

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 19, 2016, 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. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); Absent: (0)

Also present: Mayor Conaway, Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Capt. Snow, Fire Chief - Rusty Caruso, Director of Public Affairs -John Alexander.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on January 19, 2016 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

RESOLUTIONS

Resolution No. 60-2016

RESOLUTION NO. 60-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPOINTING A TEMPORARY SUCCESSOR TO FILL THE VACATED COUNCIL SEAT OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON

WHEREAS, the Common Council of the City of Burlington is authorized to appoint a successor to fill a vacated Council seat; and

WHEREAS, a vacancy in the First Ward exists a result of the resignation of Councilman Barry W. Conaway effective January 1, 2016 so that he could be sworn in as Mayor; and

WHEREAS, the Common Council has received three (3) names from the Burlington City Democrat County Committee.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, in the County of Burlington and State of New Jersey that George Chachis is hereby appointed to temporarily fill the vacancy of the First Ward Council Seat.

BE TI FURTHER RESOLVED, that this Resolution take effect immediately.

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

Resolution No. 61-2016

Common Council of the City of Burlington, hereby appoints the following Special Law Enforcement Officer, as per recommendation of the Administration for the year 2016:

Class I- Special Law Enforcement Officer

Tyler Trumbetti
2 Kristen Court
Burlington, N.J. 08016

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 62-2016

Common Council of the City of Burlington, hereby appoints the following Special Law Enforcement Officer, as per recommendation of the Administration for the year 2016:

Class I- Special Law Enforcement Officer

Chad Haney
130 Greenwood Avenue
Burlington, N.J. 08016

Upon the motion of Councilman Babula, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Mr. Chachis, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 63-2016

Common Council of the City of Burlington, hereby appoints the following Special Law Enforcement Officer, as per recommendation of the Administration for the year 2016:

Class I- Special Law Enforcement Officer

Davon Jones
1012 Pole Ridge, Apt. 319
Burlington, N.J. 08016

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

SWEARING - IN

- Ward 1 Councilman - George Chachis
- Special Law Enforcement Officer, Class I - Tyler Trumbetti
- Special Law Enforcement Officer, Class I - Chad Haney
- Special Law Enforcement Officer, Class I - Davon Jones

UNFINISHED BUSINESS

None.

CONSENT AGENDA

Approved by Consent Agenda. All were in favor.

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 64-2016*

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 14, 2016	9:00am - 3:00pm
June 12, 2016	9:00am - 3:00pm
August 21, 2016	9:00am - 3:00pm
October 8, 2016	9:00am - 3:00pm

Approved by Consent Agenda. All were in favor.

Resolution No. 65-2016*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Nazir Ahmad, 48 Sandstone Lane, Willingboro, N.J. to operate a business at 201 Route 130 South t/a “Asian Grocery & Halal Meat.”

Approved by Consent Agenda. All were in favor.

Resolution No. 66-2016*

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 January 19, 2016, that an Executive Session Closed to the Public shall be held on January 19, 2016, 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) SS Mart Redeveloper's Agreement
- Real Estate/Contracts N.J.S.A. 10:4-12 (7) Pearl Pointe Redeveloper's Agreement
- Real Estate/Contracts N.J.S.A. 10:4-12 (7) Us Pipe Site Redevelopment
- Real Estate/Contracts N.J.S.A. 10:4-12 (7) McNeal Mansion & Vicinity Site Redevelopment

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 January of 2016 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 67-2016*

RESOLUTION NO. 67-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REFUNDING OVERPAYMENT OF TAXES

WHEREAS, the parcel identified herein was the subject of a State Tax Appeal.

WHEREAS, an overpayment of the 2013, 2014 and 2015 taxes has occurred.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington authorizes the Chief Financial Officer to refund an overpayment of taxes in the amount of \$41,145.50 representing taxes for 2013 (7,935.00), 2014 (14,670.00), 2015 (18,540.50) and issue a refund check in the amount of \$41,145.50 to the following:

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
74	1	Walgreen Eastern Co., INC	\$41,145.50
(2 W Route 130 S)			

Please make check payable to:

Bruce J Stavitsky, Esq. for the benefit of
Walgreen Eastern Co., Inc.
c/o Stavitsky & Associates LLC,
350 Passaic Avenue,
Fairfield, NJ 07004

Approved by Consent Agenda. All were in favor.

Resolution No. 68-2016

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2014 - June 2019

FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the City Council of the City of Burlington, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the City Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the City Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Burlington;

NOW, THEREFORE, BE IT RESOLVED by the City of Burlington, County of Burlington, State of New Jersey hereby recognizes the following:

1. The City Council does hereby authorize submission of a strategic plan for the City of Burlington Municipal Alliance grant for the fiscal year 2017 in the amount of:

DEDR	8,574.00
Cash Match	2,143.50
In-Kind	6,430.50

2. The City Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 69-2016*

Common Council of the City of Burlington hereby appoints Councilwoman Lollar as Council's representative to the City of Burlington Municipal Alliance for the year 2016.

Approved by Consent Agenda. All were in favor.

Resolution No. 70-2016*

RESOLUTION NO. 70-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES

WHEREAS, an overpayment of 2015 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 2015 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amt.</u>
118 (219 High St)	20	Burlington Trading, LLC	\$ 4,976.95

***Please make check payable to:**

LERETA
1123 Park View Dr.
Covina, CA 91724
ATTN: Central Refunds

Approved by Consent Agenda. All were in favor.

Resolution No. 71-2016

RESOLUTION AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES

WHEREAS, various 2015 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2015 Budget Appropriations in the last two months of 2015; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances to appropriation reserves which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the council of the City of Burlington that the transfers in the amount of \$500.00 be made between the 2015 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
<u>Current Fund:</u>		
Building Inspector:		
Other Expenses	\$	500.00

Electrical Inspections:

Other Expenses

\$ 500.00

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 72-2016

Common Council of the City of Burlington hereby authorizes Amendment No. 1-2015 to the General Engineering Services Professional Services Agreement with the Alaimo Group to provide for additional engineering services in connection with the Lyceum Hall HVAC Litigation and the YMCA Building Repair Project, in an amount not to exceed \$9,000.00, for total contract amount of \$69,000.00 .

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 73-2016*

Common Council of the City of Burlington, hereby authorizes the Burlington County Highway Department - Division of Mosquito Control to perform aerial applications of larvicides and insecticides for mosquito control over City of Burlington during the year 2016.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

None.

ADMINISTRATION REPORT

Mr. Ballard spoke of Memorial Hall and the Handicap ramp; there was a completion date, but the discovery of the canon changed that date; there was an extension of 6 months; also some of the work has to wait until done in warmer weather; spoke of the YMCA preconstruction meeting, they hope to start beginning of next week.

COUNCIL COMMENTS

Councilman Swan welcomed and congratulated the all of the Class I Special Law Enforcement Officers, Fire Members and Councilman George Chachis sworn-in this evening.

Councilman Babula also congratulated all of those sworn-in this evening.

Councilwoman Hatala also thanked all.

Councilman Swan spoke of a sign near a large oak tree at 215 W. Broad Street hanging on one hinge.

Councilwoman Mercuri thanked all of the Class I Special Law Enforcement Officers, Fire Members and Police sworn-in this evening.

Councilwoman Lollar asked for an update on the fire that occurred on the 300 Block of St. Mary Street this week.

Mr. Ballard gave the update on the fire; the buildings are being ordered down; the last 2 may be salvageable; thanked HAYA, they have done so much to help; gave contact information to help the victims.

President Woodard thanked all of those involved in the fire on Friday; job well done.

Mayor Conaway said that all of the City agencies that responded to the fire did an outstanding job.

EXECUTIVE CONFERENCES

- SS Mart Redeveloper's Agreement
- Pearl Pointe Redeveloper's Agreement
- Us Pipe Site Redevelopment
- McNeal Mansion & Vicinity Site Redevelopment

ADJOURNMENT

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Hatala, this meeting of January 19, 2016 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk