

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MAY 7, 2013, 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 on the left after exiting the Council Chamber and the other being the entrance to the building.

Members present: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri. (6); Absent: Ms. Woodard. (1)

Also present: Municipal Attorney- George Saponaro, Municipal Engineer - Frank Morris, Chief Financial Officer- Ken Mac Millan, Director of Housing- David Ballard, Lt. Snow, Director of Public Works- Carl Turner (7:25pm).

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, 2013 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. Dr. Maurice Talley of St. Peter's Primitive Baptist Church

SALUTE TO FLAG

PRESENTATIONS

BCHS Wrestling Team

UNFINISHED BUSINESS

Councilwoman Hatala asked when the work will begin on James Street.

Mr. Morris suggested they would start after school is out, provided Council approves the award of the contract.

Councilman Ghaul asked for an update on Bordentown Road resurfacing.

Mr. Morris stated the County will start paving the 541 handicap ramps then Bordentown Road.

Councilman Babula asked if the sidewalks of Route 130 N and S would be repaved.

Mr. Morris stated he would look into it.

CONSENT AGENDA

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

Councilman Babula requested that Resolution 120-2013 be removed from the Consent Agenda.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR APRIL 2013

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of March 2013. \$ 810.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 04-01 Land Use Board, dated March 27, 2013
- 04-02 Historic Preservation Commission, dated April 3, 2013
- 04-03 Screening Schedule for April 4, 2013
- 04-04 Land Use Board Agenda for April 24, 2013
- 04-05 Historic Preservation Members and Applicants - May 2013
- 04-06 Screening Board Schedule for May 2013

MINUTES RECEIVED FROM VARIOUS BOARDS

- 04-10 Land Use Board, dated January 23, 2013
- 04-11 Land Use Board, dated February 27, 2013

NOTICE TO PROPERTY OWNERS

- 04-20 Doane Academy, 350 Riverbank block 3 & 5, lots 1-2, 5-6.1

PETITIONS OF APPEALS:

- 04-30 block 25 lot2
- 04-31 block 13 lot 54
- 04-32 block 16 lot 1, block 33 lot 29
- 04-33 block 23 lot 24.01
- 04-34 block 198 lot 1.01

04-35 block 14 lot 1
04-36 block 226 lot 1
04-37 block 83 lot 22
04-38 block 73 lot 4
04-39 block 132 lot 6
04-40 block 135 lot 5
04-41 block 223 lot 4
04-42 block 24 lot 2.01
04-43 block 244 lot 5.02
04-44 block 244, lot 5.02
04-45 block 184, lot 13
04-46 block 235 lot 13
04-47 block 212 lot 13
04-48 block 155 lot 5
04-49 block 212 lot 9
04-50 block 70 lot 4
04-51 block 117 lot 18
04-52 block 82 lot 1.01
04-53 block 45 lot 5
04-54 block 10, lot 3 & block 73 lot 2
04-55 block 155 lot 5
04-56 block 140 lot 19
04-57 block 138 lot 26
04-58 block 12 lot 9
04-59 block 116 lot 5
04-60 block 13 lot 10
04-61 block 13 lot 18
04-62 block 13 lot 20
04-63 block 13 lot 25
04-64 block 13 lot 43
04-65 block 20 lot 16
04-66 block 20 lot 17
04-67 block 20 lot 19
04-68 block 118 lot 24
04-69 block 131 lot 49
04-70 block 135 lot 6
04-71 block 135 lot 2
04-72 block 176 lot 5
04-73 block 13 lot 44
04-74 block 155 lot 5
04-75 block 24 lot 2.01
04-76 block 118 lot 38

The following application(s) for parade permit(s) received and approved.

- 4-40 Parade Permit application for Saint Pauls School - June 15, rain date June 16
- 4-41 Parade Permit application for American Legion - May 27, 2013 (Memorial Day Parade)

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

- 04-300 Alaimo Group, dated April 2, 2013, re: Engineers Report
- 04-301 Alaimo Group, dated April 5, 2013, re: Burlington City/County Paving Schedule for 2013
- 04-302 Alaimo Group, dated April 17, 2013, re: Wawa
- 04-303 Alaimo Group, dated April 18 2013, re: City of Burlington 2013 Overlay Program
- 04-304 Pennoni Associates, dated April 26, 2013, re: Proposal for Professional Services
- 04-306 Alaimo Group, dated April 29, 2013, re: Burlington County Municipal Recreation Grant
- 04-307 Pennoni Associates, dated November 14, 2013, re: Hurricane Sandy

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

- 04-501 Greater Burlington Chamber of Commerce, re: Dinner at Café Gallery April 17, 2013
- 04-502 Oysters Overboard, May 3, 2013 at Café Gallery
- 04-503 Board of Chosen Freeholders, dated April 3, 2013, re: 2013 Overlay Program
- 04-504 Greater Burlington Chamber of Commerce, dated March 26, 2013, re: Chamber would like to partner with Council and Administration to accomplish goals

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

- 04-700 NJDEP, dated April 10, 2013, re: C. Christie Administration gears up for busy recreational fishing and boating season
- 04-701 State of New Jersey, dated April 12, 2013, re: Inspection March 21, 2013
- 04-702 NJDEP, dated April 22, 2013, re: Media Advisory
- 04-703 State of New Jersey, dated April 24, 2013, re: Small Cities CDBG 2012
- 04-704 NJDEP, re: Administrative Order 2012-13 Chris Christie
- 04-705 State of New Jersey, dated May 1, 2013, re: Municipal Affordable Housing Trust Fund Balance
- 04-706 State of New Jersey - Release News Christie Administration announces that no new intersections will be added to the red light camera pilot project

MISCELLANEOUS CORRESPONDENCE

- 04 -800 E-mail from Elaine McClammy dated March 28, 2013 ref; speeding on Uhler
- 04 -801 E-mail from Elaine McClammy, dated April 2, 2013 ref; lack of intelligence at city hall
- 04 -802 E-mail from Elaine McClammy dated April 2, 2013ref: Uhler Ave
- 04 -803 Councilwoman Helen Hatala, re: Thank you note loss of her sister Stella
- 04-804 Endeavor Emergency Squad, re: Monthly Report March 2013
- 04-805 E-mail from Elaine McClammy dated April 3,2013, re: parks and riverfront
- 04-806 E-mail from Elaine McClammy, dated April 4 2013, re: speeding on Uhler
- 04-807 E-mail from Elaine McClammy, dated April 8,2013, re: speeding on Uhler
- 04-808 E-mail from Elaine McClammy, dated April 5, 2013, re: misc

04-809 E-mail from Elaine McClammy, dated April 5, 2013, re: enforcement of ordinances
04-810 ArtPride NJ, Your Voice for the Arts - Information
04-811 E-mail from Elaine McClammy, dated April 10, 2013, re Geese problem
04-812 E-mail from Elaine McClammy, dated April 10, 2013, re: Top Notch Tree trucks
around house
04-813 E-mail from Elaine McClammy, dated April 10, 2013, re: oversized vehicles
04-814 American Legion Post 79, dated March 20, 2013, re: Annual Memorial Day Caravan
04-815 E-mail from Elaine McClammy, dated April 12, 2013, re: oversized vehicles
04-816 E-mail from Elaine McClammy, dated April 13, 2013 re: speeding on Uhler
04-817 E-mail from Elaine McClammy, dated April 13, 2013 re: Chief Wallace discussing us
with citizens
04-818 E-mail from Elaine McClammy, dated April 14, 2013 re: State law needs to be enforced
04-819 E-mail from Elaine McClammy, dated April 14, 2013 re: Top Notch Trucks
04-820 E-mail from Elaine McClammy, dated April 14, 2013 re: speeding on Uhler
04-821 E-mail from Elaine McClammy, dated April 14, 2013 re: feral cats
04-822 E-mail from Elaine McClammy, dated April 15, 2013 re: tractor trailer
04-823 E-mail from Elaine McClammy, dated April 15, 2013 re: over weigh vehicles
04-824 Captain James McFarland Post 79, American Legion, re: Requisition to purchase
materials for Memorial Day Events
04-825 New Jersey Transit Corporation Fiscal Year 2013
04-826 United States Bankruptcy Court, District of Nevada re: Ahern Rentals
04-827 E-mail from Elaine McClammy, dated April 16, 2013, re: Sharing something
04-828 Niagara Hose Company, dated April 1, 2013, re: William J. Wood
04-829 E-mail from Elaine McClammy, dated April 17, 2013, re: inequality in enforcement
04-830 E-mail from Elaine McClammy, dated April 18, 2013, re: speeding on Uhler
04-831 E-mail from Elaine McClammy, dated April 18, 2013, re: public works employee
driving and using cell phones
04-832 E-mail from Elaine McClammy, dated April 22, 2013, re: unlicensed plumbers
04-833 E-mail from Elaine McClammy, dated April 22, 2013, re: rubber mulch for playgrounds
04-834 E-mail from Elaine McClammy, dated April 22, 2013, re: old complaints
04-835 E-mail from Elaine McClammy, dated April 22, 2013, re: Idiot parents speeding to
baseball practice
04-836 Board of Education, Legal Notice- meeting April 23, 2013 4pm
04-837 Property Management Services of Burlington Co., re: 404 Jones Street
04-838 E-mail from Elaine McClammy, dated April 23, 2013, re: licensing of tree business
04-839 E-mail from Elaine McClammy, dated April 23, 2013, re: follow NJ laws
04-840 PSE&G, dated April 11, 2013, re: Un-metered Service Attachments Webcast
04-841 Burlington Day May 18, 2013
04-842 Bridge Player Theater Company - Crowns, musical played in the round May 3, 4, 5, 10,
11, 12, 17, 18, 19th.
04-843 E-mail from Elaine McClammy, dated April 29, 2013, re: speeding a light High and Rt
130
04-844 E-mail from Elaine McClammy, dated April 29, 2013, re: tractor trailer

- 04-845 E-mail from Elaine McClammy, dated April 30, 2013, re: properties -Kennedy Park
- 04-845 E-mail from Elaine McClammy, dated April 30, 2013, re: safety of young people
- 04-846 E-mail from Elaine McClammy, dated May 1, 2013, re: running stop at Locust
- 04-847 Burlington County Library, re: HELP, Expungement Seminar Thursday May 23, 2013
- 04-848 YMCA, dated April 22, 2013, re: Support our Y by donating new swim gear
- 04-849 Burlington County Animal Shelter, re: Raining Cats and Dogs- Pet Fest April 27, 2013
- 04-850 Board of Education - Public Notice May 6, 2013 5:30
- 04-851 E-mail from Elaine McClammy, dated May 2, 2013, re: Idiotic statements
- 04-852 Public Notice from City of Burlington School Systems -May 13, 2013 6pm
- 04-853 Recycle- Shred May 5 9-1 130 Hancock Lane Westampton NJ

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

PUBLIC HEARING

2013 Municipal Budget

Mr. MacMillan reviewed the proposed budget; the increase will be 5.9.

President Lollar spoke of four budget meetings held, which were open to the public; 7.1 reduce to 5.9.

Edward Troy, 126 Farner Avenue- commended Council; spoke of municipalities struggling; spoke of the many for sale signs in town; suggested the Mayor should be present when adopting the budget; spoke of the need to increase revenue; asked Council to look at the budget again; people need relief.

Elaine McClammy, 561 Uhler Avenue- asked Council to reconsider the budget.

Mark McIntosh, 216 E. Union- asked if we are working on future contracts; asked about selling City owned properties; want to keep approximately 20% in surplus in the budget; suggested that the City look at different alternatives for electric, gas and telecommunications.

William McClammy, 561 Uhler Avenue- acknowledged that Council did make an effort to reduce costs, however, there is extra money still in the budget; suggested Council go back and look again; we can operate off of what the City had last year; the police budget was increased; there were three new cars in the Police budget; most full time Police Officers make over \$100,000; they can drive their own cars to work; spoke of a computer program requested for the Police Department; spoke of many houses for sale in the City.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 102-2013

WHEREAS, N.J.S. 40A:4-8, as amended by Chapter 259, P.L. 1995 provides that the budget may be read by title only at the time of the public hearing if a resolution is passed by not less than a majority of the full governing body, providing that at least on week prior to the date of hearing, a complete copy of the budget has been made available for public inspection in the free public library, if any, located within our municipality and a county library. If there is no county library located within the municipality, then it must be provided to any county library in the county wherein the municipality is located. Further, the public officer delegated the responsibility for delivery of the copies to said libraries has completed certification forwarded to the governing body that such deliveries were made and copies have been made available by the Clerk to persons requesting them; and

WHEREAS, these two conditions have been met;

NOW, THEREFORE, BE IT RESOLVED, that the budget shall be read by title only.

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

Resolution No. 103-2013

Common Council of the City of Burlington, hereby authorizes amendments to the 2013 approved Municipal Budget.

Upon the motion of Councilman Ghaul, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Lollar, Ms. Mercuri. (5) NAYS: Ms Hatala. (1); ABSTAIN: (0); ABSENT: Ms. Woodard (1).

Resolution No. 104-2013

Common Council of the City of Burlington, hereby adopts the 2013 Municipal Budget in the amount of \$7,482,251.29 to be raised by taxation for municipal purposes.

Upon the motion of Councilman Ghaul, seconded by Councilwoman Mercuri, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri. (5) NAYS: Ms. Hatala. (1); ABSTAIN: (0); ABSENT: Ms. Woodard (1).

Resolution No.105-2013

RESOLUTION NO. 105-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE RELEASE OF THE MAINTENANCE GUARANTEE REQUIREMENT OF THE MODERN GROUP, LLC

WHEREAS, the Modern Group, LLC has caused improvements to be made to Block 228, Lots 1.01-1.05, which improvements have been completed; and

WHEREAS, on December 21, 2010 Common Council approved release of the performance bond conditioned upon the posting of a maintenance guarantee in the amount of \$6,611.63; and

WHEREAS, the Municipal Engineer has recommended that the maintenance guarantee requirement be released.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the maintenance guarantee for this project in the amount of \$6,611.63 be released.

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

Resolution No.106-2013

RESOLUTION NO. 106-2013 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING THE CITY OF BURLINGTON FIRE DEPARTMENT TO SELL CERTAIN EQUIPMENT AND PURCHASE CERTAIN OTHER EQUIPMENT IN THE FORM OF AN EXCHANGE WITH THE BURLINGTON TOWNSHIP FIRE DEPARTMENT

WHEREAS, the City of Burlington Fire Department utilizes certain fire equipment, including the equipment attached hereto as Exhibit "A";

WHEREAS, the City of Burlington Fire Department has certain duplicative equipment which is not presently necessary to be maintained and kept by the City of Burlington Fire Department for the protection of its citizens because it has excess equipment in these areas;

WHEREAS, the Fire Chief for the City of Burlington Police Department has had discussions with officials with the Burlington Township Fire Department and learned that the Burlington Township Fire Department also has excess equipment that is a duplicate for its department;

WHEREAS, the City of Burlington Fire Department has a need to acquire certain equipment presently in the possession of the Burlington Township Fire Department;

WHEREAS, the Burlington Township Fire Department has the need for certain equipment presently in the possession of the City of Burlington Fire Department;

WHEREAS, an exchange of the equipment in the form of a swap would be efficient, economical, and would otherwise save tax dollars to the residents of the City of Burlington without

jeopardizing any public safety concerns;

WHEREAS, the exchange of such equipment would be in the best interest of the City of Burlington residents;

NOW THEREFORE, BE IT RESOLVED by the Common Council for the City of Burlington as follows:

1. The Fire Chief for the City of Burlington is hereby authorized to provide its excess equipment as outlined in the attached Exhibit "A" to the Burlington Township Fire Department.
2. The Fire Chief for the City of Burlington is hereby authorized to acquire the equipment as set forth in the attached Exhibit "A" from the Burlington Township Fire Department.
3. The Fire Chief is hereby directed to process any and all necessary paperwork for the exchange of such equipment.
4. In the event that any contracts are necessary for the fore said equipment trade, the Solicitor is hereby directed to prepare or review such contracts for the equipment trade.

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

Resolution No.107-2013

RESOLUTION NO. 107-2013 OF THE CITY OF BURLINGTON TO AWARD A CONTRACT TO AMERICAN ASPHALT COMPANY, INC. FOR THE PROJECT KNOWN AS THE JAMES STREET PAVING AND IMPROVEMENTS PROJECT

WHEREAS, the City of Burlington did apply for and did receive a Fiscal Year 2012 Municipal Aid Program Grant from the New Jersey Department of Transportation for the project known as the James Street Paving and Improvements Project, from Hulburt Avenue to Second Street in the amount of \$200,000.00; and

WHEREAS, the City of Burlington did also apply for and did receive a Fiscal Year 2011 Discretionary Aid Grant in the amount of \$167,000 to supplement said project; and

WHEREAS, bids were received on Thursday, March 28, 2013 for the JAMES STREET PAVING AND IMPROVEMENTS PROJECT as outlined on the bid tabulation sheet; and

WHEREAS, the total amount of the lowest bid for the JAMES STREET PAVING AND IMPROVEMENTS PROJECT from Hulburt to Second Street is \$212,221.70, submitted by American Asphalt Company, Inc.; and

WHEREAS, the City of Burlington Chief Financial Officer has certified that funds are available to award a contract to American Asphalt Company, Inc.; and

WHEREAS, American Asphalt Company, Inc. submitted the lowest acceptable bid, and the City Engineer, Frank Morris, of Alaimo Group has reviewed the qualifications of the bidder and finds them to be in order; and

WHEREAS, the City Engineer recommends that the Common Council of the City of Burlington award a contract to American Asphalt Company, Inc., 116 Main Street, West Collingswood Heights, NJ 08059, per the engineer's letter dated April 16, 2013;

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 American Asphalt Company, Inc. for the JAMES STREET PAVING AND IMPROVEMENTS PROJECT in the amount of \$212,221.70.

Upon the motion of Councilwoman Hatala, seconded by Councilman Babula, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Ms. Mercuri. (5) NAYS: (0); ABSTAIN: Mr. Conaway. (1); ABSENT: Ms. Woodard.(1).

Resolution No.108-2013

RESOLUTION NO. 108-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZES A SHARED SERVICES AGREEMENT FOR THE "BURLINGTON COUNTY ROUTE 130 TASK FORCE" PROGRAM

WHEREAS, the Townships of Bordentown, Cinnaminson, Delran, Riverside, Florence, Delanco, Edgewater Park, Mansfield, Willingboro and North Hanover; the Cities of Bordentown and Burlington and the Borough of Palmyra are neighboring municipalities within the County of Burlington with the Route 130 Corridor running through or adjacent to each; and

WHEREAS, the Police Departments of the Municipalities intersected by Route 130 provide patrols in their respective municipalities; and

WHEREAS, the municipalities often rely upon each other for additional officers to provide such services; and

WHEREAS, the above-named municipalities are participating in the Burlington County Route 130 Task Force Program; and

WHEREAS, the Burlington County Sheriff's Department will be administering a grant from the New Jersey Division of Highway Traffic Safety which will provide reimbursement for approved traffic enforcement details along the Route 130 Corridor; and

WHEREAS, the above-referenced Municipalities wish to enter into a Shared Services Agreement to utilize police to enforce motor vehicle statutes, criminal statutes and local ordinances in the municipalities and to allow each of the above-referenced municipalities to cross jurisdictional lines in order to enforce said statutes and ordinances; and

WHEREAS, the attached Shared Services Agreement has been found to be acceptable by the; and

WHEREAS, the attached Shared Services Agreement is authorized by the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.;

NOW, THEREFORE, BE IT RESOLVED by Common Council of the City of Burlington that the Mayor and Municipal Clerk are hereby authorized to execute the attached Shared Services Agreement with the Townships of Bordentown, Cinnaminson, Delran, Riverside, Florence, Delanco, Edgewater Park, Mansfield, Willingboro and North Hanover; the Cities of Bordentown and Burlington, the Borough of Palmyra and the County of Burlington; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Chief Financial Officers and the Municipal Clerk of the other Municipalities and to the County of Burlington.

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

Resolution No.109-2013

RESOLUTION NO. 109-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON NAMING SKYE CONSULTING, LLC AS REDEVELOPMENT CONSULTANT

WHEREAS, the Common Council of the City of Burlington is the City's Redevelopment Authority pursuant to New Jersey Statutes relating to redevelopment law; and

WHEREAS, the Common Council of the City of Burlington recognizes the importance of redevelopment for the City of Burlington; and

WHEREAS, the City of Burlington has designated certain areas as being in need of redevelopment pursuant to New Jersey laws; and

WHEREAS, Pursuant to N.J.S. 40A:11-5 a contract in excess of \$17,500.00 may be awarded for extraordinary unspecifiable services without the advertising for public bids; and

WHEREAS, the contract naming Skye Consulting, LLC, as Redevelopment Consultant, shall be funded out of the UDAG Trust Account; and

WHEREAS, the Common Council for the City of Burlington has reviewed the proposal of Skye Consulting LLC, and finds Skye Consulting, LLC to be specialized in having a unique experience, extensive training and experience in redevelopment projects, and a proven reputation in the areas of redevelopment consulting;

NOW THEREFORE, BE IT RESOLVED by the Common Council for the City of Burlington as follows:

Skye Consulting, LLC is hereby awarded a contract pursuant to N.J.S. 40A:11-5 for a period of one year in an amount not to exceed \$54,000.00 (\$4,500 per month) and paid from the UDAG Trust Account;

The Mayor and Municipal Clerk are hereby authorized to execute a contract subject to the review of the City Solicitor with Skye Consulting, LLC for services as Redevelopment Consultant;

The Municipal Clerk is hereby directed to print and publish a notice of the this award of this contract in accordance with N.J.S. 40A:11-5.

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

On the question, Councilman Babula spoke in support of Skye Consulting and this Resolution.

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

Resolution No.110-2013

RESOLUTION NO. 110-2013 AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH PENNONI ASSOCIATES, INC. IN CONJUNCTION WITH THE IMPLEMENTATION OF A Repair Project for Two (2) Stormwater Outfall Pipes that Were Damaged during Hurricane Sandy

WHEREAS, as a result of Hurricane Sandy, the City of Burlington sustained damage to two stormwater outfall pipes, one to the Assiscunk Creek adjacent to Broad Street and the New Jersey Light Rail bridge, and one to the Delaware River at the end of Stacy Street; and

WHEREAS, the City of Burlington intends to replace in-kind the damaged outfall pipes; and

WHEREAS, the City of Burlington did submit for reimbursement of this project through the FEMA Hazard Mitigation Hurricane Sandy Damage Restoration Program which looks promising; and

WHEREAS, said repairs are essential, therefore, the City of Burlington did establish the necessary Capital Improvement Fund for making said repairs and the City will continue to pursue all reimbursable elements from the FEMA Hazard Mitigation Hurricane Sandy Damage Restoration Program; and

WHEREAS, professional services are required in association with this project, for preparation of the design and bidding specification package, for application to New Jersey Department of Environmental Protection for various permits for Soil Erosion, Freshwater Wetlands, and Waterfront Development/Flood Hazard Area permits, and for contract administration; and

WHEREAS, the City of Burlington received a proposal dated May 2, 2013 in the amount of \$90,000 for said professional services from the City Sewer Engineer, Pennoni Associates, Inc.; and

WHEREAS, the Chief Financial Officer has executed a Certification of Funds for this contract, which is attached hereto, and that sufficient funds are available,

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, that the Mayor is hereby authorized to execute a contract in a form acceptable to the City Solicitor, with Pennoni Associates, Inc. for professional services in connection with the implementation of

the Repair Project for Two (2) Stormwater Outfall Pipes that Were Damaged during Hurricane Sandy;

BE IT FURTHER RESOLVED that a notice stating the service and the amount of this contract shall be published and this Resolution shall be maintained on file and available for public inspection in the office of the Municipal Clerk.

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

On the question, Councilman Babula asked Mr. MacMillan to explain this Resolution, how it was funded.

Mr. MacMillan explained that it was submitted to FEMA; FEMA gave us a check for the initial design; the City hopes that they will pay 75% of project.

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

Resolution No.111-2013

Common Council of the City of Burlington, hereby authorizes Neptune Hose Co. No. #5 to conduct a "Pass the Boot" fundraiser on Columbus Road at Route 130, they having filed the necessary papers on the following dates pending the proper permits from the County of Burlington:

May 19, 2013	10:00am - 2:00pm
July 20, 2013	10:00am - 2:00pm
September 7, 2013	10:00am - 2:00pm
October 12, 2013	10:00am - 2:00pm

Upon the motion of Councilwoman Hatala, seconded by Councilman Babula, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Conaway, Ms. Hatala, Ms. Lollar, Ms. Mercuri. (5) NAYS: (0); ABSTAIN: Mr. Ghaul. (1); ABSENT: Ms. Woodard.(1).

Resolution No. 112-2013*

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 May 7, 2013, that an Executive Session Closed to the Public shall be held on May 7, 2013, in the Council Meeting Room, for discussion of matters relating to the specific items designated in this resolution:

Real Estate / Contracts N.J.S.A. 10:4-12(7) Endeavor Building

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 May of 2013 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 113-2013*

Common Council of the City of Burlington, hereby authorizes Niagara Hose Co. #6 to conduct a "Pass the Boot" fundraiser at 656 High Street they having filed the necessary papers and pending the proper permits from the County of Burlington, on the following dates:

July 13, 2013	11:00am - 5:00pm
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Approved by Consent Agenda. All were in favor.

Resolution No. 114-2013*

Common Council of the City of Burlington, hereby authorizes Mitchell Fire Company No. 3 to conduct a "Pass the Boot" fundraiser at 300 East Federal Street, they having filed the necessary papers on the following dates pending the proper permits from the County of Burlington:

September 7, 2013	8:00am - 4:00pm
October 5, 2013	8:00am - 4:00pm
November 29, 2013	8:00am - 4:00pm

Approved by Consent Agenda. All were in favor.

Resolution No. 115-2013*

Common Council of the City of Burlington, hereby approves William J. Wood, 251 Somerset Drive, Willingboro, N.J., as an Emergency Driver for Niagara Hose Company No. 6 for the year 2013.

Approved by Consent Agenda. All were in favor.

Resolution No. 116-2013*

Common Council of the City of Burlington, hereby approves a Fire Member Application for Jonathan V. Cassidy, 240 Orchard Avenue, Burlington, N.J., in the Mitchell Fire Company No. 3, he having filed the necessary papers.

Approved by Consent Agenda. All were in favor.

Resolution No. 117-2013*

RESOLUTION NO. 117-2013 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE PUBLIC DISPLAY OF FIREWORKS FOR THE CITY OF BURLINGTON'S FESTIVAL OF LIGHTS

WHEREAS, it is necessary for the Common Council of the City of Burlington to approve the public display of fireworks for the City of Burlington Festival of Lights; and

WHEREAS, after authorization is approved, the City Fire Official will then be able to issue a permit for the public display of fireworks.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that approval is granted for the public display of fire works for the Festival of Lights to be held on August 10, 2013, with a rain date of August 11, 2013.

BE IT FURTHER RESOLVED that the Fire Official is hereby requested to issue a permit pursuant to N.J.A.C. 5:18-2.7.

Approved by Consent Agenda. All were in favor.

Resolution No. 118-2013*

Common Council of the City of Burlington, hereby authorizes a Public Auction of impounded and abandoned bicycles on Saturday, June 1, 2013 at 9:00 AM, at Mitchell Avenue, Burlington, N.J., Rain or Shine.

Approved by Consent Agenda. All were in favor.

Resolution No. 119-2013*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Thu T. Pham, 2 Water Lily Court, Medford, N.J. to operate a business at 682 High Street t/a "KD Nail Salon."

Approved by Consent Agenda. All were in favor.

Resolution No. 120-2013

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Alaya Akther, 31 Peters Lane, Apt.# H-9, Blackwood, N.J. to operate a business at 201 E. Route 130 South t/a "New Super Speedy Mart."

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

ABSENT: Ms. Woodard (1).

Resolution No. 121-2013*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Roscoe T. Johnson, 2 Walton Drive, Mt. Holly, N.J. to operate a business at 1091 Route 130 South t/a "Cell Phone Repair Clinic."

Approved by Consent Agenda. All were in favor.

Resolution No. 122-2013*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Michael R. Yacovone, 34 Plumtree Drive, Sewell, N.J. to operate a business at 933 Route 130 t/a "Burlington Meineke."

Approved by Consent Agenda. All were in favor.

Resolution No. 123-2013*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Joseph LoDuca, 46 Kingsbridge Drive, Burlington, N.J. to operate a business at 818 High Street t/a "Jersey Boyz Steaks."

Approved by Consent Agenda. All were in favor.

Resolution No. 124-2013*

Common Council of the City of Burlington, hereby rescinds Resolution No. 45-2013, awarding a contract to Banta's Iron Works, Inc. for the stabilization of the clock tower/steeple on the Old Endeavor Fire House, at the request of Banta's Iron Works, Inc. due to unforeseen circumstances rendering Banta's Iron Works, Inc. unable to complete the project.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Edward Troy, 126 Farner Avenue- spoke of speeding on Farner Avenue; asked for Police presence or a School Zone sign; spoke of the actions of a bus driver.

President Lollar asked if he has contacted the Board of Education.

Mr. Troy responded that he did not.

Councilman Ghaul asked Council liaison, Councilman Conaway, to relay the message to the Board.

Harry Heck, 116. E. Union Street- spoke of feral cats; there is no ordinance; feral cats are

wildlife; asked for signs that say “No Feeding Wildlife”; asked for lines to be painted on E. Union previously, they still are not painted; spoke of the bus stop near Imhoff’s, it lets people off then they cross right in front of traffic; the City is responsible for public safety; spoke of people sitting on the steps waiting for the bus; spoke of Public Works employees who stole from City, they were suspended for 10 days and picked the days they wanted; asked where the Agenda is on the website; spoke of Ingerman and the William Street Project; the City is giving away too much free, such as the connection for water-sewer; feels this is really bad.

David Fugh, 744 Bordentown Road- thanked the City for cleaning up the fields.

Danny Kiple, 843 Woodland Avenue- asked about the road paving project; asked what is the City’s interest in the Endeavor.

Elaine McClammy, 561 Uhler Avenue- spoke of calling the police; spoke of politics; spoke of abandoned vehicles; spoke of the direction of parked cars; spoke of an abandoned vehicle at Top Notch.

Ernie Lockland, 136 E. Union Street- the street needs to be re-lined; spoke in opposition of the emergency lock boxes; asked for a taller Stop sign at York and Union Streets.

William McClammy, 561 Uhler Avenue- spoke of a salary ordinance that was introduced; asked the City to amend the ordinance on oversized vehicles; spoke of double parking at the Smith School; the Ingerman Project has to be approved by the State; spoke of an employee from Public Works who was fired; spoke of tree branches that have been down at Kennedy Park since hurricane Sandy.

COUNCIL COMMENTS

Councilman Ghaul spoke of the Endeavor, the City owns half of the building; the steeple stood in the center of town in the 1700's; agreed with Harry Heck regarding the bus stops and the patrons sitting in the steps; requested a conference with New Jersey Transit so they can hear directly from the residents; spoke of a feral cats; there was a program with the County, but the funding ran out; requested the Clerk to look for feral cat ordinances from other towns.

Councilman Babula spoke of the Ingerman Project and funding being returned; spoke of speed humps.

Councilwoman Hatala spoke of the Ingerman Project; Williams Street will no longer be a street, have gotten numerous complaints; spoke of emergencies, it will pose a problem on Logan Avenue; spoke of the need to try to upgrade the housing stock, this will not help.

Councilwoman Mercuri- spoke of the feral cat problem and the bus situation; spoke of Clean-Up Day.

Councilman Ghaul spoke in opposition of a 30 year Tax Abatement for the Williams Street Project; little money will go to the school system; a grant from the County was recently received.

President Lollar, spoke of Clean-Up Day and upcoming events.

CONFERENCE

Sewer and Drainage Engineer Update- Tom Leisse and Ken Shine , Pennoni Associates, Inc.

EXECUTIVE CONFERENCES

Real Estate / Contracts - Endeavor Building- REMOVED

ADJOURNMENT

Upon the motion of Councilman Ghaul, seconded by Councilman Babula, this meeting of May 7, 2013 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk