

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JULY 9, 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: Municipal Attorney- George Saponaro, Chief Financial Officer- Ken MacMillan, 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 July 9, 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

SALUTE TO FLAG

UNFINISHED BUSINESS

Councilman Conaway thanked Administration for moving forward with the unbuildable lots/City owned properties; encouraged Administration to work on an RFP for some the of the City properties.

Councilman Ghaul asked for update on the cat ordinance.

Mr. Saponaro suggested that a draft is complete; looking into funding; it could be ready as early as next week.

Councilwoman Woodard, applauded Administration for placing liens on the abandoned properties that the City is servicing.

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.

Councilman Conaway requested to remove Resolution No. 157-2013 from the Consent Agenda.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 155-2013

RESOLUTION NO. 155-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE CITY OF BURLINGTON AND THE TOWNSHIP OF BURLINGTON FOR THE CONSOLIDATION OF MUNICIPAL COURT SERVICES BY THE CREATION OF A SHARED MUNICIPAL COURT

WHEREAS, the Common Council for the City of Burlington recognizes that entering into certain Shared Service Agreements has the capacity of reducing the tax burden to its citizens; and

WHEREAS, the *Uniform Shared Services and Consolidation Act*, N.J.S.A. 40A:65-1 allows a local unit to enter into an agreement with another local unit or units to provide or receive any service that each local unit participating in a Shared Service Agreement is empowered to provide or receive within its own jurisdiction; and

WHEREAS, N.J.S.A.:65-5 provides that a shared service agreement may be authorized by resolution identifying the agreement by reference, that a copy of the agreement be available for public inspection at the municipal offices immediately after passage of the authorizing resolution, and that the agreement take effect upon the adoption of resolutions by each municipality and execution of the shared service agreement;

WHEREAS, N.J.S.A. 2B:12-1(c) enables municipalities by resolution to provide for the sharing of courtrooms, chambers, equipment, supplies and employees for their municipal courts and to agree to appoint judges and administrators while continuing to maintain the identities of the individual courts; and

WHEREAS, the Common Council for the City of Burlington has explored a Shared Service Agreement with the Township of Burlington for the purpose of sharing its courtrooms, chambers, equipment, supplies and employees for their municipal courts; and

WHEREAS, a review of this matter has been conducted by the Administration including the Chief Financial Officer, City Administrator and City Attorney, and the City of Burlington will realize a significant financial benefit and savings by sharing its municipal court and that a mutually beneficial policy of effecting cost savings through shared services is effectuated by entering this agreement; and

WHEREAS, the City Administration has entered into negotiations and come to an agreement with the Township of Burlington for the sharing of a municipal court pursuant to the *Uniform Shared Services and Consolidation Act*;

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

1. The Mayor and City Clerk are hereby authorized and directed to enter into the "Shared Service Agreement between the City of Burlington and the Township of

Burlington for the consolidation of municipal court services by the creation of a shared municipal court” and the City Clerk shall immediately cause the attached agreement to be executed and forwarded to the Township Clerk with a copy thereof being made available immediately for public inspection at the City Clerk’s Office;

2. The Mayor, City Clerk, City Administrator and City Attorney are hereby authorized and directed to forward a copy of the Shared Service Agreement between the City of Burlington and the Township of Burlington to the Burlington County Assignment Judge, Administrative Office of the Courts and any other appropriate agency for their approval by the New Jersey Court System for the creation of a shared municipal court;
3. The Administration is hereby authorized and directed to take any and all further steps necessary to complete the Shared Service Agreement and establish a shared municipal court with the Township of Burlington.

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

On the question, Mr. Saponaro gave an explanation of this resolution; Court will be held in the Township, not the City; the City hopes to save on overtime costs; Court will continue as it is now, day and night court.

Councilwoman Hatala asked if the Township would always appoint the Judge.

Mr. Saponaro replied yes.

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

Resolution No. 156-2013*

Common Council of the City of Burlington, hereby authorizes the temporary closure of Clarkson Street between York and Lawrence Streets for an event to be held on Saturday, September 14, 2013 from 12:00 noon to 6:00 pm.

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

Resolution No. 157-2013

RESOLUTION NO. 157-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A

PROPERTY KNOWN AS 218 W. BROAD STREET (BLOCK 25, LOT 13) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 25, Lot 13 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$100.00 for weed and debris removal at Block 25, Lot 13; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$100.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

On the question, Councilman Conaway asked if this \$100.00 includes Administrative costs.

Mr. MacMillan replied yes.

Councilman Ghaul requested that all of these resolutions be listed together on future agendas.

The resolution was then 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. 158-2013*

RESOLUTION NO. 158-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 2 BYRON AVENUE (BLOCK 229, LOT 4.07) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 229, Lot 4.07 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$150.00 for weed and debris removal at Block 229, Lot 4.07; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$150.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

Resolution No. 159-2013*

RESOLUTION NO. 159-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 910 COLUMBUS ROAD (BLOCK 222, LOT 28) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 222, Lot 28 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$100.00 for weed and debris removal at Block 222, Lot 28; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$100.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

Resolution No. 160-2013*

RESOLUTION NO. 160-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 1002 COLUMBUS ROAD (BLOCK 222, LOT 60) FOR THE

REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 222, Lot 60 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$110.00 for weed and debris removal at Block 222, Lot 60; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$110.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

Resolution No. 161-2013*

RESOLUTION NO. 161-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 242 MOTT AVENUE (BLOCK 67, LOT 9) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 67, Lot 9 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$90.00 for weed and debris removal at Block 67, Lot 9; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$90.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

Resolution No. 162-2013*

RESOLUTION NO. 162-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 208 ST. MARY STREET (BLOCK 123, LOT 12) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 123, Lot 12 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$240.00 for weed and debris removal at Block 123, Lot 12; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$240.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

Resolution No. 163-2013*

RESOLUTION NO. 163-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 336 E. UNION STREET (BLOCK 129, LOT 22) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 129, Lot 22 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$130.00 for weed and debris removal at Block 129, Lot 22; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$130.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

Resolution No. 164-2013*

RESOLUTION NO. 164-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 680 WOOD STREET (BLOCK 231, LOT 21) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 231, Lot 21 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$125.00 for weed and debris removal at Block 231, Lot 21; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$125.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

Resolution No. 165-2013*

RESOLUTION NO. 165-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 800 WOOD STREET (BLOCK 72, LOT 13) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 72, Lot 13 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$90.00 for weed and debris removal at Block 72, Lot 13; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$90.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

Resolution No. 166-2013*

RESOLUTION NO. 166-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST A PROPERTY KNOWN AS 560 YORK STREET (BLOCK 139, LOT 29) FOR THE REMOVAL OF WEEDS AND DEBRIS

WHEREAS, the City of Burlington Construction Official has certified that weeds and debris must be removed at the property located at Block 139, Lot 29 (the "Property") to secure public health; and

WHEREAS, the Construction Official has certified that the City expended \$100.00 for weed and debris removal at Block 139, Lot 29; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs in the amount of \$100.00 to be placed against the Property for weed and debris removal to maintain public health and safety.

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

PUBLIC COMMENTS

Sammy Cohen, 180 Riverbank- spoke of a Rohm & Haas grant from DOW, there were only two

responses both were from PA; spoke of an Adopt-a-Garden program; spoke of the need to keep up the gardens, at least 3 times a year.

ADMINISTRATION COMMENTS

None.

COUNCIL COMMENTS

Councilwoman Hatala spoke in response to the Adopt-a-Garden comments; used to have an Adopt-a- Highway.

Councilwoman Woodard reminded Administration of the idea of Class II Police Officers joining with Code Enforcement; would like to bring this to Council for discussion.

Councilman Ghaul stated there are many issues that Administration/Council needs to move forward with; requested a conference on all of these issues; spoke of trash, vacant properties and the cat ordinance.

President Lollar spoke of upcoming events.

CONFERENCES

- Fire Department Ordinance Revisions- Tim Viereck, Fire Chief

ADJOURNMENT

Upon the motion of Councilwoman Hatala, seconded by Councilman Ghaul, this meeting of July 9, 2013 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk