

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 18, 2008, AT 7:00 PM, AT THE CITY HALL BUILDING, 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- 7:25, Ms. Lollar, Ms. Mercuri, Mr. Van Loan, Ms. Woodard. (7) Absent: (0)

Also present: Mayor Fazzone, Business Administrator- Eric Berry, Municipal Attorney- Tim Cunningham, Municipal Engineer - Kevin Snowden, 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 March 18, 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

SALUTE TO FLAG

Lead by Dorothy Colvin

PATRIOTIC READING

Given by Jamilah Woodbury

UNFINISHED BUSINESS

President Ghaul asked the Administrator for an update on the Eagle Scout Project.

Mr. Berry explained that the Engineers have researched the bridges at Kennedy Park; it has been determined that the bridges are not repairable; Administration is working on another project for the Scout; one of the Directors will be in contact with the Scout to discuss another project.

PUBLIC COMMENTS

Adrianna Powell, 202 Jones Avenue- thanked the City for work that is being done around the City; spoke of the need for street lights.

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 06- 2008 OF THE CITY OF BURLINGTON, AUTHORIZING THE ACQUISITION OF THE PROPERTY KNOWN AS BLOCK 150, LOT 8 ON THE OFFICIAL TAX MAP OF THE CITY OF BURLINGTON

WHEREAS, pursuant to the Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq.) the City of Burlington is permitted to acquire property for the good of the public; and

WHEREAS, the property known as Block 150, Lot 8 on the official tax map of the City of Burlington, and more commonly referred to as 316 Jones Avenue (the “Property”), is included in the City’s Redevelopment Plan for the New Yorkshire neighborhood (the “Redevelopment Plan”); and

WHEREAS, City wishes to acquire the Property for the purpose of advancing goals and objectives of the Redevelopment Plan; and

WHEREAS, through negotiations the current owner has agreed to sell the Property to the City for the purchase price of \$175,000.00 (the “Purchase Price”); and

WHEREAS, the City was provided with an appraisal which opines that the market value of the Property meets or exceeds the Purchase Price; and

WHEREAS, the Common Council feels that the acquisition of the Property for the Purchase Price set forth above is in the best interests of 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 Mayor is hereby authorized to execute all necessary legal documents to effectuate the purchase of the Property for an amount not to exceed \$175,000 and to take all other actions required to ensure that the City obtains clear title to the Property; and

BE IT FURTHER ORDAINED, that all documents prepared and executed in furtherance of the transaction are subject to the review and approval of the Solicitor; and

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

Upon the motion of Councilwoman Lollar, seconded by Councilman Van Loan, 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, Ms. Lollar, Ms. Mercuri, Mr. Van Loan, Ms. Woodard, Mr. Ghaul. (6) NAYS: (0); Absent: Ms. Hatala. (1)

BOND ORDINANCE NO. 01-2008 OF THE CITY OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY, PROVIDING FOR RENOVATIONS TO OLD CITY HALL AND OTHER RELATED EXPENSES IN AND FOR THE CITY OF BURLINGTON AND APPROPRIATING \$800,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$760,000 IN BONDS OR NOTES OF THE CITY OF BURLINGTON TO FINANCE THE SAME.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvement or purpose described in Section 3 of this bond ordinance is hereby authorized to be undertaken by the City of Burlington, in the County of Burlington, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$800,000 including the sum of \$40,000 as the down payment for the improvements or purposes required by the Local Bond Law. The down payment has been made available by virtue of provision in the capital improvement fund in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment or otherwise provided for hereunder, negotiable bonds are hereby authorized to be issued in the principal amount of \$760,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds are to be issued is the renovation of 432 High Street, otherwise known as Old City Hall, located in the City, and including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes is as stated in Section 2 hereof.

© The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of

delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the 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 notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3 of this bond ordinance is not a current expense. It is an improvement or purpose the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

© The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate 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. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$760,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the several improvements or purposes.

(e) The City reasonably commence the acquisition and/or construction of the improvement or purpose described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the City further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the City is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy ad valorem taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the Municipal Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Municipal Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the City Council, the Municipal Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The City Council of the City hereby covenants on behalf of the City to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

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

Public Comments:

Harry Heck, 116 E. Union Street- urged Council to support this ordinance; spoke of handicapped accessible needs for the building.

Council Comments:

Councilman Babula asked about users for this project.

Mr. Jenkins explained that the City has been reaching out to users; soliciting two companies that have experience and financial wherewithal.

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

CONSENT AGENDA

President Ghaul requested that Resolution No. 98-2008 to be read separately.

Councilwoman Lollar, moved that all Consent Agenda items be approved and Resolution No. 98-2008 to be read separately. It was seconded by Councilwoman Woodard. All were in favor.

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor. (1) Absent: Ms. Hatala

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 98-2008

Common Council of the City of Burlington, hereby approves a fire member application for Nicholas W. Cosme, 502 Locust Avenue, Burlington, N.J., in the Neptune Hose Company No. 5., he having filed the necessary papers.

Upon the motion of Councilwoman Lollar, seconded by Councilman Van Loan, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Lollar, Mr. Van Loan, Ms. Woodard. (4) NAYS: (0); Absent: Ms. Hatala. (1) Abstain: Ms. Mercuri, Mr. Ghaul.

Resolution No. 99-2008*

RESOLUTION OF THE CITY OF BURLINGTON SUPPORTING THE *CLICK IT OR TICKET* MOBILIZATION OF MAY 19 - JUNE 1, 2008

Whereas, there were 716 motor vehicle fatalities in New Jersey in 2007; and

Whereas, a large percentage of the motor vehicle occupants killed in traffic crashes were not wearing a safety belt; and

Whereas, use of a safety belt remains the most effective way to avoid death or serious injury in a

motor vehicle crash; and

Whereas, the National Highway Traffic Safety Administration estimates that 135,000 lives were saved by safety belt usage nationally between 1975-2000; and

Whereas, the State of New Jersey will participate in the nationwide *Click It or Ticket* safety belt mobilization from May 19 - June 1, 2008 in an effort to raise awareness and increase safety belt usage through a combination of enforcement and education; and

Whereas, the Division of Highway Traffic Safety has set a goal of increasing the safety belt usage rate in the state from the current level of 91% to 93%; and

Whereas, a further increase in safety belt usage in New Jersey will save lives on our roadways.

Therefore, be it resolved that the Common Council of the City of Burlington declares its support for the *Click It or Ticket* safety belt mobilization both locally and nationally from May 19 - June 1, 2008 and pledges to increase awareness of the mobilization and the benefits of safety belt use.

Approved by Consent Agenda. All were in favor. (1) Absent: Ms. Hatala

Resolution No. 100-2008*

Common Council of the City of Burlington, hereby approves a fire member application for Daniel A. Steere, 222 Mott Avenue, Burlington, N.J., in the Niagara Hose Company #6, he having filed the necessary papers.

Approved by Consent Agenda. All were in favor. (1) Absent: Ms. Hatala

Resolution No. 101-2008 *

Common Council of the City of Burlington, hereby approves fire member Linda Moskovitz, 1106 Columbus Road, Burlington, N.J., as an approved emergency driver for the Niagara Hose Co. #6.

Approved by Consent Agenda. All were in favor. (1) Absent: Ms. Hatala

Resolution No. 102-2008*

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
AUTHORIZING THE CHIEF FINANCIAL OFFICER TO RELEASE THE PERFORMANCE
GUARANTEE OF MARK INVESTMENTS

WHEREAS, the Mark Investments has posted a performance guarantee with the City of Burlington for the Walgreens site located at High Street between Northbound and Southbound Route 130.

WHEREAS, Nancy W. Jamanow, PE, CME, PP of Environmental Resolutions, Inc. has recommended that the Performance Guarantee be released as the site is in good condition and the improvements have been satisfactorily completed in accordance with municipal standard.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the Performance Guarantee in the amount of \$4,800.00 can be released by the Chief Financial Officer to Mark Investments.

BE IT FURTHER RESOLVED, that this release does not require the posting of a Maintenance Guarantee as the required two years have since passed and does not appear to be required at this time.

Approved by Consent Agenda. All were in favor. (1) Absent: Ms. Hatala

Resolution No. 103-2008

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF
BURLINGTON AND THE CITY OF BURLINGTON

WHEREAS, the provisions of N.J.S.A. 40:8A-1 et seq. authorize a municipality to enter into contract with any other local unit for the joint provision of service; and

WHEREAS, by the Interlocal Services Agreement dated August 26, 1999, the Township of Burlington and the City of Burlington agreed to share 50% of the costs of any maintenance and repair of the outfall line from the point of connection to the Delaware River.

WHEREAS, the Township of Burlington and the City of Burlington recognize the need for the rehabilitation of the Burlington City Wastewater Treatment Plant combined outfall pipeline in order to provide for the safety, health, and welfare of the public; and

WHEREAS, it is in the best interest of the City of Burlington to enter into a agreement with the Township of Burlington to share the expenses of repairing and maintaining the outfall pipeline from the point of connection to the Delaware River; and

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, in the County of Burlington, State of New Jersey, that the Mayor is hereby authorized and directed to execute an Interlocal Services Agreement with the Township of Burlington pursuant to the terms and conditions set forth as outlined in the Agreement, a copy of which is attached hereto as Exhibit A.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Lollar, Ms. Mercuri, Mr. Van Loan, Ms. Woodard, Mr. Ghaul. (6) NAYS: (0); Absent: Ms. Hatala. (1)

Resolution No. 104-2008

PERSON TO PERSON TRANSFER

WHEREAS, an application has been filed for a person to person transfer of Plenary Retail Consumption License 0305-33-008-002, Kosinski John Stanly , trading as Hi-Way Inn, heretofore issued to Stanly Kosinski, for premises located at 835 Route 130 South, Burlington, N.J. and;

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington, does hereby approve, effective March 18, 2008, that the transfer of the aforesaid Plenary Retail Consumption License to J & B's Bar and Grill, t/a "J & B's Bar and Grill" and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to "J & B's Bar and Grill, effective March 18, 2008."

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Lollar, Ms. Mercuri, Ms. Woodard, Mr. Ghaul. (5) NAYS: Mr. Van Loan. (1); Absent: Ms. Hatala. (1)

Resolution No. 105-2008

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS

RESOLVED: That WHEREAS, an emergent condition has arisen with respect to paying salaries and wages for various City employees and various other expenses necessary to provide essential services to the residents of the City of Burlington prior to the final adoption of the budget and no adequate provision has been made in the 2008 temporary appropriations for the aforesaid purpose, and N.J.S.40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2008 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A: 4-20) including this resolution total \$ 3,468,790.87 for Current Fund, \$ 395,000.00 for Water Utility and \$ 460,000.00 for Sewer Utility;

NOW, THEREFORE, BE IT RESOLVED: (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the purposes found on attachment "A" attached.
2. That said emergency temporary appropriations will be provided for in the 2008 budget under the titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

ATTACHMENT A

CURRENT FUND:

	SALARIES	OTHER EXPENSES
General Administration	50,000.00	2,000.00
Municipal Clerk	21,000.00	10,000.00
Mayor and Council	4,000.00	4,000.00
Financial Administration	30,000.00	5,000.00
Assessment of Taxes	10,000.00	500.00
Collection of Taxes		41,000.00
Legal Services & Costs		35,000.00
Municipal Prosecutor	6,000.00	
Municipal Court	83,000.00	3,000.00
Engineering Services & Costs		15,000.00
Economic Development		6,000.00
Office of Programs Coordinator	21,000.00	5,000.00
Planning Board	17,000.00	8,500.00
Historic Preservation Commission		4,000.00
Liability Insurance		40,000.00
Workers Compensation Insurance		25,000.00
Group Insurance Plan for Employees		440,000.00
Fire	5,000.00	55,000.00
Police	925,000.00	49,000.00
Animal Control Officer	500.00	350.00
Emergency Management Service	200.00	1,200.00
Public Buildings and Grounds	47,000.00	9,000.00
Public Works Road Repair & Maintenance	66,000.00	16,000.00
Public Works Department	29,000.00	3,000.00
Vehicle Maintenance	26,000.00	19,000.00
Parks and Playgrounds	9,200.00	12,000.00
Sanitation		64,000.00
Board of Health	12,000.00	200.00
Recreation Programs	24,000.00	21,000.00
Celebration of Public Events	20,000.00	15,000.00
Operations of Boat Ramp	6,000.00	2,400.00
Public Defender		500.00
Electricity and Natural Gas		110,000.00
Telecommunications		9,500.00
Petroleum Products		31,000.00

CURRENT FUND:

	SALARIES	OTHER EXPENSES
Landfill Solid Waste Disposal Costs		95,000.00
Building Inspections	14,000.00	13,000.00
Housing Code Inspections		3,500.00
Rental Unit Inspections	39,000.00	2,500.00
Plumbing Inspections		3,000.00
Electrical Inspections		6,500.00
Uniform Fire Safety Act	16,000.00	1,800.00
N.J. Council on Alcohol and Drug Abuse		13,625.00
Reserve for Drunk Driving Enforcement		2,535.18
Body Armor Replacement Fund		3,873.02
Reserve for Tonnage Grant		7,607.67
Safe Walkways to Schools – Local Share		25,000.00
Hazardous Discharge Site Remediation		162,800.00
Recreational Opportunities for Individuals With Disabilities		6,500.00
O.A.S.I.		72,000.00
Unemployment		7,500.00
NJ Transportation Trust Fund (E Pearl Blvd)		138,000.00
Public Employees Retirement System		10,000.00
Police and Fire Retirement System		351,000.00

WATER FUND:

	SALARIES	OTHER EXPENSES
Water	170,000.00	215,000.00
Water O.A.S.I.		10,000.00

SEWER FUND:

	SALARIES	OTHER EXPENSES
Sewer	200,000.00	250,000.00
Sewer O.A.S.I.		10,000.00

Upon the motion of Councilman Van Loan, seconded by Councilwoman Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Lollar, Ms. Mercuri, Mr. Van Loan, Ms. Woodard, Mr. Ghaul. (6) NAYS: (0); Absent: Ms. Hatala. (1)

Resolution No. 106-2008

Municipal Budget of the City of Burlington, County of Burlington, for the Fiscal Year 2008;

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2008;

Be It Further Resolved, that said Budget be published in the Burlington County Times in the issue of April 4, 2008.

The Governing Body of the City of Burlington does hereby approve the following as the Budget of the year 2008.

Local Tax for Municipal Purposes including Reserve for Uncollected Taxes - \$5,386,730.40.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Lollar, Ms. Mercuri, Mr. Van Loan, Ms. Woodard, Mr. Ghaul. (6) NAYS: (0); Absent: Ms. Hatala. (1)

Resolution No. 107-2008

RESOLUTION OPPOSING THE FAILURE OF THE GOVERNOR'S PROPOSED STATE BUDGET FOR THE 2008-2009 FISCAL YEAR TO TREAT PROPERTY TAX RELIEF AS OUR PRIORITY

WHEREAS, on February 26, 2008, in Trenton, Governor Jon S. Corzine presented his FY 2009 Budget proposal to a Joint Session of the State Legislature, which proposal now goes to the Legislature, which must pass a balanced budget by the start of the State's next Fiscal Year, which begins on July 1; and

WHEREAS, the proposal, which represents what the Governor called "many unpleasant choices," calls for the elimination of two Departments of State Government (the Departments of Agriculture and Personnel) and the State Commerce Commission, and asks all other Departments to absorb funding cuts, and further calls for sacrifice in a number of other areas, including direct property tax relief, hospital aid, higher education assistance and Medicaid, with the inordinately deep cuts in municipal property tax relief funding; and

WHEREAS, one year after the historic Special Session for Property Tax Reform, which purportedly eliminated the need for a Citizens' Convention, our property taxpayers will once again be asked for patience, and they will be asked to shoulder more than their fair share of the funding burden; and

WHEREAS, local officials have done so much with so little for so long, that State Budget-makers now believe some can do everything with absolutely nothing; and

WHEREAS, municipal property tax relief will be slashed by \$189.6 million; and

WHEREAS, for municipalities with a population of less than 5,000, there will be no CMPTRA funding this year; for municipalities with a population total between 5,000 and 10,000, this relief will be limited to one-half of the amount received in the State's 2006-2007 budget; and the \$32.6 million distributed according to the CMPTRA formula, which municipalities received last year as 2008 Municipal Property Tax Assistance, is gone; and

WHEREAS, all municipalities will receive level Energy Tax Receipts Property Tax Relief funding, despite State Law that 'requires' annual inflationary adjustments of this (and CMPTRA) funding; and

WHEREAS, last year, municipal efficiency was promoted to the tune of \$34.8 million, but in this proposal, this funding has been eliminated; and

WHEREAS, last year's \$32 million in Municipal Homeland Security Funding is gone, Special Municipal Aid funding is cut from \$153 million to \$145.4 – a loss of \$7.6 million, Extraordinary Aid funding is reduced by \$1.7 million – from \$34 million to \$32.3 million, and the \$8 million Regional Efficiency Aid Program will not be funded; and

WHEREAS, beyond these cuts, certain municipalities served by the State Police will be asked to contribute \$20 million to the State's General Fund, and Homestead Rebates for Homeowners will be cut by \$257 million, and for Renters by \$124 million; and

RESOLVED, that the governing body of the City of Burlington calls on its elected representatives in Trenton, Senator Diane Allen and Assembly members Jack Connors and Jack Conaway, to work with their colleagues in the Legislature and with the Governor to take affirmative action to restore program funding sufficient to honor state statutes and their stated commitment to the cause of property tax relief in all New Jersey municipalities; and be it further

RESOLVED, that copies of this resolution be forwarded to Governor Jon S. Corzine, Acting State Treasurer R. David Rousseau, Senate President Richard J. Codey, Senate Minority Leader Thomas H. Kean, Assembly Speaker Joseph J. Roberts, Assembly Minority Leader Alex DeCroce, the Chairs and Members of the Senate and Assembly Budget and Appropriations Committees, our own Senator Diane Allen and Assembly members Jack Connors and Herb Conaway and to the New Jersey State League of Municipalities.

Upon the motion of Councilman Van Loan, seconded by Councilwoman Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Lollar, Ms. Mercuri, Mr. Van Loan, Ms. Woodard, Mr. Ghaul. (6) NAYS: (0); Absent: Ms. Hatala. (1)

Resolution No. 108-2008

WHEREAS, the City of Burlington entered into a contract with Grinnell Recycling, Inc., 482 Houses Corner Road, Sparta, NJ for the demolition of six houses; and

WHEREAS, additional construction work was necessary in connection with the demolition and board up of 216-218 Jones Avenue, which involved the following items:

1. Supply and install 900 sq. ft. of ½” sheathing on 216 Jones Ave.
2. Supply and install 500 sq. ft. of R-13 insulation
3. Supply and install 1,000 sq. ft. of Tyvek
4. Supply and install shingle caps for weatherization
5. Supply and install 32’ of 2 x 6 fascia board
6. Other materials to complete front and back of 216 Jones Ave.

WHEREAS, the City has determined that the work was necessary, negotiated with the contractor on the payment terms, prepared the change order form and recommends approval of Change Order #1.

NOW, THEREFORE BE IT RESOLVED, that Common Council of the City of Burlington, hereby authorizes the Mayor and Municipal Clerk to execute an amended agreement (Change Order #1) with Grinnell Recycling, Inc., 482 Houses Corner Road, Sparta, NJ (contract 07-049), in the amount of \$4,500.00, for items related to the demolition and board up project, making a revised contract total of \$91,500.00.

Upon the motion of Councilman Van Loan, seconded by Councilwoman Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Lollar, Ms. Mercuri, Mr. Van Loan, Ms. Woodard, Mr. Ghaul. (6) NAYS: (0); Absent: Ms. Hatala. (1)

On the question, Mr. MacMillan explained that one of the houses need to be fixed up on the side of the house so that the house that remained, remained in good condition

Resolution No. 109-2008

WHEREAS, bids were received on February 19, 2008 for various landscaping and lawn services; and

WHEREAS, Jim Dunphy’s Landscaping, LLC submitted the lowest bid and Administration has reviewed the qualifications of the low bidder and finds them to be in order; and

WHEREAS, the City Administrator reviewed the submitted bids and recommends that the Common Council award the contract to the lowest qualified bidder known as Jim Dunphy’s Landscaping , LLC, P.O. Box 363, Mount Laurel, N.J. 08054.

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 Jim Dunphy’s Landscaping, LLC, in an amount not to exceed \$24,005.00; and

BE IT FURTHER RESOLVED, that any and all payment documents shall carry the identification code 08-024 and that the Municipal Clerk shall provide the Administrator with two (2) certified copies of this resolution.

Upon the motion of Councilwoman Woodard, the foregoing resolution died due to no second.

Resolution No. 110-2008

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

Upon the motion of Councilman Van Loan, seconded by Councilwoman Lollar, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Lollar, Ms. Mercuri, Mr. Van Loan, Ms. Woodard, Mr. Ghaul. (6) NAYS: (0); Absent: Ms. Hatala. (1)

COUNCIL COMMENTS

Councilwoman Woodard stated that she hopes that the Allen School will move along ask quickly as the Lyceum Hall has.

Mr. Berry explained that there was a meeting held to the preparing redevelopment contract for the Allen School; the City is moving forward.

Councilman Van Loan spoke of an article about municipalities budget cuts; asked if there could be a committee created for shared services; the State has monies available to municipalities who want to participate in Shared Services Programs.

Mayor Fazzone suggested he could direct the Administration to create a committee for shared services.

Councilwoman Lollar, Councilwoman Woodard and Councilman Van Loan volunteered to participate.

Councilwoman Woodard spoke of children crossing Route 130 at Wood Street; spoke of the need for a crossing guard at that location.

President Ghaul stated he has spoken with Capt. Wallace; they will meeting with the Mayor shortly; this discussion will be on the agenda in April.

Mayor Fazzone agreed that this is a issue that needs to be addresses as soon as possible.

President Ghaul spoke of attending an Eagle Scout Ceremony for Christopher Sylfies, he became an Eagle Scout.

Mayor Fazzone spoke of the Eagle Scout's Project providing for maps along the Light Rail Station.

Councilwoman Lollar spoke of the road program; spoke of a letter received regarding the selection of the roads and the cost break down; asked about the availability of selecting the roads.

Mr. Berry stated this will be discussed at the conference tonight.

CONFERENCE ITEMS

- Ordinance Recodification and Electronic Code Proposal - Earl Babb of General Code
- 2008 Road Program - Frank Morris, Municipal Engineer

ADJOURNMENT

Upon a motion of Councilwoman Woodard, seconded by Councilwoman Lollar, this meeting of March 18, 2008 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

Douglas Ghaul, President
Common Council