renewal every 5 years.

Councilwoman Lollar requested that the cost be included in the resolution next time for Council to see.

The 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. 127-2014

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING THE ISSUANCE AND SALE OF UP TO \$94,000 OF SPECIAL EMERGENCY NOTES OF THE CITY OF BURLINGTON; MAKING CERTAIN COVENANTS TO MAINTAIN THE EXEMPTION OF THE INTEREST ON SAID NOTES FROM FEDERAL INCOME TAXATION; AND AUTHORIZING SUCH FURTHER ACTIONS AND MAKING SUCH DETERMINATIONS AS MAY BE NECESSARY OR APPROPRIATE TO EFFECTUATE THE ISSUANCE AND SALE OF THE NOTES

BACKGROUND

WHEREAS, the Local Budget Law, Chapter 169 of the Laws of the State of New Jersey, as amended and supplemented ("Local Budget Law") authorizes, inter alia, municipalities to adopt ordinances authorizing special emergency appropriations for a complete program of revaluation of real property in the City ("Project"); and

WHEREAS, the City Council has duly and finally adopted ordinance 01-2011 appropriating the sum of \$235,000 to pay the costs associated with the Project; and

WHEREAS, Section 55 of the Local Budget Law, *N.J.S.A.* 40A:2-55, authorizes the City to issue special emergency notes to finance the costs of the Project; and

WHEREAS, the City has heretofore issued its special emergency notes in the principal amount of \$141,000 to finance a portion of the cost of the Project ("Prior Notes"); and

WHEREAS, the Prior Notes mature on June 17, 2014; and

WHEREAS, it is the desire of the City to issue its special emergency notes in the principal amount of up to \$94,000, as further described in Exhibit "A", the proceeds of which, together with other available funds in the amount of \$47,000, will be used to repay the Prior Notes at maturity.

WHEREAS, pursuant to the Local Budget Law and the ordinance, it is the intent of the City Council to hereby authorize, approve and direct the issuance and sale of such special emergency notes, to ratify and confirm certain actions heretofore taken by or on behalf of the City, and to make certain related determinations and authorizations in connection with such issuance and sale.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY (NOT LESS THAN TWO-THIRDS OF THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), PURSUANT TO LOCAL BUDGET LAW, AS FOLLOWS:

Section 1. Pursuant to the Local Budget Law, the issuance of special emergency notes of the City, to be designated, substantially, "City of Burlington, County of Burlington, New Jersey, Special Emergency Notes of 2014, Series A" ("Notes"), in an aggregate principal amount of up to \$94,000, is hereby authorized, approved, ratified and confirmed.

Section 2. The Chief Financial Officer, with the assistance of the law firm of Parker McCay P.A., Bond Counsel, is hereby authorized and directed to award and sell the Notes at a public or private sale at a price of not less than par, and to deliver the same to the purchaser thereof upon receipt of the payment of the purchase price thereof.

Section 3. At the next meeting of the City Council after the sale of the Notes, the Chief Financial Officer is hereby authorized and directed to report, in writing, to the City Council, the principal amount, rate of interest and the name of the purchaser of the Notes.

Section 4. The Notes shall be dated the date of delivery thereof and mature no later than one year from said date. The Notes will not be subject to redemption prior to maturity. The Notes may be renewed from time to time, but shall be paid and mature in accordance with the provisions of Section 55(b) of the Local Budget Law, *N.J.S.A. 40A:4-55(b)*.

Section 5. The Notes shall be issued in bearer form in denominations of \$10,000 or greater. The Notes shall be executed in the name of the City by the manual or facsimile signatures of the Mayor and Chief Financial Officer, and shall be under the corporate seal of the City affixed, imprinted, or reproduced thereon, and attested by the manual or facsimile signature of the City Clerk or Deputy City Clerk.

Section 6. The Notes are ultimately payable from ad valorem taxes that shall be levied upon all taxable real property in the City without limitation as to rate or amount.

Section 7. The City hereby covenants that it will not make any use of the proceeds of the Notes or do or suffer any other action that would cause: (I) the Notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Internal Revenue Code of 1986, as amended ("Code"), and the Regulations promulgated thereunder; (ii) the interest on the Notes to be included in the gross income of the owners thereof for federal income taxation purposes; or (iii) the interest on the Notes to be treated as an item of tax preference under Section 57(a)(5) of the Code.

Section 8. The City hereby covenants as follows: (I) it shall timely file, or cause to be filed, with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and (ii) it shall take no action that would cause the Notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 9. The City hereby covenants that it shall make, or cause to be made, the rebate required by Section 148(f) of the Code in the manner described in Treasury Regulation Sections 1.148-1 through 1.148-11, 1.149(b)-1, 1.149(d)-1, 1.149(g)-1, 1.150-1 and 1.150-2, as such regulations and statutory provisions may be modified insofar as they apply to the Notes.

Section 10. The City hereby designates the Notes as "qualified tax-exempt obligations" as defined in and for the purposes of Section 265(b)(3) of the Code. For purposes of this designation, the City hereby represents that it reasonably anticipates that the amount of tax-exempt obligations to be issued by the City during the period from January 1, 2014 to December 31, 2014, and the amount of obligations designated as "qualified tax-exempt obligations" by it, will not exceed \$10,000,000 when added to the aggregate principal amount of the Notes.

For purposes of this Section 10, the following obligations are not taken into account in determining the aggregate principal amount of tax-exempt obligations issued by the City: (I) a private activity bond as defined in Section 141 of the Code (other than a qualified 501(c)(3) bond, as defined in Section 145 of the Code); and (ii) any obligation issued to refund any other tax-exempt obligation (other than to advance refund within the meaning of Section 149(d)(5) of the Code) as provided in Section 265(b)(3)© of the Code.

Section 11. All actions heretofore taken and documents prepared or executed by or on behalf of the City by the Mayor, Chief Financial Officer, City Clerk, other City officials or by the City's professional advisors, in connection with the issuance and sale of the Notes are hereby ratified, confirmed, approved and adopted.

Section 12. The Mayor, Chief Financial Officer and City Clerk are hereby authorized and directed to determine all matters and execute all documents and instruments in connection with the Notes not determined or otherwise directed to be executed by the Local Budget Law or by this or any subsequent resolution, and the signatures of the Mayor, Chief Financial Officer or City Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 13. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 14. This Resolution shall take effect immediately upon adoption this 10th day of June, 2014.

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

On the question, Mr. MacMillan gave an explanation of this resolution.

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. 128-2014

AMENDING THE CAPITAL BUDGET FOR 2014

WHEREAS, the City of Burlington, County of Burlington desires to amend the 2014 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

Adding the “Acquisition and Installation of a Public Safety Surveillance System” project and funding the total cost of \$420,000.00 with \$20,000.00 from Capital Improvement Fund and authorizing \$400,000.00 of debt.

NOW, THEREFORE, BE IT RESOLVED, by the City of Burlington, County of Burlington that the Capital Budget of the year 2014 is hereby amended as per the attached sheets 40b, 40c and 40d.

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. 129-2014

RESOLUTION TO AMEND ADOPTED BUDGET FOR AN CLEAN COMMUNITIES GRANT FROM THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the City of Burlington received **Clean Communities Grant** in the amount of \$18,348.73 from the New Jersey Department of Environmental Protection;

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$18,348.73 as follows which item is now available as a revenue from:

Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Clean Communities Grant \$ 18,348.73

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 18,348.73 be and the same is hereby appropriated under the caption of:

General Appropriations Operations-Excluded from "CAP"
Public and Private Programs Offset by Revenues:

Clean Communities Grant \$ 18,348.73

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

On the question, Mr. MacMillan explained the grant money is used for spring clean up, tipping fees, and materials for clean up.

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. 130-2014

RESOLUTION TO REFUND OVERPAYMENT OF TAXES

WHEREAS, an overpayment of 2014 taxes, has occurred on the property identified herein, due to a duplicate payment;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington authorizes the Chief Financial Officer to issue a refund check for 2014 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amt.</u>
124	3	Patricia Kelly	\$918.87

(209 St Mary St)

***Make check payable to:**

Nation Star Mortgage
350 Highland Dr
Lewisville, TX 75067
Attention: Escrow Dept.
Ln#0611434085

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. 131-2014

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 June 10, 2014, that an Executive Session Closed to the Public shall be held on June 10, 2014, 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) Skye Consulting

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 June of 2014 or shortly there after.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Lollar, 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. 132-2014

RESOLUTION NO. 132-2014 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSES, PLENARY DISTRIBUTION ALCOHOLIC BEVERAGE LICENSES AND ALCOHOLIC BEVERAGE CLUB LICENSES

WHEREAS, all of the following applicants have applied for renewal of existing licenses for the year 2014-2015:

ONO Inc. t/a Oliver's Liquors
Route 130 and Mc Neal Street (0305-32-022-008)
Peak & Peak, LLC t/a Geraghty's Pub
148 W. Broad Street (0305-33-006-005)

**River City Spirits LLC t/a Legends Gourmet Pizza and Salads
318 High Street (0305-33-020-009)**

**Italian American Roma Club t/a Italian American Roma Club
739 Lincoln Avenue (0305-31-029-001)**

**Curtins Wharf Inc. t/a Curtins Wharf
501 East Pearl Street (0305-33-005-003)**

**Doc's Pub, LLC t/a Doc's Pub
100-104 Jones Street (0305-33-016-003)**

**Misiorek, Mary t/a East End Hotel
357 East Pearl Street (0305-33-012-003)**

**Scully-Bozarth Post 1817 Veterans of Foreigners Wars t/a Scully-Bozarth Post 1817 VFW
142 Riverbank (0305-31-036-001)**

**Slade Valentine American Legion Post 336 t/a Slade Valentine American Legion Post 336
149 Linden Avenue (0305-31-025-002)**

**AP Liquor Inc. t/a 130 Liquor Store
653 High Street (0305-44-014-005)**

**Oneida Boat Club - t/a Oneida Boat Club
3 York Street (0305-31-031-001)**

**Keim Boulevard Beverage Co. LLC t/a Tankard Pub
3 Keim Boulevard (0305-33-023-004)**

**Dolan's Irish Pub & Restaurant, Inc.
630 Route 130 West (0305-33-001-008)**

**Café Gallery, Inc. t/a Café Gallery
219 High Street (0305-33-024-004)**

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

WHEREAS, the applicants for Alcoholic Beverage Club Licenses have submitted applications which are complete in all respects, including the submission of the various club membership lists; and

WHEREAS, the officers and directors of the clubs are qualified according to statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations; and

WHEREAS, the various Alcoholic Beverage Club Licensees maintain all records required by N.J.S.A. 13:2-8.8 and N.J.A.C. 13:2-8.12;

NOW, THEREFORE BE IT RESOLVED, on this 10th day of June, 2014 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 Woodard, seconded by Councilwoman Lollar, 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. 133-2014

RESOLUTION NO. 133-2014 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON ADOPTING CHANGES TO PERSONNEL POLICIES AND PROCEDURES FOR THE CITY OF BURLINGTON **-REMOVED**

Resolution No. 134-2014

Common Council of the City of Burlington, hereby amends Resolution No. 85-2014 authorizing Neptune Hose Co. No. #5 to conduct a "Pass the Boot" fundraiser on Columbus Road at Route 130, changing the date from July 19, 2014 to July 20, 2014, pending the proper permits from the County of Burlington.

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

Resolution No. 135-2014

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON URGING THE CITY'S ADMINISTRATION TO PURSUE NECESSARY ACTIONS TO ENACT A PLAN

THAT WOULD IMPROVE THE CITY'S CODE ENFORCEMENT POLICIES AND PROCEDURES BY JULY 1, 2014

WHEREAS, the Common Council of the City of Burlington has received numerous complaints from the City's residents and business owners regarding Code Enforcement issues such as property maintenance and other issues impacting the public safety, health, and welfare; and

WHEREAS, the Common Council of the City of Burlington recognizes the importance of public health, safety, and welfare issues; and

WHEREAS, the people of the City of Burlington have personally spoke out during open public Council meetings and contacted City officials through other means of communication in order to express concerns of daily and recurring issues that negatively impact the public safety, health, and welfare of those living in, working in, and visiting the City, such as the presence of unlicensed, dangerous dog breeds within the City limits, the unsanitary and unsightly conditions caused by people who do not clean up after their dogs in public areas, the lack of property management and maintenance, leading to the collapsing of housing and need for demolition by the City, and the existence of unauthorized boarding houses operating within the City limits, to name a few concerns;

WHEREAS, the Common Council of the City of Burlington has discussed and attempted to address many of these issues of public safety, health, and welfare during open public Council meetings, bringing the issues to the attention of the City's Administration; and

WHEREAS, there have been prior discussions between Council and the Administration regarding the implementation of a plan to hire additional housing inspectors, as needed, and to dedicate certain Class I and Class II police officers to full-time code enforcement duties and, in fact, the City Administration has scheduled Class I and Class II police officers to begin assisting the Office of Code Enforcement on July 1, 2014, with upholding and enforcing the City's current codes to obtain greater compliance throughout the City and to make the community a safer place to live, work, and visit; and

WHEREAS, there existed budgetary concerns as to whether such a plan would be financially feasible for the City, but Council and the Administration acknowledge that enacting this plan would be in the best interests of its residents, business owners, and visitors, and promote a safe environment for the community; and

WHEREAS, the Administration for the City of Burlington has heard the concerns of Council, and suggested a plan which would allow the utilization of Class I and Class II police officers in a manner which is acceptable with the current City of Burlington 2014 Municipal Budget;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the Administration for the City of Burlington is urged to pursue all necessary actions to enact and implement the above-described plan by July 1, 2014, in order to improve the City's Code

Enforcement policies and procedures and improve the overall quality of public safety, health, and welfare throughout the City.

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

PUBLIC COMMENTS

Steve Cicerone, 201 E. Broad Street- spoke of a bus stop in front of his home; it is causing disruption to the neighborhood.

Mary Michaud, 315 E. Union Street- spoke in support of Mr. Cicerone; suggested to move the bus stop to Williams Street.

Lance Burley, 205 E. Broad Street- also spoke of the problems at the bus stop; there is no bus shelter at the current stop; spoke of potholes at York and Barclay Streets.

Mary Wirth, 460 Locust Avenue- these are not new problems; moving the stop won't solve the problem; the City needs to address the problems; suggested to organize a committee.

Harry Heck, 116 E. Union Street- spoke in support of Mr. Cicerone; spoke of problems in front of Dr. Baker's property waiting for transportation; spoke of Agenda on the website; shared photos of trash.

Murray Sonstein, 214 High Street- spoke in support of Mr. Cicerone; spoke of the Police issuing tickets for jay walking.

Bruce Davis, 333 E. Pearl Street- spoke in support of Mr. Cicerone; invited everyone to Military Families Day; spoke of the Police issuing tickets; received a ticket costing \$230.00 and 2 points.

ADMINISTRATION COMMENTS

None.

COUNCIL COMMENTS

Councilman Ghaul asked about the Artpride lease.

Mr. Ballard said it should be ready next week.

Councilwoman Woodard thanked Mr. Saponaro for his work on Saturday at the Expungement Seminar; spoke of police shooting dog in Beverly City.

Councilman Swan spoke of an incident by the train station involving j-walking.

Councilman Ghaul spoke of this being a County Sheriff Program; suggested to convey comments there; spoke of former late Councilman VanLoan's recommendation for a Transportation Center vs bus stops throughout town; requested Triad to come before Council to give an update on their Program and address the issues the residents are facing.

CONFERENCES

- Artist Housing- Scott Weiner, Managing Director of Point Prospect - CANCELLED

EXECUTIVE CONFERENCES

- Skye Consulting Contract

ADJOURNMENT

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, this meeting of June 10, 2014 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk