

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, DECEMBER 3, 2013, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The Deputy Municipal Clerk advised the public of the location of the two fire exits; one on the left after exiting the Council Chamber and the other being the entrance to the building.

Members present: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Woodard.  
(6) Absent: Ms. Mercuri. (1)

Also present: Mayor Fazzone, Municipal Attorney- George Saponaro, Municipal Engineer - Kevin Snowden, Administrator - David Ballard, Lt. 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 December 3, 2013 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**

Deacon Alfred Pennise of St. Drexel Parish

**SALUTE TO FLAG**

**UNFINISHED BUSINESS**

Councilman Ghaul asked if the issues with the Single Stream Recycling Program have been resolved; thanked the Mayor and Administration for the grant received for the American Legion; thanked Ms. Snodgrass for her diligent work.

Councilwoman Woodard asked for an update on her requests from the last meeting.

Councilwoman Hatala asked about the grant for Memorial Hall; will there be plans for the entrance.

Mr. Ballard suggested that Alaimo has submitted some plans.

Councilwoman Hatala asked how long it will take.

Mr. Ballard stated that they are planning for Spring.

Councilman Babula asked about the underground storage tanks at the Burlington Mart Site.

Mr. Ballard stated that the contracts have just been signed.

**CONSENT AGENDA**

Councilwoman Hatala, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard. All were in favor. Absent: Ms. Mercuri. (1)

Councilwoman Woodard requested that Resolution No. 241-2014 be removed from the Consent Agenda. It was seconded by Councilman Conaway.

**PETITIONS AND COMMUNICATIONS\***

Approved by Consent Agenda. All were in favor. Absent: Ms. Mercuri. (1)

**CORRESPONDENCE FOR NOVEMBER 2013**

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

Reports from various departments received:

Monies collected by the Municipal Clerk’s Office for the month of October 2013. \$480.85

**AGENDAS RECEIVED FROM VARIOUS BOARDS**

- 11-01 Screening Board, dated October 30, 2013
- 11-02 Historic Preservation Commission, November 2013
- 11-03 Land Use Board, dated November 25, 2013

**NOTICE TO PROPERTY OWNERS**

11-20 Application of Ingerman block 197, lots 1 and 2

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

11 -100 Single Steam Recycling is coming Sprinf 2014 from Office of Recycling Coordinator

**COMMUNICATION TO AND FROM MUNICIPAL ENGINEER**

11 -300 Pennoni Associates, Inc., dated November 4, 2013, re: 2014 Mechanical Maintenance Contract

11-301 Pennoni Associates, Inc., dated November 4, 2013, re: 2014 Electrical Maintenance Contract

11-302 Pennoni Associates, Inc., dated November 11, 2013, re: WWTP Emergency Generator

**CORRESPONDENCE TO AND FROM BURLINGTON COUNTY**

11-501 Greater Burlington Chamber of Commerce, “Citizen of the Year Dinner” for Col Frank Caruso, November 13, 2013

11-502 Greater Burlington Chamber of Commerce, Christmas Holiday Dinner, December 11, 2013

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

- 11-600 NJLM, dated November 8, 2013, re: Newly Elected Officials booklet forms
- 11-601 NJLM, dated November 13, 2013, re: 98<sup>th</sup> Annual League Conference
- 11-602 NJLM, dated November 12, 2013 re: 98<sup>th</sup> Annual League Atlantic City Comedy Stop
- 11-603 NJDEP, dated November 8, 2013, re: Immediate Release - Christie Administration Urges Safe and proper Use of Wood Stoves

**MISCELLANEOUS CORRESPONDENCE**

- 11-800 Endeavor Emergency Squad, Inc., dated October 2013, Monthly Statistics Report
- 11-801 Burlington County Historical Society, re: A Christmas Holiday House Tour, December 8<sup>th</sup>
- 11-802 Comcast, dated November 8, 2013
- 11-803 Petition submitted to the Clerk at Council meeting of November 7, 2013, re: Salem Road
- 11-804 Endeavor Emergency Squad, Inc., Captain position available
- 11-805 Sisterhood Inc., re: This Christmas 2013, Think Toys, drop off donations flyer
- 11-806 Dear Santa, Bridge Players Theater Company November 29,30, Dec 1,6,7
- 11-807 LEGO Club @ The Library Company, sponsored by the Rotary Club
- 11-808 Verizon FIOS TV Channel and Programing Charges
- 11-809 Comcast, dated November 21, 2013
- 11-810 City of Burlington Holiday Giving Tree, by Monday December 16, 2013
- 11-811 The Library Company of Burlington, Fall Wine and Cheese on November 15, 2013 - Friends of the Library
- 11-812 The Library Company of Burlington, Make and Take a Christmas Tree, out of old Books - December 11, 2013
- 11-813 Give the Gift of Health and Fitness, Peak Fitness 10% off Willingboro
- 11-814 Library Company of Burlington, Holiday Story Time December 9, 2013
- 11-815 Mitchell Fire Co., Christmas Tree Sale
- 11-816 Elaine McClammy, dated November 14, 2013, re: Students crossing Keim Blvd.

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor. Absent: Ms. Mercuri. (1)

**APPROVAL OF MINUTES\***

Approved by Consent Agenda. All were in favor. Absent: Ms. Mercuri. (1)

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 233-2013

RESOLUTION NO. 233-2013 OF THE CITY OF BURLINGTON TO AWARD A CONTRACT TO THE AMBIENT GROUP, LLC FOR THE PROJECT KNOWN AS THE REMOVAL OF UNDERGROUND STORAGE TANKS AT THE CITY OF BURLINGTON PROPERTY LOCATED AT 745 SALEM ROAD AND COMMONLY KNOWN AS THE BURLINGTON MART SITE

WHEREAS, the City of Burlington is the owner of the property at 745 Salem Road, commonly known as the Burlington Mart Site; and

WHEREAS, the Burlington Mart Site has three (3) regulated underground storage tanks including two (2) large no.4 or no. 2 heating oil tanks and one small no. 2 heating oil underground storage tank that need to be properly closed and removed from the site; and

WHEREAS, the City of Burlington obtained the Burlington Mart Site through foreclosure and the City did not install or operate said tanks; and

WHEREAS, the City of Burlington has applied for and received grant funding from the Hazardous Discharge Site Remediation Fund (HDSRF) to perform environmental investigations and reports for the Burlington Mart Site located at 745 Salem Road; and

WHEREAS, the removal of underground storage tanks is not eligible for funding by the Hazardous Discharge Site Remediation Fund; and

WHEREAS, the City of Burlington's Licensed Site Remediation Professional (LSRP) for the Burlington Mart Site is Paul Kenny of Remington Vernick Engineers; and

WHEREAS, Remington Vernick Engineers did solicit bids on behalf of the City of Burlington for removal of these underground storage tanks; and

WHEREAS, The Ambient Group, LLC submitted the lowest acceptable bid, and the City's LSRP, Paul Kenny of Remington Vernick Engineers has reviewed the qualifications of the bidder and finds them to be in order; and

WHEREAS, the City of Burlington Chief Financial Officer has certified that funds are available to award a contract to The Ambient Group, LLC from Redevelopment Bond funds; and

WHEREAS, the City's LSRP recommends that the Common Council of the City of Burlington award a contract to The Ambient Group, LLC having its principal place of business located at 222 Thies Road, Sewell, New Jersey, 08080, in the amount of Thirty-four thousand nine hundred dollars and 00/100 cents (\$34,900.00);

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, in a form substantially similar to the attached contract and acceptable to the City of Burlington Solicitor, with The Ambient Group, LLC in the amount of Thirty-four thousand nine hundred dollars and 00/100 cents (\$34,900.00)

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. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms Mercuri (1).

Resolution No. 234-2013

WHEREAS, the governing body of the City of Burlington desires to further the public interest by obtaining a FY 2014 grant from the State of New Jersey Historic Preservation Fund Certified Local Government Grant-In-Aid Program in the amount of approximately \$25,000.00, with no match required, to fund the following project:

*Training and Educational workshops, forums and informational sessions for the City of Burlington's Historic Preservation Commission, Land Use Board, Common Council and the general public. Such training and educational topics would include new development, redevelopment opportunities and challenges as related to the various boards, the Common Council, and the general public; and the work effort may also include GIS mapping of the City of Burlington Historic District as well as ordinance review for consistency and updating if needed; and*

WHEREAS, The State of New Jersey Historic Preservation Fund Grant program looks favorably upon two (2) or more CLGs collaborating on a project that benefits more than one CLG community; for example to share the services of a preservation professional thereby enabling the participating CLGs to leverage limited financial and staff resources; and

WHEREAS, there are only three (3) Certified Local Government communities in Burlington County: the City of Burlington, the Township of Mount Holly and Evesham Township; and

WHEREAS, the City of Burlington Historic Preservation Commission has recommended to the Common Council and Common Council so desires that either one or both of these eligible communities' Planning Boards, Zoning Boards, and/or Historic Preservation Commissions (as appropriate) be invited to attend any training and educational workshops if so funded by this grant, with the City of Burlington being the lead agency for the purposes of the grant;

NOW, THEREFORE, the governing body resolved that James A. Fazzino, Ed.D., Mayor is authorized to:

- (a) to make application for such grant,
- (b) if awarded, to execute a grant agreement with the State for a grant in an amount not less than \$0 and not more than \$24,999.00 and
- (c) to execute any amendments thereto which do not increase the Grantee's obligations.

The Grantee agrees to comply with all applicable federal, state, and municipal laws, rules, and regulations in its performance pursuant to the agreement.

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. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms Mercuri (1).

Resolution No. 235-2013

RESOLUTION NO. 235-2013 OF THE CITY OF BURLINGTON AUTHORIZING ACCEPTANCE OF CREDIT CARDS BY MUNICIPAL COURT

WHEREAS, The City of Burlington recently entered into a shared municipal court arrangement with the Township of Burlington; and

WHEREAS, the Township of Burlington currently accepts credit cards for the payment of Township court receipts and feels it would be beneficial if the City would allow the shared court located in the Township of Burlington to accept credit cards for payment of City court receipts;

NOW THEREFORE BE IT RESOLVED by the Common Council that credit cards (MasterCard, Visa and Discover) be accepted for the payment of City of Burlington Municipal Court receipts in accordance with rules and regulations established by the New Jersey Administrative Office of the Courts as well as the State of New Jersey Division of Local Government Services.

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

Resolution No. 236-2013

Common Council of the City of Burlington, hereby re-appoints Howard Mann, 164 Glenwood Avenue, Burlington, N.J., to the City of Burlington Housing Authority for a five year term beginning 1/1/14 to 12/31/18.

Upon the motion of Councilwoman Hatala, 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. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms Mercuri (1).

Resolution No. 237-2013

Upon the recommendation of the Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order #1, with American Asphalt Company, Inc. of W. Collingswood Heights, N.J., for a reduction in the amount of \$79,222.59 for quantity adjustments in connection with the 2012 Local Road Program, making the total revised contract amount \$234,386.56.

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. Woodard. (6) NAYS: (0); ABSTAIN: (0); ABSENT: Ms Mercuri (1).

Resolution No. 238-2013\*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Surjit Kaur, 37 Karemark Drive, Burlington, N.J., to operate a business at 201 Route 130 South t/a “The Indian Grocery Store.”

Approved by Consent Agenda. All were in favor. Absent: Ms. Mercuri. (1)

Resolution No. 239-2013\*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Jocelyn Ransaw, 243 High Street, Burlington, N.J., to operate a business at 243 High Street (1<sup>st</sup> Floor) t/a “The Make Up Parlor II.”

Approved by Consent Agenda. All were in favor. Absent: Ms. Mercuri. (1)

Resolution No. 240-2013\*

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 December 3, 2013, that an Executive Session Closed to the Public shall be held on December 3, 2013, 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) Redevelopment & Block 33, Lots 5 & 6
- Real Estate / Contracts N.J.S.A. 10:4-12(7) Endeavor Building

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 December of 2013 or shortly there after.

Approved by Consent Agenda. All were in favor. Absent: Ms. Mercuri. (1)

Resolution No. 241-2013

Supporting the *Drive Sober or Get Pulled Over*

2013 Year End Statewide Crackdown

Whereas, impaired drivers on our nation's roads kill someone every 30 minutes, 50 people per day, and almost 18,000 people each year; and

Whereas, 19% of motor vehicle fatalities in New Jersey in 2012 were alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Statewide Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from December 6, 2013 through January 2, 2014; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be it resolved that the Common Council of the City of Burlington declares its support for the *Drive Sober or Get Pulled Over 2013 Year End Statewide Crackdown* from December 6, 2013 through January 2, 2014 and pledges to increase awareness of the dangers of drinking and driving.



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

**PUBLIC COMMENTS**

Danny Kiple, 843 Woodland Avenue- wished everyone Happy Holidays; spoke of employees with City vehicles driving with their children in the car.

Harry Heck, 116 E. Union Street- asked that the parking lines on Stacy Street be painted; suggested to hire Chuck Janson on a part time basis to do the job; stated that he had asked Mr. Janson if he would do this; the feral cat issues continue and nothing has been done; thanked the Public Works Department for removing the leaves from between all of the parked cars.

Mr. Ballard stated that it would be very costly to paint the yellow curbs; the residents are welcomed to paint them; we don't have the man power or funding; it is a very large expense for the City.

Mayor Fazzone had a small presentation, a DVD from NJLM Convention.

**ADMINISTRATIVE COMMENTS**

Mr. Ballard spoke of complaints made by the public at the last council meeting regarding large trucks and tractor trailers; have spoken with the Chief; several tickets have been issued; other roads would also benefit; going to get additional signage to re-route the trucks; there are three vacancies in the Police Department; one officer started today; the GREAT Program has started at the Wilbur Watts School; spoke of a Conrail meeting; we are pleased with the winter sports participation.

**COUNCIL COMMENTS**

Councilman Ghaul stated that the City has received minute books from the Home for Aged Woman of Burlington County; asked the Clerk to send a Thank You letter; asked for the photographs to be stored and framed; asked to have some of the items placed in the vault and at Lyceum Hall.

Councilwoman Woodard stated that City resident Adrianna Powell has been going through problems over the last year or so; asked Administration to follow up on her situation; suggested to memorialize what the City has done; spoke of the City pursuing loitering laws; asked that the City look into Shared Service for an Animal Control Officer, rather than a contracted service; would like a response to issues at the last meeting.

Mr. Ballard agrees that the City should memorialize what has been done to assist Ms. Powell.

Mr. Saponaro stated that he has prepared a letter to go out to Ms. Powell.

Mr. Ballard spoke of alternative housing for Ms. Powell.

Councilwoman Hatala spoke of the closing of the Home for Aged Women; thanked Grace Shultz and the Board for running the home for many years.

### **CONFERENCES**

- Vacant Properties Ordinance
- Gambling Ordinance

### **ADJOURNMENT**

Upon the motion of Councilman Babula, seconded by Councilwoman Woodard, this meeting of December 3, 2013 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk

