

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, OCTOBER 4, 2011, 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: President Ghaul, Mr. Babula- (late), Ms. Hatala, Ms. Lollar, Ms. Woodard. (5)  
Absent: Mr. Conaway, Ms. Mercuri. (2)

Also present: Mayor Fazzone, Municipal Attorney- George Saponaro, Director of Housing- Dave Ballard, Mtg Asst.- Robin Snodgrass, Police Chief- Anthony Wallace, Lieutenant- Alan Snow.

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 4, 2011 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC  
Municipal Clerk

### **INVOCATION**

Pastor Kim Crutchfield of The Broad Street Methodist Church

### **SALUTE TO FLAG**

### **PRESENTATIONS**

K-9 Car Show Sponsors and Volunteers

### **CONSENT AGENDA**

Councilwoman Hatala, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard. All were in favor. Absent: Mr. Conaway, Ms. Mercuri.

### **PETITIONS AND COMMUNICATIONS\***

Approved by Consent Agenda. All were in favor. Absent: Mr. Conaway, Ms. Mercuri.

### **CORRESPONDENCE FOR SEPTEMBER 2011**

## **NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED**

### **Reports from various departments received:**

Monies collected by the Municipal Clerk's Office for the month of August 2011. \$ 2,925.00

### **AGENDAS RECEIVED FROM VARIOUS BOARDS**

- 9-01 Historic Preservation Members and Applications- September 2011
- 9-02 Screening Board Schedule- September 2011
- 9-03 Land Use Board, dated October 6, 2011

### **MINUTES RECEIVED FROM VARIOUS BOARDS**

- 9-10 Historic Preservation Commission
- 9-11 Land Use Board, dated August 24, 2011

### **NOTICE TO PROPERTY OWNERS**

- 9-20 Notice of Public Hearing, 421 Saint Mary Street a/k/a 415 Saint Mary Street

### **CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:**

- 9-100 Endeavor Emergency Squad, Inc., Monthly Status Report
- 9-101 Board of Education, Sunshine Notice, dated 9/12/2011
- 9-102 Board of Education, Public Notice dated 9/ 28/ 2011
- 9-103 Library Company of Burlington, Spooky Tales and Mars Needs Mom

### **CORRESPONDENCE TO AND FROM BURLINGTON COUNTY**

- 9-501 Chamber of Commerce, Monthly Dinner Meeting Notice, September 28, 2011
- 9-502 Board of Chosen Freeholders of the County of Burlington, Notice of Public Hearing
- 9-503 Burlington County Board of Chosen Freeholders, Autumn Festival at Historic Smithville, October 2, 2011
- 9-504 Burlington County Residents, Shred - Recycle, 130 Hancock Lane, Westampton

### **CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES**

- 9-600 NJLM, dated September 14, 2011, Re: Notice of Proposed 2012 Membership Fees
- 9-601 NJLM, dated September 14, 2011, Re: Proposed 2012 Membership Dues
- 9-602 NJLM, dated September 2011, Re: 20<sup>th</sup> Annual Mayors Legislative Day

### **CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY**

- 9-700 Department of Transportation, dated September 7, 2011, Re: Maintenance Road Way Repair

### **MISCELLANEOUS CORRESPONDENCE**

- 9-800 Blue Devil Deli Fundraiser for Music Department  
9-801 The Home for Aged Woman of Burlington County, Fundraiser Fashion Show October 15<sup>th</sup>  
9-802 American Asphalt Company, dated August 29, 2011  
9-803 Comcast notice dated September 27, 2011  
9-804 Adopt a Beach, fall clean up Palmyra Cove Nature Park October 15, 2011  
9-805 Pirate Week Events September 19-24, 2011  
9-806 Home for Aged Women, Café Gallery Fashion Show

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor. Absent: Mr. Conaway, Ms. Mercuri.

**APPROVAL OF MINUTES\***

Approved by Consent Agenda. All were in favor. Absent: Mr. Conaway, Ms. Mercuri.

**CONSENT AGENDA RESOLUTIONS\***

**Resolution No. 191-2011\***

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Sharon Flowers, 101 Emblar Lane, Willingboro, N.J. to operate a business at 112 W. Broad Street t/a “The Rose of Sharon Christian Book Store.”

Approved by Consent Agenda. All were in favor. Absent: Mr. Conaway, Ms. Mercuri.

**Resolution No. 193-2011\***

A RESOLUTION OF CITY OF BURLINGTON APPOINTING MEMBERS OF THE SELECTION COMMITTEE FOR THE SELECTION OF POSITIONS WITHIN THE FIRE DEPARTMENT PURSUANT TO MUNICIPAL CODE SECTION §2.28.220

WHEREAS, the term of office for current Chief, Deputy Chief and two (2) Battalion Chiefs of the City of Burlington Fire Department expires on December 31, 2011; and

WHEREAS, pursuant to Section 2.28.220 of the Municipal Code, Common Council will appoint a five member Selection committee not later than October 2011; and

WHEREAS the Section Committee must consist of: two (2) former chiefs of the City of Burlington Fire Department; one (1) Chief Officer from another Fire Department; one (1) Civilian with management experience; and one (1) member of Common Council; and

Now, Therefore Be It Resolved by the Common Council of the City of Burlington that the following persons are hereby appointed to the Selection Committee for the selection of a new Chief, Deputy Chief and two (2) Battalion Chiefs for the City of Burlington Fire Department for the year 2012:

Howard Wilkins and Lee Daneker as former Burlington City Fire Department chiefs; and  
Tony Burnett, Chief of the Willingboro Township Fire Department as an outside fire  
chief; and  
Rick Iovine as the civil member; and  
Council Member Ila Marie Lollar

Approved by Consent Agenda. All were in favor. Absent: Mr. Conaway, Ms. Mercuri.

**Resolution No. 196-2011\***

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 4, 2011, that an Executive Session Closed to the Public shall be held on October 4, 2011, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

Real Estate N.J.S.A. 10:4-12(7) Block 12, Lot 5

Real Estate N.J.S.A. 10:4-12(7) Block 148, Lots 7, 8, 9, 10, 19 & 20

Contracts N.J.S.A. 10:4-12(7) Police

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 2011 or shortly there after.

Approved by Consent Agenda. All were in favor. Absent: Mr. Conaway, Ms. Mercuri.

**CONFERENCE**

Mercantile License Buying Gold- Det. Anna Czajka

**EXECUTIVE CONFERENCE**

Real Estate N.J.S.A. 10:4-12(7) Block 12, Lot 5

Real Estate N.J.S.A. 10:4-12(7) Block 148, Lots 7, 8, 9, 10, 19 & 20

Contracts N.J.S.A. 10:4-12(7) Police

**RESOLUTIONS**

Resolution No. 197-2011

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING PAYMENT PLAN FOR TAXES WATER AND SEWER

WHEREAS, N.J.S.A. 54:5-19 provides for the governing body to omit from Tax Sale those properties delinquent for prior year taxes or other municipal liens, or parts thereof, on real property, upon which regular, equal monthly installment payments are being made, in pursuance to such agreement as may be authorized by resolution between the collector and owner of said property.

BE IT FURTHER RESOLVED, that said property owner shall make 60 equal monthly installments to include all delinquent taxes, assessments and other municipal liens held by the municipality, at the rate of eight (8) percent, due on the fourth of each month as set forth on the attached schedules. It shall further be conditioned that all installments of taxes for the current year in which such agreement is made, and all subsequent taxes, assessments and other municipal liens imposed or becoming a lien thereafter shall be promptly paid when due. When payment of the aforementioned exceeds 30 days after due date, then said agreement shall be void and the tax collector shall proceed to enforce such lien by selling in the manner per N.J.S.A. 54:5-19.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Burlington, County of Burlington, that the tax collector is hereby authorized to accept said installments as provided on the attached schedules for Block 12, Lot 5, also known as 214 High Street, City of Burlington and assessed to The Lilly Inn, Inc.

BE IT FINALLY RESOLVED, that a certified copy of this resolution with installment plan schedules be forwarded to the Tax Collector and property owner.

Upon motion of Councilwoman Hatala, seconded by Councilwoman Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Lollar, Mr. Ghaul. (4) NAYS: (0); Absent: Mr. Conaway, Ms. Mercuri, Ms. Woodard. (3)

**UNFINISHED BUSINESS**

None.

President Ghaul announced a Field Hockey goal scored by Meredith Fazzone.

**ADMINISTRATIVE REPORTS**

None.

**ORDINANCE(S) - INTRODUCTION & FIRST READING**

**AN ORDINANCE REGULATING THE SALE OF PRECIOUS METALS IN THE CITY OF BURLINGTON**

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

**RESOLUTIONS**

**Resolution No. 192-2011**

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING THE ACCEPTANCE OF A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2011 OF DEPARTMENT OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING AND FOR THE CITY CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET AND CERTIFY THE AVAILABILITY OF FUNDS

WHEREAS, the City of Burlington, Office of Emergency Management has been awarded State Homeland Security Grant Program Subgrant CFDA #97.042, Award #2011-P130-0305 from the New Jersey State Police Office of Emergency Management. The Subgrant, consisting of a total amount of \$10,000.00, including \$5,000.00 Federal Award and \$5,000.00 Local Matching Funds, is for the purpose of enhancing City of Burlington's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the subgrant award incorporates all conditions and representations contained or made in application and notice of award #2011-EP-EO-0047; and

WHEREAS, the City of Burlington Office of Emergency Management, designated by the New Jersey State Police, Office of Emergency Management, has submitted an Application for Subgrant Award that has been required by the said New Jersey State Police Office of Emergency

Management; and

WHEREAS, the Application for Subgrant Award calls for a match in the amount of \$5,000.00 which the City of Burlington Office of Emergency Management adequately satisfies through the 2011 City of Burlington approved budget for Division salaries and wages and fringe benefits.

NOW, THEREFORE, BE IT RESOLVED that the City of Burlington of the County of Burlington here with accepts the award of the FFY11 Homeland Security Emergency Management Performance Grant Program Subgrant in the amount of \$5,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$5,000.00 as follows which item is now available as a revenue from:

Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

FFY10 Homeland Security Emergency	
Performance Grant	\$ 5,000.00

BE IT FURTHER RESOLVED that a like sum of \$ 5,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations Operations-Excluded from "CAP"  
Public and Private Programs Offset by Revenues:

FFY11 Homeland Security Emergency	
Performance Grant	\$ 5,000.00

BE IT FURTHER RESOLVED that the City Administrator, the Chief Financial Officer and the City Emergency Management Coordinator are authorized to sign the appropriate subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the Director of the Division of Local Government Services; the City Administrator; the Chief Financial Officer; and the City of Burlington Division of Emergency Management.

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

Resolution No. 194-2011

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON  
APPOINTING SUBCONTRACTORS TO THE TAX REASSESSMENT PROGRAM

WHEREAS, the City of Burlington was ordered by the County Board of Taxation to conduct a complete program of revaluation and reassessment of real property for the use of the local assessor; and

WHEREAS, the program will be conducted under the supervision of the Office of the Tax Assessor for the City of Burlington, based on the Common Council's determination that this method of carrying out the reassessment would be the "most advantageous, price and other factors;" and

WHEREAS, pursuant to Ordinance 01-2011, the Common Council for the City of Burlington authorized an emergency appropriation in the amount of \$235,000.00 for the purpose of conducting the said revaluation, under the supervision of the City Tax Assessor's office, and in conjunction with Diane R. Hesley, CTA, and Justin Vining, CTA, of the Office of the Tax Assessor for the City of Burlington; and

WHEREAS, there exists the need for the assistance of various subcontractors is necessary to complete the project, and the same qualifies as extraordinary unspecifiable services contracts given the nature of the revaluation project, that the same is being performed under the supervision of the City of Burlington Tax Assessor's Office, and time constraints placed upon the project based upon the directives of the Burlington County Board of Taxation; and

WHEREAS, the value of the anticipated professional services to be performed by the subcontractors shall not exceed that which is set forth below; and



WHEREAS, the subcontractors whose salaries exceed the threshold of \$17,500 will execute professional service contracts certifying complete compliance with N.J.S.A. 19:44A-20.5; and

WHEREAS, funding is available pursuant to ORDINANCE NO. 01-2011, authorizing an emergency appropriation (N.J.S. 40A:4-53) to cover the costs of a complete program of reevaluation of real property for the use of the local assessor;

NOW THEREFORE BE IT RESOLVED that the following officials be approved and appointed to perform work related to the tax reassessment program, in the capacity listed, by the Common Council of the City of Burlington:

Residential Field Lister

Wendy Carr

\$15,000

BE IT FURTHER RESOLVED by the Common Council for the City of Burlington that each of the within sub-contractors shall be required to execute contracts certifying full compliance with N.J.S.A. 19:44A-20.5, execution of all applicable forms associated with pay to play laws, and provide all appropriate documents necessary for the execution of said contracts, subject to review of the City Solicitor.

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

On the question, Councilwoman Hatala stated that this Tax Assessment was ordered by the County Board of Taxation.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Lollar, Ms. Woodard, Mr. Ghaul. (5) NAYS: (0); Absent: Mr. Conaway, Ms. Mercuri. (2)

Resolution No. 195-2011

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON  
AUTHORIZING A LEASE FOR PARKING SPACES

WHEREAS, the City of Burlington owns Block 32, Lots 2, 3 and 4.01 in the City of Burlington;

WHEREAS, the within property is comprised of a parking lot owned by the City of Burlington;

WHEREAS, the City of Burlington in the best interest and being financially responsible to lease ten (10) parking spaces of the parking lot to Hulse and Germano;

WHEREAS, a lease has been prepared and reviewed by the City Solicitor;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the Mayor is authorized to execute the lease and bind the City of Burlington to a lease for ten (10) parking spaces at the property situated at Block 32, Lots 2, 3 and 4.01 in the City of Burlington, State of New Jersey.

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

Resolution No. 198-2011

A RESOLUTION OF COMPLETENESS FOR RIVERFRONT PROMENADE DUAL-PURPOSE FLAT ATHLETIC FIELD

WHEREAS, the City of Burlington did receive a Municipal Park Development Grant from the County of Burlington, in the State of New Jersey, in the amount of \$250,000.00 for development of a dual-purpose, flat, athletic field on the riverfront promenade; and

WHEREAS, a contract was duly awarded to GrassBusters Landscaping Co., Inc. 383 Hutton Avenue, Elkton, MD, 21921; and

WHEREAS, upon the recommendation of City Engineer, Alaimo Group, the Common Council did authorize by Resolution Number 181-2011, Change Order #1 for a reduction in said contract of \$1,294.00 making the revised total contract amount of \$248,706.00; and

WHEREAS, upon receipt of the completed AIA Form and recommendation from the City Engineer, the Common Council did authorize final payment for this project to Grass Busters, Inc, on September 20, 2011;

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

County of Burlington, State of New Jersey that the Construction of the Dual-purpose Flat Athletic Field at the Riverfront Promenade is completed and

BE IT FURTHER RESOLVED, that the Chief Financial Officer, Municipal Clerk and City Engineer are hereby authorized to submit the necessary documents to the County of Burlington for the reimbursement in the amount of \$248,706.00.

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

Resolution No. 199-2011

A RESOLUTION AUTHORIZING EXECUTION OF A SHARE SERVICES AGREEMENT WITH THE COUNTY OF BURLINGTON FOR PEDESTRIAN BEACON AND DYNAMIC SPEED SIGNS AT HIGH STREET (CR 541) AND SIXTH STREET AS PART OF THE SAFE ROUTES TO SCHOOLS PROJECT

WHEREAS, a traffic condition exists at the intersection of High Street (CR 541) and Sixth Street, in the City of Burlington, in the County of Burlington, which required the installation and operation of a flashing beacon; and

WHEREAS, it is necessary to expedite the safe movement of vehicular traffic; and

WHEREAS, the County of Burlington has indicated its willingness to install and maintain a flashing beacon installation at said intersection at its expense with the City of Burlington being responsible to provide through the utility company, the electric current necessary to the operation of the flashing beacon installation; and

WHEREAS, the County of Burlington has proposed a form of Agreement pertaining to maintenance of said flashing beacon installation which has been deemed acceptable by the City Solicitor; 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, for the purpose of aforesaid, a copy of said agreement being attached hereto and made a part thereof.

Upon motion of Councilwoman Lollar, seconded by Councilwoman Hatala, the foregoing

resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Lollar, Ms. Woodard, Mr. Ghaul. (5) NAYS: (0); Absent: Mr. Conaway, Ms. Mercuri. (2)

Resolution No. 200-2011

A RESOLUTION AUTHORIZING EXECUTION OF A SHARE SERVICES AGREEMENT WITH THE COUNTY OF BURLINGTON FOR PEDESTRIAN BEACON AND DYNAMIC SPEED SIGNS AT JACKSONVILLE ROAD (CR 670) AND JAMES STREET AS PART OF THE SAFE ROUTES TO SCHOOL PROJECT

WHEREAS, a traffic condition exists at the intersection of Jacksonville Road (CR 670) and James Street, in the City of Burlington, in the County of Burlington, which required the installation and operation of a flashing beacon; and

WHEREAS, it is necessary to expedite the safe movement of vehicular traffic; and

WHEREAS, the County of Burlington has indicated its willingness to install and maintain a flashing beacon installation at said intersection at its expense with the City of Burlington being responsible to provide through the utility company, the electric current necessary to the operation of the flashing beacon installation; and

WHEREAS, the County of Burlington has proposed a form of Agreement pertaining to maintenance of said flashing beacon installation which has been deemed acceptable by the City Solicitor; 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, for the purpose of aforesaid, a copy of said agreement being attached hereto and made a part thereof.

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

Resolution No. 201-2011

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON

AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BURLINGTON AND THE BURLINGTON CITY FRATERNAL ORDER OF POLICE LODGE #63 FOR FULL-TIME POLICE OFFICERS EMPLOYED AS PATROL OFFICERS AND/OR PATROL OFFICERS ASSIGNED AS DETECTIVE IN THE POLICE DIVISION

WHEREAS, there exists a certain Collective Bargaining Agreement between the City of Burlington, New Jersey and the Burlington City Fraternal Order of Police Lodge #63 for full-time Police Officers that expires on December 31, 2011; and

WHEREAS, the City of Burlington and the Burlington City Fraternal Order of Police Lodge #63 did enter into negotiations and have agreed to the following:

- 1) Wage Increases:

0 %	increase effective January 1, 2012
2 %	increase effective January 1, 2013
1.75%	increase effective January 1, 2014
1.75 %	increase effective January 1, 2015
2 %	increase effective January 1, 2016
  
- 2) Contract expiration of December 31, 2016
  
- 3) Restructuring of Longevity for those so affected and as defined in the agreement, so that it will begin at year 10 and a decrease in percentage to 1.5% as per agreement
  
- 4) Restructuring of Holiday Pay for those so affected and as defined in the agreement, so that members' holiday pay will be reduced from 12 hours to 8 hours for holidays scheduled on a day off
  
- 5) Elimination of college credit allowances
  
- 6) Agreement to abide by State of New Jersey law with respect to employee contributions to all health, medical, dental and prescription benefits
  
- 7) Agreement to abide by any legislation enacted by the State of New Jersey regarding a cap

on the amount of sick days payable upon retirement.

NOW THEREFORE BE IT RESOLVED THAT:

The Common Council of the City of Burlington hereby approves of the foregoing Collective Bargaining Agreement between the City of Burlington, New Jersey and the Burlington City Fraternal Order of Police Lodge #63 for full-time Police Officers, for the Period January 1, 2012 to December 31, 2016; and

The Mayor, and Municipal Clerk are hereby authorized and directed to execute and enter into the agreement on behalf of the City of Burlington.

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

On the question, Mayor Fazzone and President Ghaul thank all those involved in the negotiation process for all of their cooperation.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Lollar, Ms. Woodard, Mr. Ghaul. (5) NAYS: (0); Absent: Mr. Conaway, Ms. Mercuri. (2)

Resolution No. 202-2011

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BURLINGTON AND THE BURLINGTON CITY FRATERNAL ORDER OF POLICE LODGE #63 FOR FULL-TIME SUPERVISORY POLICE OFFICERS EMPLOYED AS SERGEANTS AND LIEUTENANTS IN THE POLICE DIVISION

WHEREAS, there exists a certain Collective Bargaining Agreement between the City of Burlington, New Jersey and the Burlington City Fraternal Order of Police Lodge #63 for full-time Supervisory Police Officers that expires on December 31, 2011; and

WHEREAS, the City of Burlington and the Burlington City Fraternal Order of Police Lodge #63 did enter into negotiations and have agreed to the following:

- 1) Wage Increases:  
0 % increase effective January 1, 2012

2 %	increase effective January 1, 2013
1.75%	increase effective January 1, 2014
1.75 %	increase effective January 1, 2015
2 %	increase effective January 1, 2016

2) Contract expiration of December 31, 2016

3) Restructuring of Longevity for those so affected and as defined in the agreement, so that it will begin at year 10 and a decrease in percentage to 1.5% as per agreement

4) Restructuring of Holiday Pay for those so affected and as defined in the agreement, so that members' holiday pay will be reduced from 12 hours to 8 hours for holidays scheduled on a day off

5) Elimination of college credit allowances

6) Agreement to abide by State of New Jersey law with respect to employee contributions to all health, medical, dental and prescription benefits

7) Agreement to abide by any legislation enacted by the State of New Jersey regarding a cap on the amount of sick days payable upon retirement.

NOW THEREFORE BE IT RESOLVED THAT:

The Common Council of the City of Burlington hereby approves of the foregoing Collective Bargaining Agreement between the City of Burlington, New Jersey and the Burlington City Fraternal Order of Police Lodge #63 for full-time Supervisory Police Officers, for the Period January 1, 2012 to December 31, 2016; and

The Mayor, and Municipal Clerk are hereby authorized and directed to execute and enter into the agreement on behalf of the City of Burlington.

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

Resolution No. 203-2011

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON CONDITIONALLY DESIGNATING MR. GURINDER SINGH D/B/A SS MART, L.L.C., A REDEVELOPER AND AUTHORIZING THE MAYOR, CITY SOLICITOR AND OTHER OFFICIALS TO INVESTIGATE, HAVE DISCUSSIONS AND NEGOTIATE A POTENTIAL REDEVELOPMENT AGREEMENT WITH MR. GURINDER SINGH D/B/A SS MART, L.L.C. AND TO PREPARE A DRAFT AGREEMENT FOR THE REDEVELOPMENT OF PROPERTY IN THE CITY OF BURLINGTON KNOWN AS 200 EAST FEDERAL STREET; BLOCK 148; LOT 7, 8, 9, 10, 19 & 20.

WHEREAS, the City of Burlington (the City) has designated a section of the City of Burlington known as the New Yorkshire Neighborhood for redevelopment in accordance with the provisions of N.J.S.A. 40A:12A-5 of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (The “LRHL”); and

WHEREAS, the New Yorkshire Neighborhood designated for redevelopment is applicable to the development, redevelopment and/or rehabilitation of those parcels of real property shown on the official tax map of the City of Burlington as “the property”;

Block 148;

Lots 7, 8, 9, 10, 19 & 20, also known as 200 East Federal Street in the City of Burlington; and

WHEREAS, pursuant to the LRHL, the City has determined to act as the “Redevelopment Entity” (as such term is defined in N.J.S.A. 40A:12A-3) for the redevelopment of the property set forth herein in accordance with the New Yorkshire neighborhood as part of a Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-8(f), the City of Burlington is authorized to arrange or contract with redevelopers for the planning, replanning, construction or undertaking of any redevelopment project; and



WHEREAS, Mr. Gurinder Singh D/B/A SS Mart, L.L.C., with offices at 8 Bisbee Drive, Burlington, New Jersey 08016 (SS Mart, L.L.C. or the “Redeveloper”) has presented a Proposal to the City for redevelopment of certain property within the New Yorkshire neighborhood which is subject to a redevelopment plan or plans to include the construction of a super market within said Redevelopment neighborhood and area; and

WHEREAS, based on its review of the plans and presentations made by Mr. Gurinder Singh D/B/A SS Mart, L.L.C. (the “Redeveloper”), the City has determined that the Redeveloper has the professional experience and financial capabilities to carry out the rehabilitation of certain property within the New Yorkshire neighborhood and Redevelopment area; and

WHEREAS, the City believes that the project to be in the vital and best interests of the City, and that it promotes the health, safety, morals, and welfare of the City’s residents;

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

1. Mr. Gurinder Singh D/B/A SS Mart, L.L.C., is hereby designated as the sole and exclusive Redeveloper for certain property within the New Yorkshire neighborhood as part of the overall City of Burlington Redevelopment Plan. This designation is subject to and conditioned upon the City and Mr. Gurinder Singh D/B/A SS Mart, L.L.C., negotiating and executing a Redevelopment Agreement for the redevelopment of said property within “90 days of the date hereof.” If the City and Mr. Gurinder D/B/A SS Mart, L.L.C., cannot meet a mutually acceptable Redevelopment Agreement, within 90 days, the designation of Mr. Gurinder Singh D/B/A SS Mart, L.L.C. as the sole and exclusive redeveloper for the property shall automatically expire.

2. The Administration and Solicitor are hereby authorized and directed to pursue negotiations of a Redevelopment Agreement on behalf of the City with the Redeveloper subject to the approval of the Common Council of such Agreement.

3. The designation of Mr. Gurinder Singh D/B/A SS Mart, L.L.C. as a Redeveloper for certain property within the New Yorkshire neighborhood which is subject to the Redevelopment Plans for the City of Burlington is also conditioned upon the Redeveloper entering into a cost escrow agreement with the City in form acceptable to the Mayor and Solicitor and posting said sum in an amount to be determined as acceptable to the Administration and to the City Solicitor for deposit in the cost escrow account. Said sum to be determined and deposited within 30 days of the date hereof.

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

### **PUBLIC COMMENTS**

Edward Troy, 126 Farner Avenue- spoke of Closed Session procedures; spoke of those doing the reassessment; spoke of items discussed in Closed Session.

Adrianna Powell, 202 Jones Avenue- thanked the Police Department, especially Patrolman Santucci, for all they do.

Sammy Cohen, 180 Riverbank- asked if the gold ordinance could be eliminated entirely and grandfather those already in business; suggested to prohibit it; spoke of the cost for the new recreation filed at the river front; asked about Resolution No. 197-2011; asked if the Lily Inn's UDAG Loan was current.

Richard Lee, 132-136 E. Broad Street- spoke of the S.E.E.D. Clean Up Day; thanked Councilman Babula and Councilman Conaway for participating.

Elaine Mc Clammy, Uhler Avenue- spoke of speeding on her street and in the town; spoke of issues throughout the town.

### **COUNCIL COMMENTS**

Mayor Fazzone thanked Richard Lee for his efforts, along with the students from the College of New Jersey.

### **ADJOURNMENT**

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, this meeting of October 4, 2011 was adjourned.

---

Cindy A. Crivaro, RMC  
Municipal Clerk

---

Hon. Douglas Ghaul, President  
Common Council