

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, APRIL 10, 2012, 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, Director of Housing- 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 April 10, 2012 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC  
Municipal Clerk

### **SALUTE TO FLAG**

### **UNFINISHED BUSINESS**

None.

### **CONSENT AGENDA**

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

### **APPROVAL OF INVOICES\***

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

### **RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

#### **Resolution No. 97-2012**

Common Council of the City of Burlington, hereby authorizes Amendment No. 3-2012 to the general engineering contract #12-002 authorized by the Council Resolution No. 18-2012 for a Professional Services Agreement with the Alaimo Group, under the terms provided therein, in an amount not to exceed \$106,000.00 to provide for engineering services in connection with the 2012 Local Road Program.

Upon the motion of Councilwoman Woodard, seconded by Councilman Conaway, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Ms. Lollar, Ms. Woodard. (4); NAYS: Mr. Ghaul. (1); Absent: Ms. Mercuri, Ms. Hatala. (2)

Resolution No. 98-2012

Upon the recommendation of Pennoni Associates, Inc., the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order #2, with Pipevision, Inc., 320 Raccuglia Drive, LaSalle, IL, for a reduction in the amount of \$272,632.11 for as-built quantity adjustments, for the Sewer System Repairs Phase II Project, making the total revised contract amount \$3,135,606.67.

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

Resolution No. 99-2012\*

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation Discretionary Aid Fund for the James Street Reconstruction Project.

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

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application to the New Jersey Department of Transportation Discretionary Aid Fund on behalf of the City of Burlington, in the amount of \$200,000.

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

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

Resolution No. 100-2012\*

WHEREAS, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund (“Trust Fund”) and established a Municipal Park Development Program (“Program”) to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

WHEREAS, the Governing Body of the City of Burlington desires to obtain County Municipal Park Development Program funds in the amount of \$250,000.00 to fund a bandstand / stage at the Riverfront Promenade, known as Block 110, Lot 3; and

WHEREAS, the total cost of the project including all matching funds is estimated to be \$250,000.00; and

WHEREAS, the City of Burlington is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY the Common Council of the City of Burlington that:

1. Mayor James A. Fazzino is authorized to (a) make an application to the County of Burlington for Municipal Park Development Program Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Park Development Program and (c) act as the municipal contact person and correspondent of the above named municipality;
2. The City of Burlington is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Mayor James A. Fazzino is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Burlington for the approved Funds; and
5. This resolution shall take effect immediately.

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

Resolution No. 101-2012\*

A resolution providing for a meeting not opened to the public in accordance with the provisions of the New Jersey Open Public Meetings Act. N.J.S.A. 10:4-12: Therefore be it resolved by the Common Council, of The City of Burlington, assembled in public session on April 10, 2012, that an Executive Session Closed to the Public shall be held on April 10, 2012, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this

resolution:

Real Estate N.J.S.A. 10:4-12 (7) Redevelopment of Downtown

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 April 2012 or shortly there after.

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

### **PUBLIC COMMENTS**

Ellen Bohem, 17 E. Broad Street- spoke of an e-mail from DOT, there is nothing they can do; will keep trying but, will also be looking for another place to live.

### **COUNCIL COMMENTS**

Councilwoman Woodard- the City could ask for a series of visits by FRA.

President Lollar- note what nights the Engineer blows the horn extra long and report it to the City Clerk.

Mayor Fazzone- maybe we can request Special Counsel and General Counsel to look into anything legal on this.

Councilman Babula- asked about capturing an audio record to record the decibels; the City received a \$200,000 grant to repave James Street; thanked those involved in getting the funds; suggested having speed humps installed as part of the repaving process.

Mayor Fazzone- thanked the Engineering Department for obtaining the grants.

### **CONFERENCES**

E. Federal Street Request for Permit Parking

### **EXECUTIVE CONFERENCES**

Redevelopment of Downtown

### **ADJOURNMENT**

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, this meeting of April 10, 2012 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk