THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, NOVEMBER 1, 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, Mr. Conaway, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) Absent: (0)

Also present: Municipal Attorney- Sitzler, Chief Financial Officer- Ken Mac Millan, Police Chief- Anthony Wallace, Sgt. 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 November 1, 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
Chaplin Carl Wooden of the American Legion Post 79

SALUTE TO FLAG

President Ghaul announced that the Mayor is not in attendance this evening because he was just released from the hospital.

UNFINISHED BUSINESS
None.

ADMINISTRATIVE REPORTS
Lisa Schiller gave an update on up coming events.

CONSENT AGENDA
Councilwoman Mercuri, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard. All were in favor.

Councilwoman Hatala asked about page 10 of the Bill List, Safe Routes to Schools in the amount of $49,000.

Mr. MacMillan stated that it is part of the payment, the rest is on page 11, it is the final payment of the contract for all of the work.

Councilwoman Hatala spoke of the bus transportation to Great Adventure; reminded everyone that it is paid for through a grant; asked about police dogs, medical supplies on the bill list.

Chief Wallace will get back to Ms. Hatala with the details.

PETITIONS AND COMMUNICATIONS*
Approved by Consent Agenda. All were in favor.

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of September 2011. $ 427.65

AGENDAS RECEIVED FROM VARIOUS BOARDS
10-01 Historic Preservation Commission, October 2011
10-02 Screening Board Schedule - October 2011
10-03 Land Use Board, October 26, 2011

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:
10-100 Endeavor Emergency Squad, Monthly Report
10-101 Burlington City High School, dated November 4, 2011, re: 18th Annual Cadet Ball

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER
10-300 Pennoni, dated September 28, 2011, re: Sewer System Repair
10-301 Alaimo Group, dated September 30, 2011, re: Wood Street Reconstruction
10-302 Alaimo Group, dated October 21, 2011, re: Safe Roads to Schools

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY
10-501 Greater Burlington Chamber of Commerce, Dinner at Café Gallery October 19, 2011
10-502 Greater Burlington Chamber of Commerce, dated October 5, 2011, Winter Festival of Lights Committee
10-503 Greater Burlington Chamber of Commerce, re: Street Decor Sponsors
10-504 Greater Burlington Chamber of Commerce, re: Citizen of the Year Dinner, Café Gallery November 9, 2011

CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES

10-600 NJLM, 3rd Annual Sustainable Jersey Awards Luncheon
10-601 NJLM, re: Ethic Issues

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

10-700 State of New Jersey, dated September 28, 2011, re: Safe Routes to Schools
10-701 State of New Jersey, dated October 4, 2011, re: 96th Annual Conference
10-702 State of New Jersey, dated October 4, 2011, from Lori Grifa, Commissioner
10-703 State of New Jersey, dated October 6, 2011, from Chris Ferrara EIC Inspection Agency Corp
10-704 Local Finance Board, dated October 21, 2011, LFN 2011-30

MISCELLANEOUS CORRESPONDENCE

10-800 Williams Gas Pipeline, dated September 26, 2011
10-801 PSE&G, dated September 30, 2011
10-802 Hiring our Hero's, 2011, Veterans Events
10-803 WaWa Ground breaking, 10/26/2011 10am
10-804 Louise Callaway, letter of appreciation for the resolution
10-805 SBA Gov, e-mail release number 11-01 adv
10-806 Library Company of Burlington, Annual Fall Fund Raiser, November 18, 2011 7pm
10-807 American Artist, Art 2012 Stephen Early

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - INTRODUCTION & FIRST READING

A BOND ORDINANCE AUTHORIZING THE CONSTRUCTION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF $1,035,000; 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 $983,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

AN ORDINANCE OF THE CITY OF BURLINGTON LICENSING AND REGULATING DEALERS AND SECOND HAND JEWELRY AND PRECIOUS METALS

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 208-2011*

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 228 HIGH STREET (BLOCK 12, LOT 12) FOR EMERGENCY BOARD UP

WHEREAS, the City of Burlington Construction Official has certified that the property located at Block 12, Lot 12 (the "Property") must be boarded up to secure public safety; and

WHEREAS, the Construction Official has certified that the City expended $504.65 for boarding up at Block 12, Lot 12; and

WHEREAS, the Construction Official has certified that the owner of the Property is responsible for maintaining said property and is liable for the costs incurred by the City of Burlington on behalf of the property owner for securing and boarding; and

WHEREAS, the costs incurred by the City shall become a lien upon the Property and shall become collected and enforced in the same manner as taxes.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of $504.65 to be placed against the Property for the boarding up process to maintain public safety.

Approved by Consent Agenda. All were in favor.

Resolution No. 209-2011*

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 490 LAWRENCE STREET (BLOCK 137, LOT 29) FOR EMERGENCY BOARD UP

WHEREAS, the City of Burlington Construction Official has certified that the property located at Block 137, Lot 29 (the "Property") must be boarded up to secure public safety; and

WHEREAS, the Construction Official has certified that the City expended $649.00 for boarding up at Block 137, Lot 29; and

WHEREAS, the Construction Official has certified that the owner of the Property is responsible for maintaining said property and is liable for the costs incurred by the City of Burlington on behalf of the property owner for securing and boarding; and

WHEREAS, the costs incurred by the City shall become a lien upon the Property and shall become collected and enforced in the same manner as taxes.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of $649.00 to be placed against the Property for the boarding up process to maintain public safety.

Approved by Consent Agenda. All were in favor.

Resolution No. 210-2011*

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 350 E. BROAD STREET (BLOCK 146, LOT 2) FOR EMERGENCY BOARD UP

WHEREAS, the City of Burlington Construction Official has certified that the property located at Block 146, Lot 2 (the "Property") must be boarded up to secure public safety; and

WHEREAS, the Construction Official has certified that the City expended $731.00 for boarding up at Block 146, Lot 2; and

WHEREAS, the Construction Official has certified that the owner of the Property is responsible for maintaining said property and is liable for the costs incurred by the City of Burlington on behalf of the property owner for securing and boarding; and

WHEREAS, the costs incurred by the City shall become a lien upon the Property and shall become collected and enforced in the same manner as taxes.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of $731.00 to be placed against the Property for the boarding up process to maintain public safety.

Approved by Consent Agenda. All were in favor.

Resolution No. 211-2011*

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 490 LAWRENCE STREET (BLOCK 137, LOT 29) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 137, Lot 29 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended $210.00 for weed and debris removal at Block 137, Lot 29; and

WHEREAS, the Construction Official has certified that the owner of the Property is responsible for maintaining said property and is liable for the costs incurred by the City of Burlington on behalf of the property owner for weed and debris removal; and

WHEREAS, the costs incurred by the City shall become a lien upon the Property and shall become collected and enforced in the same manner as taxes.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of $210.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

Approved by Consent Agenda. All were in favor.

Resolution No. 212-2011*

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 350 E. BROAD STREET (BLOCK 146, LOT 2) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 146, Lot 2 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended $250.00 for weed and debris removal at Block 146, Lot 2; and

WHEREAS, the Construction Official has certified that the owner of the Property is responsible for maintaining said property and is liable for the costs incurred by the City of Burlington on behalf of the property owner for weed and debris removal; and

WHEREAS, the costs incurred by the City shall become a lien upon the Property and shall become collected and enforced in the same manner as taxes.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of $250.00 to be

placed against the Property for weed and debris removal to maintain public health and safety.

Approved by Consent Agenda. All were in favor.

Resolution No. 213-2011
A RESOLUTION TO AMEND ADOPTED BUDGET FOR A 2011 SUSTAINABLE JERSEY SMALL GRANT FROM THE NEW JERSEY LEAGUE OF MUNICIPALITIES

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the City of Burlington received a **2011 Sustainable Jersey Small Grant** in the amount of $1,000.00 from the New Jersey League of Municipalities;

SECTION 1
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 $1,000.00 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:

2011 Sustainable Jersey Small Grant	$ 1,000.00

SECTION 2
BE IT FURTHER RESOLVED that a like sum of $ 1,000.00 be and the same is hereby appropriated under the caption of:

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

2011 Sustainable Jersey Small Grant	$ 1,000.00

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

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

Resolution No. 214-2011
A RESOLUTION TO AMEND ADOPTED BUDGET FOR A 2011 COPS HIRING PROGRAM GRANT FROM THE U.S. DEPARTMENT OF JUSTICE

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the City of Burlington received a **2011 COPS Hiring Program Grant** in the amount of $642,164.00 from the U.S. Department of Justice;

SECTION 1
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 $642,164.00 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:

2011 COPS Hiring Program Grant	$ 642,164.00

SECTION 2
BE IT FURTHER RESOLVED that a like sum of $ 642,164.00 be and the same is hereby appropriated under the caption of:

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

2011 COPS Hiring Program Grant	$ 642,164.00

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

On the question, Councilman Babula asked about matching funds.

Mr. MacMillan explained that the grant pays for two officers for 3 years, the 4th year the City will have to pay for the officers; there are no matching funds.

Councilman Conaway asked about the application process.

Chief Wallace stated that they will follow Civil Service rules; there is a program that gives out applications; one can transfer from outside.

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

Resolution No. 215-2011
AMENDING THE CAPITAL BUDGET FOR 2011
WHEREAS, the City of Burlington, County of Burlington desires to amend the 2011 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

Adding the "Paving of the Memorial Hall Parking Lot" project and funding the total cost of $180,000.00 with $9,000.00 from the Capital Improvement Fund and authorizing $171,000.00 of debt.

Adding the "Resurfacing of Various Roads" project and funding the total cost of $640,000 with $32,000 from the Capital Improvement Fund and authorizing $608,000 of debt.

NOW, THEREFORE, BE IT RESOLVED, by the City of Burlington, County of Burlington that the Capital Budget of the year 2011 is hereby amended as per the attached sheets 40b, 40c and 40d.

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

Resolution No. 216-2011*
Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Eric Huffman, 37 Jefferson Drive, Laurel Springs, N.J. to operate a business at 400 High Street t/a "Metro PCS."

Approved by Consent Agenda. All were in favor.

Resolution No. 217-2011
Upon the recommendation of City Engineer, 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, for the Safe Routes to School Project the City of Burlington with Earle Asphalt Company, a reduction in the amount of $5,452.68 for quantity adjustments making a revised contract total of $298,473.58.

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

Resolution No. 218-2011*
Common Council of the City of Burlington, hereby authorizes Mitchell Fire Company No. 3 to conduct a "Pass the Boot" fundraiser on Jacksonville Road/ E. Federal Street at Route 130 on Friday, November 25, 2011 from 8:00 am to 1:00 pm, pending the proper permits from the N.J. Department of Transportation.

Approved by Consent Agenda. All were in favor.

Resolution No. 219-2011
Upon the recommendation of City Engineer, 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, for the Safe Routes to School Project the City of Burlington with Earle Asphalt Company, a reduction in the amount of $5,452.68 for quantity adjustments making a revised contract total of $298,473.58.

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

On the question, Councilwoman Hatala questioned this Resolution.

Mr. MacMillan explained that this is the engineers best estimate.

Councilman Conaway asked about the additional work.

President Ghaul explained that the additional work was due to unanticipated failures of electrical parts due to excessive rainfalls and additional electrical work associated with a 60 HP drainage pump motor.

Councilman Conaway asked if the last change order for $25,000 was exceeded.

Mr. MacMillan stated yes it was.

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

Absent: (0)

Resolution No. 220-2011

WHEREAS, there are certain 2011 budget appropriations which have been determined to be insufficient and there are other 2011 budget appropriations which are in excess of the amount deemed necessary to fulfill the purpose of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-58 permits the governing body during the last two months of the fiscal year, by resolution adopted by not less than 2/3 vote of the full membership thereof, to transfer the amount of such excess to those appropriations deemed to be insufficient,

NOW THEREFORE BE IT RESOLVED by the Common Council that the following transfers between the 2011 budget appropriations be made:

CURRENT FUND:	From	To
General Administration – OE		$ 2,000.00
Rental Unit Inspections – OE		$ 5,000.00
Office of Programs Coordinator – OE		$ 21,000.00
Inspection of Buildings – OE		$ 25,000.00
Group Insurance Premiums	$ 26,000.00	
Police – SW	$ 70,000.00	
Streets and Road Maintenance – SW		$ 5,000.00
Buildings and Grounds – OE		$ 20,000.00
Recreation – SW		$ 2,000.00
Petroleum Products		$ 5,000.00
Defined Contribution Retirement System		$ 1,000.00
Unemployment		$ 10,000.00
	$ 96,000.00	$ 96,000.00

WATER UTILITY:		
Operating – OE	$ 1,000.00	
Social Security System		$ 1,000.00
	$ 1,000.00	$ 1,000.00

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

PUBLIC COMMENTS

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

Ernestine Brown, E. Federal Street- asked about the status of a petition presented for permit parking on E. Federal Street.

President Ghaul stated that Administration has not yet reported back to Council with the results.

James Ward, 520 Washington Avenue- thank the City for repaving Washington Avenue; now cars are speeding; asked about speed humps.

COUNCIL COMMENTS

Councilwoman Lollar spoke of the Ghost Tours thanked everyone involved; spoke of the Great Adventure bus transportation; many volunteer to drive the students, it is paid for with grant funds.

Councilwoman Mercuri spoke in support of the liens being placed on properties for emergency boarding and weed & debris removal; asked for a list of what is outstanding before the second reading the Bond Ordinance.

Councilwoman Woodard agreed with Councilwoman Mercuri regarding the liens; asked Chief Wallace if there were any incidents on Halloween.

Chief Wallace stated that there was one incident at the Light Rail Station concerning out of towners.

Councilwoman Woodard spoke of the Fire Department on the streets on Halloween, the kids were excited; asked for the total number of officers after the hires through the COPS grant.

Chief Wallace stated there will be 33 officers.

Councilwoman Hatala spoke of engineering costs for the tennis courts.

ADJOURNMENT

Upon the motion of Councilwoman Mercuri, seconded by Councilwoman Woodard, this meeting of November 1, 2011 was adjourned.

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Cindy A. Crivaro, RMC
Municipal Clerk

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Hon. Douglas Ghaul, President
Common Council