

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MAY 7, 2009, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The 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 May 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 Pastor Tally of St. Peter's Primitive Baptist Church

SALUTE TO FLAG

PRESENTATIONS BCHS Academic Scholars

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS

Frank Caruso, 247 Elm Avenue- spoke of a welcome home for soldiers, who will be coming home from Iraq in June; will keep Council posted; spoke of a request from previous Councilman Van Loan regarding a transportation center; asked if this subject is still being pursued.

President Ghaul suggested it is still on list; Council hasn't moved on it yet.

Patrolman John Fine- spoke on behalf of the FOP; thanked everyone for recognizing Patrolman Anthony Comegno at the Annual Knights of Columbus Shield Awards Ceremony; spoke of upcoming events: National Law Enforcement Memorial Bicycle Unity Tour, Anna Czajka will be participating; reminded everyone of Annual Burlington Bike Night, asked for Council's support.

President Ghaul thanked Officer Fine for discovering the leak in the Chambers last week and thanked all of the departments who assisted with the clean up; spoke of the Annual Knights of Columbus Shield Awards Ceremony and those recognized.

Maurice Tally, Pastor of St. Peter's Baptist Church- spoke of a discussion that took place with the previous Council two years ago, regarding back taxes for the church; asked Council to revisit this issue, it wasn't resolved.

President Ghaul spoke of new Members on Council; stated this will be looked into.

Linda Schrubby, 32 E. 4th Street - spoke of a trespassing problem; need variance for a fence; called everyone, no answers back from administration; asked for a point of contact, not getting any answers.

Mayor Fazzone stated he will take care of this.

CONSENT AGENDA

Councilwoman Hatala, 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 APRIL 2009

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of March. \$ 355.00

Monies collected by the Court during the month of March 2009. \$ 54,778.44

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 04-01 Screening Board, dated April 2, 2009
- 04-02 Land Use Board, dated April 22, 2009
- 04-03 Land Used Board, dated April 22, 2009 - update
- 04-04 Screening Board, dated May 7, 2009

MINUTES RECEIVED FROM VARIOUS BOARDS

- 04-10 Historic Preservation Commission, dated March 4, 2009

PETITIONS OF APPEALS:

04-30 Block 33, Lot 18 / 519 Locust
04-31 Block 125, Lot 1 / 211 E. Union
04-32 Block 125, Lot 2 / 213 E. Union
04-33 Block 69, Lot 13 / 243 Elm

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

04-100 Budget Meeting Dates, Cindy Crivaro, Municipal Clerk
04-101 Endeavor Emergency Squad, Inc. - Chief's Report
04-102 Board of Education, Sunshine Notice, dated April 4, 2009
04-103 Knights of Columbus, dated April 7, 2009, Annual Shields Program
04-104 Parking Lot Construction, Eric Berry
04-105 Burlington City High School, Invitation, Annual Academic Awards Program Banquet
04-106 Kenneth S. Domzalski, resignation as Special Counsel
04-107 Memorial Day Parade, dated May 4, 2009, Bev Schneglesberger
04-108 Family Fundraiser, Project Graduation 2009
04-109 Office of Emergency Management, dated April 30, 2009
04-110 Board of Education, Sunshine Notice
04-111 Office of Emergency Management, dated April 27, 2009

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

04-300 Alaimo - Engineers Status Report

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

04-501 Chamber of Commerce, Oysters Overboard, April 24, 2009
04-502 Notice - Advertisement for Bids -County of Burlington
04-503 Greater Burlington Chamber of Commerce, re: Speaker from Doane Academy
04-504 Burlington County Joint Fund BCIPJIF

CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES:

04-600 NJLM, dated April 2, 2009, Mortgage Stabilization
04-601 NJLM, dated March 31, 2009, Important New Information from DLGS
04-602 NJLM, dated April 2, 2009, Tax Appeals
04-603 NJLM, dated April 3, 2009, Free Limited Membership
04-604 NJLM, dated April 6, 2009, Age-Restricted Housing Conversion
04-605 NJLM, dated April 27, 2009, Census 2010 update

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY:

04-700 March 31, 2009, Suspected Hazardous -Red and Delaware Ave
04-701 April 6, 2009, FY 2007 - Federal Aid Safe Routes to School
04-702 April 20, 2009, Suspected Hazardous -W Broad, Uhler
04-703 March 31, 2009, Elm Avenue Improvements
04-704 May 4, 2009, Suspected Hazardous -1 Washington Avenue

MISCELLANEOUS CORRESPONDENCE:

- 04-800 McKirdy and Riskin, dated March 5, 2009
- 04-801 PSE&G, dated April 1, 2009, Road Resurfacing and Reconstruction Plan
- 04-802 Fit for Freedom, Not for Friendship, Author Event at Burlington Meeting House
- 04-803 PSE&G, April 13, 2009
- 04-804 Main Street News, dated April 6, 2009
- 04-805 Board of Education, Sunshine Notice
- 04-806 Hot Dog Depot, Invitation for Grand Opening
- 04-807 Environmental Resolution Inc., dated May 1, 2009, Mitchell Avenue Pump Station Project
- 04-808 Environmental Resolutions Inc., dated May 1, 2009, sewer repairs Phase I
- 04-809 Council on Affordable Housing, dated April 2009
- 04-810 Resolution 2009-4 Burlington County Board of Taxation
- 04-811 United States Bankruptcy Court, Eastern District of Tennessee at Knoxville

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

2009 MUNICIPAL BUDGET - Public Hearing

None.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 122-2009*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Danilo Norales, 301 South Burnet Street, East Orange, N.J., to operate a business at 455 Keim Boulevard, t/a “Express Auto Supply.”

Approved by Consent Agenda. All were in favor.

Resolution No. 123-2009*

Common Council of the City of Burlington, hereby authorizes the Municipal budget for the year 2009, to be read by title only, as per N.J.S. 40A:4-8.

Approved by Consent Agenda. All were in favor.

Resolution No. 124-2009*

Common Council of the City of Burlington, hereby confirms that the Municipal Budget for the year 2009 is in compliance with Laws and Regulations in accordance with N.J.A.C. 5:30-7.6a & 7.6b.

Approved by Consent Agenda. All were in favor.

Resolution No. 125-2009

Common Council of the City of Burlington, hereby authorizes amendments to the 2009 approved budget.

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

On the question, Councilwoman Hatala asked Mr. MacMillan to explain this resolution.

Mr. Mac Millan stated that the original budget called for a tax increase of 9 ½ cents, Council met and reduced it to 8.8 cents.

The resolution was then adopted by the following roll call vote: AYES: Mr. Epps, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (6) NAYS: Mr. Babula. (1); Absent: (0)

Resolution No. 126-2009

Common Council of the City of Burlington, hereby adopted the 2009 Municipal Budget in the amount of \$5,551,442.15 to be raised by taxation for municipal purposes.

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

On the question, Councilwoman Hatala spoke in opposition of the increase.

Councilman Babula also spoke in opposition of the increase.

President Ghaul spoke of the cut in State Aid / Municipal Aid received; spoke of Municipal Services.

Councilman Epps spoke of negotiated union contracts impacting the budget; spoke of avoiding layoffs.

Councilwoman Woodard spoke of salaries, pensions and other benefits that are the cause for the increase; doing the best possible; spoke of Share Services; spoke of reducing municipalities.

The resolution was then adopted by the following roll call vote: AYES: Mr. Epps, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (5) NAYS: Mr. Babula, Ms. Hatala. (2); Absent: (0)

Resolution No. 127-2009

Common Council of the City of Burlington, hereby certifies the City of Burlington Board of Education's School Budget for 2009-2010, in the amount of \$33,511,278.

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

On the question, President Ghaul spoke of the defeated School Board Budget; a committee of Council and a committee of the School Board met and agreed to cut \$86,000, which was 25% of their increase.

Councilwoman Hatala spoke of school property, security, retirements and an increase in custodians.

Councilman Epps spoke of the need to support the new facilities; spoke of expanding learning and the importance of education.

The resolution was then adopted by the following roll call vote: AYES: Mr. Epps, Ms. Hatala, Ms. Woodard, Mr. Ghaul. (4) NAYS: (0); Abstain: Mr. Babula, Ms. Lollar, Ms. Mercuri. (3) Absent: (0)

Resolution No. 128-2009*

Common Council of the City of Burlington, hereby authorizes the temporary closure of Tyler Street on Saturday, May 6, 2009 from 9:00 am to 3:30 pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 129-2009*

Common Council of the City of Burlington, hereby authorizes the Assistant Administrator to submit a grant application to the New Jersey Department of Transportation for the Enhancement ARRA (Economic Recovery) Program.

Approved by Consent Agenda. All were in favor.

COUNCIL COMMENTS

None.

ADJOURNMENT

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

Cindy A. Crivaro, RMC
Municipal Clerk

Douglas Ghaul, President
Common Council

