

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, APRIL 7, 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, Mr. Epps, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) Absent: (0)

Also present: Mayor Fazzone, Business Administrator- Eric Berry, Municipal Attorney- Andrew Bayer, Chief Financial Officer- Ken Mac Millan.

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 7, 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. Mark Earl of the Broad Street United Methodist Church

SALUTE TO FLAG

PATRIOTIC READING Kristen Elliott

PRESENTATION Board of Island Managers

UNFINISHED BUSINESS

Councilman Babula read a few quotes from a speech by JFK; spoke of a proposed plan to eliminate a department and of a Bridge Commission grant to study the feasibility; asked the Administrator why it was not pursued.

Mayor Fazzone spoke of not doing the study, but moving forward; spoke of down sizing; grants are available, studies are important; it is time to move forward; we are in a crisis mode.

PUBLIC COMMENTS

Beverly Jones, 2 Mitchell Court- thanked the City for numbered parking spaces in Mitchell Court; spoke of remaining parking spaces for visitors being taken up by one resident; spoke of handicapped parking issues.

President Ghaul asked the Administrator and Chief look into this.

Ezell Jackson, Jr., 18 Bisbee Drive- spoke of a tax waiver for veterans; asked how it is verified that the residents actually reside at these locations; asked about the budget presentation by the Mayor.

President Ghaul asked the Administration to look into the procedure for verifying addresses; Council has not seen the budget yet; as soon as the budget is present it will be made available to the public on the City's website.

Tom Sasaki, 816 Salem Road- asked about the budget; spoke in opposition of elimination of a department; spoke in support of the existing department; asked Council to re-consider this proposal.

Lovie smith, 218 E. Pearl Street- spoke of a new Pastor of the AME Church; spoke of a light at the old water works, flashing on and off; complained of geese and dogs on the promenade; asked for signs; spoke of many children on the promenade late at night.

President Ghaul asked the Administrator to put dog curbing and geese feeding in next newsletter; spoke of fees to be raised for those who don't pick up after their dogs.

Mark Earl, 514 Fordham Avenue and Pastor of the Broad Street Methodist Church- spoke of an incident at the church; commended the Police Department and Fire Department for their actions.

Sammy Cohen, 180 Riverbank- asked about eliminating a department but keeping the director of the department; spoke of the employees doing their job and supporting the City; quoted Mr. Epps "you are accountable and you are responsible".

Cathy Cabrera, 564 Shelton Avenue- spoke in opposition of cutting police and fire departments; asked for the status of the Liberty Belle.

CONSENT AGENDA

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

On the question, Councilman Epps requested that invoices be removed from the Consent Agenda to be considered separately. It was seconded by Councilman Babula. The bill list was then removed from the Consent Agenda. All were in favor.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR MARCH 2009

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of February 2009 . \$ 1,045.00

Monies collected by the Court during the month of February 2009. \$ 46,952.51

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 03-01 Screening Board, dated March 5, 2009
- 03-02 Land Use Board, dated March 25, 2009
- 03-03 Screening Board, dated April 2, 2009
- 03-04 Historic Preservation Commission, dated April 2009

NOTICE TO PROPERTY OWNERS

- 03-20 923 Bordentown Road, Block 210, Lot 19
- 03-21 531 York

PETITIONS OF APPEALS:

- 03-30 Mitchell & Samuella Cohen, 180 RiverBank
- 03-31 Joseph Coyle, 24 W. Broad, Block 32, Lot 1
- 03-32 Joseph Coyle, 352 High Street, Block 13, Lot 43

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

- 03-100 Art in the City, May 16, 2009, re: Call for All Artist
- 03-101 Chamber of Commerce, dated March 12, 2009, re: Buddhist Peace Walk
- 03-102 Experiential Walking Tour, Saturday March 21, 2009
- 03-103 Endeavor Emergency Squad, Inc., re: Chief Report
- 03-104 Capt. James Mac Farland Post 79, American Legion, dated March 12, 2009, re: Memorial Day
- 03-105 Capt James Macfarland Post No 79, American Legion, dated April 1, 2009, re: Caravan
- 03-106 Shaun Stipick, re: Flooring at Lyceum Hall
- 03-107 Main Street - The Bunny is Coming

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

- 03-300 Alaimo Group, dated March 11, 2009, re: Engineer Status Report

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

- 03-501 Burlington County Bridge Commission, dated February 27, 2009, re: School District Consolidation

- 03-502 Burlington County Chamber of Commerce, re: Voice of Business
- 03-503 Local Finance Notice, dated February 26, 2009
- 03-504 Burlington County Chamber of Commerce, dated March 12, 2009, re: Stabilizing Your Environment in Unstable Economy
- 03-505 Greater Chamber of Commerce, re: monthly lunch
- 03-506 Burlington County Chamber of Commerce, March 18, 2009, re: Meeting
- 03-507 Burlington County Chamber of Commerce, re: Annual Golf Invitation
- 03-508 Burlington County Chamber of Commerce, dated March 19, 2009, re: Quarterly Economic Development Forum
- 03-509 Burlington County Chamber of Commerce, re: Economic Development Forum
- 03-510 Burlington County Board of Taxation, dated March 11, 2009, re: resolution 2009-3 County Ratio 100%
- 03-511 Burlington County Insurance Pool, 2009-2010 Budget Adoption

CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES:

- 03-600 NJLM, dated February 27, 2009, re: Cost Savings Ideas
- 03-601 NJLM, dated March 3, 2009, re: March Grant Page Posted
- 03-602 NJLM, dated March 5, 2009, re: Governor Signs Law Officers
- 03-603 NJLM, dated March 10, 2009, re : Governor Corzine’s Budget Message
- 03-604 NJLM, dated March 9, 2009, re: Governor Corzine Announces Economic Recovery Website
- 03-605 NJLM, dated March 4, 2009, re: Variety
- 03-606 NJLM, dated March 11, 2009, re: Support our Troops
- 03-607 NJLM, dated March 11, 2009, re: 2009 Housing Summit
- 03-608 NJLM, dated March 12, 2009, re: Age Restricted Housing Conversation Bill
- 03-609 NJLM, dated March 31, 2009, re: Housing Summit
- 03-610 NJLM, dated March 13, 2009, re: State Property Tax relief
- 03-611 NJLM, dated March 16, 2009, re: Important New Information, Grants, Walmart
- 03-612 NJLM, Health Cost Containment
- 03-613 NJLM, dated March 17, 2009, re: Governor Welcomes Budget Comments
- 03-614 NJLM, dated March 19, 2009, re: 2009 Housing Summit
- 03-615 NJLM, dated March 18, 2009, re: False Claims
- 03-616 NJLM, dated March 18, 2009, re: Immediate Need for Binding Arbitration Reform
- 03-617 NJLM, Educational Foundation, Inc.
- 03-618 NJLM, dated March 17, 2009, re: COPS hiring recovery program
- 03-619 NJLM, dated March 19, 2009, re: League Professional
- 03-620 NJLM, dated April 21, 2009,“ re: Blight to Revitalization
- 03-621 NJLM, dated March 20, 2009, re: All US Justice Dept Stimulus
- 03-622 NJLM, dated March 24, 2009, re: Stimulus Funding News
- 03-623 NJLM, dated March 25, 2009, re: Furloughs Permitted by Civil Service
- 03-624 NJLM, dated March 26, 2009, re: Binding Arbitration Reform Needed Now
- 03-625 NJLM, dated March 27, 2009, re: Revised, Added NY Times Article
- 03-626 NJLM, dated March 30, 2009, re: Local Unit Alignment
- 03-627 NJLM, League Professional Development Seminar, Health Cost Containment
- 03-628 NJLM, dated April 1, 2009, re: Important upcoming events

- 03-629 NJLM, dated April, Register Now
- 03-630 NJLM, dated April 1, 2009, New League Services
- 03-631 NJLM, dated March 25, 2009, League Labor Counsel Update
- 03-632 NJLM, Blight to Revitalization

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY:

- 03-700 NJ Department of Community Affairs, dated March 13, 2009
- 03-701 State of New Jersey, dated February 17, 2009, re: Emergency Management Assistance
- 03-702 State of New Jersey, dated March 11, 2009, re: Suspected Hazardous Substance Discharge, 700 Rt 130 N., Natural Gas
- 03-703 State of New Jersey, dated March 16, 2009 NJDOT
- 03-704 Local Finance Board, dated March 23, 2009

MISCELLANEOUS CORRESPONDENCE:

- 03-800 Board of Island Managers, dated February 27, 2009, re: Election
- 03-801 Main Street, First Friday Fun Fest
- 03-802 Board of Island Managers, dated March 5, 2009, re: Mansion Site
- 03-803 Stark & Stark, dated March 4, 2009, re: Estate of JaDon Jenkins
- 03-804 Stark & Stark, dated March 4, 2009, re: Davonte Stokes
- 03-805 Township of North Brunswick, re: A3772, Non-age restricted housing
- 03-806 Board Of Island Managers, dated March 11, 2009
- 03-807 McKirdy & Riskin, dated March 5, 2009, re: Cannon Business Solutions
- 03-808 Triad, re: Federal Stimulus Funding Tips
- 03-809 Philly.com, re: Rebuilding Forgotten Burlington Island
- 03-810 JPC Group, dated March 30, 2009, re: W. Broad Street between Uhler and Commerce Blvd will be closed for construction
- 03-811 Join Congressman John Adler, re: Small Business Summit

APPROVAL OF INVOICES*

Councilman Epps spoke of major purchases without Council consideration or oversight; spoke of the process for spending under a temporary budget; spoke of purchases for emergencies; asked for an explanation for these purchases; spoke of procedure.

President Ghaul asked for a written explanation from the Mayor or the Administrator as to why this has happened.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the remainder of the bill list was approved, with the exception of the payment of the police vehicle.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

CONFERENCE ITEMS

- ArtPride
- E. Byrne Memorial Justice Assistance Grant Program- Mary Anne Reinhart
- Executive- UDAG Loan- Ken MacMillan
- Executive- Personnel- COPS Grant- Ken MacMillan
- 2009 Municipal Budget Presentation- Mayor Fazzino

ORDINANCE(S)- INTRODUCTION & FIRST READING

AN ORDINANCE OF THE CITY OF BURLINGTON, AUTHORIZING THE ACQUISITION OF THE PROPERTY KNOWN AS BLOCK 150, LOTS 24 AND 25 ON THE OFFICIAL TAX MAP OF THE CITY OF BURLINGTON

Upon the motion of Councilwoman Woodard, seconded by Councilman Epps, the foregoing ordinance was 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)

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 10-2009 OF THE CITY OF BURLINGTON, AMENDING TITLE 3—REVENUE AND FINANCE, CHAPTER 3.20—SCHEDULE OF FEES FOR CITY SERVICES, OF THE CODE OF THE CITY OF BURLINGTON TO AMEND VARIOUS FEES

WHEREAS, the City of Burlington (“City”) desires to increase various fees collected by the City; and

WHEREAS, the Common Council desires to amend the Code of the City of Burlington (“Code”) in order to incorporate all fees collected by the City into one section of the Code; and

WHEREAS, the Common Council has determined that an increase on these various fees is necessary and beneficial for the City.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED, by the Common Council of the City of Burlington, County of Burlington and State of New Jersey that the Code is hereby amended as follows (additions underscored; deletions struck-through):

1. Title 15, Chapter 15.20 (“Housing Code”), Section 15.20.060 (“Registration Certificate”) is amended to add the following:

B. Fees. The fee for any resale inspections and re-inspections shall be in accordance with the fee schedule set forth in Section 3.20.100.

1. An expedited fee shall be collected for any inspections ordered with less than five (5) business days notice. Expedited fees for resale inspections shall be in accordance with the fee schedule set forth in Section 3.20.100

2. Title 15, Chapter 15.20 (“Housing Code”), Section 15.20.180 (“Residential Rental Units”), subsection 15.20.180(K) (“Fees”) is amended as follows:

K. At the time of registration of a Rental Unit as required by 15.20.180(C)(2), and prior to the issuance of a Registration Certificate, the Landlord or agent thereof must pay a fee in accordance with the following schedule for the purpose of having the Rental Unit inspected by the City and having the City issue the Registration Certificate:

1. Upon initial registration and following the expiration of every two year period thereafter a fee of ~~\$100.00~~ as set forth in the fee schedule in Section 3.20.100 shall be assessed which includes an inspection and one subsequent re-inspection (to be completed within 30 days of a failed initial inspection).
2. Any change of occupancy, except those changes of occupancies specified during the initial registration or upon each subsequent two year inspection, shall be assessed a fee of ~~\$100.00~~ as set forth in the fee schedule in Section 3.20.100 which includes an inspection and one subsequent re-inspection (to be completed within 30 days of a failed inspection.)
3. Any subsequent re-inspection conducted in excess of those specified in subsections (1) and (2) above shall be assessed a fee of ~~\$150.00~~ as set forth in the fee schedule in Section 3.20.100 (to be completed within 30 days of most recent re-inspection).
4. Should an inspector arrive for a scheduled inspection and no adult is present to grant access to the Rental Unit, the full amount of the inspection fee shall be charged and the Landlord will be required to re-schedule the inspection at a fee of ~~\$100.00~~ as set forth in the fee schedule in Section 3.20.100.
5. Fees not paid shall be subject to a monthly late fee of ~~\$30.00 per month~~ as set forth in the fee schedule in Section 3.20.100.
6. Fees set forth in this subsection shall be modified by resolution of the Common Council.
7. An expedited fee shall be collected for any inspection ordered with less than five (5) business days notice. Fees for expedited inspections shall be in accordance with the fee schedule set forth in Section 3.20.100.

Repairs not completed within thirty (30) days of re-inspection shall result in the issuance of a court summons. Requests for extensions shall be in writing demonstrating compelling reasons for the need for such extension. The grant of such extension is subject to the City's discretion.

3. Title 15, Chapter 15.20 ("Housing Code"), Section 15.20.180 (Residential Rental Units), subsection 15.20.180 (C)(1) is amended to add the following:

viii. Replacement of lost or destroyed licenses, certificates, or certifications will be subject to a replacement fee as set forth in the fee schedule in Section 3.20.100.

4. Title 5, Chapter 5.48 ("Mercantile License"), Section 5.48.040 ("Purpose of revenue") is amended as follows:

A. The fee for mercantile licenses where stores for the sale of merchandise and other kinds of business as hereinbefore enumerated shall be operated or conducted after an assessment for personal property has been made by the board of assessors. An annual fee as set forth in Section 3.20.090 shall be paid with the initial application for the license and every year after the initial license there shall be no fee. Each business shall apply for a license to be issued by the council.

5. Title 5, Chapter 5.48 (“Mercantile License”), Section 5.48.030 (“License Fee”) is amended as follows:

A. The council shall issue to said applicant a license upon payment of a fee as set forth in Section 3.20.090. The licenses shall be displayed in a conspicuous place in the store or business place of the person to whom it was issued.

B. There shall be a re-inspection fee collected by the City which shall be in accordance with the fee schedule in Section 3.20.090.

6. Title 16, Chapter 16.28 (“Zoning”), Section 16.28.050 (“General Regulations”) is amended as follows:

A. Conformity. No building shall be erected, moved, altered, rebuilt or enlarged, nor shall any land or building be used, designed or arranged to be used for any purpose or in any manner, except in conformity with all regulations, requirements and restrictions specified in this chapter for the district in which such building or land is located.

1. All construction permits, change of use, driveway, installations or additions to any property within the City of Burlington shall be reviewed by the Zoning Officer to determine conformity with all zoning requirements and restrictions. The Zoning Officer will review and approve, deny and refer to the Screening or Land Use boards as appropriate. The fee for review by the Zoning Officer shall be in accordance with the fee schedule set forth in Section 3.20.130.

7. Title 12, Chapter 12.28 (“Sidewalks, Driveways, Aprons, and Curbs”), Section 12.28.020 (“Permit Required”) is amended as follows:

A. The owner of real property on which it is intended to lay, construct, reconstruct, repair or alter a sidewalk or driveway apron or, where the responsibility of such real property owner, a curb, shall submit to the construction official with the permit application a sketch detailing the proposed work specifying dimensions and materials to be used and a permit fee in accordance with the fee schedule in ~~Chapter~~ Section 3.20.090. The permit shall issue upon compliance with the application, procedures and the design and construction standards set forth in this chapter.

B. There shall be a re-inspection fee collected by the City which shall be in accordance with the fee schedule in Section 3.20.090.

8. Title 3, Chapter 3.20 (“Schedule of Fees for City Services”), Section 3.20.100 (“Municipal Fees”) is amended to add the following:

<u>Class of License</u>	<u>Fee</u>	<u>Code Section Reference</u>
<u>Expedited Fee</u>		
<u>Rental inspection</u>	<u>25.00</u>	<u>15.20.180(K)</u>
<u>Rental Re-inspection</u>	<u>25.00</u>	<u>15.20.180(K)</u>
<u>Resale inspection</u>	<u>25.00</u>	<u>15.20.060(B)</u>
<u>Resale Re-inspection</u>	<u>25.00</u>	<u>15.20.060(B)</u>
<u>Resales</u>		
<u>Inspection fee</u>	<u>100.00</u>	<u>15.20.060(B)</u>
<u>Re-inspection fee</u>	<u>35.00</u>	<u>15.20.060(B)</u>
<u>Replacement Fee</u>		
<u>Lost or destroyed license, certificates, or certifications</u>	<u>10.00</u>	<u>15.20.120(C)(1)</u>
<u>Residential Rental Unit Fees</u>		
<u>Initial Registration Fee</u>	<u>100.00</u>	<u>15.20.180(K)</u>
<u>Change of Occupancy</u>		
<u>Registration Fee</u>	<u>100.00</u>	
<u>Subsequent Re-inspection Fee</u>	<u>150.00</u>	
<u>(first re-inspection is included as per 15.20.180(K)(1))</u>		
<u>Fee if inspector is not granted access to premises</u>	<u>Full inspection fee + 100.00</u>	
<u>Late fee</u>	<u>30.00</u>	

9. Title 3, Chapter 3.20 (“Schedule of Fees for City Services”), Section 3.20.090 (“Licenses”) is amended to add the following:

<u>Class of License</u>	<u>Fee</u>	<u>Code Section Reference</u>
<u>Driveways</u>		
<u>Permit</u>	<u>50.00</u>	<u>12.20.020(A)</u>
<u>Re-inspection</u>	<u>25.00</u>	<u>12.20.020(B)</u>
<u>Mercantile</u>		
<u>Certificate of Inspection</u>	<u>50.00</u>	<u>5.48.030(A)</u>
<u>Re-inspection</u>	<u>25.00</u>	<u>5.48.030(B)</u>
<u>Pinball machines, per machine or device surcharge, over 3 machines</u>	25.00 <u>30.00</u>	<u>5.16.030</u> <u>5.16.070</u>
<u>Pool or billiard tables</u>		
<u>First Table</u>	100.00 <u>120.00</u>	<u>5.20.040</u>
<u>Each additional table</u>	10.00 <u>15.00</u>	
<u>In license taverns, per table</u>	10.00 <u>15.00</u>	

10. Title 3, Chapter 3.20 (“Schedule of Fees for City Services”), Section 3.20.150 (“Street Excavations”) shall be amended as follows:

	Fee	Code Section Reference
If surety bond in excess of \$5,000.00 is not required	10.00 25.00	12.24.040
For the first \$5000.00 bond	5.00	12.24.040
Each additional \$1,000.00 bond or fraction thereof	5.00	

11. Title 3, Chapter 3.20 (“Schedule of Fees for City Services”), Section 3.20.130, (“Planning and Zoning”), shall be amended to as follows:

Subsection 3.20.130(F) shall be amended as follows:

F. Zoning Variances	App Fee	Escrow	Total
1. Hardship Variances Application Fee			
a. Residential	\$75.00	\$100.00 \$200.00	\$275.00
b. Commercial	100.00	500.00	600.00
c. Industrial	100.00	500.00	600.00
2. Use Variance application fee			
a. Residential	75.00	100.00 200.00	175.00
b. Commercial	100.00	500.00	600.00
c. Industrial	100.00	500.00	600.00
3. Sign variance application fee			
a. Residential	50.00	100.00	150.00
b. Commercial	75.00	250.00	325.00
c. Industrial	75.00	250.00	325.00

Subsection 3.20.130(G) shall be amended to add the following:

<u>Zoning Officer</u> Verification/Review	25.00	
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BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

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

Public Comments

Sammy Cohen 180 Riverbank- asked which fees were increased.

Mr. Bayer spoke of removing fees from the body of the ordinance and moving them to the fee schedule.

President Ghaul reviewed all fee changes.

Council Comments

Councilwoman Lollar thanked Mr. Bayer for setting up the ordinance revisions in a readable format.

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

BOND ORDINANCE NO. 01-2009 OF THE CITY OF BURLINGTON, AMENDING BOND ORDINANCE NO. 01-2008, AS AMENDED BY BOND ORDINANCE 04-2008, PROVIDING FOR RENOVATIONS TO OLD CITY HALL, THE FURNISHING AND EQUIPPING THEREOF AND OTHER RELATED EXPENSES; APPROPRIATING THE SUM OF \$1,225,000; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,163,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the City Counsel of the City of Burlington, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), that Bond Ordinance No. 01-2008, as amended by Bond Ordinance No. 04-2008 (the "Prior Bond Ordinances"), are hereby amended and restated in full as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Burlington, County of Burlington, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$1,225,000 (representing an increase of \$225,000 from the Prior Bond Ordinances);
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is up to \$1,163,750 (representing an increase of \$213,750 from the Prior Bond Ordinances);
- © a down payment for the purposes stated in Section 7 hereof is available in the Capital Improvement Funds of the City in the amount of \$61,250 (representing an increase of \$11,250 from the Prior Bond Ordinances); and

Section 3. The sum of up to \$1,163,750, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$61,250, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$1,163,750 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$1,163,750 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell bond anticipation notes in an amount not to exceed \$1,163,750 for the purposes set forth in Section 7 below at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The issuance and sale of bond anticipation notes shall be authorized by resolution of the City Council, adopted by not less than two-thirds of all the members thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, N.J.S.A. 40A:2-20, shall not exceed the sum of \$110,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimat ed Total Cost</u>	<u>Down Payme nt</u>	<u>Amount of Obligati ons</u>	<u>Period of Usefuln ess</u>
A. Renovations to 432 High Street, otherwise known as Old City Hall, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$1,080,000	\$54,000	\$1,026,000	15 years
B. Acquisition of various pieces of furniture and furnishings to be used or installed at 432 High Street, otherwise known as Old City Hall, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto, all as more particularly described on file in the office of the City Clerk	105,000	5,250	99,750	5 years
C. Acquisition and installation of Black Box Lighting Grid, Risers and Stage, to be used and installed at 432 High Street, otherwise known as Old City Hall, together with the acquisition of all materials and equipment and the completion of all work necessary therefor or related thereto	40,000	2,000	38,000	10 years

Section 8. The average period of useful life of the several purposes for the financing of which the Bond Ordinance authorizes the issuance of bonds or bond anticipation notes authorized for such several purposes, is not less than 13.98 years.

Section 9. Monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the improvements described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond law, N.J.S.A. 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this

Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The Supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, N.J.S.A. 40A:2-43, is increased by this Bond Ordinance by \$1,163,750 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefitted thereby.

Section 14. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 15. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

© it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 16. All ordinances or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Upon the motion of Councilman Epps, seconded by Councilwoman Woodard, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

None.

The ordinance 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)

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 94-2009*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Tariq Ahmed Khan, 28 Shelley Circle, East Windsor, N.J., to operate a business at 669 High Street, t/a "High Street Laundromat."

Approved by Consent Agenda. All were in favor.

Resolution No. 95-2009*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to The Arc of Burlington County, Inc., 115 E. Broad Street, Burlington, N.J., to operate a business at 223-225 High Street, t/a "The Arc Thrift Shop."

Approved by Consent Agenda. All were in favor.

Resolution No. 96-2009*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to John Parish, 9 Jersey Belle Drive, Cinnaminson, N.J., and Kevin M. Mooney,

1281 Fountain Road, Newtown, Pa., to operate a business at 811 North Route 130, t/a “Roger Wilco Discount Liquor.”

Approved by Consent Agenda. All were in favor.

Resolution No. 97-2009*

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 7, 2009, that an Executive Session Closed to the Public shall be held on April 7, 2009, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

- Executive- Contracts N.J.S.A. 10:4-12 (7) UDAG Loan
- Executive- Personnel N.J.S.A. 10:4-12 (8) COPS Grant

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 of 2009 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 98-2009*

Common Council of the City of Burlington, hereby amends Resolution No. 82-2009, authorizing 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 12, 2009
Friday, November 27, 2009

Approved by Consent Agenda. All were in favor.

Resolution No. 99-2009*

Common Council of the City of Burlington, hereby authorizes Niagara Hose Company No. 6 to conduct a “Pass the Boot” fundraiser on High Street at Route 130 from 8:00 am to 4:00 pm on the following dates:

Sunday, April 12, 2009
Sunday, April 26, 2009
Sunday, May 17, 2009
Saturday, June 7, 2009
Sunday, June 28, 2009
Sunday, July 19, 2009
Saturday, August 22, 2009

Sunday, September 6, 2009

Approved by Consent Agenda. All were in favor.

Resolution No. 100-2009*

Common Council of the City of Burlington, hereby appoints Mark D. Slifco, 117 Mott Avenue, Burlington, N.J., as a Class Two Special Law Enforcement Officer, as per recommendation of the Administration for the year 2009.

Approved by Consent Agenda. All were in favor.

Resolution No. 101-2009

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 Dr. Nicholas Kamaras to the position of local historian effective immediately through December 31, 2011.

Upon motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Epps, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghoul. (7) NAYS: (0); Absent: (0)

Resolution No. 102-2009

A RESOLUTION OF THE CITY OF BURLINGTON APPROVING PARTICIPATION UNDER THE RECOVERY ACT IN THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM (JAG) ADMINISTERED BY THE U.S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS, BUREAU OF JUSTICE ASSISTANCE

WHEREAS, the City of Burlington Police Department wishes to apply for funding for a project under the Recovery Act Edward Byrne Memorial Justice Assistance Grant Program in the amount of \$32,361.00, 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 U.S. Department of Justice 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 U.S. Department of Justice.
- 2) The Burlington County Bridge Commission will receive funds on behalf of the applicant.
- 3) The U.S. Department of Justice shall be responsible for the receipt and review of the applications for said funds.
- 4) The U.S. Department of 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

We certify that the information contained in, or included with, this contract document is accurate and complete.

Dr. James A. Fazzone	Mayor
Douglas Ghaul	President of Council

Upon motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing resolution was 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. 103-2009

WHEREAS, bids were received on February 18, 2009 for various landscaping and lawn services; and

WHEREAS, Perfect Touch Landscape, Inc. submitted the lowest bid and Administration has reviewed the qualifications of the low bidder and finds them to be in order; and

WHEREAS, the Administration reviewed the submitted bids and recommends that the Common Council award the contract to the lowest qualified bidder known as Perfect Touch Landscape, Inc., 270 Jessup Road, West Deptford, N.J. 08086.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that the Mayor and Municipal Clerk are hereby authorized to enter into a contract with Perfect Touch Landscape, Inc., in an amount not to exceed \$20,195.00; and

BE IT FURTHER RESOLVED, that any and all payment documents shall carry the identification code 09-025 and that the Municipal Clerk shall provide the Administrator with two (2) certified copies of this resolution.

Upon motion of Councilwoman Woodard, seconded by Councilwoman Lollar, the foregoing resolution was 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. 104-2009

A RESOLUTION REDUCTION OF PERFORMANCE BOND FOR COMPLETION OF SITE IMPROVEMENTS FOR THE WASHINGTON SQUARE PROJECT

WHEREAS, the City of Burlington has received a request for a Performance Bond Reduction for the Washington Square Project; and

WHEREAS, the City Engineer has performed a site inspection and recommends Performance Bond Reduction No. 1 for this project.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Burlington hereby approves the reduction of the Performance Bond in the amount of \$244,213.59.

BE IT FURTHER RESOLVED, that a copy of this Resolution be served o the party requesting acceptance, in accordance with N.J. S. A. 40: 55D-53

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

On the question, Councilwoman Lollar asked why a performance bond is being reduced if the project hasn't started yet.

Mr. MacMillan stated that a performance bond is the estimated cost of the site improvements; it is normal during the course of construction to when some the items have been completed to reduce the performance bond; this will occur throughout construction.

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. 105-2009

A RESOLUTION OF THE CITY OF BURLINGTON REJECTING ALL BIDS RELATING TO THE CONSTRUCTION OF THE MINIATURE GOLF COURSE (SITE WORK - CONTRACT NO. 1 AND CONSTRUCTION - CONTRACT NO. 2)

WHEREAS, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., the City of Burlington (the “City”) solicited bids for site work and construction of the Miniature Golf Course Project (the “Project”); and

WHEREAS, the Project’s bid opening occurred on Thursday, March 12, 2009; and

WHEREAS, bids were submitted for the Project; and

WHEREAS, the Engineer determined that the low-bid amounts well exceed the budgetary value of \$350,000.00 to construct the project and as a result the Engineer recommends that the Common Council reject the bids for the Project; and

WHEREAS, the Local Public Contracts Law permits the City to reject all bids should the lowest bid substantially exceed the cost estimates for the goods or services; and

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington that the City, pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., hereby rejects all bids relating to the Project because the low-bid amounts well exceed the budgetary value of \$350,000.00 to construct the project the apparent low bidder, substantially exceeded the cost estimate for the goods or services the site work of the Miniature Golf Course Project.

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

On the question, Councilwoman Woodard made a motion to amend the resolution by removing the words “and authorizes the advertising of new bids.” It was seconded by Councilman Epps.

The amendment was approved 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)

The resolution as amended 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. 106-2009

Common Council of the City of Burlington, hereby waives the Boat Ramp Permit fees for volunteers participating in the Clean Up of Burlington Island to be held on April 18th and 19th, 2009.

Upon motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was 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. 107-2009

Municipal Budget of the City of Burlington, County of Burlington, for the Fiscal Year 2009;

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2009;

Be It Further Resolved, that said Budget be published in the Burlington County Times in the issue of April 23, 2009.

The Governing Body of the City of Burlington does hereby approve the following as the Budget of the year 2009.

Local Tax for Municipal Purposes including Reserve for Uncollected Taxes - \$5,580,942.15.

Upon motion of Councilwoman Woodard, seconded by Councilwoman Mercuri, the foregoing resolution was 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. 108-2009

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE WITH EASTERN CONSTRUCTION & ELECTRIC, INC. FOR SERVICES RELATING TO THE CONSTRUCTION OF THE MUNICIPAL SERVICES BUILDING

WHEREAS, on or about April 3, 2002 the City of Burlington (the “City”) entered into an agreement with Eastern Construction & Electric, Inc. (“Eastern”)(collectively, the “Parties”) for the construction of a new municipal services building within the City (THE “Agreement”); and

WHEREAS, during the construction of the new municipal services building, certain disputes arose between the Parties regarding, among other things, the scope of the work remaining to be performed by Eastern, the allocation of the retainage being held by the City, and the responsibility to pay for engineering services performed by a City consultant relating to this project; and

WHEREAS, the Parties entered into a settlement agreement dated October 2, 2008 (the “Initial Settlement Agreement”) resolving these issues and requiring the exchange of mutual limited releases; and

WHEREAS, Paragraph 3 of the Initial Settlement Agreement required Eastern to replace the concrete pad at the back of the municipal services building (“Concrete Pad”); and

WHEREAS, Paragraph 6 of the Initial Settlement Agreement provided that upon Eastern’s completion of the Concrete Pad and sidewalk repair, the City would pay Eastern the sum of \$7,000.00; and

WHEREAS, the City has decided not to replace the Concrete Pad; and

WHEREAS, the City and Eastern have agreed that due to the deletion of the Concrete Pad from the project, the \$7,000.00 payment due to Eastern under the Initial Settlement Agreement shall be reduced to \$3,000.00; and

WHEREAS, Eastern has completed all other work required under this project; and

WHEREAS, the Common Council believes that it is in the best interest of the City to resolve this dispute with Eastern in order to avoid the further costs, burdens, and risks associated with litigation.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Common Council of the City of Burlington, in the County of Burlington and State of New Jersey, that the Mayor is hereby authorized to execute a settlement agreement with Eastern, in a form acceptable to the City

Solicitor, reducing the payment due to Eastern from \$7,000.00 to \$3,000.00 due to the deletion of the Concrete Pad from the project and that the Mayor is also authorized to sign the release required under the Initial Settlement Agreement between the Parties.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Eastern Construction & Electric, Inc.
- b. Ronald Katkocin, Esq. (Attorney for Eastern)
- c. City Administrator
- d. Gluck Walrath LLP.

Upon motion of Councilwoman Lollar, seconded by Councilwoman Hatala, the foregoing resolution was 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. 109-2009

Common Council of the City of Burlington, hereby extend best wishes of Passover and Easter.

Upon motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was 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. 110-2009

A RESOLUTION OF THE CITY OF BURLINGTON GRANTING A \$50,000.00 UDAG REVOLVING FUND LOAN TO MURRAY M. AND EUGENIA SONSTEIN

WHEREAS, Murray M. and Eugenia Sonstein have requested a loan from the City of Burlington's UDAG revolving loan fund in the amount of \$50,000.00 to fund the renovation of an office building and convert the use to a bed and breakfast; and

WHEREAS, Frank Travea, the City's loan consultant, has reviewed the application and has recommended that a loan be extended to Murray M. and Eugenia Sonstein in the amount of \$50,000.00 payable in seven (7) years at three percent (3%) interest; and

WHEREAS, the City of Burlington will place a junior mortgage lien on 214 High Street, Burlington, N.J. 08016 as collateral; and

WHEREAS, it has been determined that the granting of the loan will further the economic revitalization of the City of Burlington.

NOW THEREFORE, BE IT RESOLVED that the municipal attorney is hereby directed to prepare the necessary documents to secure a loan in the amount of \$50,000.00, payable in seven (7) years with three percent (3%) interest in accordance with the terms set forth above, to Murray M. and Eugenia Sonstein.

BE IT FURTHER RESOLVED that Murray M. and Eugenia Sonstein shall be responsible for payment of all costs and fees incurred.

Upon motion of Councilwoman Hatala, seconded by Councilwoman Woodard, the foregoing resolution was 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. 111-2009

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING THE MAYOR, COUNCIL PRESIDENT AND CITY CLERK TO EXECUTE ALL NECESSARY APPLICATIONS AND DOCUMENTS TO APPLY TO THE UNITED STATES DEPARTMENT OF JUSTICE FOR A GRANT FROM THE COPS HIRING RECOVERY PROGRAM

WHEREAS, the United States Department of Justice, Office of Community Oriented Policing Services announced the availability of funding under the COPS Hiring Recovery Program (“CHRP”) which will receive funding from the American Recovery and Reinstatement Act of 2009; and

WHEREAS, CHRP is a competitive grant program that provides funding directly to law enforcement agencies having primary law enforcement authority to create and preserve jobs and to increase their community policing capacity and crime prevention efforts. More specifically CHRP provides 100% funding for approved entry-level salaries and benefits for three (3) years for full time sworn officer positions; and

WHEREAS, the deadline to file for the CHRP grant is April 14, 2009 and the Common Council believes it is in the best interest of the City to obtain the CHRP grant to continue to provide the highest quality of law enforcement services to the citizens of Burlington City.

NOW THEREFORE, be it resolved by the Common Council of the City of Burlington that the Mayor, Council President and City Clerk are hereby authorized to execute all necessary applications and documents to apply to the United States Department of Justice for the CHRP grant.

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

President Ghaul spoke of the Blessing of the Bikers on High Street last weekend; complimented the Sonstein’s on the Lily Inn.

Councilwoman Lollar commended several employees for pursuing the COPS Grant.

ADJOURNMENT

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

Cindy A. Crivaro, RMC
Municipal Clerk

Douglas Ghaul, President
Common Council