

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, DECEMBER 6, 2011, 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: President Ghaul, Mr. Babula, Mr. Conaway, Ms. Hatala, Ms. Lollar, Ms. Mercuri, Ms. Woodard. (7) Absent: (0)

Also present: Mayor Fazzone, Municipal Attorney- George Saponaro, Municipal Engineer - Frank Morris, Chief Financial Officer- Ken Mac Millan, David Ballard, Lt. Alan 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 December 6, 2011 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

INVOCATION

Rev. Stephen Miller of Holy Light Church

SALUTE TO FLAG

UNFINISHED BUSINESS

Councilman Babula spoke of potholes on Elm, Fernwood, Farner, Riverbank and other areas; suggested that Public Works check it out before winter.

Councilwoman Hatala asked about the tennis courts proposed project; asked if the cost came down.

Mayor Fazzone stated that he spoke to the Engineer, also regarding safety concerns.

Councilwoman Hatala spoke of the Pipevision crew; they have done a great job and were well mannered and professional.

ADMINISTRATIVE REPORTS

Lisa Schiller announced the Toys for Tots Toy Drive; thanked the volunteers of the Ghost Tours and Christmas Parade; spoke of the Giving Tree; thanked the Choral Group from Holy Light Church.

President Ghaul congratulated Patricia Tocci, Deputy Clerk for passing her RMC State Exam.

Ms. Tocci announced Home for Aged Woman Wish List; the Clerk's Office is accepting gift cards; asked for support.

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR NOVEMBER 2011

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of October 2011. \$ 280.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

- 11-01 Land Use Board, October 26, 2011
- 11-02 Historic Preservation Commission, November 2011
- 11-03 Screening Board, November 2011
- 11-04 Land Use Board, November 30, 2011
- 11-05 Screening Board, December 2011

MINUTES RECEIVED FROM VARIOUS BOARDS

- 11-10 Land Use Board, Special Meeting, October 6, 2011
- 11-11 Land Use Board, October 26, 2011

NOTICE TO PROPERTY OWNERS

- 11-20 328 High Street/ Notice of Hearing

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY

ORGANIZATIONS:

- 11-100 Board of Education, Sunshine Notice, dated October 27, 2011
- 11-101 Endeavor Emergency Squad, Monthly Statistic's, October 2011
- 11-102 Chief Wallace, FY 2011 Body Armor-notice of award
- 11-103 Ptl Res. Sgt Fred Hatten, dated November 4, 2011, Permit Parking
- 11-104 Christmas Holiday House Tour, Historical Society
- 11-105 Robin Snodgrass, Community Outreach

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

- 11-300 Alaimo Group, dated October 26, 2011, Contract 2011-6
- 11-301 Alaimo Group, dated October 31, 2011, Traffic Study Proposals
- 11-302 Alaimo Group, dated November 3, 2011, Light Camera

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

- 11-501 Greater Burlington Chamber of Commerce, Winter Festival of Lights
- 11-502 Greater Burlington Chamber of Commerce, Christmas Holiday Dinner

CORRESPONDENCE TO AND FROM THE LEAGUE OF MUNICIPALITIES

- 11-600 NJLM, dated November 9, 2011, Newly Elected officials
- 11-601 Municipal Excess Joint Insurance Fund

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

- 11-700 State of New Jersey, dated October 14, 2011, Housing Authority

MISCELLANEOUS CORRESPONDENCE

- 11-800 NJ Transit Public Notice, November 17, 2011
- 11-801 Grace Shultz, Home for Aged Woman, Thank You- Fashion Show donations
- 11-802 Comcast, dated November
- 11-803 Library Company of Burlington, Holiday Story Time
- 11-804 Thomas Walsh Jr., to Mayor and Council, stop signs
- 11-805 PSE&G, dated October 26, 2011, E2011-228
- 11-806 NJ Water Infrastructure, dated November 30, 2011
- 11-807 Robin Snodgrass, McLernon/Pinto Retirement Dinner
- 11-808 Beverly National Cemetery, December 10, 2011 / Civil Air Patrol
- 11-809 Jennifer Montone, article proposing brew house talks continue tonight in Yardley
- 11-810 Endeavor Emergency Squad, David Ekelburg, Chief Operating Officer
- 11-811 Endeavor Emergency Squad, December 31, 2011 Fund-raiser 9pm - 1am
- 11-812 NJ Transit, Open House December 12, 2011, in Camden NJ

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

FAILED-----BOND ORDINANCE NO. 03-2011 AUTHORIZING THE CONSTRUCTION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS PIECES OF EQUIPMENT IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$1,035,000; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$983,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, the foregoing ordinance was introduced.

Public Comments

Jim Addiego, 3 Hale Road- asked for total of the City's outstanding bonds.

Mr. MacMillan explained that there is \$5,104,000 of outstanding General Capital bonds and \$4,091,250 outstanding Bond Anticipation Notes totaling about \$9,500,000 of outstanding debt.

Mr. Addiego asked about the total revenues.

Mr. Macmillan stated that the total budgeted revenues are approximately \$15,000,000 to \$16,000,000 a year.

Mr. Addiego then suggested that the ratio between total debt and total revenues is about 60%.

Mr. MacMillan agreed.

Council Comments

Councilman Babula spoke of the acquisition of the roll-off truck; another town has had great success in purchasing a used one.

Councilwoman Mercuri stated she would like to vote in parts; spoke in support of repaving the Memorial Hall parking lot and the purchase of a copier; spoke in opposition of the roll-off truck and the resurfacing of streets.

The ordinance then FAILED by the following roll call vote: AYES: Ms. Hatala, Ms. Lollar, Mr. Ghaul.(3) NAYS: Mr. Babula, Mr. Conaway, Ms. Mercuri, Ms. Woodard. (4); Absent: (0)

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 221-2011*

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 December 6, 2011, that an Executive Session Closed to the Public shall be held on December 6, 2011, 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) McNeal Property

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 December of 2011 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 222-2011

Common Council of the City of Burlington, hereby appoints Keith Spencer to the City of Burlington Housing Authority for the term of 01/01/12 - 12/31/16.

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

Resolution No. 223-2011

Upon the recommendation of Pennoni Associates, Inc., the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order #1, with Pipevision, Inc., 320 Raccuglia Drive, LaSalle, IL, for a 45 day extension of contract time due to additional excavating repairs and weather related delays, for the Sewer System Repairs Phase 2 Project.

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

Resolution No. 224-2011

RESOLUTION TO AMEND ADOPTED BUDGET FOR A BODY ARMOR REPLACEMENT FUND GRANT FROM THE STATE OF NEW JERSEY DEPARTMENT OF PUBLIC SAFETY

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the City of Burlington received a **Body Armor Replacement Fund Grant** in the amount of \$3,226.64 from the State of New Jersey Department of Public Safety;

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$3,226.64 as follows which item is now available as a revenue from:

Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Body Armor Replacement Fund Grant \$ 3,226.64

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 3,226.64 be and the same is hereby appropriated under the caption of:

General Appropriations Operations-Excluded from "CAP"
Public and Private Programs Offset by Revenues:

Body Armor Replacement Fund Grant \$ 3,226.64

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

Resolution No. 225-2011

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE RELEASE OF THE PERFORMANCE GUARANTEE OF CANON BUSINESS SOLUTIONS, INC.

WHEREAS, Canon Business Solutions, Inc. has posted a performance guarantee with the City of Burlington for improvements to Block 1, Lot 3.01; and

WHEREAS, City Engineer Frank Morris, PE, CES, CPWM, has recommended that the performance guarantee be released as the improvements have been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the performance guarantee in the amount of \$486,483.48 can be released to Canon Business Solutions, Inc.. This release should also be conditioned upon the posting of a Maintenance Guarantee in a form satisfactory to the Municipal Attorney in the amount of \$60,810.44, payment of \$3,040.52 for inspection escrow and the payment of all outstanding escrows.

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

Resolution No. 226-2011

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 2-2011 TO THE AGREEMENT FOR PROFESSIONAL SERVICES, CONTRACT #11-003, FOR PENNONI ASSOCIATES, INC. DUE TO UNFORESEEN CONDITIONS

WHEREAS, the City of Burlington operates a Wastewater Treatment Plant and associated pumping stations; and

WHEREAS, the City of Burlington entered into a Professional Services Agreement with Pennoni Associates, Inc., 515 Grove Street, Suite 2C, Haddon Heights, N.J. 08035, to serve as the Municipal Sewer Engineer for calendar year 2011; and

WHEREAS, due to a number of extraordinary events that have occurred over the past year, including an earthquake, a hurricane, a collapsed sewer main and a failed pump at the sewer plant, additional engineering services were provided upon request; and

WHEREAS, the City has determined that this additional work was necessary, and additional monies should be added to the Sewer Engineer's professional services contract this calendar year, negotiated the payment terms, prepared the amendment and recommends approval of Amendment No. 2-2011 to the 2011 Professional Services Agreement with Pennoni Associates, Inc..

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington, hereby authorizes the Mayor and Municipal Clerk to execute an amended agreement with Pennoni Associates, Inc., 515 Grove Street, suite 2C, Haddon Heights, N.J. 08035 in the amount of \$9,300.00, for the Wastewater Treatment Plant, making a revised total contract amount of \$157,800.00.

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

Resolution No. 227-2011

RESOLUTION TO AMEND THE CITY OF BURLINGTON FLEXIBLE BENEFITS PLAN

RESOLVED, that the form of Cafeteria Plan Code Section 125 with Health Flexible Spending Account under the Cafeteria Plan Code Section 105 of the Internal Revenue Code of 1986, presented to this meeting is hereby amended and approved and that the proper Officers of the City of Burlington are hereby authorized and directed to execute and deliver to the Plan Administrator one or more copies of the Plan.

RESOLVED, that the proper Officers of the City of Burlington shall act as soon as possible to notify employees of the City of Burlington of the amendment of the Plan by delivering to each employee a copy of the summary plan description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved. The undersigned certifies that attached hereto as Exhibits A and B respectively are true copies of the Plan Document and Summary Plan Description for City of Burlington Flexible Benefits Plan approved and adopted in the foregoing resolutions.

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

Resolution No. 228-2011*

A RESOLUTION AUTHORIZING THE APPLICATION AND ACCEPTANCE OF A SUBTRACT AWARD OF THE FEDERAL FISCAL YEAR 2012 DEPARTMENT OF HOMELAND SECURITY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING

WHEREAS, the City of Burlington, Office of Emergency Management has been notified of its eligibility to apply for a State Homeland Security Grant Program SUBTRACT CFDA #97.042, Award #2012-P130-0305 from the New Jersey State Police Office of Emergency Management consisting of a total amount of \$10,000.00, including \$5,000.00 Federal Award and \$5,000.00 Local Matching Funds, to be used for the purpose of enhancing the City of Burlington's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the City of Burlington Office of Emergency Management wishes to submit an Application for SUBTRACT Award that has been required by the New Jersey State Police Office of Emergency Management; and

WHEREAS, the Application for SUBTRACT Award calls for a match in the amount of \$5,000.00 which the City of Burlington Office of Emergency Management will adequately satisfy through the 2012 City of Burlington approved budget for Division salaries and wages and fringe benefits;

NOW, THEREFORE, BE IT RESOLVED that the appropriate City officials are hereby authorized to apply for the FFY12 Homeland Security Emergency Management Performance Grant Program SUBTRACT and that the City of Burlington of the County of Burlington will accept the award of the FFY12 Homeland Security Emergency Management Performance Grant Program SUBTRACT as well as amend the City's budget once the SUBTRACT is awarded in the amount of \$5,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management; and

BE IT FURTHER RESOLVED that the City Administrator, the Chief Financial Officer and the City Emergency Management Coordinator are authorized to sign the appropriate SUBTRACT award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the City Administrator; the Chief Financial Officer; and the City of Burlington Division of Emergency Management.

Approved by Consent Agenda. All were in favor.

Resolution No. 229-2011

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING AN AGREEMENT WITH TRIAD ASSOCIATES FOR PREPARATION OF A SMALL CITIES PUBLIC FACILITIES INNOVATIVE DEVELOPMENT PROJECT APPLICATION

WHEREAS, the City of Burlington (the "City") has determined that there exists a need for consulting services for the preparation and submission of an application for Small Cities Community Development Public Facilities Innovative Development Grant; and

WHEREAS, Triad Associates has submitted a proposal for preparation and submission of said grant application that is attached hereto this resolution; and

WHEREAS, the application preparation shall include utilizing the SAGE system per Department of Community Affairs guidelines, coordination with state and county agencies as necessary, documenting the need for assistance, conduct public hearing and preparation of supporting documents: Grant Management Plan, Fair Housing Requirements, Citizen Participation Plan, Environmental Review Record and acceptable time line;

NOW, THEREFORE, BE IT RESOLVED by Common Council of the City of Burlington that the Mayor and Municipal Clerk are hereby authorized to execute an Agreement with Triad Associates in the amount of \$11,000.00 for the purposes as described herein.

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

Resolution No. 230-2011

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING AN AGREEMENT WITH TRIAD ASSOCIATES FOR PREPARATION OF AN NJDCA SMALL CITIES HOUSING REHABILITATION PROGRAM APPLICATION

WHEREAS, the City of Burlington (the "City") has determined that there exists a need for consulting services for the preparation and submission of an application for an NJDCA Small Cities Housing Rehabilitation Program Application; and

WHEREAS, Triad Associates has submitted a proposal for preparation and submission of said grant application that is attached hereto this resolution; and

WHEREAS, the application preparation shall include utilizing the SAGE system per Department of Community Affairs guidelines, coordination with state and county agencies as necessary, documenting the need for assistance, conduct public hearing and preparation of supporting documents: Grant Management Plan, Fair Housing Requirements, Citizen Participation Plan, Environmental Review Record and acceptable time line;

NOW, THEREFORE, BE IT RESOLVED by Common Council of the City of Burlington that the Mayor and Municipal Clerk are hereby authorized to execute an Agreement with Triad Associates in the amount of \$17,000.00 for the purposes as described herein.

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

Resolution No. 231-2011

A RESOLUTION OF THE CITY OF BURLINGTON AWARDED A CONTRACT FOR THE DEMOLITION OF THREE DWELLINGS LOCATED AT 316, 318 AND 318 ½ JONES AVENUE

WHEREAS, Alaimo Group, City of Burlington Engineers, received bids on November 29, 2011 for the demolition of three dwellings located at 316, 318 and 318 ½ Jones Avenue in the City of Burlington; and

WHEREAS, RVT Construction, Inc. submitted the lowest bid of \$57,540.00 and the City Engineer has reviewed the qualifications of the low bidder and finds them to be in order and recommends award of the contract to RVT Construction, Inc., 90 Dayton Avenue, Suite 210, Passaic, N.J. 07055; and

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 RVT Construction, Inc. for the pricing contained in their November 29, 2011 bid.

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

Resolution No. 232-2011*

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE 2012 ROUND OF FUNDING FOR THE SAFE ROUTES TO SCHOOL PROGRAM

WHEREAS, the Safe Routes to School Program (SRTS) is a federally funded program that was initiated by the Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU); and

WHEREAS, the goals of the SRTS Program are to encourage more students in grades K – 8 to walk and bike to school where it is safe to do so and to improve the areas where it is not safe as well as to facilitate the planning, development and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption and air pollution in the vicinity of schools; and

WHEREAS, the grant will provide Funding to communities for infrastructure improvements to improve walking and bicycling conditions to schools; and

WHEREAS, the New Jersey Department of Transportation is accepting applications for the 2012 Safe Routes To Schools (SRTS) Grant Program up to December 30, 2011; and

WHEREAS, the City of Burlington is desirous of applying for funding from the 2012 SRTS Program to install pedestrian accessibility and safety improvements throughout the City to enhance pedestrian connections to City schools in accordance with the SRTS program requirements;

NOW THEREFORE BE IT RESOLVED that the City of Burlington Common Council hereby authorizes the submission of a grant application to the New Jersey Department of Transportation for the 2012 Safe Routes to School Program; and

BE IT FURTHER RESOLVED that the City Engineer and other necessary City officials are hereby authorized to prepare and execute the necessary documents for submission of said grant by the deadline of December 30, 2011.

Approved by Consent Agenda. All were in favor.

Resolution No. 233-2011*

A RESOLUTION OF THE CITY OF BURLINGTON CANCELLING TAXES

WHEREAS, the following parcels were acquired by the City of Burlington during the 2011 tax year; and

WHEREAS, as political subdivision of the State of New Jersey, the City of Burlington is not subject to taxation.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the following 2011 taxes and any interest thereon are hereby cancelled in accordance with N.J.S.A. 54:4-3.3 laws of the State of New Jersey as follows:-

BLOCK	66	BLOCK	66
LOT	10	LOT	41
TAXES	\$ 975.32 plus Interest	TAXES	\$ 191.24 plus Int.
BLOCK	66	BLOCK	66
LOT	57	LOT	61.01
TAXES	\$ 972.93 plus Int.	TAXES	\$ 57.37 plus Int.
BLOCK	66	BLOCK	157
LOT	72	LOT	1
TAXES	\$ 150.60 plus Int.	TAXES	\$ 458.98 plus Int.

Approved by Consent Agenda. All were in favor.

Resolution No. 234-2011*

WHEREAS, the property identified herein is owned by Kee Bong Pak and is the subject of a qualified property tax senior deduction granted for 2011 tax year; and

WHEREAS, an overpayment has occurred on the property;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby authorizes the Chief Financial Officer to issue a refund check for qualified property tax senior deduction, for the 2011 tax year as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Property Location</u>	<u>Amount</u>
25	7	Kee Bong Pak	238 W Broad St.	\$ 250.00

Approved by Consent Agenda. All were in favor.

Resolution No. 235-2011

Common Council of the City of Burlington, hereby appoints Celia Burgess to the City of Burlington Housing Authority to fulfill the unexpired term of Wade D. Epps - 12/31/15.

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

EXECUTIVE SESSION

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

PUBLIC COMMENTS

Adrianna Powell, 202 Jones Avenue- congratulated Council on the Election; asked about the relocation of bus stops; congratulated officers on a job well done; ask what the Mayor will be doing for the seniors.

President Ghaul stated that the City met with the bus company; they are working on a plan; we are waiting to hear back.

Joan Addiego, 3 Hale Road- asked about the progress of the repaving of James Street.

Mr. Morris stated that the City is still waiting for DOT to approve grant.

Eugene Roberts, P.O. Box 539, Browns Mills- spoke of Police harassment; congratulated the Mayor on his re-election.

Theresa Branham, 106 Stacy Court- asked for a receptacle at the bus stop at Route 130 and High Street; spoke of a beauty supply store boarded up on High Street, spoke of buildings being boarded up; asked how water rates are controlled; asked if churches & non-profits are excluded from water & sewer charges.

Richard Lee, congratulated the Mayor on his re-election, spoke of the Triad Resolution/grant proposal; local residents should be employed with this project.

Denise Maloney, 17 W. Broad Street- congratulated the Mayor and Council on their re-election; thanked the Mayor for coming out on Sunday for the children Clean-Up Day; the kids earned money for cleaning up; they used the money to buy gifts for the Giving Tree.

Mayor Fazzone spoke of a great event, it helped teach the children to give.

Emma Jean Morgan, 1314 Chestnut Street- thanked the City for repaving Wood Street.

Rudy Smith, 205 W. Federal Street- spoke of heavy rainfall; asked about the status of dredging

Kennedy Lake; spoke of concerns with flooding; urged the city to work with the chamber on the downtown.

President Ghaul asked Mr. Ballard to check status of a report on Kennedy Lake.

Sammy Cohen, 180 Riverbank- asked if the Tourism Office is closed until the end of the year; asked for the hours; asked about leaf pick up.

Mayor Fazzone stated that the Tourism Office has limited hours at this time; no schedule at this time.

Alex Carnivale, 503 Dickenson Road- spoke on behalf of the BOIM; thanked the Mayor and Council for working with the Board; thanked Councilman Babula as liaison; look forward to working together next year; encouraged everyone to attend BOIM meetings.

Jim Addiego, 3 Hale Road- asked for an explanation of Resolution No. 227-2011, Cafeteria Plan.

Mr. MacMillan explained the option for a flexible spending plan for all employees which was implemented by a new State Law.

Mr Addiego asked if the Housing appointment is a paid position.

President Ghaul stated it is not a salaried position.

Harry Heck, 116 E. Union Street- thanked Councilwoman Hatala and President Ghaul for attending events; asked about the status of an ordinance on satellite dishes; spoke of the bus stop at Imhoffs.

Christina Whiting, 16 E. Federal Street- spoke of problem at High & Federal; a child gets picked up by a bus and the cars don't stop at the NO TURN ON RED sign; suggested more officers to watch the area.

President Ghaul ask Mr. Ballard to look into this.

COUNCIL COMMENTS

Councilman Babula asked about incentives for Landlords.

Mr. Ballard stated that he sent 24 letters to landlords with empty store fronts in the 200 and 300 block of Union and High, to hear a proposal for a adopt an artist program; spoke of UDAG funds; offered \$7,500 for improvements to their property at 0% interest over a 7 year term; three of the twenty-four of the landlords responded.

Councilman Conaway congratulated Chance VanSciver on his appointment to the Burlington Housing Authority; spoke of the need for an advisory committee for ideas for assisting the grant program; spoke of NJ 1st Time Home Buyers Program.

Councilwoman Mercuri ask for the average cost for each summer concert series; spoke of information gathered at the League Convention for the boat ramp; asked Dave Ballard/John Alexander to look into this.

Mayor Fazzone spoke of a letter received concerning a rent increase at the Metropolitan Inn; 27% in 1 month; a special meetings was held; the increase will now be 1 .75 %;

Councilwoman Hatala asked about a sign at Keim Blvd, West Broad/Keim; people have a tendency to go right up to the barrier; was not sure if NJ Transit or Bridge Commission installed the sign.

ADJOURNMENT

Upon the motion of Councilwoman Lollar, seconded by Councilwoman Woodard, this meeting of December 6, 2011 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

Hon. Douglas Ghaul, President
Common Council

