

A SPECIAL MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JUNE 24, 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, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (6)  
Absent: Mr. Ghaul. (1)

Also present: Mayor Fazzone, Municipal Attorney- Katelyn McElmoyl, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Lt. Snow.

The following notice of the meeting was sent:

Special Meeting in accordance with the "Open Public Meetings Law"

President of Common Council, has scheduled a Special Meeting to be held on Tuesday, June 24, 2014, at 7:00 PM, at the City Hall Building, 525 High Street, Burlington, N.J. for the purpose of Council's consideration and adoption of resolutions for the betterment of the citizens of the City of Burlington. A Work Session will also follow the regular business of the meeting.

Official Action will be taken at this meeting.

Cindy A. Crivaro, RMC  
Municipal Clerk

**SALUTE TO FLAG**

**PRESENTATIONS**

- Recognition of Police K-9 Bike Show and Run Fundraiser Volunteers

**UNFINISHED BUSINESS**

Councilwoman Hatala asked for the status of the ADA work to be done at the American Legion.

Mr. Snowden stated that they are working on 5 alternatives; will have more information after a meeting to be held tomorrow at Alaimo, in house meeting.

Councilwoman Hatala asked if the drain under the parking lot is a problem.

Mr. Snowden said it is not a problem.

Councilwoman Woodard asked for the status of the sink hole at the Federal Street and Mitchell Avenue intersection; when will contractor be out.

Mr. Ballard read from 2<sup>nd</sup> page of Administrative Report, Environmental Engineer has proposed to excavate 2 foot backfill with flowable fill and pave temporarily; it will enable him to contact the vendor to determine weather this can be lined or he can put a spec together to have the pipe released.

Councilwoman Woodard asked if this was part of the scope when the underground pipes were videoed.

Mr. MacMillan said that the sink hole is in result of a drainage pipe, not sewer pipe.

Councilwoman Lollar read from page 2 of Mr. Tuner's report regarding potholes; asked what does an attempt to fix mean.

Mr. Ballard said he is not sure, spoke of the divided line between City and the Bridge Commission; Mr. Turner is in touch with the Bridge Commission.

Councilwoman Lollar asked for a follow up.

Mr. Ballard said he will talk to Mr. tomorrow.

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 139-2014

RESOLUTION NO. 139-2014 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON NAMING SKYE CONSULTING, LLC AS REDEVELOPMENT CONSULTANT

WHEREAS, the Common Council of the City of Burlington is the City's Redevelopment Authority pursuant to New Jersey Statutes relating to redevelopment law; and

WHEREAS, the Common Council of the City of Burlington recognizes the importance of redevelopment for the City of Burlington; and

WHEREAS, the City of Burlington has designated certain areas as being in need of redevelopment pursuant to New Jersey laws; and

WHEREAS, Pursuant to N.J.S. 40A:11-5 a contract in excess of \$17,500.00 may be awarded for extraordinary unspcifiable services without the advertising for public bids; and

WHEREAS, the contract naming Skye Consulting, LLC, as Redevelopment Consultant, shall be funded out of the UDAG Trust Account; and

WHEREAS, the Common Council for the City of Burlington has reviewed the proposal of Skye Consulting LLC, and finds Skye Consulting, LLC to be specialized in having a unique experience, extensive training and experience in redevelopment projects, and a proven reputation in the areas

of redevelopment consulting;

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

- Skye Consulting, LLC is hereby awarded a contract pursuant to N.J.S. 40A:11-5 for a period of one year in an amount not to exceed \$60,000.00 (\$5,000 per month) and paid from the UDAG Trust Account;
  - The Mayor and Municipal Clerk are hereby authorized to execute a contract subject to the review of the City Solicitor with Skye Consulting, LLC for services as Redevelopment Consultant;
  - The Municipal Clerk is hereby directed to print and publish a notice of the this award of this contract in accordance with N.J.S. 40A:11-5.

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

On the question, Councilman Swan made a motion to amend section 6.2 to include quarterly written reports along with in person updates. It was seconded by Councilwoman Woodard.

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

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

Resolution No. 140-2014

RESOLUTION NO. 140-2014 OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 1-2014 TO THE AGREEMENT FOR PROFESSIONAL SERVICES CONTRACT #14-006, FOR ADAMS, REHMANN & HEGGAN ASSOCIATES, INC.

Whereas, the City of Burlington entered into a professional services agreement with Adams, Rehmann & Heggan (ARH) Associates, Inc., 850 South White Horse Pike, Post Office Box 579, Hammonton, NJ 08037-0219, to serve as a Special Projects Engineer for the calendar year 2014; and

WHEREAS, in connection with the City's Special Project known as: National Boating Infrastructure Grant – Tier 1 for a Municipal Transient Marina Project, in the amount of a \$100,000.00 grant which the City of Burlington has received, there are professional and

engineering services required for this project; and

WHEREAS, Adams, Rehmann & Heggan Associates, Inc. did submit a proposal letter, dated May 23, 2014, for said professional services, to include preparation of design plans, and regulatory applications required to obtain Federal, State and local approvals associated with the construction of a 16-slip floating dock marina, a 1000 square foot boathouse, associated parking modifications and public utilities, including ADA complaint walks and a bilge pumping facility, in the amount of \$118,000.00; and

WHEREAS, the Transient Marina Project is inherently beneficial to the City of Burlington's redevelopment efforts;

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 Adams, Rehmann & Heggan (ARH) Associates, Inc., in the amount of \$118,000.00 of which \$100,000.00 is grant funded, making a revised total contact amount of \$118,000.00.

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, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (6) NAYS: (0); ABSTAIN: (1); ABSENT: Mr. Ghaul (1).

Resolution No. 141-2014

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT TO ENVIROTRAC FOR REMEDIAL EXCAVATION AND NJDEP REPORTING SERVICES FOR UNDERGROUND STORAGE TANK (UST) REMOVAL AT ENDEAVOR FIRE HOUSE SITE AT 21 EAST UNION STREET

WHEREAS, the City of Burlington has a need to acquire professional services for the remedial excavation and NJDEP reporting for the underground storage tank removal at the former Endeavor Fire House located at 21 East Union Street as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 and,

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is ninety (90) days and may be extended if approved by the approval of this governing body; and

WHEREAS, EnviroTrac, 3 Terri Lane, Burlington Township, NJ 08016, has submitted a

proposal dated June 12, 2014 indicating they will provide the remedial excavation and NJDEP reporting for the underground storage tank removal at the former Endeavor Fire House located at 21 East Union Street for the amount of \$36,735.00; and

WHEREAS, EnviroTrac has completed and submitted a Business Entity Disclosure Certification which certifies that EnviroTrac has not made any reportable contributions to a political or candidate committee in the City of Burlington in the previous one year, and that the contract will prohibit the EnviroTrac from making any reportable contributions through the term of the contract, and

WHEREAS, the Chief Financial Officer has certified in writing that funds as described herein 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 the documents required to enter into a contract with EnviroTrac as described herein; and

BE IT FURTHER RESOLVED THAT the Common Council of the City of Burlington hereby authorizes an amount not to exceed \$36,735.00 to award a contract to EnviroTrac, for the purpose of the remedial excavation and NJDEP reporting for the underground storage tank removal at the former Endeavor Fire House located at 21 East Union Street, and the Chief Financial Officer is hereby authorized to undertake and perform such actions necessary to effectuate the terms and provisions of this resolution; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value/Certification of Funds form be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a notice of award must be published as the amount of the contract exceeds the bid threshold and the professional services bid exception is used.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be provided to each of the following:

- A. City Administrator
- B. City Chief Financial Officer

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

On the question, Councilman Conaway asked if this will be covered by the City's insurance.

Mr. MacMillan said no.

Councilman Conaway asked if it will be split with Endeavor.

Mr. MacMillan said no, it was the City's tank that leaked.

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

Resolution No. 142-2014

RESOLUTION NO. 142-2014 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF A PLENARY DISTRIBUTION ALCOHOLIC BEVERAGE LICENSE

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

**G & G Business, Inc. t/a Goodfriends Liquors  
240 Rte 130 S @ Jacksonville Road (0305-44-018-008)**

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

WHEREAS, the 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 24th day of June, 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.

President Babula asked Cindy to review how many license are still outstanding  
Cindy Crivaro, Clerk said 4 outstanding, 1club 1 consumption and 2 pockets licenses waiting on special ruling from ABC

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: (0); ABSENT: Mr. Ghaul. (1).

Resolution No. 143-2014

Common Council of the City of Burlington, hereby authorizes the temporary closure of

Ellis Street, between Brown and Pearls Streets for a Block Party on Saturday, August 9, 2014 from 11:00 am to 9:00 pm.

Upon the motion of Councilwoman Lollar, seconded by Councilman 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: (0); ABSENT: Mr. Ghaul. (1).

### **PUBLIC COMMENTS**

Roaseanne Harding, 102 E. Union Street- asked for the status of the TNR Program; spoke of trying to help the cats using some of her own money.

Danny Kiple, 843 Woodland Avenue- spoke of potholes at the entrance of Columbus Park and the dumpsters behind Discount Liquors.

### **ADMINISTRATIVE REPORT**

Mr. Ballard will speak with Mrs. Harding about the TNR Program; the dumpsters behind the liquor store are on private property; the City will send Mr. Lowrie out to talk to the new owners.

### **COUNCIL COMMENTS**

Councilwoman Lollar asked for the start date of when cameras will go up.

Mr. Ballard said we don't know yet.

Councilwoman Hatala spoke of being approached many times, in reference to the funding to those who are helping the cats.

Ms. McElmoyl spoke of a period of time for grants that are pending for the TNR Program; suggested anyone save their receipts for reimbursement once the grant money comes in.

Councilman Swan said he appreciates the amount of foot patrol on High Street.

### **CONFERENCES**

- Police Department Youth Police Academy- Officer Langford
- Capital Projects- Ken MacMillan, CFO

### **ADJOURNMENT**

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, this Special meeting of June 24, 2014 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk