

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JUNE 12, 2012, 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: Mayor Fazzone, Municipal Attorney- George Saponaro arrived at 7:45pm, Chief Financial Officer- Ken Mac Millan, Director of Housing- David Ballard, Lt. Snow.  
Mgt Assistant Robin Snodgrass and Director of Public Works, Carl Turner arrived later.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on June 12, 2012 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**

Pastor Abie Kulynch of the City of Refuge

### **SALUTE TO FLAG**

### **UNFINISHED BUSINESS**

Councilwoman Hatala asked for the status of the 2012 Road Program.

Mr. Ballard- Alaimo is going out to bid; work should begin in August.

President Lollar- per Mr. Turner patching should begin in the next 2 weeks.

Councilman Ghaul- asked Administration for an update on plans for the Soldiers & Sailors Memorial Hall parking lot.

President Lollar- Dave Ballard to answer questions next week.

Councilman Babula asked for update on the Community Service Program.

Dave Ballard- it was supposed to begin; no names have been submitted; we are ready to go.

### **CONSENT AGENDA**

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

On the question, Councilman Ghaul requested that Invoices be removed from the Consent Agenda. It was seconded by Councilman Conaway.

Councilman Ghaul spoke of page 6, 120647.

The Consent Agenda was then approved with out the Invoices. All were in favor. Absent: Ms. Woodard.

### **PETITIONS AND COMMUNICATIONS\***

Approved by Consent Agenda. All were in favor. Absent: Ms. Woodard.

## **CORRESPONDENCE FOR MAY 2012**

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

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of April 2012. \$ 3,806.53

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

- 5-01 Land Use Board, dated April 25, 2012
- 5-02 Screening Board, May 2012 schedule
- 5-03 Land Use Board, dated May 23, 2012
- 5-04 Screening Board, June 2012 schedule
- 5-05 Historic Preservation Commission, June 2012 schedule

### **MINUTES RECEIVED FROM VARIOUS BOARDS**

- 05-10 Historic Preservation Commission, dated April 4, 2012
- 05-11 Land Use Board, dated March 28, 2012

### **PETITIONS OF APPEALS:**

- 5-30 bl 74 lt 25
- 5-31 bl 12 lt 29
- 5-32 bl 131 lt 36

5-33 bl 130 lt 20  
5-34 bl 16 lt 44  
5-35 bl 6 lt 5  
5-36 bl 134 lt 16  
5-37 bl 134 lt 14  
5-38 bl 36 lt 8.02  
5-39 bl 36 lt 8  
5-40 bl 36 lt 7  
5-41 bl 47 lt 2  
5-42 bl 47 lt 3  
5-43 bl 123 lt 1  
5-44 bl 123 lt 19  
5-45 bl 220 lt 1.01  
5-46 bl 220 lt 1  
5-47 bl 87 lt 4  
5-48 bl 215 lt 3.01  
5-49 bl 215 lt 4  
5-50 bl 19 lt 7  
5-51 bl 117 lt 51  
5-52 bl 182 lt 33  
5-53 bl 7 lt 4  
5-54 bl 220 lt 4  
5-55 bl 182 lt 1  
5-56 bl 17 lt 45  
5-57 bl 17 lt 44  
5-58 bl 5 lt 3.01  
5-59 bl 222 lt 4.01, 34  
5-60 bl 105 lt 18  
5-61 bl 164, lt 1,6,15,20  
5-62 bl 25 lt 32  
5-63 bl 231 lt 16  
5-64 bl 66 lt 19  
5-65 bl 206 lt 32  
5-66 bl 247 lt 10  
5-67 bl 130 lt 5  
5-68 bl 183 lt 5  
5-69 bl 32 lt 17  
5-70 bl 105 lt 19  
5-71 bl 214 lt 13.02  
5-72 bl 133 lt 29  
5-73 bl 133 lt 26  
5-74 bl 209 lt 2  
5-75 bl 209 lt 18

5-76 bl 138 lt 58  
5-77 bl 138 lt 55.01  
5-78 bl 138 lt 53  
5-79 bl 124 lt 44  
5-80 bl 124 lt 45  
5-81 bl 131 lt 13  
5-82 bl 131 lt 12  
5-83 bl 80 lt 3  
5-84 bl 80 lt 4  
5-85 bl 174 lt 7  
5-86 bl 174 lt 5  
5-87 bl 220 lt 4.01  
5-88 bl 220 lt 3  
5-89 bl 222 lt 16  
5-90 bl 234 lt 29  
5-91 bl 229.02 lt 2  
5-92 bl 62 lt 2  
5-93 bl 222 lt 4.01  
5-94 bl 126 lt 22  
5-95 bl 126 lt 19  
5-96 bl 79 lt 15  
5-97 bl 152 lt 8  
5-98 bl 211 lt 20  
5-99 bl 24 lt 2.01,3,4  
5-100 bl 84 lt 21  
5-101 bl 231 lt 6  
5-102 bl 117 lt 18  
5-103 bl 60 lt 19

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

5-40 Parade for Memorial Day, from Beverly Schnegelsberger, May 28, 2012

**CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:**

5 -100 Lynette Miller, Tax Collector, dated May 1, 2012, re: 2012 Annual Report of Taxes not collectible

5-101 Samuel Smith Elementary School to Chief Wallace, dated May 23, 2012, re: Mandated Safety Drills

**COMMUNICATION TO AND FROM MUNICIPAL ENGINEER**

5-300 Pennoni Associates to Robin Snodgrass, dated April 25, 2012, RE: Reconstruction of Lawrence Street, Contract No. BCSE 1101 Pay Estimate No.1

5-301 Alaimo Group to Robin Snodgrass, dated April 27, 2012, RE: Recreation Grant

Promenade Bandstand file A-0620-0056-000

- 5-303 Alaimo Group to NJ Department of Transportation, dated May 24, 2012, RE: Pedestrian Safety Improvements-NJSH Rt 130 /Taylor Avenue/Keim Blvd
- 5-304 Pennoni Associates to Robin Snodgrass, dated May 30, 2012, RE: Wastewater Treatment plant, 2012 Electrical Maintenance Contract, Contract no BCSE 1202 contracts for City execution
- 5-305 Alaimo Group to Robin Snodgrass, dated May 25, 2012, RE: NJDOT Safe Street to Transit, Current Estimate no 1, contract no 32011-5, State ID #PRO-2011 Burlington City - 01781, Our File no A 0620-0039- 002
- 5-306 Pennoni Associates to Robin Snodgrass, dated May 15, 2012, RE: Reconstruction of Lawrence Street, Contract No BCSE 101, pay estimate no 2

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

- 5-501 Beautiful Burlington County, Photo Contest Rules June 24, 2012 at Smithville Park
- 5-502 Greater Burlington Chamber of Commerce Wednesday May 16, 2012
- 5-503 Burlington County Board of Taxation, dated May 3, 2012, reso - 2012-9
- 5-504 Festival of Lights , Bridging the Delaware
- 5-505 Annual New Member Business Card Exchange, Greater Burlington Chamber of Commerce

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

- 5-700 State of NJ, dated April 11, 2012, RE: Safe Walkways to School
- 5-701 State of NJ, dated May 16, 2012, RE: NJ Dept of Transportation now accepting applications
- 5-702 State of NJ to James A Fazzone, dated May 23, 2012, RE: James Street Improvements, Burlington City, Burlington County FY 2012 Municipal Aid Program

#### **MISCELLANEOUS CORRESPONDENCE**

- 5-800 St. Mary's Episcopal Church, dated April 16, 2012, RE: Concerns with bus stop
- 5-801 Burlington City PTA, dated April 26, 2012 BCHS Project Graduation
- 5-802 NEWS NJ Department of Environmental Protection, DEP Urges Residents to Conserve Water
- 5-803 Zumba, Tuesday May 1, May 8 \$5.00 at BCHS
- 5-804 China Tea Cups, Home for Aged Women Meet Greet and Eat, May 19<sup>th</sup>
- 5-805 Board of Island Managers, Scholarship Fund May 12, 2012
- 5-806 2012 BCHS Project Graduation Fund-raiser
- 5-807 Burlington Day Flyer Saturday May 19<sup>th</sup> 10-4
- 5-808 Endeavor Emergency Squad monthly status report April 2012. Michael S. Tomaszewski, Captain
- 5-809 Albert V. Jaskol Agency dated April 20, 2012 Subject-Bus stop, High and Federal
- 5-810 SUUCS dated May 7, 2012 Notice of Public Hearing
- 5-811 Mortgage Foreclosure Forums, Roebling NJ

- 5-812 E mail dated May 21, 2012 Proposed Hepatitis Testing Guidelines  
5-813 Thank you from Capt. James Macfarland Post 79 and Unit 79, dated May 16, 2012 to Mayor and Council re; Annual American Legion Boys State  
5-814 NJ Transit to Reverend Haynes, St Marys Episcopal Church dated May 22, 2012 re: Bus Stops  
5-815 Endeavor Emergency Squard, Inc report, submitted by Christine Schroeder May 2012  
5-816 Car Seat Check Event /Virtua  
5-817 Blind Date with a Book, Library Company of Burlington

### **APPROVAL OF INVOICES**

Councilman Ghaul asked for item no. 120647 of page 6, to be sent back for review.

Mayor Fazzone- my understanding is that the total bill for 3 meals were not exceeded.

Councilman Ghaul stated he reviewed the policy; quoted a section in the Policy Manual.

President Lollar asked for Administration to review this one more time and resubmit it for the next bill list.

Invoices were approved with the exception of item no. 120647 of page 6. All were in favor. Absent: Ms. Woodard.

### **APPROVAL OF MINUTES\***

Approved by Consent Agenda. All were in favor. Absent: Ms. Woodard.

### **RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

#### **Resolution No. 135-2012**

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING AN AGREEMENT WITH TRIAD ASSOCIATES FOR PREPARATION OF AN NJDCA SMALL CITIES PUBLIC FACILITIES PROGRAM GRANT 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 Public Facilities Rehabilitation Program; 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 timeline;

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 \$14,200.00 for the purposes as described herein.

Upon the motion of Councilwoman Mercuri, 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); Absent: Ms. Woodard. (1).

Resolution No. 136-2012

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING THE MAYOR TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE MUNICIPALITIES OF THE CITY OF BURLINGTON, NJ AND BRISTOL TOWNSHIP, PA

WHEREAS, the said Municipalities are responsible for the health, safety and welfare of their residents; and

WHEREAS, the said Municipalities are empowered by the legislature to enter into contracts to provide adequate levels of protection from emergencies for their municipalities; and

WHEREAS, the Municipalities have determined that the mutual sharing of fire service resources can provide for a high level of protection from emergencies for their residents; and

THEREFORE, in consideration of the mutual covenants and agreements contained herein, intending to be legally bound hereby do covenant and agree, as follows:

**ARTICLE 1: Scope of Service**

The Parties have agreed to allow their individual fire departments to provide protection in the form of assistance to other municipalities who are Parties to the Mutual Aid Agreement and their fire departments, in accordance with the terms and conditions set forth herein. The Parties will allow their fire departments to provide apparatus and manpower for this purpose when requested to do so by either Party, who may be in need of such service. Services of this type shall only be provided when requested by a Chief Fire Officer or his designee of the municipality requested such mutual aid

**ARTICLE II: Command Authority**

Any municipality initiating response to the other municipality under the terms of the Mutual Aid Agreement shall fall under the command authority of the Officer in Charge of the emergency operation to which they are responding during the course of rendering the requested assistance.

It shall be the responsibilities of the officers of each fire department to determine numbers and types of assistance that can/shall respond when requested, as well as on what types of emergency calls.

### **ARTICLE III: Compensation and Insurance**

The Parties have agreed to provide Workers' Compensation, or other sufficient insurance to cover their own fire department personnel as they undertake emergency operations within these two municipalities under the terms of their Agreement. Mutual aid responses made by any other department under this Agreement shall be recognized as authorized responses of those departments by their municipalities.

The Parties have agreed to furnish or cause their Fire Departments to furnish adequate Liability Insurance to cover their respective emergency service personnel and apparatus during responses to the Mutual Aid assistance requests. Municipalities receiving mutual aid pursuant to the Agreement are relieved of any liability incurred by emergency service agencies other than their own.

The Parties agree, no Party shall be required to reimburse another municipality or its emergency service agencies for mutual aid services rendered under the Agreement for the first eight (8) hours of an incident.

### **ARTICLE IV: Terms of the Agreement**

The Mutual Aid Agreement shall be effective upon execution, by the authorized officials of this the respective Parties and shall continue in full force and effect until terminated. Any Party wishing to terminate their involvement in the Agreement may do so by notifying all other Parties, in writing with 30 days notice.

NOW, THEREFORE, BE AND IT IS HEREBY RESOLVED, by the Common Council of the City of Burlington, in the County of Burlington and State of New Jersey that the Mayor is hereby authorized to execute the Agreement with Bristol Township, Bucks County, Pennsylvania for mutual aid fire assistance; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution shall be provided to each of the following:

- a. Clerk, Bristol Township
- b. Saponaro & Sitzler LLP

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); Absent: Ms. Woodard. (1); Abstain: Mr Ghaul (1).

Resolution No. 137-2012

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 #3, with Pipevision, Inc., 320 Raccuglia Drive, LaSalle, IL, for an increase in the amount of \$930,516.30 for additional pipe lining to be performed throughout the City in connection with the Sewer System Repairs Phase 2 Project, making a revised total contract amount of \$4,066,122.97.

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

On the question, Councilman Babula asked Mr. MacMillan to explain this resolution.

Mr. MacMillan explained that the original contract was awarded still within the 20%; when you borrow from the trust ½ is at zero percent, remaining at market; the loan is repaid the same way as any bond, over 20 years.

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); Absent: Ms. Woodard. (1).

Resolution No. 138-2012

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING THE CONTRACT WITH LONG MARMERO & ASSOCIATES, LLP FOR WORKERS COMPENSATION BENEFITS LITIGATION

WHEREAS Long Marmero and Associates, LLP and the City of Burlington entered into an agreement in January 2012 for Special Legal Services for Workers Compensation litigation;

WHEREAS there was an unexpected and larger than anticipated number of Workers Compensation claims filed involving City of Burlington employees;

WHEREAS the claims have involved more complex, lengthy, and detailed litigation than anticipated;

WHEREAS the need has arisen to amend the agreement between Long Marmero & Associates, LLP and the City of Burlington;

WHEREAS the Local Financial Officer has certified that there are funds available and have been certified;

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

That the Common Council for the City of Burlington authorizes an amendment to the contract with Long Marmero and the City of Burlington as follows:

The amount not to exceed in the contract is increased by \$40,000.00.

This resolution shall be printed once in this City's Official newspaper.

Upon the motion of Councilwoman Hatala , 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); Absent: Ms. Woodard. (1)

Resolution No. 139-2012\*

A RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSES, ALCOHOLIC BEVERAGE PLENARY DISTRIBUTION LICENSES AND ALCOHOLIC BEVERAGE CLUB LICENSES

WHEREAS, all of the following applicants have applies for renewal of existing licenses for the year 2012-2013:

**Loyal Order of Moose No 965 t/a Loyal Order of Moose No. 965  
38 West Broad Street (0305-31-030-001)**

**Italian American Roma Club t/a Italian American Roma Club  
739 Lincoln Avenue (0305-31-029-001)**

**Curtins Wharf Inc. t/a Curtins Wharf  
501 East Pearl Street (0305-33-005-003)**

**Doc's Pub, LLC t/a Doc's Pub  
100-104 Jones Street (0305-33-016-003)**

**Misiorek, Mary t/a East End Hotel  
357 East Pearl Street (0305-33-012-003)**

**ONO Inc. t/a Oliver's Liquors  
Route 130 and Mc Neal Street (0305-32-022-007)**

**Scully-Bozarth Post 1817 Veterans of Foreign Wars t/a Scully-Bozarth Post 1817 VFW  
142 Riverbank (0305-31-036-001)**

**Café Gallery, Inc. t/a Café Gallery  
219 High Street (0305-33-024-004)**

**RW Burlington, LLC t/a Roger Wilco Liquor Store  
811 Route 130 North Suite 2 (0305-44-007-006)**

**Slade Valentine American Legion Post 336 t/a Slade Valentine American Legion Post 336  
149 Linden Avenue (0305-31-025-002)**

**AP Liquor Inc. t/a 130 Liquor Store  
653 High Street (0305-44-014-005)**

**Lynsey Inc. t/a Discount Liquor World  
703 Route 130 North (0305-44-017-004)**

**Burlington City Beverages, LLC  
Pocket License (0305-44-009-008)**

**Oneida Boat Club - t/a Oneida Boat Club  
3 York Street (0305-31-031-001)**

**Keim Boulevard Beverage Co. LLC t/a Tankard Pub  
3 Keim Boulevard (0305-33-023-004)**

**River City Spirits LLC t/a Legends Gourmet Pizza and Salads  
318 High Street (0305-33-020-009)**

**Tadeuz Kosciuzko Club t/a Tadeuz Kosciuzko Club  
York Street & Route 130 (0305-31-035-001)**

**Sound Investment Group, Inc. t/a Big House Bar and Grill  
801 Bordentown Road (0305-33-019-003)**

**J & B's Bar & Grill t/a Big Shots  
835 route 130 South (0305-33-008-003)**

**G & G Business, Inc. t/a Goodfriends Liquors  
240 Rte 130 S @ Jacksonville Road (0305-44-018-008)**

WHEREAS, all applicants for Plenary Retail Consumption alcoholic Beverage Licenses and applicants for Alcoholic Beverage Plenary retail Distribution Licenses have submitted application forms to the Municipal Clerk, which forms are complete in all respects; and

WHEREAS, these applicants are qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws; and

WHEREAS, the applicants for Alcoholic Beverage Club Licenses have submitted applications which are complete in all respects, including the submission of the various club membership lists; and

WHEREAS, the officers and directors of the clubs are qualified according to statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations; and

WHEREAS, the various Alcoholic Beverage Club Licensees maintain all records required by N.J.S.A. 13:2-8.8 and N.J.A.C. 13:2-8.12;

NOW, THEREFORE BE IT RESOLVED, on this 12th day of June, 2012 by the Common Council, of the City of Burlington, County of Burlington, State of New Jersey, that:

Each of the aforesaid applications are hereby approved and the Municipal Clerk is authorized and directed to issue the appropriate licenses applied for by each of said applicants.

Approved by Consent Agenda. All were in favor. Absent: Ms. Woodard.

Resolution No. 140-2012\*

A RESOLUTION 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 4, 2012, with a rain date of August 5, 2012.

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. Absent: Ms. Woodard.

Resolution No. 141-2012\*

Common Council of the City of Burlington, hereby approves a fire member application for Christopher P. Curiale, 276 Hickory Street, Apt. A2, Burlington, N.J., in the Mitchell Fire Company No. 3, he having filed the necessary papers.

Approved by Consent Agenda. All were in favor. Absent: Ms. Woodard.

Resolution No. 142-2012\*

Common Council of the City of Burlington, hereby approves a fire member application for Kevin J. Sexton, 20 E. Third Street, Burlington, N.J., in the Mitchell Fire Company No. 3, he having filed the necessary papers.

Approved by Consent Agenda. All were in favor. Absent: Ms. Woodard.

Resolution No. 143-2012\*

Common Council of the City of Burlington, hereby authorizes the Municipal Clerk to issue a Mercantile License to Roey Sorasky, 300 Juniper Drive, Cherry Hill, N.J. to operate a business at 900 High Street t/a "Moses Gold Exchange."

Approved by Consent Agenda. All were in favor. Absent: Ms. Woodard.

Resolution No. 144-2012\*

A RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW JERSEY EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) GRANT PROGRAM ADMINISTERED BY THE DIVISION OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY

WHEREAS, the City of Burlington Police Department wishes to apply for funding a project under the Byrne Memorial Justice Assistance Grant Program, and

WHEREAS, the Common Council of the City of Burlington has reviewed the accompany

application and has approved said request, and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and the City of Burlington Police Department for the purpose described in the application;

THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that

1. As a matter of public policy the City of Burlington Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety.
2. The Attorney General will receive funds on behalf of the applicant.
3. The Division of Criminal Justice shall be responsible for the receipt and review of the applications for said funds.
4. The Division of Criminal Justice shall initiate allocations to each applicant as authorized.

Approved by Consent Agenda. All were in favor. Absent: Ms. Woodard.

Resolution No. 145-2012\*

Resolution: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation (NJDOT) for the 2012-2013 Transportation Enhancement Program to fund the installation of various street scape improvements.

WHEREAS, the City of Burlington endeavors to install various street scape beautification improvements within the designated Transit Village area of the City in order to enhance the ambiance of the multi-modal transit area through aesthetic, safety, and accessibility improvements.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Common Council of the City of Burlington hereby authorizes the Assistant Administrator to submit an electronic grant application identified as **TE-2012-Burlington City-00030** to the New Jersey Department of Transportation Enhancement Program for the above stated project on behalf of the city of Burlington.

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the City of Burlington and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Approved by Consent Agenda. All were in favor. Absent: Ms. Woodard.

Resolution No. 146-2012\*

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 June 12, 2012, that an Executive Session Closed to the Public shall be held on June 12, 2012, 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) 200 E. Federal Street

Real Estate / Contracts N.J.S.A. 10:4-12(7) 505 Mitchell Avenue

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 June of 2012 or shortly there after.

Approved by Consent Agenda. All were in favor. Absent: Ms. Woodard.

**PUBLIC COMMENTS**

Megan Livernoche, 348 High Street- the property has many issues; the behavior of tenants are outrageous; business next store closed a year and a half ago; lack of consistency in what is being enforced.

Dan Kiple, 43 Woodland Avenue- complained of the conditions of Woodland Avenue, potholes.

Sammy Cohen, 180 Riverbank- there is a Green van in the parking lot with municipal tags; what is it being used for; what is the recourse if an employee lies; asked if anyone wanted to be on a committee in reference to DOW.

Ellen Bohem, 17 E Broad Street- spoke of issues with the train horns; still having problems but not giving up; Resources for Independence Living added a ramp at their back entrance; the step is high; asked if it is up to code.

**COUNCIL COMMENTS**

Councilwoman Hatala commended Harry Heck regarding the Newsletter; spoke of the liquor licenses.

Ms. Crivaro explained that 20 are being renewed; 4 still are outstanding.

Councilman Ghaul complemented Beverly Schnegleburger for and outstanding job done

coordinating the Veteran's Day Parade; suggested that the grass at Memorial Hall and the promenade should have been cut; expressed disappointment.

Mayor Fazzone remind Members of Council they do not supervise any Administrative employees.

Councilman Ghaul spoke of a simple conversation; was not supervising.

Councilwoman Hatala stated she was given a complaint about the grass that is growing along the tracks; a lot of trash around the tracks; the barrier is dangerous.

Councilwoman Mercuri spoke of the conditions of the curbing around the Boudinot School; reminded everyone that Friday is the High School Graduation; the graduates will be taking trolley down High Street about 5:50 pm.

Councilman Babula spoke of the curb on Union Street; the curb is crumbling; request that Administration contact Code Enforcement to give an update on how many times 350 High Street has been sited and what action has been taken.

Councilman Ghaul Congratulated Mayor Fazzone's daughter, Meredith, on her graduation.

### **CONFERENCES**

Endeavor Emergency Squad, State of the Squad- Dave Ekelburg, Chief Operating

### **EXECUTIVE CONFERENCES**

200 E. Federal Street

505 Mitchell Avenue

### **ADJOURNMENT**

Upon the motion of Councilman Conaway, seconded by Councilwoman Mercuri, this meeting of June 12, 2012 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk



