

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 3, 2009, 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 the left after exiting the Council Chamber and the other being the entrance to the building.

Members present: President Ghaul, Mr. Babula, Ms. Hatala- 7:10, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (6) Absent: (0)

Also present: Business Administrator- Eric Berry, Municipal Attorney- Dave Clark.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on March 3, 2009 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

INVOCATION

Rev. Frederick C. Johnson of Christ Baptist Church

SALUTE TO FLAG

RESOLUTIONS

Upon the motion of Councilwoman Woodard, Wade D. Epps, was nominated to fill the vacancy of the Ward 1 Council Seat. It was seconded by Councilwoman Lollar.

Resolution No. 80-2009

A RESOLUTION OF THE CITY OF BURLINGTON, APPOINTING A TEMPORARY SUCCESSOR TO FILL THE VACATED COUNCIL SEAT OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON

WHEREAS, the Common Council of the City of Burlington is authorized to appoint a successor to fill a vacated Council seat; and

WHEREAS, a vacancy exists a result of the resignation of Councilman Joseph H. Van Loan effective February 3, 2009; and

WHEREAS, the Common Council has received three (3) names from the Democratic County Committee.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, in the County of Burlington and State of New Jersey that Wade D. Epps is hereby appointed to temporarily fill the vacancy of the First Ward Council Seat.

BE IT FURTHER RESOLVED, that this Resolution take effect immediately.

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

Wade D. Epps was then sworn in, as Ward 1 Councilman, by Mayor James Fazzino.

PATRIOTIC READING

Jillian Snyder of Elias Boudinot School

UNFINISHED BUSINESS

PUBLIC COMMENTS

Harry Heck, 116 E. Union Street- asked about the proposed salt barn; spoke in opposition of the proposed location; spoke of proposals regarding the recycling yard; asked about providing free soil; spoke of issues with the inspection office; spoke of inspectors coming from Willingboro.

Lovie Smith, 218 E. Pearl Blvd.- stated she is thankful for the return of Councilman Epps.

CONSENT AGENDA

Councilman Babula requested that Resolution No.'s 83, 84 and 85 be removed from the Consent Agenda to be read separately.

Councilwoman Lollar, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Mercuri. All were in favor.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR FEBRUARY 2009

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of January 2009 .	\$ 593.00
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Monies collected by the Court during the month of January 2009.	\$ 42,608.62
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AGENDAS RECEIVED FROM VARIOUS BOARDS

03-01 Historic Preservation Members and Applicants February 2009

MINUTES RECEIVED FROM VARIOUS BOARDS

03-10 Land Use Board, dated January 28, 2009

03-11 Land Use Board, dated December 17, 2009

03-12 Land Use Board, dated January 28, 2009

NOTICE TO PROPERTY OWNERS

03-20 200 E Broad, Block 144, Lot 1

03-21 McDonalds Corporation, Block 166, Lots 1-15, 19-25

03-22 531 York Street

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

03-100 Board of Education, dated February 11, 2009, Resolution 1873-09

03-101 Lisa Fox-Pfeiffer, re: Invitation to launch a new Walking Tour

03-102 Board of Education, dated February 11, 2009, re: Sunshine Notice, February 23, 2009

03-103 Board of Education, dated February 17, 2009, re: Sunshine Notice, March 30, 2009

03-104 Board of Education, dated February 17, 2009, re: Sunshine Notice, April 6, 2009

03-105 Main Street, re: My Sticky Buns Day February 21, 2009

03-106 Councilman Joe VanLoan, dated February 4, 2009, re: Resignation

03-107 Dr. James A Fazzone, Mayor , dated January 26, 2009, re: Mortgage Foreclosure Press Conference

03-108 Recreation/Tourism /Public Affairs Monthly Report (January 2009)

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

03-300 Alaimo Group, dated February 17, 2009, re: Engineers Status Report

03-301 Alaimo Group, dated February 13, 2009, re: Dunkin Donuts (Block 74, lot 2)

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

03-501 Greater Burlington Chamber of Commerce, re: Dinner, Café Galley Guest speaker - Mayor James Fazzone - February 18, 2009

03-502 Burlington County Bridge Commission, dated January 22, 2009, re: Shared Services

03-503 Board of Chosen Freeholders, dated January 30, 2009, re: 2009 Overlay Program

03-504 Burlington County Chamber of Commerce, re: General Membership Luncheon

03-505 Board of Chosen Freeholders, dated February 5, 2009, re: Notice of Meeting, General Advisory Committee

CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES:

03-600 NJLM, dated February 9, 2009 re: Redevelopment Training Opportunities

03-601 NJLM, dated February 10, 2009, re: Legislative updates

03-602 NJLM, re: 2009 Housing Summit

03-603 NJLM, dated February 11, 2009, re: Senate Action on Stimulus Divergent

03-604 NJLM, dated February 23, 2009, re: Recovery Funding News

- 03-605 NJLM, dated February 25, 2009, re: Sustainable Jersey Goes Live
- 03-606 NJLM, dated February 26, 2009, re: Joining a Health Insurance
- 03-607 NJLM, dated February 26, 2009, re: US Supreme Court Rules, Federal Stimulus

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY:

03-700 State of New Jersey, dated January 27, 2009, re: Building Inspection Underwriters's Contract

MISCELLANEOUS CORRESPONDENCE:

- 03-800 Joe Glennon, Penn Street Neighborhood Association, dated January 29, 2009
- 03-801 PSE&G, dated January 23, 2009 from Wade E Miller P.E.
- 03-802 YMCA Kids Day April 26th 1-5 Burlington Branch
- 03-803 Rutgers, New Jersey Legislative District Data Book
- 03-804 Comcast, dated February 10, 2009
- 03-805 PSE&G, dated January 30, 2009, re: new system
- 03-806 Councilwoman Mercuri, dated February 3, 2009
- 03-807 WIMG, First Annual Celebration Day brunch (Women in Municipal Government Committee)
- 03-808 Patricia Tocci, re: Thank You card for Flowers, memory of mother-in law Jackie
- 03-809 Jersey Central Power and Light, dated February 19, 2009, re: Proposed Economic Stimulus
- 03-810 PSE&G
- 03-811 Joseph J Glennon, Penn Street Neighborhood Association, dated February 24, 2009
- 03-812 ArtPride- NJ Arts and History -names of Trustees
- 03-813 E-mail, dated February 10,2009 NJRA RTI -Financing Tools for Redevelopment
- 03-814 Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi & Gill, dated February 20, 2009 City of Burlington VS William H Flag
- 03-815 The Philadelphia Business Journal, re: Call for Nominations
- 03-816 Triad, dated February 25, 2009, re: Federal Stimulus Funding Tips
- 03-817 CGP & H letter from Janet Hines

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*- continued

Resolution No. 81-2009*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk or Deputy Municipal Clerk to conduct a Public Auction of impounded and abandoned vehicles, and vehicles no longer used by the City, on Friday, March 13, 2009, at 9:00 AM, at 435 Veterans Drive, Burlington, N.J., Rain or Shine.

Approved by Consent Agenda. All were in favor.

Resolution No. 82-2009*

Common Council of the City of Burlington, hereby authorizes Mitchell Fire Company No. 3 to conduct a "Pass the Boot" fundraiser on High and Broad Streets from 8:00 am to 3:00 pm on the following dates:

- Saturday, May 16, 2009
- Saturday, August 22, 2009
- Saturday, September 5, 2009
- Friday, November 27, 2009

Approved by Consent Agenda. All were in favor.

Resolution No. 83-2009

A RESOLUTION OF THE CITY OF BURLINGTON APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (JAG) ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the City of Burlington Police Department wishes to apply for funding for a project under the Edward Byrne Memorial Justice Assistance Grant Program, and

WHEREAS, the Common Council has reviewed the accompanying application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the City of Burlington Police Department for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Common Council that

- 1) As a matter of public policy the City of Burlington Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
- 2) The Attorney General will receive funds on behalf of the applicant.
- 3) The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
- 4) The Division of Criminal Justice shall initiate allocations to each applicant as authorized.
- 5) The following are the applicant's authorized signatories for the grant agreements documents, detailed cost statements, State payment vouchers and programmatic progress reports:

Kenneth R. MacMillan	Chief Finance Officer
John Lazzarotti	Chief of Police
James Fine	Lieutenant

Upon the motion of Councilwoman Mercuri, seconded by Councilwoman Lollar, the foregoing resolution was introduced.

On the question, Councilman Babula acknowledge the Police Department for bringing this program to the City of Burlington; congratulations on a job well done.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Epps, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (7) NAYS: (0); Absent: (0)

Resolution No. 84-2009

A RESOLUTION OF THE CITY OF BURLINGTON APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY IN A JUVENILE JUSTICE DELINQUENCY PREVENTION PROGRAM

WHEREAS, the Governor's Juvenile Justice Delinquency Prevention (JJDP) Committee is responsible for implementation of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended; and;

WHEREAS, the City of Burlington wishes to apply for JJDP Act funds in connection with a project entitled the Burlington City Student Summer Work Program; and;

WHEREAS, the City of Burlington Common Council finds approval of said application to be in the best interests of the municipality; and

WHEREAS, the City of Burlington coordinates a summer employment program for youth ages 14-18; and

WHEREAS, said project is a joint project between the State of New Jersey JJDP Committee in conjunction with the NJ Juvenile Justice Commission and the City of Burlington for the purposes of expanding the Burlington City Student Summer Work Program to provide employment for an additional 40 youth; and

WHEREAS, the leasing of an additional bus for transportation to and from the job site and the hiring of one seasonal aide position will strengthen the program by providing meaningfully paid employment opportunities to at-risk youths in the City;

NOW, THEREFORE, BE IT RESOLVED by the Burlington City Council: (1) that as a matter of public policy the City of Burlington Common Council wishes to participate with the State of New Jersey Juvenile Justice Commission (JJC) to the greatest extent possible; (2) that the Juvenile Justice Commission (JJC) be requested to accept said application on behalf of the municipality; and (3) that the appropriate fiscal officer will accept the funds in connection with said project from the JJC and make disbursements in accordance with said application.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was introduced.

Councilman Babula asked about Step 2 and how this will affect the community.

Lt Fine stated this is social and emotional learning, educational awareness; the Police Department will interact with students to provide a positive relationship.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Epps, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (7) NAYS: (0); Absent: (0)

Resolution No. 85-2009

A Resolution Supporting Participation In the Sustainable Jersey Municipal Certification Program

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the City of Burlington strives to save tax dollars, assure clean land, air and water, improve working and living environments as steps to building a sustainable community that will thrive well into the new century; and

WHEREAS, the City of Burlington hereby acknowledges that the residents of the City of Burlington desire a stable, sustainable future for themselves and future generations; and

WHEREAS, the City of Burlington wishes to support a model of government which benefits our residents now and far into the future by exploring and adopting sustainable, economically-sound, local government practices; and

WHEREAS, by endorsing a sustainable path the City of Burlington is pledging to educate itself and community members further about sustainable activities and to develop initiatives supporting sustainable local government practices; and

WHEREAS, as elected representatives of the City of Burlington, we have a significant responsibility to provide leadership which will seek community-based sustainable solutions to strengthen our community: NOW THEREFORE

BE IT RESOLVED, that to focus attention and effort within the City of Burlington on matters of sustainability, the City of Burlington wishes to pursue local initiatives and actions that will lead to Sustainable Jersey Municipal Certification.

BE IT FURTHER RESOLVED, by the Common Council of the City of Burlington that we do hereby authorize the Business Administrator, Eric Berry, to serve as City of Burlington agent for the Sustainable Jersey Municipal Certification process and authorize him to complete the Municipal Registration on behalf City of Burlington.

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

On the question, President Ghaul asked Mr. Berry to provide a copy of completed registration and check list.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Epps, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (7) NAYS: (0); Absent: (0)

COUNCIL COMMENTS

Councilwoman Lollar commended the Police Department for intercepting a potential threat to the City last week.

President Ghaul spoke of the Burlington County Historical Society Tour; commended everyone involved.

ADJOURNMENT

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, this meeting was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

Douglas Ghaul, President
Common Council

