

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 8, 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. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard.  
(6) Absent: Mr. Babula. (1)

Also present: Mayor Fazzone, Municipal Attorney- George Saponaro, Municipal Engineer - Frank Morris, Chief Financial Officer- Ken Mac Millan, Director of Housing- David Ballard, Police Chief- Anthony Wallace, Director of Public Works- Carl Turner, Director of Public Affairs- John Alexander

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on January 8, 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

**UNFINISHED BUSINESS**

Councilman Ghaul requested an update on the website from the Director of Public Affairs.

**CONSENT AGENDA**

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

**PETITIONS AND COMMUNICATIONS\***

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

**CORRESPONDENCE FOR DECEMBER 2012**

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

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of November 2012 \$ 380.00

**AGENDAS RECEIVED FROM VARIOUS BOARDS**

12-01 Screening Board Schedule for January 2012

**PETITIONS OF APPEALS:**

- 12-30 block 229.01, lot 6.04
- 12-31 block 121.01, lot 5.05
- 12-32 block 162, lot 9
- 12-33 block 229.1, lot 6.04

The following application(s) for parade permit(s) received and approved.

12-40 Community Options, Inc., Maddie Lobban February 9<sup>th</sup> 2013-National Event

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

12-100 Burlington Housing Authority Meeting Schedule

**COMMUNICATION TO AND FROM MUNICIPAL ENGINEER**

12-300 Pennoni Associates, dated December 12, 2012 to Mr Stephen Boyer re: City of Burlington Wastewater Treatment Plant NJPDES #NJ002466

12-301 Alaimo Group, dated December 13, 2012, re: City of Burlington Engineer's Status Report

**CORRESPONDENCE TO AND FROM BURLINGTON COUNTY**

12-501 Burlington County Public Health, re: Code Blue Information for January 3-5, 2013

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

12-700 State of New Jersey, dated November 19, 2012, to Chief Anthony Wallace, re: In Full Compliance

**MISCELLANEOUS CORRESPONDENCE**

12-800 Endeavor Emergency Squad, Inc., re: Monthly Report

12-801 Thank You from Harry McConnell, re: Harry McConnell Viewing

12-802 Thank You from Dan & Pat Tocci, re: Thomas McConnell Viewing

12-803 Breakfast with Santa, Niagara Fire House

12-804 Thank You from Councilwoman Hatala, re: surgery and recovery

12-805 Thank You from Cindy Crivaro, re: surgery and recovery

12-806 Thank You from Effalon McConnell, re: Thomas McConnell Viewing

12-807 Burlington City High School, Senior Dinner/Concert Wednesday, December 19<sup>th</sup> at 5:30pm

12-808 Cindy Ransazzo from Cindy Crivaro E-Waste Recycling Reminder-P159.pdf

**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.

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 01-2013

Common Council of the City of Burlington, hereby approves the following appointments for the year 2013:

Councilwoman Hatala and Councilwoman Lollar as Council’s representatives to the Tourism Council;

Councilwoman Hatala as Council’s representative to the Land Use Board;

Councilman Conaway, as Council’s liaison to the Board of Education;

Councilman Babula as Council’s liaison to the Board of Island Managers;

Councilwoman Woodard and Councilwoman Mercuri as Council’s representatives to the Local Emergency Planning Committee;

Councilwoman Lollar as liaison to the Greater Burlington Chamber of Commerce;

1<sup>st</sup> Ward Councilman Barry Conaway, Councilwoman Sue Woodard and Councilwoman Jeanette Mercuri, 2<sup>nd</sup> Ward Councilwoman Jeanette Mercuri, Councilwoman Sue Woodard and Councilman Barry Conaway 3<sup>rd</sup> Ward Councilwoman Helen F. Hatala, Councilman Douglas Ghaul and Councilman Dave Babula 4<sup>th</sup> Ward Councilwoman Marie Lollar, Councilman Dave Babula and Councilwoman Helen F. Hatala to serve as Council’s representatives to the Ward Redevelopment sub-committee.

Upon the motion of Councilwoman Mercuri, seconded by Councilwoman Woodard, 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); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 2-2013\*

**COMMON COUNCIL MEETING SCHEDULE**

**NOTICE** is hereby given that the following is the schedule of the Regular Meeting Dates and Work Session Meeting Dates of the Common Council of the City of Burlington (which may include executive sessions) for 2013 to be held in the Council Meeting Room, located at 525 High Street, Burlington, N.J., beginning at 7:00 p.m. except where specifically set forth otherwise herein:

**REGULAR MEETINGS**

(formal action will be taken- work session may follow)

January 8, 2013  
January 22, 2013  
February 5, 2013

June 18, 2013  
July 2, 2013  
July 16, 2013

February 19, 2013  
March 5, 2013  
March 19, 2013  
April 2, 2013  
April 9, 2013  
May 7, 2013  
May 14, 2013  
June 11, 2013

August 1, 2013  
September 3, 2013  
September 17, 2013  
October 1, 2013  
October 15, 2013  
November 7, 2013  
December 3, 2013  
December 10, 2013

**WORK SESSIONS**

(formal action may or may not be taken)

January 15, 2013  
February 12, 2013  
March 12, 2013

July 9, 2013  
September 10, 2013  
October 8, 2013

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

Resolution No. 3-2013\*

WHEREAS, should the occasion arise whereby the Mayor is prevented by absence from the municipality, due to disability, or other just cause from attending to the duties of his office, and in accordance with NJSA 40:69A-42, Mayor James A. Fazzone hereby selects the following individuals as Acting Mayor:

1. Dave Ballard
2. Kenneth MacMillan
3. Robin Snodgrass

AND WHEREAS, if the Mayor is ever unable to attend to the duties of his office for a period of sixty (60) consecutive days, for any of the above stated reasons, an acting mayor will then be appointed by the Common Council who shall succeed to all the rights, powers, duties of the mayor, or the then acting mayor.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington does hereby confirm the mayor's appointments for Acting Mayor.

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

Resolution No. 4-2013

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF SOLICITOR/MUNICIPAL ATTORNEY/DIRECTOR OF LAW

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, N.J.S.A.40:69a-43(b) provides the appointment of Directors as department heads by the Mayor and with the consent and advice of Council to serve for the term of the Mayor; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposal for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor as appointed and selected George R. Saponaro, Esq. And the law firm of Saponaro & Sitzler to serve as the Municipal Attorney/Solicitor and Director of Law based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013,

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of George R. Saponaro, Esquire and the law firm of Saponaro & Sitzler to serve as Municipal Attorney/Solicitor and Director of Law (hereinafter "Solicitor") for a term to run concurrent with Mayor Fazzone's term and qualification as a successor.
2. The compensation of the Solicitor and services of the Solicitor for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and George R. Saponaro.

3. The City of Burlington is hereby authorized to enter into the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for George R. Saponaro, Esquire and Saponaro & Sitzler to provide legal services and serve as Municipal Attorney/Solicitor setting forth the following terms:

\$162,000.00 per year—Pursuant to the bid and contract(includes 100 hrs of litigation—any additional hours thereafter will be billed at the rate of \$140.00 per hour)

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

Resolution No. 5-2013\*

RESOLUTION NO. 05-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ALAIMO GROUP AS CITY ENGINEER OF RECORD/ DIRECTOR OF ENGINEERING

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, N.J.S.A. 40:69A-43(b) provides the appointment of Directors as department heads by the Mayor and with the consent and advice of counsel to serve for the term of the Mayor; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the Engineer of Record / Director of Engineering will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Richard Alaimo of Alaimo Group to serve as the City Engineer of Record / Director of Engineering based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzino's appointment of Richard Alaimo of Alaimo Group to serve as the City Engineer of Record / Director of Engineering for the term of January 1, 2013 through December 31, 2013.
2. The compensation of the Engineer and services of the Engineer for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and Alaimo Group.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for Alaimo Group and Richard Alaimo to provide engineering services and serve as City Engineer of Record/Director of Engineering setting forth the following terms:
  - a. A term of January 1, 2013 through December 31, 2013
  - b. Hourly rates and compensation not in excess of that set forth in Alaimo Group's attached proposals; and
  - c. The following not to exceed amounts:

2013

General Engineering Services	\$60,000.00
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Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 6-2013\*

RESOLUTION NO. 06-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF PENNONI ASSOCIATES, INC. AS SEWER ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Sewer Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the sewer engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Pennoni Associates, Inc. to serve as the Municipal Sewer Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of Pennoni Associates, Inc. to serve as the Sewer Engineer for the term of January 1, 2013 through December 31, 2013.
2. The compensation of the Sewer Engineer for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and Pennoni Associates, Inc..
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Pennoni Associates, Inc. to provide sewer engineering services setting forth the following terms:
  - a. A term of January1, 2013 through December 31, 2013
  - b. Hourly rates and compensation not in excess of that set forth in Pennoni Associates, Inc. attached proposals; and
  - c. The following not to exceed amounts:



2013

Sewer Engineering Services                      \$50,000.00

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

Resolution No. 7-2013\*

RESOLUTION NO. 07-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ENVIRONMENTAL RESOLUTIONS, INC. AS WATER ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Water Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the water engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Environmental Resolutions, Inc. to serve as the Municipal Water Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of Environmental Resolutions, Inc. to serve as the Water Engineer for the term of January 1, 2013 through December 31, 2013.

2. The compensation of the Water Engineer for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and Environmental Resolutions, Inc..

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Environmental Resolutions, Inc. to provide water engineering services setting forth the following terms:

- a. A term of January 1, 2013 through December 31, 2013
- b. Hourly rates and compensation not in excess of that set forth in Environmental Resolutions, Inc. attached proposals; and
- c. The following not to exceed amounts:

2013

Water Engineering Services	\$20,000.00
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Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 8-2013

RESOLUTION NO. 08-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF INSERVCO INSURANCE SERVICES, INC. AS THE THIRD PARTY INSURANCE CLAIMS ADMINISTRATOR

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69 A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for an Insurance - Third Party Claims Administrator whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain an Insurance - Third Party Administrator will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed Inservco Insurance Services, Inc. to serve as the municipal Insurance - Third Party Claims Administrator based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013.

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

1. The Common Council of the City of Burlington hereby approves of Mayor, James A. Fazzone's appointment of Inservco Insurance Services, Inc. to serve as the Third Party Claims Administrator for the term of January 1, 2013 through December 31, 2013.
1. The compensation of the Insurance - Third Party Administrator for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and Inservco Insurance Services, Inc..
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for Inservco Insurance Services, Inc. to provide Third Party Claims Administration setting forth the following terms:
  - a. A term of January 1, 2013 through December 31, 2013
  - b. Compensation of \$19,000.00, set forth in Inservco Insurance Services, Inc.'s attached proposal.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, 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); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 9-2013\*

RESOLUTION NO. 09-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF THE GARTY LAW FIRM, LLC AS SPECIAL SELF INSURANCE LITIGATION COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Self Insurance Litigation

Attorney, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the special self insurance litigation attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has selected The Garty Law Firm, LLC to serve as the Self Insurance Special Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013;

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of The Garty Law Firm, LLC to serve as Self Insurance Special Counsel-(hereafter "Attorney") for the term of January 1, 2013 through December 31, 2013.

2. The compensation of the Attorney and services of the Attorney for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and The Garty Law Firm, LLC.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services

Contract with The Garty Law Firm, LLC to provide legal services and serve as Self Insurance Special Counsel setting forth the following terms:

- a. The term of January 1, 2013 through December 31, 2013
- b. the following not to exceed amount:

2013

Self Insurance Special Counsel	\$30,000.00
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Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 10-2013\*

RISK MANAGEMENT CONSULTANT

Whereas, the Governing Body of the City of Burlington is a member of the New Jersey Municipal Self Insurers' Joint Insurance Fund (NJMSIJIF - a self insurance pooling fund); and

Whereas, the Bylaws of said Fund require that each member appoint a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

Whereas, the Bylaws indicate that NJMSIJIF shall pay each Risk Management Consultant a fee approved by the member.

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the City of Burlington, does hereby appoint Hardenberg Insurance Group as its Risk Management Consultant for the City effective January 1, 2013 in accordance with the Fund's Bylaws.

BE IT FURTHER RESOLVED that the Governing Body is hereby authorized and directed to execute the Consultant's Agreement annexed hereto and to cause a notice of this decision to be published according to N.J.S.A. 40A:11-5(1)(a)(i).

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

Resolution No. 11-2013\*

Appointment of Long Marmero and Associates, LLP as  
Workers' Compensation Special Counsel

WHEREAS, there exists a need in the City of Burlington, for a Workers' Compensation Special Counsel, and funds are available and have been certified by the local finance officer, and certification being attached to this resolution; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into will not exceed the \$17,500.00 threshold established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised:

NOW, THEREFORE, BE IT RESOLVED, that the Common Council, of the City of Burlington hereby approves Mayor James A. Fazzino's appointment of Long Marmero and

Associates, LLP, as Workers' Compensation Special Counsel, for the period January 1, 2013 to December 31, 2013, at an amount not to exceed \$40,000.00.

1. The compensation of the Workers' Compensation Special Counsel for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City of Burlington and Long Marmero and Associates, LLP; and
2. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, the attached Professional Services Contract for the Workers' Compensation Special Counsel services with Long Marmero and Associates, LLP ; and
3. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1) (a) of the local public contracts law.
4. This resolution shall be printed once in the City's official newspaper.

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

Resolution No. 12-2013\*

RESOLUTION NO. 12-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF A MUNICIPAL AUDITOR

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69 A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for a Municipal Auditor whereby proposals were solicited and evaluated by the Common Council based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain a Municipal Auditor will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed John J. Maley, Jr. to serve as the Municipal Auditor based upon the Council's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013.

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

1. The Common Council of the City of Burlington hereby approves the appointment of John J. Maley, Jr. to serve as the Municipal Auditor for the term of January 1, 2013 through December 31, 2013.
2. The compensation of the Municipal Auditor for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and John J. Maley, Jr..
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for John J. Maley, Jr. to provide auditing services setting forth the following terms:
  1. A term of January 1, 2013 through December 31, 2013
  2. Compensation of \$32,000 as set forth in John J. Maley, Jr. attached proposal.

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

Resolution No. 13-2013\*

RESOLUTION NO. 13-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF BOND COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Bond Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the special self insurance litigation attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has and selected the law firm of Parker McCay, P.A. to serve as Bond Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013;

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of the law firm of Parker McCay, P.A. to serve as Bond Counsel for the term of January 1, 2013 through December 31, 2013.

2. The compensation and services for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and the law firm of Parker McCay, P.A.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with the law firm of Parker McCay, P.A. to provide Bond Counsel services setting forth the following terms:

- a. The term of January 1, 2013 through December 31, 2013
- b. the following not to exceed amount:

2013

Bond Counsel	\$20,000.00
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Approved by Consent Agenda. All were in favor. Absent: Mr. Babula.

Resolution No. 14-2013\*

RESOLUTION NO. 14-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and



WHEREAS, the Mayor has selected Remington & Vernick Engineers and Affiliates to serve as the Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's designation of Remington & Vernick Engineers and Affiliates to serve as a Special Projects Engineer during the year 2013.
2. The compensation of the Special Projects Engineer for the 2013 calendar year shall be in accordance with the professional services contract entered into between the City and Remington & Vernick Engineers and Affiliates.

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

Resolution No. 15-2013\*

RESOLUTION NO. 15-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, the Mayor has selected Environmental Resolutions, Inc. to serve as a Special Projects Engineer; and

WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's designation of Environmental Resolutions, Inc. to serve as a Special Projects Engineer during the year 2013.
2. The compensation of the Special Projects Engineer for the 2013 calendar year shall be in accordance with the professional services contract entered into between the City and Environmental Resolutions, Inc..

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

Resolution No. 16-2013\*

RESOLUTION NO. 16-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ECONOMIC DEVELOPMENT ATTORNEY

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected the law firm of Long Marmero and Associates, LLP to serve as the Economic Development Attorney based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of the law firm of Long Marmero and Associates, LLP to serve as Economic Development Attorney for the term of January 1, 2013 through December 31, 2013.
2. The compensation and services for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and Long Marmero and Associates, LLP.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for the law firm of Long Marmero and Associates, LLP to provide Economic Development legal services setting forth the following terms:

- a. A term of January 1, 2013 through December 31, 2013
- b. Hourly rates and compensation not in excess of that set forth in Long Marmero and Associates, LLP proposal; and
- c. The following not to exceed amounts:

2013

Economic Development                      \$25,000.00

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

Resolution No. 17-2013\*

Common Council of the City of Burlington, hereby approves the Mayor's appointment of the following, for a one-year term of January 1, 2013 to December 31, 2013:

Timothy Farrow, Esq. as the Municipal Public Defender, at an annual salary as per the Salary Ordinance,

Dorian Morgan, Esq. as Alternate #1 Public Defender, on an as needed basis

Lance Forbes, Esq. as Alternate #2 Public Defender, on an as needed basis

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

Resolution No. 18-2013\*

Common Council of the City of Burlington, hereby approves the Mayor's appointment of the following, for a one-year term of January 1, 2013 to December 31, 2013:

R. Louis Gallagher as the Municipal Prosecutor, at an annual salary as per the salary ordinance

Dean J. Buono, Esq. as Alternate #1 Municipal Prosecutor, on an as needed basis

Jerry Trainor, Esq. as Alternate #2 Municipal Prosecutor, on an as needed basis

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

Resolution No. 19-2013\*

Common Council of the City of Burlington, hereby approves the Mayor's appointment of Herman T. Costello- Mayor Emeritus to serve as the Mayor's Ambassador for the year 2013.

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

Resolution No. 20-2013

RESOLUTION NO. 20-2013 OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR TAX FORECLOSURE BANKRUPTCY SPECIAL COUNSEL SERVICES

WHEREAS, there exists a need for Tax Foreclosure Bankruptcy Special Counsel, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute the attached agreement with Keith A. Bonchi, Esquire, in an amount not to exceed \$10,000.00.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the Burlington County Times.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, 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); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 21-2013\*

RESOLUTION NO. 21-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE APPOINTMENT OF J. BROOKS DiDONATO, ESQUIRE, PARKER McCAY, P.S. FOR THE APPOINTMENT OF SPECIAL COUNSEL RELATED TO LITIGATION

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, there exists a need for a special litigation attorney related to an issue of the utmost importance to the citizens of the City of Burlington, specifically for potential anticipated litigation involving the State of New Jersey related to dredge spoils, dredging and soil deposits on Burlington Island; and

WHEREAS, the above potential litigation involves particularly specialized litigation, including but not limited to environmental law, endangered species law, and other particularly specialized litigation; and

WHEREAS, the Municipal Solicitor/Director of Law has reviewed the correspondence recently received from the State of New Jersey, conducted preliminary research, and has made a recommendation, and deemed it in the best interest of the City of Burlington to assign Special Counsel for the above captioned project; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will not exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2013.

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzone's appointment of J. Brooks DiDonato, Esquire of the law firm of Parker McCay, P.A., to serve as Special Counsel for the above litigation project for the term of January 1, 2013 through December 31, 2013.
2. The compensation of the services of the Attorney for services of the Special Counsel for the 2013 calendar year shall be in accordance with the professional services contract to be entered into between the City and J. Brooks DiDonato of the law firm of Parker McCay, P.A., in the amount of \$140.00 per hour, with Contract to be provided.
3. The Common Council of the City of Burlington hereby authorizes the Mayor and Municipal Clerk to execute, on behalf of the City of Burlington, a Professional Services Contract with J. Brooks DiDonato, Esquire of the law firm of Parker McCay, P.A. to provide legal services and serve as Special Litigation Counsel setting forth the following terms:
  - a) The term of January 1, 2013 through December 31, 2013; and
  - b) The following not to exceed the amount:

2013 Special Litigation Counsel \$10,000

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

Resolution No. 22-2013\*

Common Council of the City of Burlington, hereby appoints the following Special Law Enforcement Officers, as per recommendation of the Administration for the year 2013:

Class II- Special Law Enforcement Officers

Fred Hatten	Timothy Cooper	Charles Haney
Christopher Snyder	Raymond Christopher Rivell	Tyrell Womack
Clinton Potts		

Class I- Special Law Enforcement Officers

Kenneth Kramer	Bernard Freeman	Alexander Hubel
Howard Caruso	Tajinder Kaila	William Lancenese
Michael Tomaszewski	Mark Berardis	David Pica

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

Resolution No. 23-2013\*

Common Council of the City of Burlington, hereby approves the following Emergency Driver's for the year 2013:

Mitchell Sta. 903

Michael Adams  
Zachary Adams  
Kevin Barger  
Roy Barkewich  
Jonathan Cassidy  
Kevin Clark  
Brian Curiale  
Christopher Curiale  
Christine DeZuani  
Andrew Grandin  
Matthew Kaplan  
Justin Leeds  
Matthew Pond  
Kevin Sexton  
Earl Stevens

Neptune Sta. 905

Edward Ator, Jr.  
David Fugh  
Douglas Ghaul  
Dave Kampe, Jr.  
Mark Lawshe  
Robert Maronski  
Ryan Phillips  
Jamie Sabo  
Arthur Sheridan, Jr.  
Keith Spencer  
Christopher Thill  
Jeffery Tinnick  
John Tinnick  
Michael Tomaszewski  
Shaun Zoll

Niagara Sta. 906

Brandon Brelsford  
Jeremy Bright  
Rusty Caruso  
Howie Caruso  
Ryan Casuso  
Robert Durrell  
Matthew Field  
Tim Finch  
Dave Kampe, Sr.  
Jamie Lambing  
John Lambing  
Dave Lamont  
Glenn Mettrock  
Arnold Miller  
Joe Naprawa

Duane Stevenson  
Joseph Stevenson  
Brent Tomer  
Robert Viereck  
Todd Viereck  
John Warren

Richard Spotts  
Joshua Maugeri

Ken Naprawa  
Chris Reeves  
Thomas Ryder, IV  
Brian Smith  
Derrick Tucker, Sr.  
Timothy Viereck  
Eric Willitts  
George Willitts  
Charles Winkelspecht  
Nicolas Wirth

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

Resolution No. 24-2013\*

Common Council of the City of Burlington, hereby appoints the following, Pedestrian Traffic Control Officers, as per recommendation of the Administration for the year 2013:

Kenneth Brown  
Lucille Coats  
Kevin Kennedy  
John Yaconna  
Ceseara Rivera  
Dorothy Thompson  
Robert Restivo  
Joyce Sykes  
Hercott Francis

Christine Dragon  
John Luff  
Patrick McConnell  
Jean Sills  
Chester Valosen  
Gary Shively  
Grover Shively  
Lester Smith

Larry Gonyea  
Thomas McConnell  
Mary Marinella  
James Ogburn  
Enman Thompson  
Leon Daly  
James Krause  
Amber Beaufort

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

Resolution No. 25-2013\*

RESOLUTION NO. 25-2013 APPOINTING A MUNICIPAL HOUSING LIAISON (MHL) / RCA ADMINISTRATOR FOR THE CITY OF BURLINGTON IN THE COUNTY OF BURLINGTON

WHEREAS, the Governing Body of the City of Burlington petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan which was filed with COAH on December 19, 2005; and

WHEREAS, the City of Burlington's Fair Share Plan and Project Plan promote an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27d-301, et seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et seq.); and

WHEREAS, the Governing Body of the City of Burlington adopted resolutions entering into Regional Contribution Agreements ("RCA") with the Townships of Delran, Burlington and Evesham for the transfer of 43, 52 and 10 units respectively pursuant to the Fair Housing Act,

(N.J.S.A. 52:27d-301 et seq.), N.J.A.C. 5:94-1, et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 5:94-7 and N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint a Municipal Housing Liaison for the administration of the City of Burlington's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint an administrator for the administration of the City of Burlington's RCA Housing Program to enforce the requirements of N.J.A.C. 5:94-1 et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, the City of Burlington has amended section 2.52.030 of the Municipal Code to provide for the appointment of an MHL to administer the City of Burlington's affordable housing program and to provide for the appointment of an RCA Administrator to administer the City of Burlington's RCA affordable housing program; 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 David Ballard is hereby appointed by the Governing Body of the City of Burlington as the Municipal Housing Liaison for the administration of the affordable housing program and as the RCA Administrator for the administration of the RCA affordable housing program, pursuant to and in accordance with Section 2.52.030 of the City of Burlington's Municipal Code.

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

Resolution No. 26-2013\*

Common Council of the City of Burlington hereby confirms the Mayor's appointment of Emma Jean Morgan and John Alexander, to the Burlington County River Route Advisory Committee for the period of January 1, 2013 to December 31, 2013.

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

Resolution No. 27-2013\*

**A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE CITY OF BURLINGTON FOR THE YEAR 2013 AND AUTHORIZING INVESTMENT OF FUNDS**

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of effecting investments,



NOW, THEREFORE, BE IT RESOLVED on the 8<sup>th</sup> day of January, 2013, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that:

1. Beneficial Bank  
Bank of America  
Sovereign Bank  
Cornerstone Bank  
New Jersey Cash Management Fund  
Bank of New York (Debt Service Payments)  
Wachovia Bank, NA (Debt Service Payments)  
TD Bank (Debt Service Payments)

be and are hereby designated as depositories for the City of Burlington for the year 2013.

2. Prior to the deposit of any municipal funds in the above-mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (R.S. 17:9-41).

BE IT FURTHER RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institution, and that the Chief Financial Officer is hereby authorized to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from the City of Burlington's checking or savings accounts to other City accounts.
2. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of investing for the account of the City of Burlington.
3. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of making debt service payments of the City of Burlington.

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

Resolution No. 28-2013\*

RESOLUTION RE-ESTABLISHING PETTY CASH FUNDS FOR THE YEAR 2013

BE IT RESOLVED by the Common Council of the City of Burlington that the Chief Financial Officer be and is hereby authorized to re-establish the following petty cash accounts for the year 2013:

Petty Cash Accounts - Checking Accounts

1. Chief of Police \$ 200.00

- 2. City Clerk \$ 400.00
- 3. Fire Department \$ 200.00

Petty Cash Accounts - Restricted Cash Accounts (1)

- 1. Water Department \$ 200.00
- 2. Public Works \$ 100.00
- 3. Sewer Department \$ 100.00

(1) Restricted to use in accordance with the meal allowance provision of the union contract during the year.

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

Resolution No. 29-2013\*

RESOLUTION AUTHORIZING SIGNATURES ON CITY CHECKS

BE IT RESOLVED, by the Common Council of the City of Burlington that the following City Officials are hereby authorized to sign checks or withdrawal slips where a combination of three principal signatures are required:

MAYOR

AND CITY CLERK OR DEPUTY CLERK

AND CHIEF FINANCIAL OFFICER OR  
TAX COLLECTOR

BE IT FURTHER RESOLVED, that signature cards with the signatures of the persons authorized to sign be forwarded to the appropriate City Depositories when required.

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

Resolution No. 30-2013

RESOLUTION - TEMPORARY BUDGETS

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2013 budgets, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2013; and

WHEREAS, the total appropriations in the 2012 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2012 budgets is the sum of \$17,371,507.53 for the Current Fund, \$1,733,100.07 for the Water Fund, and \$1,866,236.51 for the Sewer Fund;

WHEREAS, 26.25% of the total appropriations in the 2012 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2012 budgets is the sum of \$3,940,627.04 for the Current Fund, \$454,938.77 for the Water Fund, and \$489,887.08 for the Sewer Fund;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

CURRENT FUND - TEMPORARY APPROPRIATIONS - 2013

	SALARIES	OTHER EXPENSES
General Administration	85,000	7,000
City Clerk	40,000	16,000
Mayor and Council	10,000	3,000
Financial Administration	60,000	15,000
Audit Services		27,000
Assessment of Taxes	15,000	7,000
Collection of Taxes	65,000	8,000
Legal Services & Costs		60,000
Municipal Prosecutor	9,000	
Municipal Court	105,000	6,000
Engineering Services & Costs		15,000
Economic Development		10,000
Office of Programs Coordinator	20,000	5,000
Planning Board	5,000	10,000
Historic Preservation Commission		5,000
Group Insurance Plan for Employees		500,000

Liability Insurance		160,000
Workers Compensation Insurance		60,000
Fire	5,000	50,000
Police	1,000,000	52,000
Animal Control Officer		5,000
Emergency Management Service	2,500	2,000
Public Buildings and Grounds	60,000	17,000
Public Works Road Repair & Maintenance	90,000	16,000
Public Works Department	30,000	45,000
Vehicle Maintenance	35,000	25,000
Parks and Playgrounds	5,000	16,000
Sanitation		80,000
Board of Health	10,000	1,000
Recreation Programs	25,000	20,000
Celebration of Public Events	50,000	25,000
Operations of Boat Ramp		1,200
Public Defender	5,000	1,000
Electricity and Natural Gas		140,000
Telecommunications		14,000
Petroleum Products		40,000
Landfill Solid Waste Disposal Costs		105,000
Building Inspections	7,500	20,000
Housing Code Inspections		4,000
Rental Unit Inspections	35,000	2,000
Plumbing Inspections		4,000
Electrical Inspections		6,000
Uniform Fire Safety Act	18,000	2,000
Contingent		200
P.E.R.S.		10,000
O.A.S.I.		80,000
Police & Firemens' Retirement System		10,000
Defined Contribution Retirement Program		3,000
NJ Unemployment Compensation Fund		20,000
Recycling Tax		5,000

WATER FUND - TEMPORARY APPROPRIATIONS -2013

	SALARIES	OTHER EXPENSES
Water	215,000	200,000

Water P.E.R.S.	5,000
Water O.A.S.I.	18,000
Water NJ Unemployment Compensation Fund	2,000

SEWER FUND - TEMPORARY APPROPRIATIONS - 2013

	SALARIES	OTHER EXPENSES
Sewer	208,000	255,000
Sewer P.E.R.S.		5,000
Sewer O.A.S.I.		16,000
Sewer NJ Unemployment Compensation Fund		1,000

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, 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); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 31-2013\*

RESOLUTION – 2013 DEBT SERVICE REQUIREMENTS

WHEREAS, N.J.S. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20 of the year preceding the beginning of the fiscal year; and

WHEREAS, the date of this resolution is subsequent to December 19, 2012; and

WHEREAS, principal and interest will be due on various dates from January 1, 2013 to December 31, 2013, inclusive, on sundry bonds issued and outstanding:

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made to cover the period from January 1, 2013 to December 31, 2013 inclusive:

DEBT SERVICE - CURRENT FUND

Payment of bonds	\$ 726,000.00
Interest on bonds	171,990.00
Equipment Lease Financing – 2005 BCBC:	

Payment of Principal	57,000.00
Payment of Interest	7,080.00
<b>DEBT SERVICE - SEWER UTILITY</b>	
Payment of bonds	\$ 52,000.00
Interest on bonds	28,380.00
N.J. Environmental Infrastructure Trust:	
State of New Jersey Fund Loan	
Payment of Principal	\$200,139.35
State of New Jersey Trust Loan	
Payment of Principal	\$150,000.00
Payment of Interest	\$185,887.50
<b>DEBT SERVICE – WATER UTILITY</b>	
Payment of bonds	\$ 32,000.00
Interest on bonds	3,342.50
N.J. Environmental Infrastructure Trust:	
State of New Jersey Fund Loan	
Payment of Principal	\$ 48,992.25
State of New Jersey Trust Loan	
Payment of Principal	\$ 55,000.00
Payment of Interest	\$ 5,750.00

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

Resolution No. 32-2013\*

Common Council of the City of Burlington, hereby designates the Burlington County Times as the official newspaper and the Trenton Times as the secondary newspaper, for the year 2013.

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

Resolution No. 33-2013\*

RESOLUTION NO. 33-2013 AUTHORIZING THE PROPER CITY OFFICIALS AND DEPARTMENTS TO COORDINATE THE EFFORTS WITH THE COLONIAL BURLINGTON FOUNDATION, INC. TO PROVIDE NEEDED SERVICES FOR THE ANNUAL WOOD STREET FAIR, AND UNAUTHORIZED VENDORS BE RESTRICTED FROM SELLING THEIR WARES, AND NO POLITICAL CAMPAIGN MATERIALS BE DISPLAYED

RESOLVED: That the Common Council of the City of Burlington hereby authorizes the proper City Officials and Departments to coordinate the efforts with the Colonial Burlington Foundation, Inc. to provide needed services for the Annual Wood Street Fair.

BE IT FURTHER RESOLVED: That unauthorized vendors be restricted from selling their wares and that yard sale permits not be issued within the Fair and Art Show areas, as defined by the Colonial Burlington Foundation and City Historical Society; and

BE IT FURTHER RESOLVED: That the City of Burlington Fire Official strictly enforces the Fire Ordinance in accordance with the Uniform Safety Code, in reference to open fires in or near art exhibits.

Approved by Consent Agenda. All were in favor.

Resolution No. 34-2013

Whereas, in accordance with N.J.S. 40:10A-4, the governing body of any municipality may establish the position of local historian who serves without compensation but may be reimbursed for approved expenses incurred; and

Whereas, the City of Burlington Municipal Code Chapter 2.56.020 establishes the Division of Historian within the Department of Public Affairs; and

Whereas, the local historian shall be appointed in the manner generally provided by law for appointments of the local unit, and shall serve at the pleasure of the appointing authority;

Now, Therefore Be It Resolved, that the Common Council of the City of Burlington does hereby affirm the Mayor's appointment of Vincent Caruso to the position of local historian to December 31, 2015 to fulfill the unexpired term of Dr. Nicholas Kamaras.

Upon the motion of Councilwoman Hatala, 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); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 35-2013\*

Common Council of the City of Burlington, hereby approves Mayor Fazzone's appointment of Frank Caruso as Emergency Management Coordinator, for a 3 year term- 01-01-13 to 12-31-15.

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

Resolution No. 36-2013\*

Common Council of the City of Burlington, hereby indorses the submission of the 2012 Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection and designates Justin Vining as Recycling Coordinator, for the year 2013.

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

Resolution No. 37-2013

Common Council of the City of Burlington, hereby consents to the following appointments by the Mayor to the City of Burlington Historic Preservation Commission:

Kevin D. Rijs, as a Class "A" Member, for a 4-year term 01/01/13 to 12/31/16

Emma Jean Morgan, as a Class "C" Member, for a 4-year term 01/01/13 to 12/31/16

Chancellor VanSciver, as a Class "C" Member, for a 4-year term 01/01/13 to 12/31/16

Doris C. Johnston, as Alternate #1, for a 2-year term 01/01/13 to 12/31/14

Brian White, as Alternate #2, to fulfill the unexpired term of Doris C. Johnston who moved to the Alternate #1 position with one year remaining on appointment, 01/01/13 to 12/31/13

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, 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); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 38-2013\*

RESOLUTION NO. 38-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE DESIGNATION OF SPECIAL PROJECTS ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, the Mayor has selected Adams, Rehmann & Heggan to serve as a Special Projects Engineer; and



WHEREAS, the services may be retained for Professional Services which are otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

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

1. The Common Council of the City of Burlington hereby approves of Mayor James A. Fazzino's designation of Adams, Rehmann & Heggan to serve as a Special Projects Engineer during the year 2013.
2. The compensation of the Special Projects Engineer for the 2013 calendar year shall be in accordance with the professional services contract entered into between the City and Adams, Rehmann & Heggan.

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

Resolution No. 39-2013

Common Council, of The City of Burlington, hereby acknowledges and celebrates Reverend Dr. Martin Luther King, Jr.

Whereas, the City of Burlington Common Council resolved to celebrate Monday, January 21, 2013, as the Reverend Dr. Martin Luther King, Jr., Day; and

Whereas, Dr. King, of the Southern Christian Leadership Conference, led the struggle for equal opportunities for all Americans regardless of race or creed; and

Whereas, Dr. King was taken from us on April 4, 1968, his legacy and deeds have not been forgotten:

Now, Therefore, Be It Resolved, that as the Oliver Cromwell Black History Society, triumphs African-American heritage in the City of Burlington, we join them in remembering Dr. Martin Luther King Jr., on this day.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, 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); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

Resolution No. 40-2012

Common Council of the City of Burlington, hereby appoints Councilman Doug Ghaul to serve as Council's Historian for the year 2013.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, 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); ABSTAIN: (0); ABSENT: Mr. Babula. (1).

**PUBLIC COMMENTS**

None.

**COUNCIL COMMENTS**

Councilwoman Woodard asked everyone to keep Emma Jean Morgan in their prayers.

**ADJOURNMENT**

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Mercuri, this meeting of January 8, 2013 was adjourned.

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Cindy A. Crivaro, RMC

Municipal Clerk

