

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, APRIL 15, 2014, 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. Conaway, Mr. Ghaul, Ms. Hatala (7:25), Ms. Lollar, Mr. Swan, Ms. Woodard (7:25), Mr. Babula. (7) Absent: (0)

Also present: Municipal Attorney- George Saponaro, Chief Financial Officer- Ken Mac Millan, Administrator- David Ballard, Police Chief- Anthony Wallace, Frank Caruso, Lt. Snow.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on April 15, 2014 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**

**SWEARING-IN**

Officer Bennie Langford

**PRESENTATIONS**

Eagle Scout Michael Healey, Jr.

**UNFINISHED BUSINESS**

**CONSENT AGENDA**

Councilman Ghaul, moved that all Consent Agenda items be approved. It was seconded by Councilman Conaway. All were in favor. Absent: Ms. Hatala, Ms. Woodard. (2)

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor. Absent: Ms. Hatala, Ms. Woodard. (2)

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

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 344-31 OF THE

CODE OF THE CITY OF BURLINGTON (ONE-WAY STREETS)

Upon the motion of Councilwoman Lollar, seconded by Councilman Conaway, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Lollar, Mr. Swan, Mr. Babula. (5) NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala, Ms. Woodard. (2).

**ORDINANCE(S) - SECOND READING & FINAL DISPOSITION**

ORDINANCE NO. 05-2014 OF THE CITY OF BURLINGTON TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Common Council of the City of Burlington in the County of Burlington finds it advisable and necessary to increase its CY 2014 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Common Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 416,014.24 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Common Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Common Council of the City of Burlington, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2014 budget year, the final appropriations of the City of Burlington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$485,349.94 and that the CY 2014 municipal budget for the City of Burlington be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the

next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Mr. MacMillan gave an explanation of this ordinance.

Public Comments

None.

Council Comments

None.

This ordinance was then adopted by the following roll call vote: AYES: Mr. Conaway, Mr. Ghaul, Ms. Hatala, Ms. Lollar, Mr. Swan, Ms. Woodard, Mr. Babula. (7) NAYS: (0); ABSTAIN: (0); ABSENT: (0).

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 99-2014

RESOLUTION NO. 99-2014 OF THE COMMON COUNCIL FOR THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A LEASE WITH THE ENDEAVOR EMERGENCY SQUAD

WHEREAS, the City of Burlington presently has additional space available in the City Hall facilities; and

WHEREAS, the Endeavor Emergency Squad, Inc. provides emergency medical services to the City of Burlington, and has been a part of the Burlington community for many years; and

WHEREAS, the Common Council for the City of Burlington wishes to ensure that the Endeavor Emergency Squad, Inc. maintains offices in the City of Burlington; and

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

1. The Mayor and Municipal Clerk are authorized and directed to enter into a lease agreement with the Endeavor Emergency Squad, Inc. for a five (5) year period in the amount of \$1,800.00 per year, payable in monthly installments.

2. The Common Council for the City of Burlington authorizes the execution of the within lease for a five (5) beginning May 1, 2014 to December 31, 2018 year period in the form as attached hereto as Exhibit A, as prepared by the City Solicitor; said lease is approved for execution by the Common Council for the City of Burlington with the start date of the lease on or before May 1, 2014.

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

On the question, Mr. Ballard gave an explanation of this resolution.

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

Resolution No. 100-2014\*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Jamie A. Harris, Sr., 15 Granby Lane, Willingboro, N.J., to operate a business at 844 Columbus Road t/a “Jay’s Transmission and Auto Care.”

Approved by Consent Agenda. All were in favor. Absent: Ms. Hatala, Ms. Woodard. (2)

Resolution No. 101-2014\*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Mohammad Hammad, 13 Galaxy Court, Sewell, N.J., to operate a business at 929 Route 130 t/a “Penn Mobile Sound.”

Approved by Consent Agenda. All were in favor. Absent: Ms. Hatala, Ms. Woodard. (2)

Resolution No. 102-2014\*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Shamika Rich, 57 Sylvan Lane, Willingboro, N.J., to operate a business at 684 High Street t/a “Salon Mink.”

Approved by Consent Agenda. All were in favor. Absent: Ms. Hatala, Ms. Woodard. (2)

Resolution No. 103-2014\*

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.

Approved by Consent Agenda. All were in favor. Absent: Ms. Hatala, Ms. Woodard. (2)

Resolution No. 104-2014\*

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 April 15, 2014, that an Executive Session Closed to the Public shall be held on April 15, 2014, 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) Commerce Square Redevelopment Area- Mother's Kitchen

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 April of 2014 or shortly there after.

Approved by Consent Agenda. All were in favor. Absent: Ms. Hatala, Ms. Woodard. (2)

### **PUBLIC COMMENTS**

David Fugh, 744 Bordentown Road- requested that the American and POW flags at City Hall and on the promenade be replaced, they are tattered; the American Legion will burn them; announced upcoming events.

Harry Heck, 116 E. Union Street- spoke of the Public Comments portion of the Agenda; also spoke of time of agenda being placed on-line; provided a photo of trash on the streets in town.

Claudine Conaway, 110 James Street- spoke of the tot lots; asked about signs that were supposed to be posted; spoke of concerns of pitbulls near the tot lots; suggested some dogs aren't registered with the City; spoke of gambling in the neighborhoods; the Police come when they are called; spoke of large groups on the porches.

Danny Kiple, 843 Woodland Avenue- spoke of comments made by Council President Babula previously; suggested the that the City residents be able to be a part of the process before a vote takes place.

### **ADMINISTRATIVE REPORT**

Mr. Ballard spoke of the surplus property, the discussion will be coming soon; Administration is reviewing the trash contract; the County visited the Recycling Center and approved it, we are trying to improve it; visited Union Street, it was striped not that long ago; there is a schedule, it will be addressed; 524 York Street trash taken care of; spoke of the DMS system, it alerts all officers of concerns; spoke of littering; there will be a presentation tonight regarding surveillance cameras; spoke of trash on Union Street; the OEM sign is for public safety announcements only; announced the settlement with Ingerman, there will be a ground breaking on May 6<sup>th</sup>.

Mr. Saponaro spoke of the trash contract; spoke of a letter recently sent regarding the Washington Square Project.

### **COUNCIL COMMENTS**

Councilwoman Hatala- announced the passing of Ms. Snodgrass' father; extended sympathy to Ms. Snodgrass and her family; asked about the new recycling program.

Mr. Ballard- suggested that the new recycling program is scheduled for May; spoke of the demolition on Lawrence Street; the resident has returned to her home; due to the fencing, trash wasn't being picked up, the City was not aware; also storm drains were not being cleaned; that has been corrected.

Councilwoman Hatala offered the following resolution:

Resolution No. 105-2014

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

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

Councilman Swan asked about the paint for the street striping; asked if the lines on Stacy could be done.

Mr. Ballard explained that it is a matter of manpower.

Councilman Swan spoke of the need for more frequent street cleaning; asked for an estimate to get the sweeper to run.

Mr. Ballard said it would cost about a half million to get it to run, plus 1 employee.

Councilman Ghaul asked Administration for a copy of street lining schedule so that Council can inform the public; asked if a resident is willing to paint themselves, can Public Works supply the paint.

Mr. Ballard said yes, we can supply the paint.

Councilman Ghaul recognized a girls softball player; she is an outstanding pitcher who struck out an entire team.

Councilwoman Lollar complained of trash pickup in her area; asked when the Recycling Center is open; reminded everyone of Burlington Day and the Home & Garden Tour.

Councilwoman Woodard thanked Mr. Turner for picking up her leaves that had been left since last Fall; spoke of litter blowing out of trucks as they travel through the City; spoke of making budget cuts previously to get under the mandated 2 ½ % CAP.

Mr. Ballard said leaf pick up usually stretches into November; the weather hasn't been typical.

Councilman Conaway spoke of Single Stream Recycling.

Mr. Ballard said he would ask Mr. Vining to do a report or come before Council.

Councilman Conaway spoke of the River line; suggested to invoice the Light Rail for the port o potties and the litter pickup.

Mr. Ballard said that Administration will take his comments under consideration.

Councilman Swan suggested NJT put in bathrooms.

Councilwoman Hatala spoke of trash and also the Light Rail

### **CONFERENCES**

- Implementation Police Surveillance Camera System

### **EXECUTIVE CONFERENCES**

- Commerce Square Redevelopment Area- Mother's Kitchen

### **ADJOURNMENT**

Upon the motion of Councilman Conaway , seconded by Councilman Swan , this meeting of April 15, 2014 was adjourned.

---

Cindy A. Crivaro, RMC  
Municipal Clerk