

CITY COUNCIL MEETING

A meeting of the Bridgeton City Council was held on Tuesday, October 1, 2013 at 6:30 p.m., City of Bridgeton Police and Municipal Court Complex, 330 Fayette Street, Bridgeton, New Jersey in Council Chambers.

The meeting was called to order by Council President Gladys Lugardo-Hemple.

The Statement of Meeting Notice was read by Clerk, Darlene J. Richmond, "Adequate notice of this meeting pursuant to N.J.S.A. 10:4-6 giving the time, date, location and agenda to the extent known has been given in the following manner:

1. By posting notice of said meeting on the bulletin board at City Hall Annex, 181 East Commerce Street, Bridgeton, New Jersey on September 27, 2013, at 4:30 pm
2. By mailing such notice to the News of Cumberland County and the Press on September 27, 2013, at 4:30 p.m. Invocation and flag salute was led by Councilman Surrency.

The following answered to roll call:

Pres. Lugardo-Hemple
Mr. Spence
Mr. Surrency
Mr. Thompson
Mr. Zapolski

Pres. Lugardo- Hemple presented the Public Session minutes from the Meeting of September 17, 2013, the Work Session of September 17, 2013, and Executive Session September 17, 2013.

It was moved by Mr. Spence and second by Mr. Zapolski to dispense with the reading of said minutes as all members received copies and said minutes be approved as received which motion was carried.

Pres. Lugardo-Hemple announced no Ordinances for first reading.

Pres. Lugardo-Hemple announced two Ordinances for second reading entitled:

ORDINANCE AMENDING CHAPTER 149 ARTICLE II OF THE CODE OF THE CITY OF BRIDGETON

It was moved by Mr. Surrency and second by Mr. Zapolski that the meeting be opened to the public for a hearing on this ordinance and this ordinance only which motion was carried.

Pres. Lugardo Hemple opened the meeting to the public for anyone desiring to be heard.

No one desiring to be heard, it was moved by Mr. Surrency and second by Mr. Zapolski to close the public hearing on the ordinance.

Pres. Lugardo-Hemple closed the public hearing.

It was moved by Mr. Surrency and second by Mr. Zapolski that this be considered the third and final reading of said ordinance and that the ordinance be taken up for adoption or rejection by roll call vote.

The Clerk called the roll as follows:

YEAS	NAY	ABSTAIN	ABSENT
Pres. Lugardo-Hemple			
Mr. Spence			
Mr. Surrency			
Mr. Thompson			
Mr. Zapolski			

Pres. Lugardo-Hemple declared the ordinance adopted becoming ORDINANCE NO. 13-7 the original ordinance may be found in the Ordinance Book.

STATE FISCAL YEAR 2014 MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)

It was moved by Mr. Spence and second by Mr. Thompson that the meeting be opened to the public for a hearing on this ordinance and this ordinance only which motion was carried.

Pres. Lugardo Hemple opened the meeting to the public for anyone desiring to be heard.

No one desiring to be heard, it was moved by Mr. Spence and second by Mr. Thompson to close the public hearing on the ordinance.

Pres. Lugardo-Hemple closed the public hearing.

It was moved by Mr. Spence and second by Mr. Thompson that this be considered the third and final reading of said ordinance and that the ordinance be taken up for adoption or rejection by roll call vote.

The Clerk called the roll as follows:

YEAS	NAY	ABSTAIN	ABSENT
Pres. Lugardo-Hemple			
Mr. Spence			
Mr. Surrency			
Mr. Thompson			
Mr. Zapolski			

Pres. Lugardo-Hemple declared the ordinance adopted becoming ORDINANCE NO. 13-8 the original ordinance may be found in the Ordinance Book.

Pres. Lugardo-Hemple announced this is the time for comments on the consent agenda or any other matter of concern the public desires to address Council.

It was moved by Mr. Thompson second by Mr. Zapolski that the meeting be opened to the public for any one desiring to be heard, which motion was carried.

Pres. Lugardo-Hemple opened the meeting to the public for anyone desiring to be heard.

Mr. Michael Abbott commented on enforcement of ordinances particularly the peddler ordinance and parking on lawns and noise ordinance.

No one else desiring to be heard, it was moved by Mr. Thompson and second by Mr. Zapolski to close the public portion of the meeting, which motion was carried.

Pres. Lugardo-Hemple closed the public portion of the meeting.

Pres. Lugardo-Hemple announced all matters listed under the consent agenda J-1 through J-5 will be enacted upon by one motion, if discussion is desired that item will be removed from the consent agenda and will be acted upon separately. Items J-3 J-4 and J-5 were added Resolutions placed on the agenda.

It was moved by Mr. Spence seconded by Mr. Zapolski that the following Resolutions listed under the consent agenda be adopted, which motion was carried by unanimous roll call vote. The original resolutions may be found in the Resolution Book

RESOLUTION NO 71-13, authorizing application for NJDOT pedestrian sidewalk and speed humps on Mayor Aitken Drive Phase II.

RESOLUTION NO 72-13, awarding bid for emergency repair of City Water and Sewer System.

RESOLUTION NO 73-13, authorizing request for permission for the dedication by rider for Donations to City Park

RESOLUTION NO 74-13, authorizing agreement with NIA Associates for police services.

RESOLUTION NO 75-13, authorizing employment contract with the CFO.

Pres. Lugardo-Hemple presented the Schedule of Bills in the amount of \$1,275,386.05, all members having received copies of same.

It was moved by Mr. Thompson and seconded by Mr. Surrency that the Schedule of Bills is approved and warrants be drawn on their various accounts and appropriations, which motion was carried by unanimous roll call vote. The original schedule may be found in the files under "S" Schedule of Bills.

Pres. Lugardo-Hemple announced the following application:

1. Raffle: Woodland Country Day School, December 17, 2013.

It was moved by Mr. Thompson and second by Mr. Spence that said application be approved and license issued, which motion was carried.

Pres. Lugardo-Hemple announced no reports received.

Pres. Lugardo-Hemple called upon Mayor for remarks.

Mayor Kelly thanked Council for adopting the Resolution authorizing the dedication by rider for City Park donations and announced the following: Let's Raise Our Voices Against Violence and National Make a Difference Day, to be held Saturday, October 26, 4 pm to 7 pm at the Jim Hursey Memorial Stadium. Join in as we attempt to break the Guinness World Record for the largest gospel choir.

Bridgeton Harvest Senior Dance, Thursday, October 10, 2013, 6 pm to 9pm at the Everett Marino Center.

Cohanzick Zoo Sculpture Sponsorship Guide was distributed for those interested in purchasing an animal sculpture for the Zoo.

Pres. Lugardo-Hemple called upon Council for remarks

Councilman Thompson, no comments.

Councilman Surrency, no comments.

Councilman Zapolski, no comments.

Councilman Spence, no comments.

Pres. Lugardo-Hemple, no comments.

There being no further business to come before Council it was moved by Mr. Spence and second by Mr. Zapolski to adjourn the meeting which motion was carried.

Pres. Lugardo-Hemple adjourned the meeting.

Respectfully submitted,

Darlene J. Richmond
Municipal Clerk

APPROVED:

President Gladys Lugardo-Hemple

Date: _____

CITY OF BRIDGETON EXECUTIVE SESSION RESOLUTION

Resolution to convene an executive session to discuss matters permitted by N.J.S.A.10:4-12 from which the public may be excluded

WHEREAS the open public meetings act N.J.S.A. 10:4-6 permits the exclusion of the public from a meeting where certain subjects are discussed pursuant to N.J.S.A. 10:4-12; and

WHEREAS the Bridgeton City Council is of the opinion that the following items involve such subjects:

Category	General Nature (Subject)	Anticipated Disclosure
REAL ESTATE	201 STEPHENSON AVENUE	SIX MONTHS
PERSONNEL	CONTRACT	SIX MONTHS

WHEREAS, session minutes will be kept and once the subject confidentiality is no longer required the minutes can be made public

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting

ADOPTED at a regular meeting of the City Council of the City of Bridgeton held on the 1 day of October, 2013

ATTEST:

Darlene J. Richmond
Municipal Clerk

Gladys Lugardo-Hemple
Council President

APPROVED:

Mayor Albert B. Kelly

City of Bridgeton
Resolution No. 71-13

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Pedestrian Sidewalk and Traffic Calming Speed Humps along Mayor Aitken Drive Phase II project.

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Bridgeton City 00098 to the New Jersey Department of Transportation on behalf of City of Bridgeton.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of City of Bridgeton and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the City Council of the City of Bridgeton on this 1st day of October, 2013

Darlene J. Richmond, City Clerk

Council President Gladys Lugardo-Hemple

APPROVED:

Mayor Albert B. Kelly

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL _____
Darlene J. Richmond, Municipal Clerk

RESOLUTION AWARDING BID THE EMERGENCY REPAIR OF THE CITY’S WATER AND SEWER SYSTEMS

WHEREAS, the City of Bridgeton received bids on September 18, 2013 with respect to emergency repairs of the City’s water and sewer systems; and

WHEREAS, Garrison Enterprise, Inc. submitted the only bid pursuant to the attached fee schedule; and

WHEREAS, the aforesaid bid is in compliance with N.J.S.A. 19:44A-20.5, et seq in that said bid was received as a result of competitive bidding; and

WHEREAS, the work to be performed pursuant to the aforesaid bid would be requested on an as needed basis; and

WHEREAS, the bid of Garrison Enterprise, Inc. is the low bid and Garrison Enterprise, Inc. is deemed to be in compliance with bid specifications and is the lowest responsible bidder;

WHEREAS, the bid from Garrison Enterprise, Inc. includes pricing for years one through five as options.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Bridgeton that the award of a bid to Garrison Enterprise, Inc. for emergency repair of the City’s water and sewer systems according to the attached fee schedule be and is hereby accepted for a two year term; and

BE IT FURTHER RESOLVED by the City Council of the City of Bridgeton that the City of Bridgeton reserves the right to exercise two additional one year options pursuant to the fee schedules provided for years three and four.

BE IT FURTHER RESOLVED by the City Council of the City of Bridgeton that bid bonds may be returned to the unsuccessful bidders, if any; and

BE IT FURTHER RESOLVED that the award of this Contract is in compliance with the Pay to Play provisions of N.J.S.A. 19:44A-20.5, et seq. in that the bid was publicly advertised and awarded by the Afair and open process.

BE IT FURTHER RESOLVED that the award of this bid is contingent upon a certification of available funds being filed by the Chief Financial Officer of the City of Bridgeton;

ADOPTED at a regular meeting of the City Council of the City of Bridgeton held on the 1st day of October, 2013, at 6:30 P.M.

ATTEST:

Darlene J. Richmond, City Clerk

Gladys Lugardo-Hemple, Council President

APPROVED:

Albert B. Kelly, Mayor

RESOLUTION NO. 73-13

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIDGETON

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY
RIDER FOR DONATIONS TO CITY PARK

WHEREAS, permission is required of the Director of the Division of Local Government services for approval as a dedication by rider of revenue received by a County or Municipality when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:4-39 provides that the Director of the Division of Local Government Services may approve expenditures or moneys by dedication by rider; and

NOW, THEREFORE, BE IT RESOLVED by the City of Bridgeton, County of Cumberland New Jersey as follows:

1. The City Council does hereby request permission of the Director of the Division of Local Government Services to receive funds and pay expenditures under the provisions of N.J.S.A. 40A:4-39, as amended by P.L. 1999, C292, for the exclusive purpose of receiving and expending funds received from grants, donations, gifts, and bequests and other proceeds for the benefit of the City Park which includes the City Zoo and Recreation events within the City Park boundaries.
2. The Municipal Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

ADOPTED at a Regular meeting of the City Council of the City of Bridgeton held on the 1st day of October, 2013.

ATTEST:

Darlene J. Richmond
Municipal Clerk

Gladys Lugardo-Hemple
Council President

APPROVED:

Albert B Kelly, Mayor

RESOLUTION NO. 74-13

RESOLUTION AUTHORIZING AN ADDENDUM TO THE AGREEMENT FOR
POLICE SERVICES NIA ASSOCIATES (AMITY HEIGHTS COMPLEX)

WHEREAS, the City of Bridgeton and NIA entered into an agreement January 1, 2009 for the City of Bridgeton to provide additional security and police protection at the Amity Heights project or complex (the Original Agreement); and

WHEREAS, NIA requests the Original Agreement be extended for one additional year to include January 1, 2014 to December 31, 2014; and

WHEREAS, the City of Bridgeton will provide services as mutually agreed upon in the Original Agreement for an annual cost of \$133,046.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Bridgeton, that the Mayor and City Clerk are authorized to sign an Addendum to the Agreement for Police Services NIA Associates.

ADOPTED at a Regular meeting of the City Council of the City of Bridgeton held on the 1st day of October, 2013.

ATTEST:

Darlene J. Richmond, RMC, City Clerk

Gladys Lugardo-Hemple
Council President

APPROVED:

Albert B. Kelly, Mayor

AUTHORIZING AND APPROVING EMPLOYMENT CONTRACT BETWEEN
CITY OF BRIDGETON AND THE CFO

WHEREAS, the City of Bridgeton (City) and the CFO have negotiated with respect to a new employment and retirement agreement between the City and the CFO; and

WHEREAS, the CFO is no longer a member of Council #18 Supervisor's Union, her removal having been approved by the State; and

WHEREAS, a form of employment agreement has been negotiated between the City and CFO; and

WHEREAS, the City Council of the City of Bridgeton is desirous of approving the aforesaid employment agreement between the City and the CFO;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Bridgeton, that the Mayor and City Clerk are authorized and directed to execute an employment agreement between the City of Bridgeton and the CFO in a form satisfactory to the City Solicitor; and

BE IT FURTHER RESOLVED, that a copy of the aforesaid agreement shall remain available and on file in the Clerk's office for public inspection.

ADOPTED at a Regular meeting of the City Council of the City of Bridgeton held on the 1st day of October, 2013.

ATTEST:

Darlene J. Richmond, RMC, City Clerk

Gladys Lugardo-Hemple
Council President

APPROVED:

Albert B. Kelly, Mayor

CITY OF BRIDGETON ORDINANCE NO. 13-7

ORDINANCE AMENDING CHAPTER 149 ARTICLE II
OF THE CODE OF THE CITY OF Bridgeton

WHEREAS, the City of Bridgeton reviews the Schedule of Fees, Chapter 149, Article II of the Code of the City of Bridgeton, and

WHEREAS, the City Council of the City of Bridgeton desires to amend the fees listed in Article II;

NOW THEREFORE, BE IT ORDAINED by City Council of the City of Bridgeton that:

1. §149-11. Block Parties is hereby amended to read Block Off Street:

A. Permit

(1) Permit application fee: \$75 for each day of an event requiring a street to be blocked off. City and City related events are exempt from this fee.

2. §149-19, Health and Welfare Department Fees, is hereby amended to read:

B. Minor (typographical errors) corrections of vital statistics: \$20

3. §149-30, Street openings, is hereby amended to read:

A. Permits

(1) Permit application fee: \$60 for each street opening.

4. §149-32. Taxicabs, is hereby amended to read:

E. Add, remove, or otherwise alter documented vehicle registration information, per vehicle, per occurrence (§321-2): \$30

5. §149-34, Uniform Construction Code, is hereby amended to add under building subcode fees:

A. Building subcode fees:

(22) Variation to subcode requirement:

a. Class I structures: \$748

b. Class II and III structures: \$151

6. §149-36, Zoning and sign permits, is hereby amended to read:

A. Zoning permits (§370-86D): \$25 for each use on each lot

B. Sign permits. Every applicant, before being granted a permit hereunder, shall pay to the City of Bridgeton the following permit fee for each sign or other advertising structure regulated by Chapter 370:

(1) All signs requiring a permit other than temporary signs: \$25

(2) Temporary signs, each 60 square feet or fraction thereof: \$5

(3) Canopy or awnings: \$10

(4) Marquee: \$30

(5) Street or wall clocks: \$10

(6) For illuminated signs an additional charge of \$10 shall be paid over and above the aforesaid fees.

(7) Biennial inspection fee: \$5

ADOPTED at a regular meeting of the City Council of the City of Bridgeton held on the 1st day of October, 2013.

ATTEST:

Darlene J. Richmond, RMC, City Clerk

Gladys Lugardo-Hemple
Council President

APPROVED:

Albert B. Kelly, Mayor

ORDINANCE NO 13-8

STATE FISCAL YEAR 2014
MODEL ORDINANCE 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 2.5% 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 City Council of the City of Bridgeton in the County of Cumberland finds it advisable and necessary to increase its SFY 2014 budget by and 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 City Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 702,771.22 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the City 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 appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Bridgeton in the County of Cumberland, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the SFY 2014 budget year, the final appropriations of the City of Bridgeton shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$ 702,771.22, and that the SFY 2014 municipal budget for the City of Bridgeton be approved and adopted in accordance with this ordinance; and,

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

ADOPTED:

VOTE	YEAS	NAYS	ABSTAIN	ABSENT
SPENCE	x			
LUGARDO-HEMPLE	x	None	None	None
SURRENCY	x			
THOMPSON	x			
ZAPOLSKI	x			

CERTIFIED TO BE A TRUE AND CORRECT COPY OF
ORDINANCE NO. 13-8 ADOPTED ON October 1, 2013

Darlene J. Richmond, RMC
Municipal Clerk