

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MAY 15, 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. Mercuri, Ms. Woodard. (7) Absent: (0)

Also present: Mayor Fazzino, Municipal Attorney - George Saponaro, Municipal Engineer - Frank Morris, Mgt. Asst. - Director of Housing- David Ballard, Lt. Snow, Director of Public Works- Carl Turner

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on May 15, 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

President Lollar announced that Ordinance No. 08-2012 is being removed from the Agenda at this time.

CONSENT AGENDA

Councilwoman Hatala, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Mercuri.

On the question, Councilman Ghaul requested that the Bill List be removed from the Consent Agenda. All were in favor.

Councilwoman Woodard, moved that all Consent Agenda items be approved, with the exception of the Bill List. It was seconded by Councilwoman Mercuri. All were in favor.

APPROVAL OF INVOICES

Councilman Babula, moved that the invoices be approved. It was seconded by Councilwoman Hatala.

On the question, Councilman Ghaul asked for an explanation of the following from pages 5 and 6 on the bill list:

Emergency Management

2-01-25-252-036	PO# 12-00646	\$ 67.85
2-01-25-252-102	PO# 12-00646	\$100.00
2-01-25-252-102	PO# 12-00647	\$123.35

Mayor Fazzone explained that if anyone wants to submit for meals it would be considered; the requests for reimbursement are determined on a case by case basis.

Councilman Ghaul disagreed with determining reimbursements on a case by case basis; expressed that he felt it was unfair; everyone should be approved or no one; stated he would like to have these items removed until a further explanation from the CFO regarding the correct policy.

Councilwoman Mercuri asked if there was a line item in the budget for reimbursement of meals for Emergency Management.

President Lollar requested that the foregoing items be held until an explanation is received from Mr. MacMillan. All were in favor.

Councilman Babula, moved that all invoices be approved, with the exception of the foregoing. It was seconded by Councilwoman Hatala. All were in favor.

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

REMOVED - ORDINANCE NO. 08-2012 OF THE CITY OF BURLINGTON REVISING CHAPTER 70 AFFORDABLE HOUSING TO INCLUDE RESIDENTIAL DEVELOPMENT FEES AND AMEND THE ONGOING COLLECTION OF DEVELOPMENT FEES

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 127-2012

A RESOLUTION TO AMEND ADOPTED BUDGET FOR AN CLEAN COMMUNITIES GRANT FROM THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

WHEREAS, the City of Burlington received **Clean Communities Grant** in the amount of \$16,669.61 from the New Jersey Department of Environmental Protection;

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$16,669.61 as follows which item is now available as a revenue from:

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

Clean Communities Grant

\$ 16,669.61

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 16,669.61 be and the same is hereby appropriated under the caption of:

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

Clean Communities Grant

\$ 16,669.61

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. (7) NAYS: (0); Absent: (0)

Resolution No. 128-2012

A RESOLUTION TO AMEND ADOPTED BUDGET FOR "TICKET OR CLICK IT" GRANT FROM THE NJ DEPARTMENT OF LAW AND PUBLIC SAFETY

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

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

WHEREAS, the City of Burlington received a **Click It or Ticket Grant** in the amount of \$4,000.00 from the New Jersey Department of Law and Public Safety;

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$4,000.00 as follows which item is now available as a revenue from:

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

Click It or Ticket Grant \$ 4,000.00

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 4,000.00 be and the same is hereby appropriated under the caption of:

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

Click It or Ticket Grant \$ 4,000.00

Upon the motion of Councilman Babula , seconded by Councilman Conaway , 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. (7) NAYS: (0); Absent: (0)

Resolution No. 129-2012

A RESOLUTION TO AMEND ADOPTED BUDGET FOR SMALL CITIES CDBG GRANT FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS

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

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

WHEREAS, the City of Burlington received a **Small Cities CDBG Grant** in the amount of \$400,000.00 from the New Jersey Department of Community Affairs;

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2012 in the sum of \$400,000.00 as follows which item is now available as a revenue from:

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

Small Cities CDBG Grant \$ 400,000.00

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 4,000.00 be and the same is hereby appropriated under the caption of:

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

Small Cities CDBG Grant \$ 400,000.00

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

Resolution No. 130-2012*

A Resolution authorizing an Application For a Congestion Mitigation and Air Quality Program (CMAQ) Grant for Pedestrian, Bicycle and Parking Enhancements

WHEREAS, the Congestion Mitigation and Air Quality Program (CMAQ) is a federal program which funds projects and programs that improve air quality and reduces traffic congestion; and

WHEREAS, the CMAQ Program is jointly administered by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) in consultation with the Environmental Protection Agency (EPA); and

WHEREAS, the City of Burlington strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the CMAQ grant recommends a 20 percent local cost share, which may be in the form of a contribution of money, labor, material, or services, and must be for eligible and

allowable costs, and

WHEREAS, the City of Burlington is qualified to apply for this grant which will reimburse the City for the work once completed; and

WHEREAS, the Council of the City of Burlington has determined that the Mayor and Administration should apply for the aforementioned grant;

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Burlington, State of New Jersey, authorize the submission of the grant to which the Mayor can attest, and hereby supports the Congestion Mitigation and Air Quality Program Grant application for Pedestrian, Bicycle and Parking Enhancements for the Burlington Towne Centre Station.

BE IT FURTHER RESOLVED, that the City of Burlington will own the improvements resulting from this grant and will maintain them in perpetuity.

Approved by Consent Agenda. All were in favor.

Resolution No. 131-2012*

Common Council of the City of Burlington, hereby authorizes Niagara Hose Co. #6 to conduct a "Pass the Boot" fundraiser at 656 High Street they having filed the necessary papers and pending the proper permits from the County of Burlington, on the following dates:

June 2, 2012	2:00pm - 7:00pm
September 8, 2012	8:00am - 1:00pm
December 1, 2012	12:00pm - 5:00pm

Approved by Consent Agenda. All were in favor.

Resolution No. 132-2012*

A RESOLUTION OF THE CITY OF BURLINGTON SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION OF MAY 21 - JUNE 3, 2012

Whereas, there were 633 motor vehicle fatalities in New Jersey in 2011; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a seat belt; and

Whereas, use of the seat belt remains the most effective way to avoid death or serious injury in a motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by seat belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* seat belt mobilization from May 21 - June 3, 2012 in an effort to raise awareness and increase seat belt usage through a combination of enforcement and education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the seat belt usage rate in the state from the current level of 94.51% to 100%; and

Whereas, a further increase in seat belt usage in New Jersey will save lives on our roadways.

Therefore, be it resolved that James A. Fazzino, Ed.D. and the Common Council of the City of Burlington declares its support for the *Click It or Ticket* seat belt mobilization both locally and nationally from May 21 - June 3, 2012 and pledges to increase awareness of the mobilization and the benefits of seat belt use.

Approved by Consent Agenda. All were in favor.

Resolution No. 133-2012*

Common Council of the City of Burlington, hereby authorizes the temporary closure of Jones Avenue, between St. Mary Street and York Street on Saturday, June 30, 2012 from 8:30 am to 6:00 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 134-2012*

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 May 8, 2012, that an Executive Session Closed to the Public shall be held on May 8, 2012, 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) Endeavor Building
Real Estate / Contracts N.J.S.A. 10:4-12(7) 505 Mitchell Avenue

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 May of 2012 or shortly there after.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

None.

COUNCIL COMMENTS

Councilman Babula spoke highly of the new brick sidewalks in town; they were paid for with grant money.

Councilwoman Hatala reminded reminded everyone of upcoming events.

Councilman Conaway spoke of the opening of the new Boxing Gym; spoke of upcoming events.

Councilwoman Woodard thanked the City and those involved with obtaining the grant for Sisterhood.

President Lollar reminded everyone of upcoming events; reminded everyone that the next Council meeting will be June 12th , due to Primary Election to be held on June 5th.

CONFERENCES

Sewer System Repair Project, Phase 2- Co#3- Hugh Dougherty & Ken Shine of Pennoni Associates, Inc.

EXECUTIVE CONFERENCES

Real Estate / Contracts - Endeavor Building- Frank Morris of Alaimo Group

Real Estate / Contracts - 505 Mitchell Avenue - Robin Snodgrass, Dave Ballard, Mike Colluzzi of Marmora & Associates.

ADJOURNMENT

Upon the motion of Councilman Babula, seconded by Councilwoman Mercuri, this meeting of May 15, 2012 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk