

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, NOVEMBER 6, 2008, 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, 7:50, Ms. Hatala- 7:10, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (6) Absent: Mr. Van Loan. (1)

Also present: Business Administrator- Eric Berry, Municipal Attorney- Andrew Bayer.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on November 6, 2008 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. Stephen Miller of Holy Light Church of Jesus Christ

SALUTE TO FLAG

UNFINISHED BUSINESS

None.

PUBLIC COMMENTS

Ezell Jackson, Jr., 18 Bisbee Drive- asked for an explanation of Resolution No.'s 241, 248 & 249; spoke of his last water bill; those who handled the problem were very professional; found that his meter was not connected, which caused the water bill to be incorrect; suggested surveying other properties; suggested a Veteran's Day Resolution.

Rev. Stephen Miller, 133 E. Union Street- distributed 3 pictures of trees, on a property adjacent to the Holy Light Church, that are causing problems.

President Ghaul asked the Administrator to follow up on the trees and report back to Council.

Lovie Smith, 218 E. Pearl Blvd.- complained of leaves in the street.

President Ghaul stated that the leaf pick-up schedule was in the last newsletter; Resolution No. 248 was discussed by Council during a conference authorizing the use of UDAG funds; Resolution No. 249 is authorizing a contract for the signs.

CONSENT AGENDA

Councilwoman Lollar, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard. All were in favor. Absent: (2) Babula, Van Loan.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor. Absent: (2) Babula, Van Loan.

CORRESPONDENCE FOR OCTOBER 2008

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of September 2008. \$ 1,505.25

Monies collected by the Court during the month of September 2008. \$ 66,758.98

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 10-01 Screening Board, dated October 2, 2008
- 10-02 Board of Education, dated October 3, 2008
- 10-03 Land Use Board Agenda, dated October 22, 2008
- 10-04 Board of Education, dated October 24, 2008

MINUTES RECEIVED FROM VARIOUS BOARDS

- 10-10 Land Use Board, dated August 27, 2008
- 10-11 Historic Preservation Commission, dated September 3, 2008
- 10-12 Land Use Board, dated September 24, 2008

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

- 10-100 Captain James MacFarland Post No 79, American Legion, re: Invitation for Annual Veterans Day Parade on November 11th
- 10-101 The Library Company of Burlington, re: Invitation to Wine and Cheese Party on November 14th
- 10-102 Sunshine Notice, City of Burlington Board of Education, dated October 22, 2008

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

- 10-300 Alaimo Group, Engineer's Status Report, dated October 13, 2008

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

- 10-501 Greater Commerce Dinner at Birches October 15th
- 10-502 Burlington County Board of Taxation, dated October 2, 2008, re: Revision to Abstract of Ratables
- 10-503 Burlington County Chamber of Commerce, dated October 15, 2008, re: General Membership Luncheon
- 10-504 Burlington County Chamber of Commerce, re: The Voice of Business 2009
- 10-505 Burlington County Chamber of Commerce, dated October 27, 2008, re: 3rd Congressional
- 10-506 Burlington County Chamber of Commerce, dated October 15, 2008, re: General Membership Luncheon
- 10-507 Burlington County Board of Chosen Freeholders, re: Application for Influenza Clinic Program
- 10-508 Burlington County Chamber of Commerce, October Edition
- 10-509 Burlington County Chamber of Commerce, re: Citizen of the Year Nomination for 2008
- 10-510 Burlington County Chamber of Commerce, dated November 7, 2008
- 10-511 Burlington County Board of Health Department, re: Influenza Vaccination

CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES:

- 10-600 NJLM, re: 93rd Annual Conference, program highlights from Joseph V. Doria

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY:

- 10-700 State of New Jersey, dated October 7, 2008, Case Number 08-10-06-1718-19
289 Glenwood Avenue
- 10-701 NJDEP, dated October 16, 2008, re: Hazardous Substance Discharge Notification, Case Number 08-10-15-1047-10
- 10-702 State of New Jersey, Department of the Treasury 2008
- 10-703 State of New Jersey, Department of the Treasury 2009
- 10-704 State of New Jersey, dated October 17, 2008, Hazardous Substance Discharge Notification, Wilbur Watts School
- 10-705 State of New Jersey, dated October 23, 2008, Hazardous Substance Discharge Notification, 145 W. Broad

MISCELLANEOUS CORRESPONDENCE:

- 10-800 FMHC, dated October 14, 2008, re: Sprint Spectrum, LP Water Tank
- 10-801 Division of Traffic Operations, Advanced Traffic Impact Notice, dated October 22, 2008

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor. Absent: (2) Babula, Van Loan.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor. Absent: (2) Babula, Van Loan.

ORDINANCE(S)- INTRODUCTION & FIRST READING

AN ORDINANCE OF THE CITY OF BURLINGTON, AMENDING AND SUPPLEMENTING THE CITY OF BURLINGTON ORDINANCE CHAPTER 12 STREETS, SIDEWALKS, AND PUBLIC PLACES BY ADDING A REQUIREMENT FOR CRIMINAL HISTORY BACKGROUND CHECKS FOR EMPLOYEES AND VOLUNTEERS INVOLVED IN YOUTH RECREATION PROGRAMS

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing ordinance was adopted by the following roll call vote: AYES: Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul.(5) NAYS: (0); Absent: Mr. Babula, Mr. Van Loan. (2)

A BOND ORDINANCE OF THE CITY OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR RENOVATIONS TO VARIOUS RECREATION FACILITIES LOCATED IN THE CITY OF BURLINGTON AND APPROPRIATING \$130,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$123,500 IN BONDS OR NOTES OF THE CITY OF BURLINGTON TO FINANCE THE SAME

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Lollar the foregoing ordinance was adopted by the following roll call vote: AYES: Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul.(5) NAYS: (0); Absent: Mr. Babula, Mr. Van Loan. (2)

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 241-2008- (Continued- Tabled on 10/21/08)
AMENDING THE CAPITAL BUDGET FOR 2008

WHEREAS, the City of Burlington, County of Burlington desires to amend the 2008 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

Amending and Combining Projects in the 2008 Capital Budget.

NOW, THEREFORE, BE IT RESOLVED, by the City of Burlington, County of Burlington that the Capital Budget of the year 2008 is hereby amended as per the attached sheets 40b, 40c and 40d.

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

On the question, President Ghaul explained that this resolution was tabled due to questions; the original capital budget that was approved had recreation at \$100,000.00; it came back to Council for reconsideration; the amount needed to complete the project is \$130,000.00; now amending

only the Capital Budget line item for recreation from \$100,000.00 to \$130,000.00; the Bond Ordinance was also required to be re-read.

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

Resolution No. 246-2008*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Renee Mulherin, 410 Brigham court, Cinnaminson, N.J. to operate a business at 218 High Street, t/a "Studio Three Ten."

Approved by Consent Agenda. All were in favor. Absent: (2) Babula, Van Loan.

Resolution No. 247-2008

Common Council of the City of Burlington, hereby re-appoints Howard Mann, 164 Glenwood Avenue, Burlington, NJ, to the City of Burlington Housing Authority for a five year term beginning 1/1/09 to 12/31/13.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (5) NAYS: (0); Absent: Mr. Babula, Mr. Van Loan (2)

Resolution No. 248-2008

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING USE OF RECAPTURED URBAN DEVELOPMENT ACTION GRANT REVOLVING FUNDS FOR DESIGN AND INSTALLATION OF GATEWAY SIGNS

WHEREAS, the Common Council of the City of Burlington has enacted an ordinance establishing an Urban Development Action Grant (UDAG) program and has established a revolving assistance fund ("Fund") in connection therewith, said ordinance being codified at City of Burlington Municipal Code Chapter 3.16.010 et seq.; and

WHEREAS, the City of Burlington intends to install six (6) gateway signs at predetermined locations along U.S. Route 130 and Keim Boulevard for the primary purpose of furthering economic development activities; and

WHEREAS, in accordance with the City of Burlington Municipal Code Chapter 3.16.010 et seq., the Fund is available for public projects designed to stimulate economic development activities including electric, water or sewer utility extensions; and

WHEREAS, the Common Council of the City of Burlington has received an opinion from Philip P. Rowan of Economic Development Associates dated October 17, 2008 which supports the use of the Fund for this purpose; and

WHEREAS, the Mayor and Common Council of the City of Burlington deem that it is in the best interests of the City of Burlington to utilize the Fund for the purpose of developing and installing gateway signs in the City of Burlington;

NOW THEREFORE BE IT RESOLVED THAT the Common Council of the City of Burlington hereby authorizes the use of recaptured UDAG Funds in an amount not to exceed \$25,000.00 to develop and install gateway signs in the City of Burlington, and the Chief Financial Officer is hereby directed to deposit the first \$25,000.00 of funds donated and collected for this purpose back into the UDAG trust account and is further authorized to undertake and perform such actions necessary to effectuate the terms and provisions of this resolution; and

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

- A. City Administrator
- B. City Chief Financial Officer
- C. GluckWalrath LLP

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (4) NAYS: Ms. Hatala. (1); Absent: Mr. Babula, Mr. Van Loan. (2)

Resolution No. 249-2008

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A CONTRACT TO DESIGN WORKS CUSTOM SIGN STUDIO, LLC

WHEREAS, the City of Burlington passed resolution 248-2008 authorizing the use of recaptured UDAG funds in an amount not to exceed \$25,000.00 to build and install gateway signs at locations in the City of Burlington; and

WHEREAS, the City of Burlington received bids for building and installing 6 gateway signs utilizing waterproof materials; and

WHEREAS, the bids were reviewed by the Director of Housing and Community Development and the Business Administrator; and

WHEREAS, the Director of Housing and Community Development and the Business Administrator recommends that the Common Council award the contract to: Design Works Custom Sign Studio, LLC, 1123 Mill Stone River Road, Hillsborough, NJ 08044 in the amount of \$17,195.00 (Seventeen thousand one hundred ninety five dollars and no cents);

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 execute the contract documents and issue a purchase order to Design Works Custom Sign Studio, LLC. in the amount of \$17,195.00.

Upon the motion of Councilwoman Woodard, seconded by Ms. Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Ms. Hatala, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (4) NAYS: Ms. Hatala. (1); Absent: Mr. Babula, Mr. Van Loan (2)

Resolution No. 250-2008

Common Council of the City of Burlington, hereby appoints Councilwoman Lollar, as Council's liaison to the Key Communications Program through the Board of Education, for the year 2008.

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

On the question, Councilwoman Hatala asked for an explanation.

Councilwoman Lollar explained that Key Communications are used by the Board of Education uses to get information out to the public; the liaison can bring information back to Council.

The resolution was then adopted by the following roll call vote: AYES: Ms. Hatala, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (4) NAYS: (0); Abstain: Ms. Lollar. (1); Absent: Mr. Babula, Mr. Van Loan (2)

Resolution No. 251-2008

Whereas, the Common Council of the City of Burlington recognizes the 85th Anniversary of the dedication of the Soldiers and Sailors Memorial Hall on November 12, 1923, built by the residents of the City of Burlington to honor those who served our Country in World War I.

Now, therefore, be it resolved that the Common Council of the City of Burlington does hereby recognize the great men and women who served in the past and those who currently serve and protect the United States of America.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (5) NAYS: (0); Absent: Mr. Babula, Mr. Van Loan (2)

COUNCIL COMMENTS

Councilwoman Hatala asked for an update on the installation of sidewalks on Route 130 from Jacksonville Road to Columbus Road.

Mr. Berry stated this project will be a hold over until next year due to unresolved questions with the sidewalk and the bridge; spoke of the economy; stated that the grant money is only for sidewalks; the engineers have evaluated the bridge; will need extra money for the bridge.

Councilwoman Hatala spoke of the approach to the bridge.

Mr. Berry asked Council to hold off until there is more funding to do the bridge and the approach.

Councilwoman Hatala stated that the bridge was just done last year.

Mr. Berry suggested that there is nothing that holds it up.

President Ghaul asked Mr. Berry to have the Engineer to come to Council to give a report.

CONFERENCE ITEMS

- Commerce Square Redevelopment- Update
- Washington Square Redevelopment- Proposed Amendment to Redevelopment Plan
- Regulating Donation Clothing Bins- Proposed Ordinance

ADJOURNMENT

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

Cindy A. Crivaro, RMC
Municipal Clerk

Douglas Ghaul, President
Common Council

