

THE SPECIAL MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JULY 29, 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. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Woodard, Mr. Babula. (5); Absent: Mr. Conaway, Mr. Swan. (2)

Also present: Mayor Fazzone, Municipal Attorney- George Saponaro, 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, July 29, 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 the following for the betterment of the citizens of the City of Burlington:

Ordinance No. 08-2014 (title) & Resolution No. 159-2014 (full resolution)

Official Action will be taken at this meeting.

An Executive Session will also be held for the purpose of viewing Redevelopment Proposals following the regular business of this meeting.

Anyone in need of special accommodations or access due to disability should contact the Municipal Clerk’s Office at 609-386-0200 x 101 or x102, prior to the meeting.

Cindy A. Crivaro, RMC
Municipal Clerk

SALUTE TO FLAG

ORDINANCES - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 08-2014 OF THE CITY OF BURLINGTON AUTHORIZING THE LEASE OF CERTAIN PORTIONS OF LYCEUM HALL TO ART PRIDE TO PROMOTE THE HEALTH, SAFETY, MORALS AND GENERAL WELFARE OF THE RESIDENTS OF THE CITY OF BURLINGTON AND THE CITIZENS OF NEW JERSEY

WHEREAS, the Local Lands and Buildings Law, *N.J.S.A. 40A:12-1 et seq.* (the LLBL), authorizes the City to lease any real property not presently needed for public use to a non-profit corporation or association for a public purpose for a term not in excess of 50 years with an extension not to exceed 25 years; and

WHEREAS, the LLBL allows the City to lease real property for a public purpose to a non-profit corporation or association that engages in any activity for the promotion of the health, safety, morals and general welfare of the community; and

WHEREAS, the City of Burlington (the City) is the record owner of property located at 432 High Street as identified on the official tax map of the City of Burlington as Block 32, Lot 40, commonly known as Lyceum Hall; and

WHEREAS, the City has determined that certain portions of Lyceum Hall are presently not necessary for public use; and

WHEREAS, ArtPRIDE New Jersey (ArtPRIDE) is a non-profit organization incorporated in 1986 to foster a favorable climate for the arts in the state of New Jersey and to encourage citizens and elected officials to endorse positions favorable to the arts and the endeavors of individual artists; and

WHEREAS, the Common Council of the City of Burlington has determined that it is in the best interest of the City and its residents to authorize the lease of Lyceum Hall to ArtPRIDE for a term of five years, with an option for a five year renewal, for the consideration stated below, because ArtPRIDE engages in activities that promote the health, safety, morals and general welfare of the residents of the City of Burlington and the citizens of New Jersey;

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Burlington, County of Burlington and State of New Jersey, that the City is hereby authorized under the LLBL to lease certain portions of Lyceum Hall to ArtPRIDE for a term of five years, beginning on or about March 1, 2014, and ending on or about February 28, 2019, with an option for a five year renewal.

BE IT FURTHER ORDAINED, that the Common Council also requires ArtPRIDE to submit all necessary documents to the City pursuant to law and specifically pursuant to *N.J.S.A. 40A:12-14(c)*, which requires submission of an annual report to the Municipal Clerk by a lessee setting out the use to which the leasehold was put during the year, the activities of the lessee undertaken in furtherance of the public purpose for which the leasehold was granted, the approximate value or cost, if any, of such activities in furtherance of such purpose; and an affirmation of the continued tax exempt status of the non-profit corporation pursuant to both state and federal law.

BE IT FURTHER ORDAINED, that among other things, the City agrees to lease to ArtPRIDE a portion of the building known as Lyceum Hall containing approximately one-thousand one-hundred (1,100) square feet, specifically including offices commonly known as 100, 102, 104, 106, and 108 for exclusive use by ArtPRIDE in exchange for consideration of \$1,800.00 per month beginning on and retroactive to March 1, 2014, until February 28, 2019, with the contractual provisions of a five year renewal option to be determined.

BE IT FURTHER ORDAINED, that the Mayor is hereby authorized to execute any and all necessary documents to effectuate the execution of a lease agreement with ArtPRIDE in a form drafted or approved by the City Solicitor.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon final passage and publication in accordance with applicable law.

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

Public Comments

Murray Sonstein, 214 High Street- spoke in support of this Ordinance and ArtPride.

Council Comments

None.

This ordinance was then adopted by the following roll call vote: AYES: Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Woodard, Mr. Babula. (5) NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Conaway, Mr. Swan. (2).

RESOLUTIONS

Resolution No. 159-2014

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 July 29, 2014, that an Executive Session Closed to the Public shall be held on July 29, 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) Redevelopment Proposals

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 July of 2014 or shortly there after.

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, Ms. Woodard, Mr. Babula. (5) NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Conaway, Mr. Swan. (2).

PUBLIC COMMENTS

Mary Wirth, 460 Locust Avenue- spoke in support of the potential redevelopment proposals that will be put forth at the meeting tonight..

Harry Heck, 116 E. Union Street- spoke in support of the potential redevelopment proposals that will be put forth at the meeting tonight.

Murray Sonstein, 214 High Street- spoke in support of the potential redevelopment proposals that will be put forth at the meeting tonight.

EXECUTIVE CONFERENCES

- Redevelopment Proposals

ADJOURNMENT

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, this meeting of July 29, 2014 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk