

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, NOVEMBER 1, 2016, 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. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7) Absent: (0)

Also present: Mayor Conaway, Municipal Attorney- George Saponaro, Municipal Engineer - Frank Morris, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Chief Snow, Officer Perro.

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 1, 2016 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. Hilda Covington of Wayside Ministries

A moment of silence was held for Mr. Richard Timbers.

**SALUTE TO FLAG**

**PUBLIC COMMENTS - RESOLUTIONS / CONSENT AGENDA RESOLUTIONS**

None.

**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 OCTOBER 2016**

### **NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED**

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of September 2016 \$365.00

### **AGENDAS RECEIVED FROM VARIOUS BOARDS**

- 10 -01 Historic Preservation Commission, October 5, 2016
- 10 -02 Screening Board, October 2016
- 10 -03 Historic Preservation Commission, November 2, 2016

### **COMMUNICATION TO AND FROM MUNICIPAL ENGINEER**

- 10-300 Alaimo Group, dated October 18, 2016, re: local aid shutdown lifted
- 10-301 Pennoni Associates, dated October 21, 2016, re: sampling and laboratory testing

### **CORRESPONDENCE TO AND FROM OF HOUSING AND COMMUNITY DEVELOPMENT:**

- 10-400 Housing Authority, dated October 18, 2016 re: Commissioner Lonnie N. Gibbs, III Re-appointment

### **CORRESPONDENCE TO AND FROM BURLINGTON COUNTY**

- 10-501 Greater Burlington Chamber of Commence, re: meeting Wednesday, October 19, 2016
- 10-502 Greater Burlington Chamber of Commence, re: Citizen of the Year application deadline
- 10-503 Greater Burlington Chamber of Commerce, dated October 14, 2016, re: Ladle of Love volunteers needed
- 10-504 Greater Burlington County Chamber of Commerce, dated October 6, 2016, re: dredge spoils on Burlington Island

### **CORRESPONDENCE TO AND FROM THE NJLM**

- 10-600 NJLM, dated October 3, 2016, re: 101 Annual League Conference
- 10-601 NJLM, dated October 1, 2016, re: Notice of Proposed Membership Dues

### **CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY**

- 10-700 State of New Jersey, dated October 17, 2016, re: local Aid, Governor's Executive Order No. 210, being lifted
- 10-701 State of New Jersey, State Historic Preservation Office, dated September 26, 2016, re:  
Flood and Levee  
Improvements along

10-702 New Jersey State General Assemblyman Troy Singleton to Commissioner Martin, re: Burlington Island, dated October 21, 2016.

**MISCELLANEOUS CORRESPONDENCE**

- 10 -800 Board of Island Managers, re: Information submitted by Joe Abate
- 10 -801 Liz Thomas, re: Burlington City sends cease and desist letter to the State of NJ and US Army Corp of Engineers to halt dredge dump on Burlington Island
- 10-802 PSE&G, re: vegetation on right-of -ways, removal of trees
- 10-803 Elaine McClammy, dated October 3, 2016, re: complaints
- 10-804 Elaine McClammy, dated October 18, 2016, re: untitled
- 10-805 Elaine McClammy, dated October 17, 2016, re: parking on your own curb
- 10-806 Elaine McClammy, dated October 20, 2016, re: Speeding and distracted driving
- 10-807 Endeavor Emergency Squad, Inc., re: September 2016 Monthly Statistics
- 10-808 Elaine McClammy, dated October 25, 2016, re: speeding large buses on 130
- 10-809 Elaine McClammy, dated October 24, 2016, re: Burlington County Auto Supply and speeding on Rt 130
- 10-810 Elaine McClammy, dated October 24, 2016, re: Burlington County Auto Supply
- 10-811 Amber & Matt Ferrell, dated October 20, 2016 to Captain Fine re: open House on October 12, 2016 for special needs children
- 10-812 Mark A. Madar, Director Rates and Regulatory Affairs-NJ, dated October 3, 2016, re: verified petition of Jersey Power and Light Company seeking review and approval of deferred balances
- 10-813 John Anderson to Donald Reinhardt, re: the Dredge spoil dump
- 10-814 Joseph Szafran, Chairman of Bucks County Tour of Honor to Captain John Fine, re: Washington DC Service Memorial
- 10-815 Carl J. Kotowski, Special Agent in Charge to Chief Snow, re: communication and education with the public

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

**APPROVAL OF MINUTES\***

Approved by Consent Agenda. All were in favor.

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 260-2016

RESOLUTION NO. 260-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON CORRECTING THE FEES FOR POLICE SERVICES AND EXTRA-DUTY ASSIGNMENTS ESTABLISHED BY RESOLUTION NO. 132-2016 PURSUANT TO ORDINANCE 11-2015 OF THE CITY OF BURLINGTON

WHEREAS, Ordinance No. 11-2015 permits the Common Council of the City of Burlington to

establish by resolution the rates of compensation for extra-duty assignments of its police personnel, equipment and administrative costs in providing such services; and

WHEREAS, the Common Council for the City of Burlington established, by Resolution 132-2016, those rates;

WHEREAS, Resolution No. 132-2016 incorrectly set the Administrative hourly cost for extra-duty assignments at \$17.25 per hour; and

WHEREAS, the correct Administrative hourly cost for extra-duty assignments is \$17.50 per hour;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington and the Common Council of the City of Burlington that Resolution No. 132-2016 is amended to reflect the administrative costs in providing extra duty assignments of its police personnel shall be as follows:

Administrative costs - \$17.50 per hour.

BE IT FURTHER RESOLVED, that the aforementioned fees shall take effect immediately.

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

Resolution No. 261-2016

Common Council of the City of Burlington hereby appoints Rev. Lonnie Gibbs III, 18 Dunbar Homes, Burlington, N.J. to the Housing Authority for a five-year term, January 1, 2017 to December 31, 2021.

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

Resolution No. 262-2016

RESOLUTION NO. 262-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON DESIGNATING BLOCK 203, LOTS 1, 2, 2.02 & 2.03, BLOCK 207, LOTS 1 & 1.01, BLOCK 225, LOTS 1 & 3 AND BLOCK 226, LOTS 1, 1.02, 1.03, 1.05, 1.06, 1.07 & 1.08 INCLUDING RIGHTS OF WAY FOR PARTS OF PEARL STREET AND JONES STREET AS AN AREA OF THE CITY IN NEED OF REDEVELOPMENT INCLUDING THE POWER OF EMINENT DOMAIN

WHEREAS, the Local Redevelopment and Housing Law ("Redevelopment Law"), N.J.S.A. 40A:12A-1, et seq., grants broad powers to municipalities to create and implement redevelopment plans for areas determined to be in "need of redevelopment;" and

WHEREAS, by Resolution No. R-220-2015, adopted November 10, 2015, the Mayor and the Common Council of the City of Burlington by directed the City's Land Use Board to conduct a Preliminary Investigation of Block 203, Lots 1, 2, 2.02 & 2.03, Block 207, Lots 1 & 1.01, Block 225, Lots 1 & 3 and Block 226, Lots 1, 1.02, 1.03, 1.05, 1.06, 1.07 & 1.08 including rights of way for parts of Pearl Street and Jones Street in order to determine whether all or any portion thereof satisfies the redevelopment area criteria specified at N.J.S.A. 40A:12A-5 of the Redevelopment Law, which would include the use of all powers provided by the Legislature for use in a Redevelopment areas, including the power of eminent domain ("Condemnation Redevelopment Area"); and

WHEREAS, the City of Burlington Land Use Board conducted a Preliminary Investigation and prepared a map depicting the redevelopment area boundaries, and prepared a Preliminary Investigation Report through its Planner, Bridgette Bogart, PP, AICP, CGW, of Bridgette Bogart Planning & Design Professionals, LLC (the "Preliminary Investigation Report") as required by the Redevelopment Law; and

WHEREAS, on August 24, 2016 the City of Burlington Land Use Board conducted a public hearing in accordance with N.J.S.A. 40A:12A-6 to determine whether the Study Area meets the statutory criteria of an area in need of redevelopment and considered any public comments and objections thereto; and

WHEREAS, by City of Burlington Land Use Board adopted a Resolution memorialized on September 28, 2016 recommending to the Common Council of the City of Burlington, that Block 203, Lots 1, 2, 2.02 & 2.03, Block 207, Lots 1 & 1.01, Block 225, Lots 1 & 3 and Block 226, Lots 1, 1.02, 1.03, 1.05, 1.06, 1.07 & 1.08 including rights of way for parts of Pearl Street and Jones Street be designated as an "area in need of redevelopment, which would include the use of all powers provided by the Legislature for use in a Redevelopment areas, including the power of eminent domain as a "Condemnation Redevelopment Area"; and

WHEREAS, the Common Council of the City of Burlington adopted Resolution No. 249-2016, which did not specifically adopt the Land Use Board's recommendations with respect to the utilization of the power of eminent domain and the creation of a "Condemnation Redevelopment Area"; and

WHEREAS, the Common Council of the City of Burlington intends to void Resolution No. 249-2016 to adopt the findings of the Land Use Board, including the recommendation with respect to the use of eminent domain and the creation of a "Condemnation Redevelopment Area"; and

WHEREAS, the Common Council of the City of Burlington accepts the Land Use Board's recommendation that the goals of redevelopment would be served by making this designation and including the authorization to use all of the powers provided by the Legislature for us in the Redevelopment Area, including all and /or full power of eminent domain and /or condemnation to acquire any of the properties located within the designated area.

WHEREAS, the Common Council of the City of Burlington did make the aforementioned findings so that affected property owners shall have 45 days from the date of the determine by the Governing Body that the property is in need of redevelopment to challenge the redevelopment designation, if so desired and the failure to do so shall preclude an owner from later raising such challenge.

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that Resolution No. 249, 2016 is void, and hereby replaced with this resolution.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Common Council of the City of Burlington that a copy of this Resolution designating Block 203, Lots 1, 2, 2.02 & 2.03, Block 207, Lots 1 & 1.01, Block 225, Lots 1 & 3 and Block 226, Lots 1, 1.02, 1.03, 1.05, 1.06, 1.07 & 1.08 including rights of way for parts of Pearl Street and Jones Street, as an area in need of redevelopment be made available to, and notice of this designation be served upon, each owner of property within redevelopment area, as well as all interested parties who have submitted written objections to the area designation during the Land Use Board process, pursuant to the Redevelopment Law, including the use of all powers provided by the Legislature for use in a Redevelopment areas, including the power of Eminent Domain as a "Condemnation Redevelopment Area".

BE IT FURTHER RESOLVED by the Common Council of the City of Burlington that a copy of this Resolution be forwarded to the Commissioner of the Department of Community Affairs, pursuant to the Redevelopment Law, for approval.

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

#### Resolution No. 263-2016

RESOLUTION NO. 263-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REFERRING CHANGES TO CITY CODE SECTION 207-40 "LAND DEVELOPMENT, SITE PLAN REVIEW" TO THE CITY'S LAND USE BOARD FOR REVIEW AND COMMENT

WHEREAS, § 207-40 entitled *Land Development, Site Plan Review*, provides that no building permit shall be issued for any building or use which would result in any change in use unless

such a change is reviewed and approved by the City of Burlington Land Development Board; and

WHEREAS, the Common Council of the City of Burlington has determined that it would be advantageous and appropriate in the furtherance of these goals to ease or revise certain restrictions and allow property owners, to open new businesses in a more efficient manner where the existing and proposed use of the property is permitted, of a similar type and will not impose a burden on the existing neighborhood.

WHEREAS, it is the desire of the Common Council to submit proposed a Ordinance to the City's Land Use Board for review and recommendation;

NOW THEREFORE, BE IT RESOLVED by the Common Council for the City of Burlington, County of Burlington, State of New Jersey, that the Land Use Board of the City of Burlington be directed to review and make recommendations regarding the Ordinance.

Effective Date: This Resolution shall take effect immediately upon adoption.

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

Resolution No. 264-2016

RESOLUTION NO. 264-2016 AUTHORIZING BUDGET TRANSFERS

WHEREAS, there are certain 2016 budget appropriations which have been determined to be insufficient and there are other 2016 budget appropriations which are in excess of the amount deemed necessary to fulfill the purpose of such appropriations, and

WHEREAS, N.J.S.A. 40A:4-58 permits the governing body during the last two months of the fiscal year, by resolution adopted by not less than 2/3 vote of the full membership thereof, to transfer the amount of such excess to those appropriations deemed to be insufficient,

NOW THEREFORE BE IT RESOLVED by the Common Council that the following transfers between the 2016 budget appropriations be made:

<u>CURRENT FUND:</u>	<u>From</u>	<u>To</u>
Police – SW	\$ 106,000.00	
Legal – OE		\$ 30,000.00
Engineering – OE		\$ 20,000.00
Economic Development – OE		\$ 30,000.00
Planning Board – OE		\$ 8,000.00
Housing Code Inspections – OE		\$ 6,000.00

Buildings and Grounds – SW	\$ 4,000.00
Buildings and Grounds – OE	\$ 8,000.00
	\$ 106,000.00
	\$ 106,000.00

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

Resolution No. 265-2016

RESOLUTION NO. 265-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A WORK ASSIGNMENT TO REMINGTON & VERNICK FOR ENGINEERING SERVICES

WHEREAS, the City of Burlington has determined that it would be in the best interests of the City to conduct a thorough review of the City’s Zoning Maps and Zoning Ordinances, which has also been recommended by the City’s Land Use Board Attorney and Engineer; and

WHEREAS, professional engineering and would be required to conduct the same and have the Zoning Reviewed by an experienced engineering firm; and

WHEREAS, Remington & Vernick Engineering. was awarded a contract as Special Projects Engineer by the Common Council for the City of Burlington for engineering services at its January 2016 re-organization meeting;

WHEREAS, Remington & Vernick Engineering has submitted a letter of proposal for said services in the amount not to exceed \$8,000.00; and

WHEREAS, there are costs associated with these required engineering and surveying services in connection with the Zoning Map and Ordinance review; and

WHEREAS, the Chief Financial Officer has certified in writing that funds as described herein are available;

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington hereby authorizes Remington & Vernick to conduct such services in an amount not to exceed \$8,000.00 pursuant to its contract for the special projects engineering and surveying services in connection with the Zoning Ordinance and Map Review, and the Chief Financial Officer is hereby 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 the City Administrator and City CFO.

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing



resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 266-2016

RESOLUTION NO. 266-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON SUPPORTING THE COMPLETE HALTING OF ANY AND ALL DISTURBANCE OR DESTRUCTION OF THE ENVIRONMENT TO BURLINGTON ISLAND AND OPPOSING THE DUMPING OF ANY AND ALL DREDGE SPOILS ON BURLINGTON ISLAND

WHEREAS, the Common Council for the City of Burlington recognizes the environmental, historic, economic and aesthetic values of Burlington Island; and

WHEREAS, Burlington Island was deeded to the City of Burlington by legislative action of the General Free Assembly of West Jersey in September 1682 for the purpose of donating monies to a free and public education system within the City of Burlington; and

WHEREAS, Burlington Island by virtue of the acts in 1682 is effectively the property of the City of Burlington and such grant is the longest continuously running educational grant in the United States of America; and

WHEREAS, Burlington Island possesses archeological treasures, including thousands of artifacts from Dutch Settlers; and

WHEREAS, Burlington Island is the home of many species of wildlife, presently including the home of a pair of nesting bald eagles; and

WHEREAS, Burlington Island is comprised of approximately 396 acres which includes an artesian well-fed 97 acre lake; and

WHEREAS, the Common Council for the City of Burlington finds that any disturbance to Burlington Island whether by the clearing, destruction or raising of trees and brush, excavation of any existing soils, whether they be previous dredge spoils or not, and/or the depositing of any new dredge spoils upon Burlington Island would have a negative effect upon the City's environment, including the artesian well-fed lake, the historical value of Burlington Island given its early settlements, the archeological treasures contained upon Burlington Island, the pristine nature of its environmental habitat and home to various species, and its aesthetic value as exhibited by its pristine scenery and view from the City of Burlington's Downtown District, and

thus value to the City's economic well being; and

WHEREAS, the City finds that any such disturbance involving either the deposit or removal of dredge spoils on Burlington Island would create environmental disturbances, noxious odors and other harm to the City's aesthetic, economic, social and historic values;

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

The Common Council of the City of Burlington urges the Legislature of the State of New Jersey and Governor of the State of New Jersey to take any and all action to direct state agencies to cease any and all disturbance to Burlington Island, including the passing of legislation, issuance of executive orders or otherwise using all available resources to prevent the deposit of dredge spoils or any other disturbance to Burlington Island.

The Common Council of the City of Burlington further urges, authorizes and directs the Administration of the City of Burlington to take any and all action available to it to prevent any disturbance to Burlington Island by any official or agency of the State of New Jersey, the United States Army Corps of Engineers or any contractor or subcontractor so employed, acting as an employee or agent that would cause any disturbance to Burlington Island.

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

Resolution No. 267-2016\*

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 November 1, 2016, that an Executive Session Closed to the Public shall be held on November 1, 2016, 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) 525 York Street

Real Estate/Contracts N.J.S.A. 10:4-12 (7) McNeal Mansion & Vicinity Area

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 November of 2016 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 268-2016\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Larry D. Walker, 510 Lumberton Road, Hainesport, N.J. and James C. Best, 522 Linden Avenue, Burlington, N.J. to operate a business at 609 Route 130 t/a "Kingdom Gems."

Approved by Consent Agenda. All were in favor.

Resolution No. 269-2016

RESOLUTION NO. 269-2016 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 01-2016 TO THE PROFESSIONAL SERVICES CONTRACT WITH THE ALAIMO GROUP, INC.

WHEREAS, the City of Burlington entered into a professional services agreement with Alaimo Group, Inc., 200 High Street, Mount Holly, NJ 08060 to serve as the Municipal Engineer for calendar year 2016; and

WHEREAS, there is a need for additional sewer engineering services in connection with meeting attendance, miscellaneous services, Lyceum Hall HVAC and the Armory Report; and

WHEREAS, these items will cause Alaimo Group to exceed the original contract amount for general engineering services for this year; and

WHEREAS, the City of Burlington has received a proposal from Alaimo Group in the amount not to exceed \$10,000 for these general engineering services;

NOW THEREFORE BE IT RESOLVED THAT the Common Council of the City of Burlington hereby authorizes the Mayor and Municipal Clerk to execute Amendment No. 01-2016 with

Alaimo Group, Inc., 200 High Street, Mount Holly, NJ 08060 in the amount of \$10,000.00 making a revised total contact amount of \$70,000.00.

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

Resolution No. 270-2016

Whereas, the Burlington County Board of Chosen Freeholders has approved the Open Space, Recreation, Farmland and Historic Preservation Trust Fund (“Trust Fund”) and established a Municipal Park Development Program (“Program”) to provide grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for municipal public park and recreation development purposes; and

Whereas, the Governing Body of the City of Burlington desires to obtain County Municipal Park Development Program funds in the amount of \$250,000.00 to fund the Riverfront Bandstand Project; and

Whereas, The City of Burlington is the owner of and controls the project site.

Now, Therefore, Be It Resolved by the City of Burlington that:

1. Mayor Barry W. Conaway is authorized to make an application to the County of Burlington for Municipal Park Development Program Funds; to provide additional application information and furnish such documents as may be required for the Municipal Park Development Program; and act as the municipal contact person and correspondent of the above named municipality;
2. The City of Burlington is committed to this project and will provide the balance of funding necessary to complete the project in the form of non-county matching

- funds as required in the Policy and Procedures Manual for the Program; and
3. If awarded a grant by the County of Burlington under the Municipal Park Development Program, the municipality will use the approved funds in accordance with the Municipal Park Development Program Policy and Procedure Manual, and applicable federal, state and local government rules, regulations and statutes thereto; and
  4. The Mayor, Municipal Clerk, and Chief Financial Officer are hereby authorized to sign and execute any required documents, agreements and amendments thereto with the County of Burlington for the approved funds;
  5. This resolution will take effect immediately.

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

### **PUBLIC COMMENTS**

None.

### **COMMUNITY EVENT ANNOUNCEMENTS FOR THE MONTH OF NOVEMBER**

Ms. Schiller gave an update on upcoming events.

Officer Perro spoke of the Police Department growing beards in support of “Beards for Becky”; also spoke of an event being held at Brickwall related to the same; spoke of the Departments Holiday Food Drive .

### **INFRASTRUCTURE COMMENTS**

Councilman Swan spoke of a sink hole at W. Union Street, in front of TC Irons.

Mr. Ballard said he is aware of this, it has been a problem and is getting worse.

### **ADMINISTRATION REPORT**

Mr. Ballard gave an update on grants and the demolition of the Waterworks.

## **COUNCIL COMMENTS**

Councilman Swan spoke of the City being in grid lock during an incident last week; had concerns with how emergency vehicles could get through; had many concerns for traffic at the bridge during these incidents.

Councilman Chachis thanked Mr. Ballard for his history lesson during the Ghost Tours; spoke code issues at 326 E. Union Street and 309 Stacy Street.

Mr. Ballard said we are waiting on the contractors as to what we can do.

Councilwoman Lollar reminded Mr. Ballard of the issues at Mott Avenue and Wood Street; also spoke of Sisterhood's 20<sup>th</sup> Anniversary and the Veteran's Day parade.

Councilman Babula congratulated Chief Snow and his staff on their promotions.

Councilwoman Hatala also congratulated Chief Snow and his staff on their promotions; spoke of concerns with residents putting out brush; spoke of people parking on lawns.

Mr. Ballard advised Councilwoman Hatala that residents can take brush out to recycling center on Wednesdays and Saturdays if they choose to.

## **CONFERENCES**

Naming of the Roundabout - Council

Proposed Ordinance: Site Plan Review - George Saponaro, Esq.

## **EXECUTIVE CONFERENCES**

Proposed Ordinance: Curfew - George Saponaro, Esq.

McNeal Mansion & Vicinity Area - Kevin Sheehan, Esq.

525 York Street - Council

## **ORDINANCE(S) - INTRODUCTION & FIRST READING**

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING THE CODE OF THE CITY OF BURLINGTON, SECTION 207-40, RELATING TO ADMINISTRATIVE

## APPROVAL OF CERTAIN CHANGES OF PERMITTED USES

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Mercuri, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

## AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING THE CODE OF THE CITY OF BURLINGTON, CHAPTER 133, RELATING TO CURFEW

Upon the motion of Councilwoman Lollar, seconded by Councilman Swan, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Mr. Swan, Ms. Woodard. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Councilwoman Lollar made a motion to name the roundabout after Boy Scout, Billy Bastion. It was seconded by Councilman Babula.

Mayor Conaway suggested Council consider naming the roundabout after City Historian, Richard Timbers.

Councilwoman Lollar then made a motion to table this ordinance pending further discussion, It was seconded by Councilwoman Hatala. All were in favor.

## **ADJOURNMENT**

Upon the motion of Councilman Swan seconded by Councilwoman Lollar, this meeting of November 1, 2016 was adjourned.

---

Cindy A. Crivaro, RMC  
Municipal Clerk

