

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 6, 2015, 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. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard. (7) Absent: (0)

Also present: Municipal Attorney- George Saponaro, Municipal Engineer - Kevin Snowden, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Lt. Snow, 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 6, 2015 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

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 DECEMBER 2014

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of November 2014 \$1,805.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

12-01 Historic Preservation Commission Meeting Agenda, for January 7, 2015

NOTICE TO PROPERTY OWNERS

12-20 28 E Union Street

PETITIONS OF APPEALS:

- 12 -30 block 118 lot 37
- 12 -31 block 118 lot 33
- 12- 32 block 118 lot 32

The following application(s) for parade permit(s) received and approved.

- 12 -40 Burlington City High School -May 9th 2015 submitted by Beverly Schnegelsberger

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

12-501 Chamber of Commerce, dated October 7, 2014, re: Creation of a Special Improvement District

CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES

12 -600 NJLM, dated December 2, 2014, re: Annual Mayors Legislative Day February 4, 2015

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

12-700 Letter to Richard Gober, from the State of New Jersey dated August 4, 2014-handed out at Council Meeting on December 02, 2014 from Richard Gober to be distributed to Council and Administration

12-701 NEWS, dated December 5, 2014, re: week long black bear hunt starts Monday in North Jersey

12-702 NEWS, dated December 8, 2014, re: black bear hunting season under way in northern New Jersey

12-703 NEWS, dated December 17, 2014, re: Awarding 15 Million in Municipal Grants to Bolster Local Recycling Efforts

12-704 David E Triggs, Noise Coordinator -Division of Air and Hazardous Materials Enforcement

MISCELLANEOUS CORRESPONDENCE

12 -800 Borough of Glassboro, re: Resolution 415-14

12- 801 Borough of Hightstown, re: Resolution 237-2014

12-802 Elaine McClammy, dated December 8, 2014, re: equitable enforcement

12-803 Raymond/Coleman/Heinold Norman, dated November 25, 2014, re: Land Use Board Notice of Notice of Hearing

12-804 Elaine McClammy, dated December 01, 2014, re: speeding

12-805 Town of Kearny, dated November 10, 2014, re: Resolution seeking Assistance with significant tax-exempt properties

12-806 Endeavor Emergency Squad, Inc., re: November 2014 Statistic Report

12-807 Elaine McClammy, dated December 1, 2014, re: enforcement of ordinance

12-808 Elaine McClammy, dated December 1, 2014, re: speeding traffic on rt 130

12-809 Elaine McClammy, dated December 1, 2014, re: lack of enforcement

12-810 Elaine McClammy, dated December 1, 2014, re: tractor trailer parked on Uhler past 24 hrs

12-811 Elaine McClammy, dated December 8, 2014, re: ?????

- 12-812 Elaine McClammy, dated December 11, 2014 re: new enforcement of property maintenance ordinance
- 12-813 Elaine McClammy, dated December 8, 2014, re: parking on sidewalk
- 12-814 Delaware River Keeper Network, dated December 5, 2014, re: Public meeting and hearing for commercial waste storage and treatment facility
- 12-815 Neptune Hose Company No. 5, dated December 17, 2014, re: Officers
- 12-816 Township of Florence, dated December 18, 2014, re: Recycling, DEP
- 12-817 Township of Edgewater Park, re: Elcon
- 12-818 Elaine McClammy, dated December 22, 2014, re: 807 Woodland
- 12-819 Elaine McClammy, dated December 15, 2014, re: repeat issues because of control
- 12-820 Elaine McClammy, dated December 18, 2014, re: vicious cat loose
- 12-821 Elaine McClammy, dated December 29, 2014, re: unenforced NJ helmet law
- 12-822 Elaine McClammy, dated December 26, 2014, re: pertinent issues
- 12-823 Elaine McClammy, dated December 30, 2014, re: suggestion for my old neighborhood
- 12-824 Township of Bordentown, re: Keystone Industrial Complex

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 01-2015*

Common Council of the City of Burlington, hereby approves the following appointments for the year 2015:

Councilwoman Hatala and Councilwoman Lollar as Council's representatives to the Tourism Council;

Councilwoman Hatala as Council's representative to the Land Use Board;

Councilman Conaway, as Council's liaison to the Board of Education;

Councilman Babula as Council's liaison to the Board of Island Managers;

Councilwoman Woodard and Councilman Ghaul as Council's representatives to the Local Emergency Planning Committee;

Councilwoman Lollar as liaison to the Greater Burlington Chamber of Commerce;

1st Ward Councilman Conaway, Councilwoman Woodard and Councilman Swan, 2nd Ward Councilman Swan, Councilwoman Woodard and Councilman Conaway 3rd Ward Councilwoman Hatala, Councilman Ghaul and Councilman Babula 4th Ward Councilwoman Lollar, Councilman Babula and Councilwoman Hatala to serve as Council's representatives to the Ward Redevelopment sub-committee.

Approved by Consent Agenda. All were in favor.

Resolution No. 02-2015*

COMMON COUNCIL MEETING SCHEDULE

NOTICE is hereby given that the following is the schedule of the Regular Meeting Dates and Work Session Meeting Dates of the Common Council of the City of Burlington (which may include executive sessions) for 2015 to be held in the Council Meeting Room, located at 525 High Street, Burlington, N.J., beginning at 7:00 p.m. except where specifically set forth otherwise herein:

REGULAR MEETINGS

(formal action will be taken- work session may follow)

January 20, 2015	January 6, 2015
February 3, 2015	July 7, 2015
February 17, 2015	July 21, 2015
March 3, 2015	August 6, 2015
March 17, 2015	September 1, 2015
April 7, 2015	September 15, 2015
April 14, 2015	October 6, 2015
May 5, 2015	October 20, 2015
May 12, 2015	November 10, 2015
June 9, 2015	December 1, 2015
	December 8, 2015

WORK SESSIONS

(formal action may or may not be taken)

January 13, 2015	July 14, 2015
February 10, 2015	September 8, 2015
March 10, 2015	October 13, 2015

Approved by Consent Agenda. All were in favor.

Resolution No. 03-2015*

WHEREAS, should the occasion arise whereby the Mayor is prevented by absence from the municipality, due to disability, or other just cause from attending to the duties of his office, and in accordance with NJSA 40:69A-42, Mayor James A. Fazzone hereby selects the following individuals as Acting Mayor:

1. Dave Ballard
2. Kenneth MacMillan
3. Robin Snodgrass

AND WHEREAS, if the Mayor is ever unable to attend to the duties of his office for a period of sixty (60) consecutive days, for any of the above stated reasons, an acting mayor will then be appointed by the Common Council who shall succeed to all the rights, powers, duties of the mayor, or the then acting mayor.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington does hereby confirm the mayor's appointments for Acting Mayor.

Approved by Consent Agenda. All were in favor.

Resolution No. 04-2015*

RESOLUTION NO. 04-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF SOLICITOR/MUNICIPAL ATTORNEY/DIRECTOR OF LAW

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 that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, N.J.S.A.40:69a-43(b) provides the appointment of Directors as department heads by the Mayor and with the consent and advice of Council to serve for the term of the Mayor; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposal for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor as appointed and selected George R. Saponaro, Esq. And the law firm of Saponaro & Sitzler to serve as the Municipal Attorney/Solicitor and Director of Law based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015,

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of George R. Saponaro, Esquire and the law firm of Saponaro & Sitzler to serve as Municipal Attorney/Solicitor and Director of Law (hereinafter "Solicitor") for a term to run concurrent with Mayor Fazzone's term and qualification as a successor.
2. The compensation of the Solicitor and services of the Solicitor for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and George R. Saponaro.
3. The City of Burlington is hereby authorized to enter into the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for George R. Saponaro, Esquire and Saponaro & Sitzler to provide legal services and serve as Municipal Attorney/Solicitor setting forth the following terms:

\$162,000.00 per year—Pursuant to the bid and contract(includes 100 hrs of litigation—any additional hours thereafter will be billed at the rate of \$150.00 per hour)

Approved by Consent Agenda. All were in favor.

Resolution No. 05-2015*

RESOLUTION NO. 05-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ALAIMO GROUP AS CITY ENGINEER OF RECORD/ DIRECTOR OF ENGINEERING

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 that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, N.J.S.A. 40:69A-43(b) provides the appointment of Directors as department heads by the Mayor and with the consent and advice of counsel to serve for the term of the Mayor; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the Engineer of Record / Director of Engineering will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Richard Alaimo of Alaimo Group to serve as the City Engineer of Record / Director of Engineering based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of Richard Alaimo of Alaimo Group to serve as the City Engineer of Record / Director of Engineering for the term of January 1, 2015 through December 31, 2015.

2. The compensation of the Engineer and services of the Engineer for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and Alaimo Group.

3. 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 Professional Services Contract for Alaimo Group and Richard Alaimo to provide engineering services and serve as City Engineer of Record/Director of Engineering setting forth the following terms:

a. A term of January 1, 2015 through December 31, 2015

b. Hourly rates and compensation not in excess of that set forth in Alaimo Group's attached proposals; and

c. The following not to exceed amounts:

	<u>2015</u>
General Engineering Services	\$60,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 06-2015*

RESOLUTION NO. 06-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF PENNONI ASSOCIATES, INC. AS SEWER ENGINEER

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 N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Sewer Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the sewer engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Pennoni Associates, Inc. to serve as the Municipal Sewer Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of Pennoni Associates, Inc. to serve as the Sewer Engineer for the term of January 1, 2015 through December 31, 2015.
2. The compensation of the Sewer Engineer for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and Pennoni Associates, Inc..
3. 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 Professional Services

Contract with Pennoni Associates, Inc. to provide sewer engineering services setting forth the following terms:

- a. A term of January 1, 2015 through December 31, 2015
- b. Hourly rates and compensation not in excess of that set forth in Pennoni Associates, Inc. attached proposals; and
- c. The following not to exceed amounts:

2015

Sewer Engineering Services	\$70,000.00
----------------------------	-------------

Approved by Consent Agenda. All were in favor.

Resolution No. 07-2015*

RESOLUTION NO. 07-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ENVIRONMENTAL RESOLUTIONS, INC. AS WATER ENGINEER

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 N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Water Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the water engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Environmental Resolutions, Inc. to serve as the Municipal Water Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of Environmental Resolutions, Inc. to serve as the Water Engineer for the term of January 1, 2015 through December 31, 2015.

2. The compensation of the Water Engineer for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and Environmental Resolutions, Inc..

3. 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 Professional Services Contract with Environmental Resolutions, Inc. to provide water engineering services setting forth the following terms:

a. A term of January 1, 2015 through December 31, 2015

b. Hourly rates and compensation not in excess of that set forth in Environmental Resolutions, Inc. attached proposals; and

c. The following not to exceed amounts:

2015

Water Engineering Services \$40,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 08-2015

RESOLUTION NO. 08-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF QUAL-LYNX AS THE THIRD PARTY INSURANCE CLAIMS ADMINISTRATOR

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. 40:69 A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for an Insurance - Third Party Claims Administrator whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain an Insurance - Third Party Administrator will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed Qual-Lynx to serve as the municipal Insurance - Third Party Claims Administrator based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015.

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

1. The Common Council of the City of Burlington hereby approves of Mayor, James A. Fazzone's appointment of Qual-Lynx to serve as the Third Party Claims Administrator for the term of February 1, 2015 through December 31, 2015.

1. The compensation of the Insurance - Third Party Administrator for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and Qual-Lynx.

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 Professional Services Contract for Qual-Lynx to provide Third Party Claims Administration setting forth the following terms:

1. A term of February 1, 2015 through December 31, 2015

2. Compensation of \$17,325.00, set forth in Qual-Lynx attached proposal.

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

Councilman Swan asked for 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. 09-2015*

RESOLUTION NO. 09-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF THE GARTY LAW FIRM, LLC AS SPECIAL SELF INSURANCE LITIGATION 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, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Self Insurance Litigation Attorney, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the special self insurance litigation attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has selected The Garty Law Firm, LLC to serve as the Self Insurance Special Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015;

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of The Garty Law Firm, LLC to serve as Self Insurance Special Counsel- (hereafter "Attorney") for the term of January 1, 2015 through December 31, 2015.
2. The compensation of the Attorney and services of the Attorney for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and The Garty Law Firm, LLC.
3. 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 Professional Services Contract with The Garty Law Firm, LLC to provide legal services and serve as Self Insurance Special Counsel setting forth the following terms:
 - a. The term of January 1, 2015 through December 31, 2015

b. the following not to exceed amount:

2015

Self Insurance Special Counsel \$60,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 10-2015*

RISK MANAGEMENT CONSULTANT

Whereas, the Governing Body of the City of Burlington is a member of the New Jersey Municipal Self Insurers' Joint Insurance Fund (NJMSIJif - a self insurance pooling fund); and

Whereas, the Bylaws of said Fund require that each member appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

Whereas, the Bylaws indicate that NJMSIJIF shall pay each Risk Management Consultant a fee approved by the member.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Burlington, does hereby appoint Hardenberg Insurance Group as its Risk Management Consultant for the City effective January 1, 2015 in accordance with the Fund's Bylaws.

BE IT FURTHER RESOLVED that the Governing Body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1)(a)(I).

Approved by Consent Agenda. All were in favor.

Resolution No. 11-2015

RESOLUTION NO. 11-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF THE DAVID MINCHELLO, ANTONELLI MINCHELLO, PC AS CONFLICT SPECIAL SELF INSURANCE LITIGATION 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, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Self Insurance Litigation Attorney, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the special self insurance litigation attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has selected David Minchello, Antonello Minchello, PC to serve as the Conflict Self Insurance Special Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015;

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of David Minchello, Antonello Minchello, PC to serve as Conflict Self Insurance Special Counsel-(hereafter "Attorney") for the term of January 1, 2015 through December 31, 2015.
2. The compensation of the Attorney and services of the Attorney for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and David Minchello, Antonello Minchello, PC .
3. 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 Professional Services Contract with David Minchello, Antonello Minchello, PC to provide legal services and serve as Conflict Self Insurance Special Counsel setting forth the following terms:
 - a. The term of January 1, 2015 through December 31, 2015
 - b. the following not to exceed amount:

2015

Self Insurance Special Counsel	\$30,000.00
--------------------------------	-------------

Upon the motion of Councilwoman Lollar, 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).

Resolution No. 12-2015*

RESOLUTION NO. 12-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF A MUNICIPAL AUDITOR

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. 40:69 A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for a Municipal Auditor whereby proposals were solicited and evaluated by the Common Council based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain a Municipal Auditor will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed John J. Maley, Jr. to serve as the Municipal Auditor based upon the Council's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015.

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

1. The Common Council of the City of Burlington hereby approves the appointment of John J. Maley, Jr. to serve as the Municipal Auditor for the term of January 1, 2015 through December 31, 2015.
2. The compensation of the Municipal Auditor for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and John J. Maley, Jr..
3. 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 Professional Services Contract for John J. Maley, Jr. to provide auditing services setting forth the following terms:

1. A term of January 1, 2015 through December 31, 2015
2. Compensation of \$34,000.00 as set forth in John J. Maley, Jr. attached proposal.

Approved by Consent Agenda. All were in favor.

Resolution No. 13-2015*

RESOLUTION NO. 13-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF BOND 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, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Bond Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the special self insurance litigation attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has and selected the law firm of Parker McCay, P.A. to serve as Bond Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015;

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of the law firm of Parker McCay, P.A. to serve as Bond Counsel for the term of January 1, 2015 through December 31, 2015.
2. The compensation and services for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and the law firm of Parker McCay, P.A.

3. 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 Professional Services Contract with the law firm of Parker McCay, P.A. to provide Bond Counsel services setting forth the following terms:

- a. The term of January 1, 2015 through December 31, 2015
- b. the following not to exceed amount:

2015

Bond Counsel	\$20,000.00
--------------	-------------

Approved by Consent Agenda. All were in favor.

Resolution No. 14-2015*

RESOLUTION NO. 14-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

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, the Mayor has selected Remington & Vernick Engineers and Affiliates to serve as the Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

- 1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's designation of Remington & Vernick Engineers and Affiliates to serve as a Special Projects Engineer during the year 2015.
- 2. The compensation of the Special Projects Engineer for the 2015 calendar year shall be in accordance with the professional services contract entered into between the City and Remington & Vernick Engineers and Affiliates.

Approved by Consent Agenda. All were in favor.

Resolution No. 15-2015*

RESOLUTION NO. 15-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

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, the Mayor has selected Environmental Resolutions, Inc. to serve as a Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's designation of Environmental Resolutions, Inc. to serve as a Special Projects Engineer during the year 2015.
2. The compensation of the Special Projects Engineer for the 2015 calendar year shall be in accordance with the professional services contract entered into between the City and Environmental Resolutions, Inc..

Approved by Consent Agenda. All were in favor.

Resolution No. 16-2015

RESOLUTION NO. 16-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF REDEVELOPMENT ATTORNEY

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 that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected the law firm of Parker McCay, P.A. to serve as the Redevelopment Attorney based upon the Mayor's determination of the "most

advantageous, price and other factors” based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzino’s appointment of the law firm of Parker McCay, P.A. to serve as Redevelopment Attorney for the term of January 1, 2015 through December 31, 2015.
2. The compensation and services for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and Parker McCay, P.A. .
3. 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 Professional Services Contract for the law firm of Parker McCay, P.A. to provide Redevelopment legal services setting forth the following terms:
 - a. A term of January 1, 2015 through December 31, 2015
 - b. Hourly rates and compensation not in excess of that set forth in Parker McCay, P.A. proposal; and
 - c. The following not to exceed amounts:

2015

Redevelopment \$25,000.00

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

On the question, Councilman Ghaul wanted it noted on the record that Council is the Redevelopment Authority.

Councilman Conaway agreed.

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. 17-2015*

RESOLUTION NO. 17-2015 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 2015 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 2015 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.

Approved by Consent Agenda. All were in favor.

Resolution No. 18-2015

RESOLUTION NO. 18-2015 OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A CONTRACT FOR THE 2015 SUPPLY & DELIVERY OF VARIOUS CHEMICALS

Whereas, the City Administration, after consultation with the Public Works Director, has requested Common Council's consideration of this resolution; and

Whereas, the City Administration was authorized to solicit sealed bids by the Common Council for the 2015 Supply & Delivery of the Various Chemicals listed below. The bid opening was held on Tuesday, December 9, 2014 at 10 AM in the City Hall Council Chambers; and

Whereas, the Administration reviewed the submitted bids and recommends that the Common Council award the contracts to the lowest qualified bidder, based on the attached bid summary; and

Now, Therefore, Be It Resolved by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with the companies listed below:

<u>CONTRACT</u>	<u>VENDOR</u>	<u>CHEMICAL</u>	<u>AMOUNT</u>
BC-14-048	Miracle Chemical Co. 1151 B Highway #33 Farmingdale, NJ 07727	Sodium Hypochlorite	\$52,819.20
BC-14-049	Univar USA, Inc. 5 Steele Road East Morrisville, PA 19067	Sodium Hydroxide	\$26,400.00
BC-14-050	Shannon Chemical 602 Jeffers Cir 116 Exton, PA 19341-2539	Potassium Permanganate	\$ 6,108.96
BC-14-051	Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Powdered Activated Carbon	\$30,391.20
BC-14-052	Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Sludge Polymer Zetalyte	\$9,338.18
BC-14-053	Univar USA, Inc. 5 Steele Road East Morrisville, PA 19067	Sodium Bisulfite	\$35,000.00

Be It Further Resolved, that any and all payment documents shall carry the contract identification numbers and that the Municipal Clerk shall provide the Business Administrator with two (2) certified copies of this resolution.

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. 19-2015*

Common Council of the City of Burlington, hereby affirms Mayor Fazzone's appointment of Herman T. Costello- Mayor Emeritus, to serve as the Mayor's Ambassador for the year 2015.

Approved by Consent Agenda. All were in favor.

Resolution No. 20-2015

RESOLUTION NO. 20-2015 OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR TAX FORECLOSURE BANKRUPTCY SPECIAL COUNSEL SERVICES

WHEREAS, there exists a need for Tax Foreclosure Bankruptcy Special Counsel, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute the attached agreement with Law Firm of Becker, Palk, Walker, LLC, in an amount not to exceed \$10,000.00.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the Burlington County Times.

Upon the motion of Councilwoman Lollar, seconded by Councilman Swan, 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. 21-2015*

Be it resolved that the Common Council of the City of Burlington hereby confirms the Mayor's appointments of Anthony Page, Lisa Schiller and Howard Wilkins as the City of Burlington Delegates to the Joint Insurance Fund (JIF) Safety Committee for the period 1/1/15 to 12/31/17. Be it further resolved that a certified copy of this resolution be sent by the Municipal Clerk to our Joint Insurance Fund Administrator, Barbara Murphy at Municipal Excess Liability Joint Insurance Fund, 9 Campus Drive - Suite 16, Parsippany, NJ 07054.

Approved by Consent Agenda. All were in favor.

Resolution No. 22-2015*

Common Council of the City of Burlington, hereby appoints the following Special Law Enforcement Officers, as per recommendation of the Administration for the year 2015:

Class II- Special Law Enforcement Officers

Fred Hatten	Timothy Cooper	Eric Osterlind
Christopher Snyder	Raymond Christopher	Rivell Robert Raditz

Class I- Special Law Enforcement Officers

Kenneth Kramer	Bernard Freeman	Richard Maerten
Howard Caruso	Tajinder Kaila	Woodley Duga
Michael Tomaszewski	Keith Spencer	Cameron Lung
Kelly Branin	Tyler Chrupcala	Aaron Martinez

Approved by Consent Agenda. All were in favor.

Resolution No. 23-2015*

Common Council of the City of Burlington, hereby approves the following Emergency Driver's for the year 2015:

Mitchell Sta. 903

Michael Adams
Zachary Adams
Kevin Barger
Roy Barkewich
Jonathan Cassidy
Shawn Meredith
Brian Curiale
Christopher Curiale
Brian Wood, Sr.
Andrew Grandin
Matthew Kaplan
Justin Leeds
Brandon Brelsford
Kevin Sexton
John Warren
Duane Stevenson
Joseph Stevenson
Brent Tomer
Robert Viereck
Todd Viereck

Neptune Sta. 905

Edward Ator, Jr.
David Fugh
Douglas Ghaul
Dave Kampe, Jr.
Mark Lawshe
Robert Maronski
Ryan Phillips
Jamie Sabo
Alfred J. Erzak, III
Keith Spencer
Christopher Thill
Jeffery Tinnick
John Tinnick
Michael Tomaszewski
Shaun Zoll
Richard Spotts
Joshua Maugeri
William Wood

Niagara Sta. 906

Arthur Sheridan, Jr.
Jeremy Bright
Rusty Caruso
Howie Caruso
Pedro Torres
Robert Durrell
Matthew Field
Tim Fitch
Dave Kampe, Sr.
Jamie Lambing
John Lambing
Dave Lamont
Glenn Mettrock
Roseann Torres
William Naprawa
Ken Naprawa
Chris Reeves
Thomas Ryder, IV
Brian Smith
Derrick Tucker, Sr.

Robert Sexton
Jeff Steere, Jr.
Crystal Kellert
Keith Tom Suden
Howard Nixon
Dawn Brelsford

Timothy Viereck
Eric Willitts
George Willitts
Charles Winkelspecht
Nicolas Wirth
Keneth Brown

Approved by Consent Agenda. All were in favor.

Resolution No. 24-2015*

Common Council of the City of Burlington, hereby appoints the following, Pedestrian Traffic Control Officers, as per recommendation of the Administration for the year 2015:

Gail Sabo	Christine Dragon	John Gusrang
Lucille Coats	Winston Forbes	Thomas McConnell
Kevin Kennedy	David Traughber	Mary Marinella
William Sabo	Jean Sills	James Ogburn
Robert Sharp	Chester Valosen	Enman Thompson
Dorothy Thompson	Gary Shively	Michelle Flowers
James Rettig	Grover Shively	James Krause
Paulina Keene	Lester Smith	Patricia Shaw
Hercott Francis		

Approved by Consent Agenda. All were in favor.

Resolution No. 25-2015*

RESOLUTION NO. 25-2015 APPOINTING A MUNICIPAL HOUSING LIAISON (MHL) / RCA ADMINISTRATOR FOR THE CITY OF BURLINGTON IN THE COUNTY OF BURLINGTON

WHEREAS, the Governing Body of the City of Burlington petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan which was filed with COAH on December 19, 2005; and

WHEREAS, the City of Burlington's Fair Share Plan and Project Plan promote an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27d-301, et seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et seq.); and

WHEREAS, the Governing Body of the City of Burlington adopted resolutions entering into Regional Contribution Agreements ("RCA") with the Townships of Delran, Burlington and Evesham for the transfer of 43, 52 and 10 units respectively pursuant to the Fair Housing Act, (N.J.S.A. 52:27d-301 et seq.), N.J.A.C. 5:94-1, et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 5:94-7 and N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint a Municipal Housing Liaison for the administration of the City of

Burlington's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint an administrator for the administration of the City of Burlington's RCA Housing Program to enforce the requirements of N.J.A.C. 5:94-1 et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, the City of Burlington has amended section 2.52.030 of the Municipal Code to provide for the appointment of an MHL to administer the City of Burlington's affordable housing program and to provide for the appointment of an RCA Administrator to administer the City of Burlington's RCA affordable housing program; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington in the County of Burlington and the State of New Jersey that David Ballard is hereby appointed by the Governing Body of the City of Burlington as the Municipal Housing Liaison for the administration of the affordable housing program and as the RCA Administrator for the administration of the RCA affordable housing program, pursuant to and in accordance with Section 2.52.030 of the City of Burlington's Municipal Code.

Approved by Consent Agenda. All were in favor.

Resolution No. 26-2015*

Common Council of the City of Burlington hereby confirms the Mayor's appointment of Emma Jean Morgan and John Alexander, to the Burlington County River Route Advisory Committee for the period of January 1, 2015 to December 31, 2015.

Approved by Consent Agenda. All were in favor.

Resolution No. 27-2015*

A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE CITY OF BURLINGTON FOR THE YEAR 2015 AND AUTHORIZING INVESTMENT OF FUNDS

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of effecting investments,

NOW, THEREFORE, BE IT RESOLVED on the 6th day of January, 2015, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that:

1. Beneficial Bank
Bank of America

Santander Bank
 Cornerstone Bank
 New Jersey Cash Management Fund
 Bank of New York Mellon (Debt Service Payments)
 Wells Fargo (Debt Service Payments)
 TD Bank (Debt Service Payments)
 Investors Bank

be and are hereby designated as depositories for the City of Burlington for the year 2015.

2. Prior to the deposit of any municipal funds in the above-mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (R.S. 17:9-41).

BE IT FURTHER RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institution, and that the Chief Financial Officer is hereby authorized to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from the City of Burlington's checking or savings accounts to other City accounts.
2. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of investing for the account of the City of Burlington.
3. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of making debt service payments of the City of Burlington.

Approved by Consent Agenda. All were in favor.

Resolution No. 28-2015*

RESOLUTION RE-ESTABLISHING PETTY CASH FUNDS FOR THE YEAR 2015

BE IT RESOLVED by the Common Council of the City of Burlington that the Chief Financial Officer be and is hereby authorized to re-establish the following petty cash accounts for the year 2015:

Petty Cash Accounts - Checking Accounts

- | | |
|--------------------|-----------|
| 1. Chief of Police | \$ 200.00 |
| 2. City Clerk | \$ 400.00 |
| 3. Fire Department | \$ 200.00 |

Petty Cash Accounts - Restricted Cash Accounts (1)

- | | |
|---------------------|-----------|
| 1. Water Department | \$ 200.00 |
|---------------------|-----------|

- 2. Public Works \$ 100.00
- 3. Sewer Department \$ 100.00

(1) Restricted to use in accordance with the meal allowance provision of the union contract during the year.

Approved by Consent Agenda. All were in favor.

Resolution No. 29-2015*

RESOLUTION AUTHORIZING SIGNATURES ON CITY CHECKS

BE IT RESOLVED, by the Common Council of the City of Burlington that the following City Officials are hereby authorized to sign checks or withdrawal slips where a combination of three principal signatures are required:

MAYOR

AND CITY CLERK OR DEPUTY CLERK

AND CHIEF FINANCIAL OFFICER OR
TAX COLLECTOR

BE IT FURTHER RESOLVED, that signature cards with the signatures of the persons authorized to sign be forwarded to the appropriate City Depositories when required.

Approved by Consent Agenda. All were in favor.

Resolution No. 30-2015*

Common Council of the City of Burlington, hereby appoints Councilman Ghaul to serve as Council's Historian for the year 2015.

Approved by Consent Agenda. All were in favor.

Resolution No. 31-2015*

Common Council of the City of Burlington, hereby designates the Burlington County Times, as the official newspaper and the Trenton Times as the secondary newspaper, for the year 2015.

Approved by Consent Agenda. All were in favor.

Resolution No. 32-2015*

RESOLUTION NO. 32-2015 AUTHORIZING THE PROPER CITY OFFICIALS AND DEPARTMENTS TO COORDINATE THE EFFORTS WITH THE COLONIAL BURLINGTON FOUNDATION, INC. TO PROVIDE NEEDED SERVICES FOR THE ANNUAL WOOD STREET FAIR, AND UNAUTHORIZED VENDORS BE RESTRICTED FROM SELLING THEIR WARES, AND NO POLITICAL CAMPAIGN MATERIALS BE DISPLAYED.

RESOLVED: That the Common Council of the City of Burlington hereby authorizes the proper City Officials and Departments to coordinate the efforts with the Colonial Burlington Foundation, Inc. to provide needed services for the Annual Wood Street Fair.

BE IT FURTHER RESOLVED: That unauthorized vendors be restricted from selling their wares and that yard sale permits not be issued within the Fair and Art Show areas, as defined by the Colonial Burlington Foundation and City Historical Society; and

BE IT FURTHER RESOLVED: That the City of Burlington Fire Official strictly enforces the Fire Ordinance in accordance with the Uniform Safety Code, in reference to open fires in or near art exhibits.

Approved by Consent Agenda. All were in favor.

Resolution No. 33-2015*

2014 Tonnage Grant Application Resolution

Whereas, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the City of Burlington, NJ to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

Whereas, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

Now, therefore be it resolved, by the Mayor and Common Council of the City of Burlington that City of Burlington hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Justin Vining, Recycling Coordinator to ensure that the application is properly filed.

Be it further resolved, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Approved by Consent Agenda. All were in favor.

Resolution No. 34-2015*

RESOLUTION NO. 34-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

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, the Mayor has selected Adams, Rehmann & Heggan to serve as a Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's designation of Adams, Rehmann & Heggan to serve as a Special Projects Engineer during the year 2015.
2. The compensation of the Special Projects Engineer for the 2015 calendar year shall be in accordance with the professional services contract entered into between the City and Adams, Rehmann & Heggan.

Approved by Consent Agenda. All were in favor.

Resolution No. 35-2015

Upon the recommendation of the Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order #1, with Arawak Paving Company, Inc. of 7503 Weymouth Road, Hammonton, NJ 08037, for an increase in the amount of \$30,750.00 for quantity adjustments in connection with the Farnar Avenue Improvement Project, making the total revised contract amount \$277,750.00.

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

On the question, Councilwoman Lollar suggested to withhold payment to the contractor until the issues are resolved; said there are pot holes that have been created by their machinery, now the City is responsible.

Mr. Ballard said that the Engineers visited the site and reported back; their report indicated that the equipment didn't cause the damage to the road.

Councilwoman Lollar said she lives on that road and can say that the damage was not there before the work was done; said she is not satisfied.

Mr. Saponaro said that he is aware of Council's concerns and that Mr. Snowden has documented.

Councilman Ghaul spoke of the past situation; agreed with Councilwoman Lollar; said that we should not have hired them; still nothing on Bordentown Road has been fixed as of this day; hopefully the Engineers have documented this situation and we will not hire them again.

Mr. Ballard mentioned that the County is also unhappy with this contractor.

Councilwoman Lollar made a motion to table this resolution.

Councilwoman Woodard agreed to delay payment until reports are received from the Engineers and seconded the motion.

Councilman Conaway agreed with Council's comments; said we did not have good records to say that we couldn't use this contractor, now we do; spoke of delays at the school.

The resolution was then TABLED 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. 36-2015*

RESOLUTION – 2015 DEBT SERVICE REQUIREMENTS

WHEREAS, N.J.S. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20 of the year preceding the beginning of the fiscal year; and

WHEREAS, the date of this resolution is subsequent to December 19, 2014; and

WHEREAS, principal and interest will be due on various dates from January 1, 2015 to December 31, 2015, inclusive, on sundry bonds issued and outstanding:

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made to cover the period from January 1, 2015 to December 31, 2015 inclusive:

DEBT SERVICE - CURRENT FUND

Payment of bonds	\$ 298,000.00
Interest on bonds	127,000.00

Equipment Lease Financing – 2005 BCBC:	
Payment of Principal	61,000.00
Payment of Interest	2,440.00
DEBT SERVICE - SEWER UTILITY	
Payment of bonds	\$ 57,000.00
Interest on bonds	20,875.00
N.J. Environmental Infrastructure Trust:	
State of New Jersey Fund Loan	
Payment of Principal	\$199,841.42
State of New Jersey Trust Loan	
Payment of Principal	\$165,000.00
Payment of Interest	\$170,387.50

Approved by Consent Agenda. All were in favor.

Resolution No. 37-2015*

Common Council of the City of Burlington, hereby consents to the following appointments by the Mayor to the City of Burlington Historic Preservation Commission:

William Buehrig, as a Class “C” Member, for a 4-year term 01/01/15 to 12/31/18

Brian White, as Alternate #1, for a 2-year term 01/01/15 to 12/31/16

Approved by Consent Agenda. All were in favor.

Resolution No. 38-2015*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Phyllis McLin, 34 E. Union Street, Burlington, N.J., to operate a business at 218 High Street t/a “Clique Salon & Spa.”

Approved by Consent Agenda. All were in favor.

Resolution No. 39-2015*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Oscar R. Guerra, 1019 Chestnut Avenue, Trenton, N.J., to operate a business at 351 High Street t/a “Francesco’s Ristorante and Pizzeria.”

Approved by Consent Agenda. All were in favor.

Resolution No. 40-2015

WHEREAS, the City of Burlington has an existing contract with QC Laboratories for supplying Laboratory Testing Services for Water, Wastewater and Landfill Monitoring for the period of 2013 to 2014; and

WHEREAS, the Contracts permit a two (2) year extension by the City, provided:

1. A resolution is passed finding that the services are being performed in an effective and efficient manner.
2. No such contract shall be extended so that it runs for more than a total of four (4) consecutive years.
3. Any price change included shall, as part of an extension, be based on upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustments or extensions and shall not exceed the change in index rate for the 12 months preceding the most recent quarterly calculations available at the time the contract is renewed.
4. The terms and conditions of the Contract remain substantially the same.

WHEREAS, based on the above the City Water Engineer recommends that the City extend this contract for the benefit of the City.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey hereby authorizes an extension of the 2013-2014 Laboratory Testing Contract for the Water, Wastewater and Landfill Monitoring to QC Laboratories in the amount of \$60,428.00 for 2015 and 2016.

BE IT FURTHER RESOLVED, that any and all payment documents shall carry the identification code 15-016 2013-2014 Laboratory Testing Contract for the Water, Wastewater and Landfill Monitoring and that the Municipal Clerk shall provide the Administration with two (2) certified copies of this resolution.

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. 41-2015

WHEREAS, the City of Burlington has an existing contract with Allied Control Services, Inc. for supplying Maintenance of Water and Wastewater Instrumentation and Chlorination Equipment for the period of 2013 to 2014; and

WHEREAS, the Contracts permit a two (2) year extension by the City, provided:

1. A resolution is passed finding that the services are being performed in an effective and efficient manner.
2. No such contract shall be extended so that it runs for more than a total of four (4) consecutive years.
3. Any price change included shall, as part of an extension, be based on upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustments or extensions and shall not exceed the change in index rate for the 12 months preceding the most recent quarterly calculations available at the time the contract is renewed.
4. The terms and conditions of the Contract remain substantially the same.

WHEREAS, based on the above the City Water Engineer recommends that the City extend this contract for the benefit of the City.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey hereby authorizes an extension of the 2013-2014 Maintenance of Water and Wastewater Instrumentation and Chlorination Equipment to Allied Control Services, Inc. in the amount of \$80,851.86 for 2015 and \$82,064.63 for 2016.

BE IT FURTHER RESOLVED, that any and all payment documents shall carry the identification code 15-017 2013-2014 Maintenance of Water and Wastewater Instrumentation and Chlorination Equipment, and that the Municipal Clerk shall provide the Administration with two (2) certified copies of this resolution.

Upon the motion of Councilwoman Lollar, seconded by Councilman Conaway, 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. 42-2015

RESOLUTION AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES

WHEREAS, various 2014 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 2014 Budget

Appropriations in the last two months of 2014; 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 \$4,000.00 be made between the 2014 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
<u>Current Fund:</u>		
Police Department:		
Salaries and Wages	\$83,000.00	
Inspection of Buildings:		
Other Expenses		\$75,000.00
Fire Department:		
Other Expenses		\$ 8,000.00

Upon the motion of Councilman Ghaul, 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. 43-2015

RESOLUTION - TEMPORARY BUDGETS

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2015 budgets, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2015; and

WHEREAS, the total appropriations in the 2014 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2014 budgets is the sum of \$16,334,887.62 for the Current Fund, \$1,802,300.65 for the Water Fund, and \$2,490,194.34 for the Sewer Fund;

WHEREAS, 26.25% of the total appropriations in the 2014 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2014 budgets is the sum of \$4,287,908.00 for the Current Fund, \$473,103.92 for the Water Fund, and \$653,676.01 for the Sewer Fund;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

CURRENT FUND - TEMPORARY APPROPRIATIONS - 2015

	SALARIES	OTHER EXPENSES
General Administration	85,000	7,000
City Clerk	45,000	16,000
Mayor and Council	10,000	3,000
Financial Administration	60,000	15,000
Audit Services		27,000
Assessment of Taxes	16,000	7,000
Collection of Taxes	65,000	8,000
Legal Services & Costs		60,000
Municipal Prosecutor		9,000
Municipal Court		105,000
Engineering Services & Costs		15,000
Economic Development		10,000
Office of Programs Coordinator	20,000	5,000
Planning Board	6,000	10,000
Historic Preservation Commission	2,000	5,000
Group Insurance Plan for Employees		400,000
Liability Insurance		170,000
Workers Compensation Insurance		50,000
Fire	5,000	50,000
Police	1,075,000	52,000
Animal Control Officer		5,000

Emergency Management Service	2,500	2,000
Public Buildings and Grounds	60,000	17,000
Public Works Road Repair & Maintenance	90,000	16,000
Public Works Department	30,000	45,000
Vehicle Maintenance	38,000	25,000
Parks and Playgrounds	5,000	16,000
Sanitation		80,000
Board of Health	10,000	1,000
Recreation Programs	25,000	20,000
Celebration of Public Events	53,000	25,000
Operations of Boat Ramp		1,200
Public Defender		1,000
Electricity and Natural Gas		140,000
Telecommunications		14,000
Petroleum Products		37,000
Landfill Solid Waste Disposal Costs		105,000
Building Inspections	7,500	30,000
Housing Code Inspections		4,000
Rental Unit Inspections	35,000	2,000
Plumbing Inspections		4,000
Electrical Inspections		6,000
Uniform Fire Safety Act	20,000	2,000
Contingent		200
P.E.R.S.		10,000
O.A.S.I.		80,000
Police & Firemens' Retirement System		10,000
Defined Contribution Retirement Program		3,000
NJ Unemployment Compensation Fund		20,000
Recycling Tax		5,000

WATER FUND - TEMPORARY APPROPRIATIONS -2015

	OTHER
SALARIES	EXPENSES

Water	215,000	200,000
Water P.E.R.S.		5,000
Water O.A.S.I.		18,000
Water NJ Unemployment Compensation Fund		2,000

SEWER FUND - TEMPORARY APPROPRIATIONS - 2015

	SALARIES	OTHER EXPENSES
Sewer	208,000	255,000
Sewer P.E.R.S.		5,000
Sewer O.A.S.I.		16,000
Sewer NJ Unemployment Compensation Fund		1,000

Upon the motion of Councilwoman Lollar, seconded by Councilman Swan, 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. 44-2015

RESOLUTION NO. 44-2015 OF THE CITY OF BURLINGTON AUTHORIZING EXECUTION OF AN AGREEMENT WITH BURLINGTON COUNTY FOR SLUDGE DISPOSAL SERVICES

WHEREAS, Burlington County (the "County") has been designated as a Solid Waste Management District and is responsible for the implementation of a solid waste management plan to provide for long-term solid waste and sludge processing and disposal needs in the County; and

WHEREAS, the County intends to enter into contracts to provide sewage sludge processing and co-composting services at its facility to wastewater treatment plants within the County; and

WHEREAS, the City of Burlington (the “City”) is the owner and/or operator of one of the 13 wastewater treatment plants that produce dewatered sludge generated within the County; and

WHEREAS, the City desires to enter into an agreement with the County to transport its sludge to the County’s facility for processing and disposal through December 31, 2019; and

NOW THEREFORE, be it resolved by the Common Council of the City of Burlington, in the County of Burlington and the State of New Jersey that the Mayor and Clerk are hereby authorized to enter into an Agreement with the County of Burlington, in a form substantially similar as attached hereto upon approval of the City Solicitor, for the purpose of transporting its sludge to the County’s facility for processing and disposal through December 31, 2019 at a rate determined by the tonnage of acceptable sludge disposed of.

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. 45-2015

RESOLUTION NO. 45-2015 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CONFLICT REDEVELOPMENT ATTORNEY

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 that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected the law firm of Dylan Walker of the Law Firm of Becker, Palk, Walker, LLC to serve as the Conflict Redevelopment Attorney based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2015.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of the law firm of Dylan Walker of the Law Firm of Becker, Palk, Walker, LLC to serve as Conflict Redevelopment Attorney for the term of January 1, 2015 through December 31, 2015.
2. The compensation and services for the 2015 calendar year shall be in accordance with the professional services contract to be entered into between the City and Dylan Walker of the Law Firm of Becker, Palk, Walker, LLC.
3. 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 Professional Services Contract for the law firm of Dylan Walker of the Law Firm of Becker, Palk, Walker, LLC to provide Redevelopment legal services setting forth the following terms:

- a. A term of January 1, 2015 through December 31, 2015
- b. Hourly rates and compensation not in excess of that set forth in Dylan Walker of the Law Firm of Becker, Palk, Walker, LLC proposal; and
- c. The following not to exceed amounts:

2015

Redevelopment \$5,000.00

Upon the motion of Councilman Swan, 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, Mr. Babula. (6) NAYS: Ms. Woodard. (1); ABSTAIN: (0); ABSENT: (0).

Resolution No. 46-2015

Upon the recommendation of Pennoni Associates, Inc., the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order #2, with Walters Marine Construction, Inc., 414 Woodbine-Ocean View Road, Ocean View, New Jersey, for an extension of contract time through January 31, 2015 for the Hurricane Sandy Damage Restoration Project due to weather delays and material lead times associated with the steel pile headwall approval and a reduction in the amount of \$15,625.00 for a design change, making the total revised contract amount \$179,375.00.

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).

Councilman Ghaul requested that Resolution No. 19-2015 be read aloud; recognized former Mayor Costello for all his years of service.

Resolution No. 47-2015

Common Council, of The City of Burlington, hereby acknowledges and celebrates Reverend Dr. Martin Luther King, Jr.

Whereas, the City of Burlington Common Council resolved to celebrate Monday, January 20, 2015, as the Reverend Dr. Martin Luther King, Jr., Day; and

Whereas, Dr. King, of the Southern Christian Leadership Conference, led the struggle for equal opportunities for all Americans regardless of race or creed; and

Whereas, Dr. King was taken from us on April 4, 1968, his legacy and deeds have not been forgotten:

Now, Therefore, Be It Resolved, that as the Oliver Cromwell Black History Society, triumphs African-American heritage in the City of Burlington, we join them in remembering Dr. Martin Luther King Jr., on this day.

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. 48-2015- ADDED

Common Council of the City of Burlington, hereby acknowledges Councilman Douglas Ghaul on his 60th Birthday on this 6th day of January 2015 and further wishes Councilman Ghaul good health.

Upon the motion of Councilwoman Hatala, 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).

PUBLIC COMMENTS

Joe Britton, 22 Wellington Place- had several complaints about Polito's junk yard; there are many problems at the property.

Mr. Saponaros said that he and Mr. Ballard will follow up on Mr. Britton's complaints.

Councilman Ghaul said that this situation is a daily operation of the Administration, not for Council to follow up.

Mr. Saponaro said that he will provide a legal memorandum.

COUNCIL COMMENTS

Councilwoman Woodard spoke of the new Redevelopment Attorney; would like to have a meeting with the Firm as soon as possible; also requested an update of all of the current projects.

Councilwoman Lollar thanked Mr. Ballard for taking care of the trees that fell on Wood and 8th Street; they are in the process of being cleaned up.

Councilman Swan wished everyone a Happy New Year; said he is looking forward to working with everyone; asked about a projected schedule for Brown Street reconstruction; asked that DPW fill in the potholes in the mean time.

Mr. Ballard said he hopes for a few warmer days so that Public Works can do some patch work.

Councilman Conaway spoke of the proposed hazardous waste site meeting on February 11th; spoke in support of the towns involved; also spoke two upcoming Police Department Community Meetings.

Councilwoman Hatala spoke of the hazardous waste facility; said that there is only one facility in the world.

Mr. Saponaro advised that the City of Trenton is working on opposing this.

Councilwoman Hatala asked about a list of streets that are in need of repair; one being Laumaster Street; there are no houses on it and it is one way.

Councilman Babula recognized the Municipal Clerk and Deputy Clerk for their work and dedication; wished everyone a Happy New Year.

ADJOURNMENT

Upon the motion of Councilwoman Lollar , seconded by Councilwoman Woodard, this meeting of January 6, 2015 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

