

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, OCTOBER 2, 2012, AT 7:30 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, Ms. Mercuri, Ms. Woodard. (7) Absent: (0)

Also present: Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, Director of Housing- David Ballard, Lt. Snow, Carl Turner, Director of Public Works, Robin Snodgrass, Mgt. Assistant..

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on October 2, 2012 at 7:30 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

INVOCATION

Deacon Walter Karpecik from Saint Katherine Drexel Parish

SALUTE TO FLAG

UNFINISHED BUSINESS

Councilman Ghaul inquired about a conference regarding the relocation of the City's Recycling Center.

President Lollar suggested it is being worked on.

CONSENT AGENDA

Councilwoman Hatala moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard.

On the question, Councilman Ghaul requested Resolution No.'s 213-2012 and 216-2012 be removed from the Consent Agenda. It was seconded by Councilwoman Hatala.

All were in favor. Absent: Mr. Babula.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

CORRESPONDENCE FOR SEPTEMBER 2012

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of August 2012. \$ 595.80

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 9-01 Screening for September 2012
- 9-02 Historic Preservation Members & Applicants, September 2012
- 9-03 Land Use Board dated September 20, 2012
- 9-04 Land Use Board Agenda dated September 20,2012/updates

MINUTES RECEIVED FROM VARIOUS BOARDS

- 9-10 Historic Preservation Commission Meeting Minutes August 1, 2012
- 9-11 Land Use Board dated August 22, 2012

NOTICE TO PROPERTY OWNERS

- 9-20 Notice-ref: Ingerman Development ,concerning meeting September 20, 2012

PETITIONS OF APPEALS:

- 9-30 block 74 lot 25
- 9-31 block 24 lot 2.01
- 9-32 block 228 lot 3
- 9-33 block 7 lot 8

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

- 9-100 Endeavor Emergency Report, submitted by Christine Schroeder, Captain

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

- 9-300 Alaimo Group dated September 20, 2012 Re: 2012 Local Road Program Rebid, preconstruction meeting to Dennis Gunn, copied Cindy A Crivaro, Clerk
- 9-301 Alaimo Group dated September 20, 2012 Re; Tennis Courts, preconstruction meeting to Dennis Gunn, copied Cindy A Crivaro, Clerk

9-302 Alaimo Group dated September 20, 2012 Re: Tennis Court Construction, Contract no. 2012-3 To Ms Coe, copied Cindy A Crivaro, Clerk

9-303 Remington & Vernick Engineers dated September 17, 2012 attn: Diane Burns, re; Preliminary and final site plan-inspection fee. Block 1 lot 1 application #647-12

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

9-501 Burlington County Chamber of Commerce from Kristi Howell Ikeda, to Cindy Crivaro ref: Annual State of the County Dinner

9-502 Burlington County Connection dated September 7, 2012, Re: Burlington bicycle Facilities Inventory to Mayor Fazzone

9-503 News, Immediate Release NJ dept of Environmental Protection "Wild Things to happen at DEP Outdoor Expo

9-504 Great Chamber of Commerce, Dinner Meeting at Café Gallery September 19th, Wednesday

CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES

9-600 NJLM dated August 31, 2012 League Delegates Luncheon

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

9-700 News, New Jersey Department of Environmental Protection, Immediate Release Christine Administration Officials urge residents to take precautions against mosquitoes

9-701 State of New Jersey, dated September 5, 2012 to Community Contract, 87th Annual Conference, Shade Tree

9-702 State of New Jersey, dated August 28, 2012 to Mayor & Municipal Clerk, availability of licensed planners, to assist the town

9-703 State of new jersey, dated September 11, 2012 to Mayor Fazzone, re; Transportation Trust Fund, James Street Improvements \$167,000.00

9-704 News-Immediate release, New Jersey Department of Environmental Protection dated September 18, 2012 Christie announces approval of green acres project

MISCELLANEOUS CORRESPONDENCE

9-800 Spooky Shelves at the Haunted Library Oct 19, 2012

9-801 Metro, dated September 5, 2012 Dear Sirs, re: Metro PSC Site lease site#PH0302C

9-802 Underground Rail Road information

9-803 Home for Aged Women of Burlington County, from M. Grace Shultz, President re; Fashion Show

9-804 St Mary's Street United Methodist Church, dated September 12, 2012 September 20, 2012 at 10:30 am 155 years of Worship

9-805 Petition, Board of Island managers dated August 27, 2012

9-806 Weichert Realtors, thank you to Ms Crivaro, on behalf of Washington Square project, dated September 17, 2012 from Don Vasquez

9-807 Library Company of Burlington, November 16, 2012 7-11pm Wine & Cheese party

9-808 Sunshine Notice, City of Burlington Board of Education - Sunshine Notice October 22, 2012 Time change from 7:00 pm to 6:30 pm

9-809 Pipeline Safety re; annual pipeline safety program information

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

ORDINANCE(S) - INTRODUCTION & FIRST READING

A BOND ORDINANCE OF THE CITY OF BURLINGTON AUTHORIZING STREET RECONSTRUCTION IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$400,000; 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 \$380,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Mercuri, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (5) NAYS: (0); Abstain: Mr. Conaway. (1); Absent: Mr. Babula. (1)

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING THE PROVISIONS ON TO THE CODE OF THE CITY OF BURLINGTON SECTION 344-37 (BUS STOPS)

Upon the motion of Councilwoman Mercuri, seconded by Councilman Conaway, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (5) NAYS: (0); Abstain: Mr. Ghaul, Ms. Hatala. (2); Absent: Mr. Babula. (1)

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 15-2012 OF THE CITY OF BURLINGTON APPROPRIATING THE SUM OF \$25,000 FROM CAPITAL FUND BALANCE FOR THE STRUCTURAL IMPROVEMENTS TO THE ENDEAVOR CLOCK TOWER STEEPLE

BE IT ORDAINED BY the Common Council of the City of Burlington in the County of Burlington and the State of New Jersey, as follows:

SECTION 1. The City shall contract for Structural Improvements to the Endeavor Clock Tower Steeple at a cost not to exceed \$25,000.00.

SECTION 2. For the purpose stated in Section 1 above, there is hereby appropriated the sum of \$25,000.00 from Capital Fund Balance, which is now available for such purpose by virtue of cancellation of prior improvement authorizations and premiums received on the sale of bonds or notes.

SECTION 3. This ordinance shall take effect twenty (20) days after its final passage and publication of Notice thereof according to Law.

Upon the motion of Councilwoman Hatala, seconded by Councilman Mercuri, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

None.

This ordinance was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (6); NAYS: (0); Absent: Mr. Babula. (1)

ORDINANCE NO. 16-2012 OF THE CITY OF BURLINGTON AMENDING THE PROVISIONS ON TO THE CODE OF THE CITY OF BURLINGTON SECTION 344-14 (PARKING TIME LIMITS ON CERTAIN STREETS)

WHEREAS, the City of Burlington has reviewed the parking time limits for East Union Street (South Side of the Street) in location on East Union Street forty-nine (49) feet East of High Street continuing a distance of forty (40) feet (two parking stalls); and

WHEREAS, the City of Burlington Police Department has made a recommendation, pursuant to a review of complaints from individuals parked in the vicinity and of business owners in the vicinity; and

WHEREAS, the City of Burlington Police Department, after reviewing the area and the complaints recommends changing the parking time limit from fifteen (15) minutes to thirty (30) minutes;

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

The time limit presently set forth in the Code for the City of Burlington on East Union Street, South side, for the hours of 9:00 a.m. through 5:00 p.m. Monday through Saturday, at the location forty-nine (49) feet East of High Street, a distance of forty (40) feet (two parking

stalls, shall have the time limit for parking in this area amended from fifteen (15) minutes to a new time limit of thirty (30) minutes;

BE IT FURTHER ORDAINED that upon final passage that the Administration including the Department of Public Works shall take all necessary action to change the appropriate signs designating the time limit as adopted by the Ordinance;

BE IT FURTHER ORDAINED that this ordinance shall take effect upon final passage and publication as required by law.

Upon the motion of Councilwoman Hatala, seconded by Councilman Ghaul, the foregoing ordinance was introduced.

Public Comments

Harry Heck, 116 E. Union Street- asked if this was at the request of the businesses.

President Lollar responded, yes.

Council Comments

Councilman Ghaul spoke of Wheatley's having problems with the elderly; 15 minute parking is not enough when picking up prescriptions; some are getting ticketed.

This ordinance was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (6); NAYS: (0); Absent: Mr. Babula. (1)

ORDINANCE NO. 17-2012 OF THE CITY OF BURLINGTON DESIGNATING A THREE-WAY STOP INTERSECTION FOR THE CITY OF BURLINGTON

WHEREAS, the City of Burlington has reviewed the intersection of Hulbert, James and Sixth Street for the concerns regarding the public safety of this intersection; and

WHEREAS, the City of Burlington Police Department has made a recommendation, designating this area as a three-way stop; and

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

1. The following described intersection is designated as a three-way stop intersection. Stop signs and supplemental three-way panels shall be installed as provided herein:

- a. Intersection of Hulbert, James and Sixth Street; Stop signs on 1) Sixth Street traveling East as it approaches the intersection of

Hulbert and James Street; 2) Hulbert Street traveling South as it approaches the intersection of Sixth and James Street; 3) James Street traveling West as it approaches the intersection of Hulbert and Sixth Street.

BE IT FURTHER ORDAINED that upon final passage that the Administration including the Department of Public Works shall take all necessary action to change the appropriate signs designating the time limit as adopted by the Ordinance;

BE IT FURTHER ORDAINED that this ordinance shall take effect upon final passage and publication as required by law.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Mercuri, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

None.

This ordinance was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (6); NAYS: (0); Absent: Mr. Babula. (1)

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 205-2012

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN AMENDMENT TO A PROFESSIONAL SERVICES AGREEMENT WITH ADAMS REHMANN & HEGGAN FOR CONTRACT NO. 09-024

WHEREAS, the City of Burlington awarded a professional services agreement to Adams Rehmann & Heggan per Resolution No. 71-2009 in the amount of \$15,723.00; and

WHEREAS, this professional services agreement was for engineering and related services for the Water Treatment Plan Capital Projects including the new substation project; and

WHEREAS, there continues to be construction management and inspection services required from Adams Rehmann & Heggan for the proper engineering of said project beyond the original contract amount of \$15,723.00; and

WHEREAS, Adams Rehmann & Heggan did submit a letter dated September 21, 2012 outlining the additional engineering services required in connection with said project will total \$4,924.25;

and

WHEREAS, the Chief Financial Officer has indicated that the Water Budget can support this additional amount required;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, that the proper City Officials be authorized to execute an amendment to the Adams Rehmann & Heggan professional services agreement number 09-024 for an additional \$4,924.25 making a new total not to exceed amount of \$20,647.25.

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

Resolution No. 206-2012

A RESOLUTION OF THE CITY OF BURLINGTON AMENDING RESOLUTION 178-2012 REGARDING THE EXTRAORDINARY UNSPECIFIABLE SERVICES AGREEMENT WITH ADAMS, REHMANN AND HEGGAN

Whereas, the City of Burlington Common Council approved Resolution 178-2012 on August 2, 2012 authorizing an extraordinary unspecifiable professional services agreement with Adams, Rehmann and Heggan for consulting, grant writing and other services for project development including the preparation of an application for funding with the USEDA for the Burlington Mart Site; and

Whereas, through Adams, Rehmann and Heggan, the City of Burlington has received an immediate opportunity to provide a presentation to Richard Stockton College of New Jersey officials to investigate the possibility of creating a partnership with Stockton College; and

Whereas, said presentation will require the preparation of various maps and diagrams that Adams, Rehmann and Heggan can prepare on behalf of the City; and

Whereas, the resolution and agreement with Adams Rehmann and Heggan is for a finite amount;

Now therefore be it resolved by the Common Council of the City of Burlington that the scope of services be altered and that the preparation of an application for funding with the USEDA for the Burlington Mart Site be hereby replaced with the preparation of various maps and diagrams as well as attendance at appropriate meetings by Adams Rehmann and Heggan for the investigation and facilitation of the possibility of creating a partnership with Richard Stockton College of New Jersey;

Be it further resolved that this change in scope of services will not affect the total amount of the agreement which is set at the not to exceed amount of \$14,700.00.

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

Resolution No 207-2012

WHEREAS, the City of Burlington, County of Burlington desires to amend the 2012 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

Adding the "Reconstruction of James Street" project and funding the total cost of \$400,000.00 with \$20,000.00 from Capital Improvement Fund and authorizing \$380,000.00 of debt.

NOW, THEREFORE, BE IT RESOLVED, by the City of Burlington, County of Burlington that the Capital Budget of the year 2012 is hereby amended as per the attached sheets 40b, 40c and 40d.

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

On the question, Councilwoman Hatala spoke of \$167,000 in discretionary funds.

Mr. MacMillan spoke of the wording of the ordinance; never sure of engineering cost; want to be sure local funding in place; \$200,000 and \$167,000 from grants.

The resolution was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (5) NAYS: (0); Abstain: Mr. Conaway; Absent: Mr. Babula. (1)

Councilman Babula arrived at 7:45pm

Resolution No 208-2012

WHEREAS, the City of Burlington entered into a contract with F&P Contractors, Inc., the lowest acceptable bidder, of 659 Washington Avenue, South Amboy, N.J., for the Lawrence Street Reconstruction Project; and

WHEREAS, quantity adjustments and additional items were are necessary in connection with the Lawrence Street Reconstruction Project; and

WHEREAS, the City has determined that the quantity adjustments and additional items were necessary, negotiated the payment terms, prepared the change order form and recommends

approval of Change Order #1 for F&P Contractors, Inc..

NOW, THEREFORE BE IT RESOLVED, that Common Council of the City of Burlington, hereby authorizes the Mayor and Municipal Clerk to execute an amended agreement (Change Order #1) with F&P Contractors, Inc., the lowest acceptable bidder, 659 Washington Avenue, South Amboy, N.J., a reduction in the amount of \$20,625.40, for quantity adjustments and additional items related to the Lawrence Street Reconstruction Project, making a revised contract total of \$327,169.60.

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

Resolution No. 209-2012*

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A GRANT APPLICATION AND EXECUTION OF AGREEMENTS FOR THE NEW JERSEY DEPARTMENT OF TRANSPORTATION 2013 TRANSIT VILLAGE PROGRAM

Whereas, the City of Burlington is a designated New Jersey Transit Village; and

Whereas, the Transit Village Initiative creates incentives for municipalities to redevelop and revitalize the areas around transit stations using design standards of transit-oriented development to create attractive, vibrant, pedestrian-friendly neighborhoods; and

Whereas, the City of Burlington endeavors to improve pedestrian safety and accessibility from the rail station to the river front promenade to serve the growing number of pedestrian commuters walking to and from the Light Rail Station, and

Whereas, the City of Burlington seeks to create a roundabout on High Street at the river front as indicated in the Master Plan; and

Whereas, the NJDOT Transit Village Program provides funding for these non-traditional transportation improvements within Transit Village Designated municipalities and is currently accepting applications for 2013 Transit Village Grants;

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington, County of Burlington, State of New Jersey, hereby approves the appropriate City officials to submit a 2013 Transit Village Grant Application for the above stated project;

BE IT FURTHER RESOLVED that the Common Council hereby authorizes the Mayor, Municipal Clerk and other appropriate City officials to execute any necessary documents for the submission and execution of said grant agreement.

Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 210-2012*

A RESOLUTION OF THE CITY OF BURLINGTON TO REFUND OVERPAYMENT OF TAXES

WHEREAS, an overpayment of 2012 taxes, has occurred on the properties identified herein, due to a reduction in the assessment as a result of the Property Tax Reassessment or a Tax Appeal.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington authorizes the Chief Financial Officer to issue a refund check for 2012 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>
28.01 (206 Juniper St)	11	Washington Sq Assoc, LLC *Make check payable to: Federation Title Agency 90 W Old Marlton Pike Marlton, NJ 08053 Attention: Michelle	\$ 55.07
47 (630 Camden Ave)	3	130 Star Properties LLC *Make check payable to: U.S. Bank – Cust/Sass Muni V Dtr Tax Lien Servs Group, Ste 1950 2 Liberty Place, 50 S 16 th St Philadelphia, PA 19102	\$ 199.79
118 (210-215 High St)	1	Fisher & Edgar * Make check payable to: Corelogic Attn: Escrow Report, MC DFW 4-3 1 Corelogic Way Westlake, TX 76262	\$ 1,459.27
143 (418 St Mary St)	15	B & C Investing, LLC *Make check payable to: B & C Investing, LLC 58 Lowell Dr	\$ 67.01

Marlton, NJ 08053

Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 211-2012*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Kathryn Benjamin, 85 Medford Lane, Willingboro, N.J. to operate a business at 584A York Street t/a "Easy Auto Repair."

Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 212-2012*

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 October 2, 2012, that an Executive Session Closed to the Public shall be held on October 2, 2012, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

Real Estate / Contracts N.J.S.A. 10:4-12(7) UDAG Loan Update

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 October of 2012 or shortly there after.

Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 213-2012- REMOVED FROM CONSENT THEN TABLED UNTIL 10/9/12 MTG

A RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2013 TRANSIT VILLAGE PROGRAM TO FUND THE INSTALLATION OF PEDESTRIAN IMPROVEMENTS INCLUDING THE CONSTRUCTION OF A MODERN ROUNDABOUT WITHIN ½ MILE OF THE BURLINGTON TOWNE CENTER RAIL STATION

WHEREAS, the City of Burlington endeavors to improve pedestrian safety and accessibility from the rail station to the riverfront promenade to serve the growing number of pedestrian commuters walking to and from the Light Rail Station, and

WHEREAS, the NJDOT Transit Village Program provides funding for these non-traditional transportation improvements within Transit Village Designated municipalities that have committed to grow in areas surrounding transit facilities, and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Burlington, County of Burlington, State of New Jersey, formally approves the grant application for the above stated project, and

BE IT FURTHER RESOLVED that the Common Council hereby authorizes the proper City Official to submit an electronic grant application identified as TV-2013-BURLINGTON CITY-00002, to the New Jersey Department of Transportation Transit Village Program, for the above stated project.

BE IT FURTHER RESOLVED; that the Mayor and Municipal Clerk are hereby authorized to sign the agreement on behalf of the City of Burlington and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the agreement.

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

On the question, Councilman Ghaul suggested that Council should look at the project before applying for grant.

Councilman Ghaul then made a motion to Table this Resolution until it can be discussed at the next meeting. It was seconded by Councilwoman Hatala.

The resolution was then TABLED by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) NAYS: (0); Absent: (0)

Resolution No. 214-2012*

A RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2013 SAFE STREETS TO TRANSIT PROGRAM TO FUND THE INSTALLATION OF PEDESTRIAN ACCESSABILITY AND SAFETY IMPROVEMENTS

WHEREAS, the City of Burlington endeavors to improve pedestrian safety and accessibility along pedestrian routes that connect to the High Street and Broad Street corridors in order to encourage Light Rail users to walk to the Burlington Towne Center River Route Station, and

WHEREAS, the NJDOT Safe Streets To Transit Program provides funding for these types of improvements to enhance safe pedestrian access to mass transit connections, and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Burlington, County

of Burlington, State of New Jersey, formally approves the grant application for the above stated project, and

BE IT FURTHER RESOLVED that the Common Council hereby authorizes the proper City Official to submit an electronic grant application identified as SST-2013-BURLINGTON CITY-00004, to the New Jersey Department of Transportation Transit Village Program, for the above stated project.

BE IT FURTHER RESOLVED; that the Mayor and Municipal Clerk are hereby authorized to sign the agreement on behalf of the City of Burlington and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the agreement.

Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 215-2012*

A RESOLUTION APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2013 BIKEWAYS GRANT PROGRAM

WHEREAS, the City of Burlington endeavors to improve bikeway connections and access throughout the community including parks and recreation areas as identified in the 2010 Master Plan, and

WHEREAS, the NJDOT Bikeways Program provides funding for these types of improvements to promote bicycling as an alternative mode of transportation, and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Burlington, County of Burlington, State of New Jersey, formally approves the grant application for the above stated project, and

BE IT FURTHER RESOLVED that the Common Council hereby authorizes the proper City Official to submit an electronic grant application identified as Bike-2013-BURLINGTON CITY-00006, to the New Jersey Department of Transportation Transit Village Program, for the above stated project.

BE IT FURTHER RESOLVED; that the Mayor and Municipal Clerk are hereby authorized to sign the agreement on behalf of the City of Burlington and their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the agreement.

Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 216-2012- REMOVED FROM CONSENT THEN TABLED UNTIL 10/9/12 MTG
Resolution: Approval to submit a grant application and execute a grant contract with the New

Jersey Department of Transportation of the resurfacing of Farner Avenue Project.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013 Burlington City-00048 to the New Jersey Department of Transportation on behalf of the City of Burlington.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Burlington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Upon the motion of Councilman Babula, seconded by Councilwoman Mercuri, the foregoing resolution was introduced.

On the question, Councilman Conaway suggested this Resolution also be Tabled until further discussion.

Councilman Ghaul then made a motion to Table this Resolution until it can be discussed at the next meeting. It was seconded by Councilwoman Hatala.

The resolution was then TABLED by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) NAYS: (0); Absent: (0)

PUBLIC COMMENTS

Harry Heck, 116 E. Union Street- spoke of broken street signs at East and West Union and High Streets; spoke of the City of Burlington signs, the medallions are missing; asked if the Mayor receives a salary as the Head of Safety and Acting City Administrator.

President Lollar stated that the Mayor is not receiving a salary for either position.

Stuart Ayers, 18 Riverbank- complained of speeding on riverbank; spoke of dogs being hit and left; complained of parking situations on riverbank; concerned about children.

President Lollar asked that Lt. Snow look into this.

COUNCIL COMMENTS

Mr. MacMillan corrected President Lollar's previous response to Mr. Heck, the Mayor does not receive anything for Acting Administrator, but receives \$4,500 for Public Safety Director.

Mr. Ballard suggested that the signs on Union may have been damaged during construction; will

look into and have fixed.

Councilwoman Woodard spoke of why she voted to not have a conference in reference to Resolution No. 216-2012; felt that Farner Avenue was on a list of many streets in need of repair.

Councilwoman Hatala asked for the status of James Street.

Mr. MacMillan spoke of getting funding in place before the City can award a contract; we have to wait for the Bond Ordinance to become effective.

Carl Turner arrived at 8:05pm.

Councilman Ghaul stated he has no opposition for applying for grants for streets, however, there are several streets in need of repair; it is Council's decision; spoke of payment in lieu of taxes; it is less than 1 cent on the dollar; there is little impact on the budget, but more of an impact on the School System.

CONFERENCES

Best Practices Initiative- Ken MacMillan, CFO

Auction of State Surplus Property- Carl Turner, Director of Public Works

RESOLUTION

Resolution No. 217-2012

RESOLUTION NO. 217-2012 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A PURCHASE ORDER IN A NOT TO EXCEED AMOUNT OF \$25,000.00 FOR THE PARTICIPATION IN THE STATE OF NEW JERSEY'S AUCTION OF HEAVY EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT

WHEREAS the State of New Jersey has scheduled a public auction for the purpose of selling various state-owned equipment, including heavy equipment; and

WHEREAS, the Public Works Department for the City of Burlington has the need for certain specific heavy equipment; and

WHEREAS the Common Council of the City of Burlington recognizes the potential for cost savings by purchasing certain heavy equipment through the State auction; and

WHEREAS, the Director of Public Works has recommended that the City authorize him to attend an auction for heavy equipment for the purpose of cost saving measures to purchase certain equipment that the Public Works Department is in need of; and

WHEREAS, the State of New Jersey's surplus property in its present used condition can save the City and its taxpayers significant sums of money; and

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

1. The Common Council for the City of Burlington hereby authorizes the City's CFO to issue a purchase order for an amount not to exceed \$25,000.00.
2. The Common Council for the City of Burlington authorizes Director of Public Works Carl Turner to attend the State Public auction, and make bids as he deems appropriate for any amounts not to exceed \$25,000.00.
3. The Common Council for the City of Burlington hereby authorizes and directs the Public Works Director Carl Turner to enter into any contracts for the purchase of equipment at the State of New Jersey Auction for total amounts not to exceed \$25,000.00.

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

EXECUTIVE CONFERENCE

UDAG Loan Update- Ken MacMillan, CFO & Jerry Velazquez of Triad, Inc.

ADJOURNMENT

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Mercuri, this meeting of October 2, 2012 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk