

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, FEBRUARY 16, 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, 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, redevelopment Attorney- Brooks DiDonato.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on February 16, 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

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS - RESOLUTIONS / CONSENT AGENDA RESOLUTIONS

None.

CONSENT AGENDA

Approved by Consent Agenda. All were in favor.

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

EXECUTIVE CONFERENCES

- K-9 Transfer Agreement
- Endeavor Emergency Squad, Inc. Lease Agreement Amendment
- U.S. Pipe Site
- Block 140, Lot 21

ORDINANCE(S) - INTRODUCTION & FIRST READING

A BOND ORDINANCE OF THE CITY OF BURLINGTON AUTHORIZING THE REPLACEMENT OF STORM WATER PUMPS IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$800,000; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$800,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing ordinance 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).

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 83-2016

RESOLUTION NO. 83-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF LEASE AMENDMENT #1 WITH THE ENDEAVOR EMERGENCY SQUAD, INC.

WHEREAS, the Endeavor Emergency Squad, Inc. provides emergency medical services to the City of Burlington, and has been a part of the Burlington community for many years; and

WHEREAS, the City of Burlington presently leases a portion of City Hall to Endeavor Emergency Squad, Inc. designated as the Endeavor Sub-station; and

WHEREAS, the Endeavor Emergency Squad, Inc. has added one (1) ambulance to its fleet and has requested an additional set of keys to the leased premises for this new vehicle; and

WHEREAS, the City of Burlington wishes to provide Endeavor Emergency Squad, Inc. with an additional set of keys to the leased premises;

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

1. The Mayor and Municipal Clerk are authorized and directed to enter into a lease Amendment #1 with the Endeavor Emergency Squad, Inc. for the purpose of amending Section 10. Entry to provide six (6) sets of keys to the leased premises to Tenant.

Upon the motion of Councilman Babula, 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. 84-2016

RESOLUTION NO. 84-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TRANSFER OF K-9 "BANE" TO THE CITY OF PHILADELPHIA

WHEREAS, the City of Burlington acquired a K-9 dog named "Bane" (hereinafter "K-9 Bane") in September of 2015 to be trained by the City of Burlington Police Department through the City of Philadelphia Police Canine Unit.

WHEREAS, the City of Philadelphia was to receive a set fee for the training of K-9 Bane and was also to receive a fee for K-9 Bane's boarding and food expenses; and

WHEREAS, the City of Burlington began the training of K-9 Bane with a well-trained officer who has with previous K-9 experience; however, K-9 Bane was ultimately deemed unacceptable as a K-9 officer in the City of Burlington Police Department; and

WHEREAS, City of Philadelphia, in urgent need of a K-9, whom has overseen the training of K-9 Bane from the City of Burlington and is fully cognizant of his skills, demeanor and temperament desires to acquire K-9 Bane in exchange from the City of Burlington for the fees currently due to City of Philadelphia for K-9 Bane's training, board and food expenses; and

WHEREAS, City of Philadelphia fully understands and is willing to assume any and all risks related to K-9 Bane and is willing to take possession of K-9 Bane and provide for its care; and

WHEREAS, the City of Philadelphia has offered to cancel the training and boarding fees and costs associated with K-9 Bane as well as provide one additional 14-week training session of another K-9 in consideration for K-9 Bane.

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

1. The Common Council for the City of Burlington hereby authorizes a contract with the City of Philadelphia for transfer of K-9 Bane.
2. The Common Council for the City of Burlington hereby authorizes the City Administration to exchange K-9 Bane for the consideration as described above and in accordance with the terms and conditions contained in the contract between the parties.
3. The Mayor and Municipal Clerk are hereby authorized to sign any documents in order to complete the conveyance on, and such forms as approved by the City Attorney.

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. 85-2016

RESOLUTION NO. 85-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REJECTING ALL BIDS FOR THE REPAIR AND RENOVATION PROJECT AT THE HERMAN T. COSTELLO LYCEUM HALL

WHEREAS, the City of Burlington requested prospective bidders to submit bids for repairs and renovations at the Herman T. Costello Lyceum Hall; and

WHEREAS, all qualified bids substantially exceeded the estimate provided by the City's architect; and

WHEREAS, *N.J.S.40A:11-13.2(a)* allows for the rejection of bids when all qualified bids substantially exceed the estimates;

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

1. All bids received for the Repair and Renovation Project at the Lyceum Hall and received by the City of Burlington on January 20, 2016, are hereby rejected as the City has determined that the qualified bids substantially exceed their professional estimates.
2. The Mayor, Municipal Clerk or the appropriate department heads, are hereby authorized to prepare the proposal specifications for the Repair and Renovation Project at the Lyceum Hall to be re-bid.

Upon the motion of Councilwoman Lollar, seconded by Councilman Babula, 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. 86-2016

RESOLUTION ADOPTING 2016 TEMPORARY CAPITAL BUDGET

WHEREAS, the City of Burlington desires to constitute the 2016 Temporary Capital Budget of the City of Burlington by inserting therein Replacement of Drainage Pumps.

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

Section 1. The 2016 Temporary Capital Budget of the City of Burlington is hereby constituted by the adoption of a schedule to read as follows:

TEMPORARY CAPITAL BUDGET OF THE
CITY OF BURLINGTON, NEW JERSEY

Projects Scheduled for 2016
Method of Financing

| <u>Project</u> | <u>Estimated Total Costs</u> | <u>Debt Authorized</u> |
|-------------------------------|--------------------------------------|----------------------------|
| Replacement of Drainage Pumps | \$800,000.00 | \$800,000.00 |

BE IT FURTHER RESOLVED that one certified copy of this resolution authorizing the projects be filed forthwith in the Office of the Director of Local Government within three days after adoption, to be included in the 2016 Permanent Capital Budget as adopted.

Upon the motion of Councilwoman Lollar, seconded by Councilman Babula, 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. 87-2016

RESOLUTION NO. 87-2016 AWARDED A CONTRACT FOR AN ELECTRICAL MAINTENANCE CONTRACT FOR THE WASTEWATER TREATMENT PLANT OF THE CITY OF BURLINGTON

WHEREAS, Bids were received on January 27, 2016 for Electrical Maintenance of the Wastewater Treatment Plant in the City of Burlington; and

WHEREAS, Hamilton Electrical Contracting submitted the lowest bid in the amount of \$40,694.52; and

WHEREAS, the City Sewer Engineer, Pennoni Associates, Inc. has reviewed all submitted bids and finds the qualifications of the low bidder to be in order; and

WHEREAS, the City Administration reviewed the submitted bids and recommends that the Common Council award the contract to the lowest qualified bidder known as Hamilton Electrical Contracting, Inc., 207 Boulevard, Florence, N.J. 08518.

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 Hamilton Electrical Contracting, Inc., for the pricing contained in their bid, total amount not to exceed \$40,694.52.

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. 88-2016

RESOLUTION NO. 88-2016 AWARDING A CONTRACT FOR MECHANICAL MAINTENANCE FOR THE YEAR 2016 FOR THE WASTEWATER TREATMENT PLANT OF THE CITY OF BURLINGTON

WHEREAS, Bids were received on January 27, 2016, for Mechanical Maintenance of the Wastewater Treatment Plant in the City of Burlington; and

WHEREAS, Municipal Maintenance Co. submitted the lowest bid in the amount of \$32,172.00; and

WHEREAS, the City Sewer Engineer, Pennoni Associates, Inc. has reviewed all submitted bids and finds the qualifications of the low bidder to be in order; and

WHEREAS, the City Sewer Engineer, Pennoni Associates, Inc. recommends that Common Council award the contract to the lowest qualified bidder known as Municipal Maintenance Co., 1352 Taylor Lane, Cinnaminson, N.J., 08077.

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 Municipal Maintenance Co., for the pricing contained in their bid, total amount not to exceed \$32,172.00.

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. 89-2016*

RESOLUTION NO. 89-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE PUBLIC DISPLAY OF FIREWORKS FOR FESTIVAL OF LIGHTS

WHEREAS, it is necessary for the Common Council of the City of Burlington to approve the public display of fireworks for the Festival of Lights; and

WHEREAS, after authorization is approved, the City Fire Official will then be able to issue a permit for the public display of fireworks.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that approval is granted for the public display of fireworks for the Festival of Lights to be held on August 6, 2016, with a rain date of August 7, 2016.

BE IT FURTHER RESOLVED that the Fire Official is hereby requested to issue a permit

pursuant to N.J.A.C. 5:18-2.7.

Approved by Consent Agenda. All were in favor.

Resolution No. 90-2016*

Common Council of the City of Burlington hereby approves a fire member application for David K. Kampe, Jr., 921 Rigg Road, Burlington, N.J., in the Mitchell fire Company Station 903, he having filed the necessary papers.

Approved by Consent Agenda. All were in favor.

Resolution No. 91-2016

RESOLUTION NO. 91-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A HAZARDOUS MITIGATION GRANT PROGRAM SUB-GRANT AGREEMENT

WHEREAS, disaster relief funds under the Hazardous Mitigation Grant Program are used for a variety of hazard mitigation activities, including mitigation projects to reduce the risk of loss of life and property in future disasters; and

WHEREAS, Section 404 of The Robert T. Stafford Disaster Relief and Emergency Assistance Act provides authorization for hazardous mitigation assistance to eligible applicants through the State of New Jersey, Office of Emergency Management, for funding to be used to implement the Hazardous Mitigation Grant Program; and

WHEREAS, the New Jersey Office of Emergency Management has been designated as the Grantee to receive, administer, and disburse FEMA Hazardous Mitigation funds for mitigation projects in New Jersey.

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Burlington, State of New Jersey, hereby authorizes the execution of a Sub-Grant Agreement with the State of New Jersey, Office of Emergency Management for the Hazardous Mitigation Grant Program, in the amount of \$166,039.00, for the period of December 2, 2015 to December 2, 2018.

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. 92-2016*

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 February 16, 2016, that an Executive Session Closed to the Public shall be held on February 16, 2016, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

- Contracts/Real Estate N.J.S.A. 10:4-12 (7) K-9 Transfer Agreement
- Contracts/Real Estate N.J.S.A. 10:4-12 (7) Endeavor Emergency Squad, Inc. Lease Agreement Amendment
- Contracts/Real Estate N.J.S.A. 10:4-12 (7) U.S. Pipe Site
- Contracts/Real Estate N.J.S.A. 10:4-12 (7) Block 140, Lot 21

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 February of 2016 or shortly there after.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

None.

ADMINISTRATIVE REPORT

Mr. Ballard spoke of the fire that recently occurred on St. Mary Street; the engineers and insurance adjusters have until February 19, 2016 to determine weather to demolish the homes or not.

COUNCIL COMMENTS

Councilwoman Lollar asked for an update on Polito’s junk yard.

Mr. Saponaro said he will be sending a memo to update Council.

Councilman Babula asked for an update on the marina.

Mr. Ballard said that there have been design changes; we are still hoping for 16 boat slips; the design would also help so that ice would not cause damage.

Councilman Babula spoke of a letter from Florence Township to the PA DEP regarding a Waste Management, Municipal Waste Landfill Permit Application expressing opposition of a new solid waste landfill in Falls Township, PA; suggested the City also express opposition; asked about the Police surveillance cameras; asked if they are all up and running.

Councilwoman Hatala asked for a possible date for the Pearl Pointe Ground Breaking; asked about the progress of the former Café Gallery.

Mr. Saponaro suggested to bring Mr. Callahan back to Council to give an update on the progress of Pearl Pointe; said there is no official ground breaking date as of yet.

Mr. Ballard said that the former Café Gallery, now the Riverview, hopes to open by Memorial

Day.

Councilwoman Hatala also suggested adopting a resolution opposing the proposed new solid waste landfill in Falls Township, PA; asked about the progress of Phase II of the Brick Wall.

Mr. Ballard said it should be ready to open sometime in March.

Councilwoman Hatala asked about the Westrum land swap.

Mr. Saponaro said that we are waiting for the engineers report/environmental study that was ordered by Westrum, it's moving along.

Councilman Swan spoke of Smith's Alley egress out of W. Union Street, the road has collapsed.

Mr. Ballard suggested that it is privately owned by the bank.

Councilman Swan spoke of a heavy influx of tractor trailer traffic on W. Broad Street.

Mr. Ballard said they have a right to make deliveries.

Councilman Swan spoke of traffic enforcement.

Councilwoman Lollar reminded everyone of an event to be held on Saturday, February 27, 2016 at the Burlington City High School honoring the 1966 State Champs basketball team members and teacher Timothy Reardon on his 47 years of service.

Mayor Conaway spoke of the Jazz Show to be held at Lyceum Hall on Saturday, February 20, 2016.

Councilwoman Woodard spoke of the Traveling Black History Museum at the Tabernacle Baptist Church.

ADJOURNMENT

Upon the motion of Councilwoman Lollar, seconded by Councilman Swan, this meeting of February 16, 2016 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk