

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 7, 2020, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The Deputy Municipal Clerk advised the public of the location of the two fire exits; one on the left after exiting the Council Chamber and the other being the entrance to the building.

Members present: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7) Absent: (0)

Also present: Mayor Conaway, Administrator- David Ballard, Municipal Attorney- M. Lou Garty, Municipal Engineer - Frank Morris, Chief Financial Officer- Ken Mac Millan, Director of Housing- Bill Harris, Director of Public Affairs- John Alexander, Fire Chief Caruso, Police Chief Fine, Capt. Elbertson.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on January 7, 2020 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC  
Municipal Clerk

### **CONSENT AGENDA**

Councilwoman Babula, moved that all Consent Agenda items be approved. It was seconded by Councilman Swan. Councilwoman Woodard requested Resolutions 1,19 and 29 be removed from the Consent Agenda; Councilman Chachis requested Resolution 54; Councilman Babula requested Resolution 8; All were in favor.

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

Approved by Consent Agenda. All were in favor.

### **CORRESPONDENCE FOR DECEMBER 2019**

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

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of November 2019 \$1,983.50

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

12-01 Land Use Board, dated December 18, 2019

12-02 Board of Chosen Freeholders, dated October 23, 2019

12-03 City of Burlington Public Schools, dated December 6, 2019

**MINUTES RECEIVED FROM VARIOUS BOARDS**

12-10 Land Use Board minutes, October 23, 2019

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

12-100 Affordable Housing Units for rent, re: 200 and 200.5 York Street

**CORRESPONDENCE TO AND FROM BURLINGTON COUNTY**

12-500 Board of Chosen Freeholders, dated December 2, 2019, re: CDBG Planning

12-501 Greater Burlington Chamber of Commerce, dated December 2, 2019, re: Holiday Fundraiser

12-502 Greater Burlington Chamber of Commerce, dated December 5, 2019 re: BCPYS Meeting

12-503 Greater Burlington Chamber of Commerce, December 10, 2019, re: CHAI CDC's warm hearts and hands

12-504 Greater Burlington Chamber of Commerce, dated December 10, 2019, re: AGNJ updates on events

12-505 Board of Chosen Freeholders, dated December 27, 2019, re: 2020 Homelessness Trust Fund Task Force appointment

**MISCELLANEOUS CORRESPONDENCE**

12-800 Notice for application 1000T High Street , Angela Matnis-Rhodes

12-801 Township of Tabernacle, dated November 25, 2019, re: Resolution 2019-119 calling for Study Commission to review the Open Public Records Act

12-802 City of Burlington Public Schools agenda for December 9, 2019

12-803 Garfield Harter, Jr. and Eugene Clark, re: Thank you

12-804 Endeavor Emergency Squad, Inc., re: Awards

12-805 Senator Rice, re: Rice statement on extending license to undocumented immigrants

12-806 Housing Authority meeting dates for 2020

**NOTICES OF FORECLOSURES**

12 -900 Block 123, Lot 14

12-901 Block 155, Lot 6

12-902 Block 32, Lot 43.01

12-903 Block 231, Lot 24

12-904 Block 16, Lot 18

12-905 Block 195, Lot 2

12-906 Block 195, Lot 2

12-907 Block 76, Lot 27-30

12-908 Block 137, Lot 7

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

**APPROVAL OF MINUTES\***

Approved by Consent Agenda. All were in favor.

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

**Resolution No. 01-2020**

Common Council of the City of Burlington, hereby approves the following appointments for the year 2020:

Councilman Chachis and Councilwoman Hollingsworth as Council's representatives to the Tourism Council;

Councilwoman Lollar as Council's representative to the City of Burlington Municipal Alliance;

Councilman Swan as Council's representative as a Member to Main Street Burlington;

Councilwoman Hatala as Council's representative as a Member to the Land Use Board;

Councilwoman Hollingsworth as Council's liaison to the Board of Education;

Councilman Babula as Council's liaison to the Board of Island Managers;

Councilwoman Woodard and Councilwoman Hollingsworth as Council's representatives to the Local Emergency Planning Committee;

Councilwoman Hatala as liaison to the Greater Burlington Chamber of Commerce;

1<sup>st</sup> Ward Councilman Chachis, Councilwoman Woodard and Councilman Swan; 2<sup>nd</sup> Ward Councilwoman Woodard, Councilwoman Hollingsworth and Councilman Swan; 3<sup>rd</sup> Ward Councilwoman Hatala, Councilwoman Hollingsworth and Councilman Babula; 4<sup>th</sup> Ward Councilwoman Lollar, Councilman Babula and Councilwoman Hatala to serve as Council's representatives to the Ward Redevelopment sub-committee.

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

On the question, Councilwoman Woodard asked how the appointments were chosen.

Ms. Crivaro gave an explanation that all were as previously appointed in 2019, with exception of Councilwoman Hollingsworth, who replaced Councilwoman Mercuri.

Councilwoman Woodard then made a motion to Table this resolution pending further discussion. It was seconded by Councilman Chachis. The request to TABLE FAILED by the following roll call vote: AYES: Mr. Chachis, Ms. Hollingsworth, Ms. Woodard. (3); NAYS: Mr. Babula, Ms. Hatala, Mr. Swan, Ms. Lollar. (1); ABSTAIN: (0); ABSENT: (0).

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Lollar. (6); NAYS: Ms. Woodard. (1); ABSTAIN: (0); ABSENT: (0).

Resolution No. 02-2020\*

COMMON COUNCIL MEETING SCHEDULE

NOTICE is hereby given that the following is the schedule of the Regular Meeting Dates and Work Session Meeting Dates of the Common Council of the City of Burlington (which may include executive sessions) for 2020 to be held in the Council Meeting Room, located at 525 High Street, Burlington, N.J., beginning at 7:00 p.m. except where specifically set forth otherwise herein:

REGULAR MEETINGS

(Formal action will be taken- work session may follow)

January 7, 2020	June 16, 2020
January 21, 2020	July 7, 2020
February 4, 2020	July 21, 2020
February 18, 2020	August 6, 2020
March 3, 2020	September 8, 2020
March 17, 2020	September 22, 2020
April 14, 2020	October 6, 2020
April 21, 2020	October 20, 2020
May 12, 2020	November 10, 2020
May 26, 2020	December 1, 2020
June 9, 2020	December 8, 2020

WORK SESSIONS

(No formal action taken)

January 14, 2020	July 14, 2020
February 11, 2020	September 15, 2020
March 10, 2020	October 13, 2020
May 19, 2020	

Approved by Consent Agenda. All were in favor.

Resolution No. 03-2020\*

Common Council of the City of Burlington hereby affirms that Barry W. Conaway, Mayor of the City of Burlington, is duly appointed Public Safety Director for the City of Burlington for a term to run concurrently with his term as Mayor.

Approved by Consent Agenda. All were in favor.

Resolution No. 04-2020\*

WHEREAS, in accordance with N.J.S.A. 40:69A-43, the term of appointment for Department Directors is concurrent with the term of the Mayor appointing him; and

WHEREAS, Mayor Barry W. Conaway has elected to continue the services of David H. Ballard as Director of the Department of Administration.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby consents to Mayor Barry W. Conaway's appointment of David H. Ballard as the Director of the Department of Administration, for a four-year term, January 1, 2020 to December 31, 2023, at a salary as per the salary ordinance.

Approved by Consent Agenda. All were in favor.

Resolution No. 05-2020\*

WHEREAS, in accordance with N.J.S.A. 40:69A-43, the term of appointment for Department Directors is concurrent with the term of the Mayor appointing him; and

WHEREAS, Mayor Barry W. Conaway has elected to continue the services of Kenneth R. MacMillan as Director of Finance.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby consents to Mayor Barry W. Conaway's appointment of Kenneth R. MacMillan, as the Director of Finance, for a four-year term, January 1, 2020 to December 31, 2023 at a salary as per salary ordinance.

Approved by Consent Agenda. All were in favor.

Resolution No. 06-2020\*

WHEREAS, in accordance with N.J.S.A. 40:69A-43, the term of appointment for Department Directors is concurrent with the term of the Mayor appointing him; and

WHEREAS, Mayor Barry W. Conaway has elected to continue the services of John Alexander as Director of Public Affairs.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby consents to Mayor Barry W. Conaway's appointment of John Alexander as the Director of Public Affairs, for a four-year term, January 1, 2020 to December 31, 2023, at a salary as per the salary ordinance.

Approved by Consent Agenda. All were in favor.

Resolution No. 07-2020

WHEREAS, should the occasion arise whereby the Mayor is prevented by absence from the municipality, due to disability, or other just cause from attending to the duties of his office, and in accordance with N.J.S.A. 40:69A-42, Mayor Barry W. Conaway hereby selects David H. Ballard, Kenneth R. MacMillan and William T. Curry as Acting Mayor; and

WHEREAS, if the Mayor is ever unable to attend to the duties of his office for a period of sixty (60) consecutive days, for any of the above stated reasons, an acting mayor will then be appointed by the Common Council who shall succeed to all the rights, powers, duties of the mayor, or the then acting mayor.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington does hereby confirm the Mayor's appointments for Acting Mayor.

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

Resolution No. 08-2020

RESOLUTION NO. 08-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF SOLICITOR/MUNICIPAL ATTORNEY/DIRECTOR OF LAW

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, N.J.S.A.40:69a-43(b) provides the appointment of Directors as department heads by the Mayor and with the consent and advice of Council to serve for the term of the Mayor; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposal for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor as appointed and selected M. Lou Garty of The Garty Law Firm to serve as the Municipal Attorney/Solicitor and Director of Law based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of M. Lou Garty of The Garty Law Firm to serve as Municipal Attorney/Solicitor and Director of Law (hereinafter "Solicitor") for a term to run concurrent with Mayor Conaway's term and qualification as a successor.
2. The compensation of the Solicitor and services of the Solicitor for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and M. Lou Garty of The Garty Law Firm.
3. The City of Burlington is hereby authorized to enter into the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for M. Lou Garty of The Garty Law Firm to provide legal services and serve as Municipal Attorney/Solicitor setting forth the following terms:

\$156,000.00 per year—Pursuant to the bid and contract

Upon the motion of Councilman Chachis, seconded by Councilwoman Hollingsworth, the foregoing resolution was introduced.

On the question, Councilwoman Hatala, Councilman Babula, Councilman Swan and President Lollar agreed to Table this resolution pending further discussion.

Councilman Babula made a motion to Table this resolution pending further discussion. It was seconded by Councilman Swan. The request was then TABLED by the following roll call vote: AYES: Mr. Babula, Ms. Hatala,, Mr. Swan, Ms. Lollar. (3); NAYS: Mr. Chachis, Ms. Hollingsworth, Ms. Woodard.(1); ABSTAIN: (0); ABSENT: (0).

Resolution No. 09-2020\*

RESOLUTION NO. 09-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ALAIMO GROUP AS CITY ENGINEER OF RECORD/ DIRECTOR OF ENGINEERING

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, N.J.S.A. 40:69A-43(b) provides the appointment of Directors as department heads by the Mayor and with the consent and advice of counsel to serve for the term of the Mayor; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Richard Alaimo of Alaimo Group to serve as the City Engineer of Record / Director of Engineering based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Richard Alaimo of Alaimo Group to serve as the City Engineer of Record / Director of Engineering for the term of January 1, 2020 through December 31, 2023.

2. The compensation of the Engineer and services of the Engineer for the 2023 calendar year shall be in accordance with the professional services contract to be entered into between the City and Alaimo Group.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for Alaimo Group and Richard Alaimo to provide engineering services and serve as City Engineer of Record/Director of Engineering setting forth the following terms:

a. A term of January 1, 2020 through December 31, 2020

b. Hourly rates and compensation not in excess of that set forth in Alaimo Group's proposals; and

c. The following not to exceed amounts:

2020

General Engineering Services                      \$77,500.00



Approved by Consent Agenda. All were in favor.

Resolution No. 10-2020\*

RESOLUTION NO. 10-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF PENNONI ASSOCIATES, INC. AS SEWER ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Sewer Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the sewer engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Pennoni Associates, Inc. to serve as the Municipal Sewer Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Pennoni Associates, Inc. to serve as the Sewer Engineer for the term of January 1, 2020 through December 31, 2020.
2. The compensation of the Sewer Engineer for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and Pennoni Associates, Inc..

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Pennoni Associates, Inc. to provide sewer engineering services setting forth the following terms:

- a. A term of January 1, 2020 through December 31, 2020
- b. Hourly rates and compensation not in excess of that set forth in Pennoni Associates, Inc.'s proposal; and
- c. The following not to exceed amounts:

2020

Sewer Engineering Services                      \$135,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 11-2020\*

RESOLUTION NO. 11-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ENVIRONMENTAL RESOLUTIONS, INC. AS WATER ENGINEER

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Water Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the water engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Environmental Resolutions, Inc. to serve as the Municipal Water Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Environmental Resolutions, Inc. to serve as the Water Engineer for the term of January 1, 2020 through December 31, 2020.
2. The compensation of the Water Engineer for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and Environmental Resolutions, Inc..
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Environmental Resolutions, Inc. to provide water engineering services setting forth the following terms:
  - a. A term of January 1, 2020 through December 31, 2020
  - b. Hourly rates and compensation not in excess of that set forth in Environmental Resolutions, Inc. proposals; and
  - c. The following not to exceed amounts:

2020

Water Engineering Services	\$100,000.00
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Approved by Consent Agenda. All were in favor.

Resolution No. 12-2020\*

RESOLUTION NO. 12-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF QUAL-LYNX AS THE THIRD PARTY INSURANCE CLAIMS ADMINISTRATOR

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69 A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for an Insurance - Third Party Claims Administrator whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain an Insurance - Third Party Administrator will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed Qual-Lynx to serve as the municipal Insurance - Third Party Claims Administrator based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Qual-Lynx to serve as the Third Party Claims Administrator for the term of January 1, 2020 through December 31, 2020.
2. The compensation of the Insurance - Third Party Administrator for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and Qual-Lynx.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for Qual-Lynx to provide Third Party Claims Administration setting forth the following terms:

1. A term of January 1, 2020 through December 31, 2020
2. Compensation amount not to exceed \$25,000.00.

Approved by Consent Agenda. All were in favor.

Resolution No. 13-2020\*

WHEREAS, in accordance with N.J.S.A. 40:69A-43, the term of appointment for Department Directors is concurrent with the term of the Mayor appointing him; and

WHEREAS, Mayor Barry W. Conaway has elected to continue the services of William J. Harris as Director of Housing and Community Development.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby consents to Mayor Barry W. Conaway's appointment of William J. Harris as the Director of Housing and Community Development, for a four-year term, January 1, 2020 to December 31, 2023, at a salary as per the salary ordinance.

Approved by Consent Agenda. All were in favor.

Resolution No. 14-2020\*

RESOLUTION NO. 14-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED ATTORNEYS AS POOL COUNSEL FOR SPECIAL SELF-INSURANCE TORT & CIVIL LITIGATION MATTERS

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Self-Insurance Tort & Civil Litigation Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as “Special Projects Counsel” for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected several law firms to be assigned projects or matters from the pool of attorneys for Special Projects Counsel based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Special Projects Counsel; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

- 1 The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway’s appointment of the following law firms or attorneys to serve as Special Self-Insurance Tort & Civil Litigation Counsel for various projects and/or legal matters based upon a determination of the best needs of the City (hereafter “Special Projects Counsel Pool”) for the term of January 1, 2020 through December 31, 2020:

Rainone Coughlin Minchello  
The Walker Firm, LLC  
Siciliano & Associates, LLC  
Zeller & Wieliczko, LLP  
Swati M. Kothari, Esq.  
Platt & Riso, PC  
Grace, Marmero & Associates  
The Garty law Firm

2. The compensation of the Attorneys for these services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Special Projects Counsel Pool, which shall be consistent with the RFP proposals submitted by the attorneys and firms.

Approved by Consent Agenda. All were in favor.

Resolution No. 15-2020\*

RISK MANAGEMENT CONSULTANT

WHEREAS, the City of Burlington has resolved to join the New Jersey Municipal Self Insurers' Joint Insurance Fund ("NJMSIJIF") following a detailed analysis; and

WHEREAS, the Bylaws of NJMSIJIF require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

WHEREAS, the Bylaws indicate that NJMSIJIF shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee;

NOW THEREFORE, BE IT RESOLVED that the City of Burlington does hereby appoint Hardenberg Insurance Group as its Risk Management Consultant in accordance with the Fund's Bylaws.

Approved by Consent Agenda. All were in favor.

Resolution No. 16-2020\*

Appointment of the Walker Law Firm as Workers' Compensation Special Counsel

WHEREAS, there exists a need in the City of Burlington, for a Workers' Compensation Special Counsel, and funds are available and have been certified by the local finance officer, and certification being attached to this resolution; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into will not exceed the \$17,500.00 threshold established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised:

NOW, THEREFORE, BE IT RESOLVED, that the Common Council, of the City of Burlington hereby approves Mayor Barry W. Conaway’s appointment of the Walker Law Firm as Workers’ Compensation Special Counsel, for the period January 1, 2020 to December 31, 2020, at an amount not to exceed \$20,000.00.

1. The compensation of the Workers’ Compensation Special Counsel for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City of Burlington and the Walker Law Firm; and
2. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, the attached Professional Services Contract for the Workers’ Compensation Special Counsel services with the Walker Law Firm; and
3. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1) (a) of the local public contracts law.
4. This resolution shall be printed once in the City’s official newspaper.

Approved by Consent Agenda. All were in favor.

Resolution No. 17-2020\*

RESOLUTION NO. 17-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF A MUNICIPAL AUDITOR

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69 A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for a Municipal Auditor whereby proposals were solicited and evaluated by the Common Council based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain a Municipal Auditor will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed Mercadien, P.C. to serve as the Municipal Auditor based upon the Council’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves the appointment of Mercadien, P.C. to serve as the Municipal Auditor for the term of January 1, 2020 through December 31, 2020.
2. The compensation of the Municipal Auditor for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and Mercadien, P.C..
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for Mercadien, P.C. to provide auditing services setting forth the following terms:
  - a. A term of January 1, 2020 through December 31, 2020
  - b. Compensation of \$38,500.00 as set forth in Mercadien, P.C. proposal.

Approved by Consent Agenda. All were in favor.

Resolution No. 18-2020\*

RESOLUTION NO. 18-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF BOND COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Bond Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the Bond Counsel will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has and selected the law firm of Parker McCay, P.A. to serve as Bond Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and



WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020;

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of the law firm of Parker McCay, P.A. to serve as Bond Counsel for the term of January 1, 2020 through December 31, 2020.
2. The compensation and services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and the law firm of Parker McCay, P.A.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with the law firm of Parker McCay, P.A. to provide Bond Counsel services setting forth the following terms:
  - a. The term of January 1, 2020 through December 31, 2020
  - b. the following not to exceed amount:

2020

Bond Counsel	\$15,000.00
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Approved by Consent Agenda. All were in favor.

Resolution No. 19-2020

RESOLUTION NO. 19-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF DESIGNATED ATTORNEYS AS ALTERNATE REDEVELOPMENT COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Alternate Redevelopment Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as “Alternate Redevelopment Counsel” for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has selected two law firms to be assigned projects or matters based upon the Mayor’s determination of the “most advantageous, price and other factors,” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Alternate Redevelopment Counsel and based upon the needs of the City of Burlington for various Redevelopment projects; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway’s appointment of the law firm Platt & Riso, PC to serve as Alternate Redevelopment Counsel for various projects based upon a determination of the best needs of the City (hereafter “Alternate Redevelopment Counsel”) for the term of January 1, 2020 through December 31, 2020.

2. The compensation of the Attorneys for these services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and the law firm appointed as Alternate Redevelopment Counsel, which shall be consistent with the RFP proposals submitted by the attorneys and firms.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with designated firms to provide legal services and serve as the Alternate Redevelopment Counsel for the City of Burlington setting forth the following terms:

- a. The term of January 1, 2020 through December 31, 2020
- b. The following not to exceed amount:

	<u>2020</u>
Alternate Redevelopment Counsel	\$5,000.00

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

On the question, Mayor Conaway gave an explanation of this resolution; we want to keep consistent with redevelopment; Platt and Riso will be the Alternate.

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

Resolution No. 20-2020\*

RESOLUTION NO. 20-2020 OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR ALCOHOLIC BEVERAGE CONTROL SPECIAL COUNSEL SERVICES

WHEREAS, there exists a need for Alcoholic Beverage Control Special Counsel, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute the attached agreement with Rainone Coughlin Minchello, in an amount not to exceed \$10,000.00 for the term of January 1, 2020 through December 31, 2020.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the Burlington County Times.

Approved by Consent Agenda. All were in favor.

Resolution No. 21-2020\*

Common Council of the City of Burlington, hereby consents to the following appointments by the Mayor to the City of Burlington Historic Preservation Commission:

William Stewart, as a Class "B" Member, for a 4-year term 01/01/20 to 12/31/23

Alma Saravia, as Alternate No. 2, for a 2-year term 01/01/20 to 12/31/21

Approved by Consent Agenda. All were in favor.

Resolution No. 22-2020\*

RESOLUTION NO. 22-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF COAH / FAIR SHARE HOUSING COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Tax Appeals Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the COAH/Fair Share Housing Counsel will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has and selected Surenian, Edwards & Nolan, LLC to serve as COAH/Fair Share Housing Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Surenian, Edwards & Nolan, LLC to serve as COAH/Fair Share Housing Counsel for the term of January 1, 2020 through December 31, 2020.
2. The compensation and services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and Surenian, Edwards & Nolan, LLC.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Surenian, Edwards & Nolan, LLC to provide COAH/Fair Share Housing Counsel services setting forth the following terms:

- a. The term of January 1, 2020 through December 31, 2020
- b. the following not to exceed amount:

2020

COAH/Fair Share Housing Counsel      \$10,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 23-2020\*

RESOLUTION NO. 23-2020 OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR FINANCIAL CONSULTING SERVICES

WHEREAS, there exists a need for Financial Consulting Services, and funds are available and have been certified by the Chief Financial Officer’s Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute the attached agreement with Phoenix Advisors, LLC, in an amount not to exceed \$10,000.00 for the term of January 1, 2020 through December 31, 2020.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the Burlington County Times.

Approved by Consent Agenda. All were in favor.

Resolution No. 24-2020\*

RESOLUTION NO. 24-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED LAW FIRMS AS POOL COUNSEL FOR LABOR MATTERS

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Labor Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as “Special Projects Counsel” for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected several law firms to be assigned projects or matters from the pool of attorneys for Special Projects Counsel based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Special Projects Counsel; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

- 1 The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway’s appointment of the following law firms or attorneys to serve as Special Projects Labor Counsel for various projects and/or legal matters based upon a determination of the best needs of the City (hereafter “Special Projects Counsel Pool”) for the term of January 1, 2020 through December 31, 2020:

Lennox Law Firm  
The Walker Firm, LLC  
Siciliano & Associates, LLC  
Swati M. Kothari, Esq.  
Grace, Marmero & Associates

2. The compensation of the Attorneys for these services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Special Projects Counsel Pool, which shall be consistent with the RFP proposals submitted by the attorneys and firms.

Approved by Consent Agenda. All were in favor.

Resolution No. 25-2020\*

RESOLUTION NO. 25-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF TAX APPEALS COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Tax Appeals Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the Tax Appeals Counsel attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has and selected Kathleen McGill Gaskill, Esq. to serve as Tax Appeals Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Kathleen McGill Gaskill, Esq. to serve as Tax Appeals Counsel for the term of January 1, 2020 through December 31, 2020.
2. The compensation and services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and Kathleen McGill Gaskill, Esq.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Kathleen McGill Gaskill, Esq. to provide Tax Appeals Counsel services setting forth the following terms:
  - a. The term of January 1, 2020 through December 31, 2020
  - b. the following not to exceed amount:

2020

Tax Appeals Counsel	\$15,000.00
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Approved by Consent Agenda. All were in favor.

Resolution No. 26-2020\*

RESOLUTION NO. 26-2020 OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR TAX FORECLOSURE AND BANKRUPTCY SPECIAL COUNSEL SERVICES

WHEREAS, there exists a need for Tax Foreclosure and Bankruptcy Special Counsel, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute an agreement with Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Guild, in an amount not to exceed \$10,000.00 for the term of January 1, 2020 through December 31, 2020.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the Burlington County Times.

Approved by Consent Agenda. All were in favor.

Resolution No. 27-2020\*

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and



WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Common Council of the City of Burlington, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Approved by Consent Agenda. All were in favor.

Resolution No. 28-2020\*

RESOLUTION NO. 28-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO APPROVE THE CITY'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the City of Burlington ("City") to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

WHEREAS, the Common Council for the City of Burlington has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE BE IT ADOPTED AND RESOLVED by the Common Council for the City of Burlington that:

Section 1: No official, employee, appointee or volunteer of the City of Burlington by whatever title known, or any entity that is in any way a part of the City of Burlington shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the City of Burlington's business or using the facilities or property of the City of Burlington.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the City of Burlington to provide services that otherwise could be performed by the City of Burlington.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Business Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the City of Burlington as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Business Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the City of Burlington. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the City of Burlington's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the City of Burlington in order for the public to be made aware of this policy and the City of Burlington's commitment to the implementation and enforcement of this policy.

Approved by Consent Agenda. All were in favor.

Resolution No. 29-2020

RESOLUTION NO. 29-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF DESIGNATED ATTORNEYS AS REDEVELOPMENT COUNSEL

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Redevelopment Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as “Redevelopment Counsel” for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected two law firms to be assigned projects or matters based upon the Mayor’s determination of the “most advantageous, price and other factors,” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Redevelopment Counsel and based upon the needs of the City of Burlington for various Redevelopment projects; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway’s appointment of the following law firm to serve as Redevelopment Counsel for various projects and/or legal matters based upon a determination of the best needs of the City (hereafter “Redevelopment Counsel”) for the term of January 1, 2020 through December 31, 2020:

Rainone Coughlin Minchello

2. The compensation of the Attorneys for these services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and the law firms appointed as Redevelopment Counsel, which shall be consistent with the RFP proposals submitted by the firm.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with designated firms to provide legal services and serve as Redevelopment Counsel for the City of Burlington setting forth the following terms:

- a. The term of January 1, 2020 through December 31, 2020
- b. The following not to exceed amount:

2020

Redevelopment Counsel	\$30,000.00
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Upon the motion of Councilman Babula, seconded by Councilman Chachis, the foregoing resolution was introduced.

On the question, Mayor Conaway gave explanation of this resolution

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

Resolution No. 30-2020\*

RESOLUTION NO. 30-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED ENGINEERS AS POOL ENGINEERS FOR SPECIAL PROJECTS AND ENGINEERING MATTERS

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Projects Engineers, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of engineers as “Special Projects Engineers” for various special projects involving unique or specialized engineering knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has selected several engineering firms to be assigned projects or matters from the pool of engineers for Special Projects Engineers based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Special Projects Engineers; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

- 1 The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of the following engineering firms or engineers to serve as Special Projects Engineers for various projects and/or engineering matters based upon a determination of the best needs of the City (hereafter "Special Projects Pool Engineers") for the term of January 1, 2020 through December 31, 2020:

Turek Consulting  
CME Associates  
Remington & Vernick

2. The compensation of the Engineers for these services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Special Projects Pool Engineers, which shall be consistent with the RFP proposals submitted by the engineers and firms.

Approved by Consent Agenda. All were in favor

Resolution No. 31-2020\*

RESOLUTION NO. 31-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED ATTORNEYS AS POOL COUNSEL FOR SPECIAL PROJECTS AND LEGAL MATTERS

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Projects Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as "Special Projects Counsel" for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected several law firms to be assigned projects or matters from the pool of attorneys for Special Projects Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the responses provided by the law firms to the City's Request for Proposals for Special Projects Counsel; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

- 2 The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of the following law firms or attorneys to serve as Special Projects Counsel for various projects and/or legal matters based upon a determination of the best needs of the City (hereafter "Special Projects Pool Attorneys") for the term of January 1, 2020 through December 31, 2020:

Lennox Law Firm  
The Walker Firm, LLC  
Siciliano & Associates, LLC  
Michael A. Armstrong & Associates  
Zeller & Wieliczko, LLP  
Michelle Gibson, LLC  
Swati M. Kothari, Esq.  
Platt & Riso, PC  
Grace, Marmero & Associates

2. The compensation of the Attorneys for these services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Special Projects Pool Attorneys, which shall be consistent with the RFP proposals submitted by the attorneys and firms.

Approved by Consent Agenda. All were in favor.

Resolution No. 32-2020\*

RESOLUTION NO. 32-2020 IDENTIFYING CDBG FAIR HOUSING OFFICER

WHEREAS, City of Burlington must make efforts to affirmatively further fair housing; and

WHEREAS, City of Burlington has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

WHEREAS, City of Burlington will comply with:

the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and

the Civil Rights Act of 1964, and the regulations issued thereto it; and

the Fair Housing Act of 1968 and will affirmatively further fair housing; and

the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that, Bill Harris shall be designated as the Fair Housing Officer for City of Burlington; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from City of Burlington; and

BE IT FURTHER RESOLVED that Bill Harris will conduct a public information and outreach campaign to publicize the City of Burlington's fair housing services.

BE IT FURTHER RESOLVED that the City of Burlington will publish in the local newspaper of record and post at the municipal building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing services.

Approved by Consent Agenda. All were in favor.

Resolution No. 33-2020\*

Appointment of Municipal Tax Search Officer

Whereas, there exists a need for a Municipal Tax Search Officer.

Be it resolved that the Common Council, of the City of Burlington hereby affirms Mayor Conaway's appointment of Lynette Miller as the Municipal Tax Search Officer for the City of Burlington for a term of January 1, 2020 through December 31, 2023.

Approved by Consent Agenda. All were in favor.

Resolution No. 34-2020\*

Whereas, pursuant to N.J.S.A. 26:8-11 et. seq., the municipality shall appoint a local registrar to strictly and thoroughly enforce the law relative to the disposal of the deceased and the registration of vital records and other duties in accordance with the law and instructions of the State Registrar; and

Whereas, due to the retirement of the Registrar of Vital Statistics, there exists a need for a local registrar; and

Whereas, the Mayor has appointed Brenda Marks, she being duly qualified, for the 3-year term of office effective January 1, 2020 to December 31, 2022, to be the Registrar of Vital Statistics.

Now, therefore be it resolved, that the Common Council of the City of Burlington hereby affirms Mayor Conaway's appointment of Brenda Marks as the Registrar of Vital Statistics for the City of Burlington;

Be it further resolved that this appointment shall be immediately certified to the state department, as required

Approved by Consent Agenda. All were in favor.

Resolution No. 35-2020\*

WHEREAS, pursuant to N.J.A.C. 17:27-3.5, each public agency is annually required to designate an employee to serve as its Public Agency Compliance Officer with respect to public contracts, including procurement contracts, service contracts, and construction contracts that exceed that agency's public bidding threshold; and

WHEREAS, the Public Agency Compliance Officer ensures that no public contracts exceed the agency's public bidding threshold is awarded and moneys paid until the prospective vendor has agreed to contract performance which complies with current Affirmative Action Regulations and State Laws; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, that David H. Ballard be designated the City of Burlington's Public Agency Compliance Officer for the year 2020.

Approved by Consent Agenda. All were in favor.

Resolution No. 36-2020\*

Common Council of the City of Burlington hereby confirms the Mayor's appointment of John Alexander and Colin Smith to the Burlington County River Route Advisory Committee for the period of January 1, 2020 to December 31, 2020.

Approved by Consent Agenda. All were in favor.



Resolution No. 37-2020\*

RESOLUTION NO. 37-2020 APPOINTING A MUNICIPAL HOUSING LIAISON (MHL) / RCA ADMINISTRATOR FOR THE CITY OF BURLINGTON IN THE COUNTY OF BURLINGTON

WHEREAS, the Governing Body of the City of Burlington petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan which was filed with COAH on December 19, 2005; and

WHEREAS, the City of Burlington's Fair Share Plan and Project Plan promote an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27d-301, et seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et seq.); and

WHEREAS, the Governing Body of the City of Burlington adopted resolutions entering into Regional Contribution Agreements ("RCA") with the Townships of Delran, Burlington and Evesham for the transfer of 43, 52 and 10 units respectively pursuant to the Fair Housing Act, (N.J.S.A. 52:27d-301 et seq.), N.J.A.C. 5:94-1, et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 5:94-7 and N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint a Municipal Housing Liaison for the administration of the City of Burlington's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint an administrator for the administration of the City of Burlington's RCA Housing Program to enforce the requirements of N.J.A.C. 5:94-1 et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, the City of Burlington has amended Chapter 70, Article III of the Municipal Code to provide for the appointment of an MHL to administer the City of Burlington's affordable housing program and to provide for the appointment of an RCA Administrator to administer the City of Burlington's RCA affordable housing program; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington in the County of Burlington and the State of New Jersey that Bill Harris is hereby appointed by the Governing Body of the City of Burlington as the Municipal Housing Liaison for the administration of the affordable housing program and as the RCA Administrator for the administration of the RCA affordable housing program, pursuant to and in accordance with Chapter 70, Article III of the City of Burlington's Municipal Code.

Approved by Consent Agenda. All were in favor.

Resolution No. 38-2020\*

Common Council of the City of Burlington, hereby approves the following Emergency Driver's for the year 2020:

Mitchell Sta. 903

Michael Adams  
Zachary Adams  
Kevin Barger  
Roy Barkewich  
Jonathan Cassidy  
Shawn Meredith  
Brian Curiale  
Christopher Curiale  
Bruce Dowdy  
Andrew Grandin  
Matthew Kaplan  
Brandon Brelsford  
Kevin Sexton  
John Warren  
Duane Stevenson  
Joseph Stevenson  
Brent Tomer  
Robert Viereck  
Todd Viereck  
Jeff Steere, Jr.  
Crystal Kellert  
Pedro Torres  
Howard Nixon  
Dawn Brelsford  
David Kampe, Sr.  
David Kampe, Jr.  
Howard Wilkins  
Jeremy Lamont  
Richard Spotts  
Justin Steer  
Danial Steere  
Brian Wood, Jr.  
Cindy Sexton  
Jennifer Diamond  
Natalia Pennise  
Ross Kownatsky  
Dylan Kleiner  
William Warren  
Alyssa Goldberg

Neptune Sta. 905

David Fugh  
Douglas Ghaul  
Mark Lawshe  
Robert Maronski  
Ryan Phillips  
Jamie Sabo  
Keith Spencer  
Christopher Thill  
Jeffery Tinnick  
John Tinnick  
Michael Tomaszewski  
Shaun Zoll  
Joshua Maugeri  
John Fillippine, Sr.  
Richard Edge  
Rick Iovine  
Chad Vellels  
Aaron Troster  
Edward Ator, Jr.  
Christopher Perlingiero  
William Blackwell  
Jake Ponsett  
John Fillippine, Jr.

Niagara Sta. 906

Jeff Iwanicki  
Rusty Caruso  
Howard Caruso  
Timothy Fitch  
Robert Dorrell  
Matthew Field  
Brian Hicks  
Jennifer Lambing  
Jamie Lambing  
Thomas Ryder, III  
Kenneth Brown  
Nicolas Wirth  
William Naprawa  
Kenneth Naprawa  
Christopher Reeves  
Thomas Ryder, IV  
Brian Smith  
Timothy Viereck  
Eric Willitts  
George Willitts  
Ryan Caruso  
Hayley Hunter  
Joe Murr  
John Lambing, III  
Domonic Mancuso  
Alfred Erzak, III  
Gary Schroeder  
Donna Caruso  
Brandon Dunn  
Eugene Stark  
Richard Snyder

Approved by Consent Agenda. All were in favor.

Resolution No. 39-2020\*

Common Council of the City of Burlington hereby appoints the following Pedestrian Traffic Control Officers, as per recommendation of the Administration for the year 2020:

Hyacinth Rodney  
Winston C. Forbes  
William G. Hood  
Claude Sivels  
Enman Thompson  
James Ogburn  
Bruce Morlack  
Teresa Nykala  
Julianna Merluse  
Patricia Kennedy

Andrew G. Cross  
John Lipscomb  
Sharon Sallie  
Christine W. Dragon  
Aldo Bucci  
Kathleen O'Connor  
Kathy Griffith  
Delson Rivera  
Mary Marinella

Jean Sills  
Mary Peebles  
Roselynn Thurston  
Robert Brown  
Betty Jo Swart  
Carolyn Lilley  
Betty Searls  
Mattie Banks  
Patricia Shaw

Approved by Consent Agenda. All were in favor.

Resolution No. 40-2020\*

Common Council of the City of Burlington hereby appoints the following Special Law Enforcement Officers, as per recommendation of the Administration for the year 2020:

Class II- Special Law Enforcement Officers

Christopher Snyder	Christopher Hubbs
Christopher Rivell	Kyle Ruskowski
Sean Fitzpatrick	Daniel Pascal

Class I- Special Law Enforcement Officers

Howard Caruso	Altan Ozgurel
Bernard Freeman	Kyle Hollis
Shayne Krywy	Daniel Rodriguez
Justin Pires	Nicholas Cacia
Jeffrey Green	

Approved by Consent Agenda. All were in favor.

Resolution No. 41-2020\*

Common Council of the City of Burlington hereby confirms the appointment of Councilman Chachis and Councilwoman Woodard as representatives, Councilwoman Lollar as an Alternate, to the Burlington County Route 541 Steering Committee for the year 2020.

Approved by Consent Agenda. All were in favor.

Resolution No. 42-2020\*

A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE CITY OF BURLINGTON FOR THE YEAR 2020 AND AUTHORIZING INVESTMENT OF FUNDS

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of effecting investments,

NOW, THEREFORE, BE IT RESOLVED on the 7<sup>th</sup> day of January, 2020, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that:

1. New Jersey Cash Management Fund
  - Bank of New York Mellon (Debt Service Payments)
  - Wells Fargo (Debt Service Payments)
  - TD Bank (Debt Service Payments)
  - Investors Bank

be and are hereby designated as depositories for the City of Burlington for the year 2020.

2. Prior to the deposit of any municipal funds in the above-mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (R.S. 17:9-41).

BE IT FURTHER RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institution, and that the Chief Financial Officer is hereby authorized to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from the City of Burlington's checking or savings accounts to other City accounts.
2. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of investing for the account of the City of Burlington.
3. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of making debt service payments of the City of Burlington.

Approved by Consent Agenda. All were in favor.

Resolution No. 43-2020\*

Common Council of the City of Burlington, hereby designates the Burlington County Times, as the official newspaper and the Trenton Times as the secondary newspaper for the year 2020.

Approved by Consent Agenda. All were in favor.

Resolution No. 44-2020\*

2019 Tonnage Grant Application Resolution

Whereas, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the City of Burlington, NJ to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

Whereas, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

Now, therefore be it resolved, by the Mayor and Common Council of the City of Burlington that City of Burlington hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Craig Leshner, Recycling Coordinator to ensure that the application is properly filed.

Be it further resolved, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Approved by Consent Agenda. All were in favor.

Resolution No. 45-2020\*

RESOLUTION RE-ESTABLISHING PETTY CASH FUNDS FOR THE YEAR 2020

BE IT RESOLVED by the Common Council of the City of Burlington that the Chief Financial Officer be and is hereby authorized to re-establish the following petty cash accounts for the year 2020:

Petty Cash Accounts - Checking Accounts

- |                    |           |
|--------------------|-----------|
| 1. Chief of Police | \$ 200.00 |
| 2. City Clerk      | \$ 400.00 |
| 3. Fire Department | \$ 200.00 |

Petty Cash Accounts - Restricted Cash Accounts (1)

- |                     |           |
|---------------------|-----------|
| 1. Water Department | \$ 200.00 |
| 2. Public Works     | \$ 100.00 |
| 3. Sewer Department | \$ 100.00 |

(1) Restricted to use in accordance with the meal allowance provision of the union contract during the year.

Approved by Consent Agenda. All were in favor.

Resolution No. 46-2020\*

RESOLUTION AUTHORIZING SIGNATURES ON CITY CHECKS

BE IT RESOLVED, by the Common Council of the City of Burlington that the following City Officials are hereby authorized to sign checks or withdrawal slips where a combination of three principal signatures are required:

MAYOR

AND CITY CLERK OR DEPUTY CLERK

AND CHIEF FINANCIAL OFFICER OR  
TAX COLLECTOR

BE IT FURTHER RESOLVED, that signature cards with the signatures of the persons authorized to sign be forwarded to the appropriate City Depositories when required.

Approved by Consent Agenda. All were in favor.

Resolution No. 47-2020

RESOLUTION - TEMPORARY BUDGETS

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2020 budgets, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2020; and

WHEREAS, the total appropriations in the 2019 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2019 budgets is the sum of \$17,035,947.23 for the Current Fund, \$2,173,630.37 for the Water Fund, and \$2,769,711.13 for the Sewer Fund;

WHEREAS, 26.25% of the total appropriations in the 2019 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2019 budgets is the sum of \$4,471,936.15 for the Current Fund, \$570,577.97 for the Water Fund, and \$727,049.17 for the Sewer Fund;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

CURRENT FUND - TEMPORARY APPROPRIATIONS – 2020

	SALARIES	OTHER EXPENSES
General Administration	\$ 85,000	\$ 8,000
City Clerk	40,000	15,000
Mayor and Council	10,000	3,000
Financial Administration	60,000	15,000
Audit Services		30,000
Assessment of Taxes	25,000	15,000
Collection of Taxes	65,000	10,000
Legal Services & Costs		60,000
Municipal Court		120,000
Engineering Services & Costs		35,000
Economic Development		35,000
Office of Programs Coordinator	30,000	20,000
Planning Board	5,000	10,000
Historic Preservation Commission	2,000	6,000
Group Insurance Plan for Employees		700,000
Liability Insurance		200,000
Workers Compensation Insurance		50,000
Fire	9,000	50,000
Police	1,300,000	75,000
Animal Control Officer		5,000
Emergency Management Service	3,000	3,000
Public Buildings and Grounds	35,000	30,000
Public Works Road Repair & Maintenance	100,000	30,000
Public Works Department	50,000	7,000
Vehicle Maintenance	35,000	30,000
Parks and Playgrounds	13,000	10,000
Sanitation		80,000

Board of Health	7,000	1,000
Recreation Programs	35,000	20,000
Celebration of Public Events	60,000	25,000
Operations of Boat Ramp		1,500
Public Defender		3,000
Electricity and Natural Gas		140,000
Telecommunications		20,000
Petroleum Products		35,000
Landfill Solid Waste Disposal Costs		100,000
Building Inspections		50,000
Housing Code Inspections		5,000
Rental Unit Inspections	55,000	13,000
Uniform Fire Safety Act	15,000	4,000
Contingent		500
P.E.R.S.		10,000
O.A.S.I.		85,000
Police & Firemens' Retirement System		10,000
Defined Contribution Retirement Program		5,000
NJ Unemployment Compensation Fund		15,000
Recycling Tax		6,000
	\$ 2,039,000	\$2,201,000

WATER FUND - TEMPORARY APPROPRIATIONS - 2020

	SALARIES	OTHER EXPENSES
Water	\$ 250,000	\$ 250,000
Water P.E.R.S.		5,000
Water O.A.S.I.		20,000
Water NJ Unemployment Compensation Fund		1,000
	\$ 250,000	\$ 275,000

SEWER FUND - TEMPORARY APPROPRIATIONS - 2020

SALARIES	OTHER EXPENSES
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Sewer	\$ 250,000	\$ 425,000
Sewer P.E.R.S.		5,000
Sewer O.A.S.I.		25,000
Sewer NJ Unemployment Compensation Fund		1,000
	\$ 250,000	\$ 450,000

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

Resolution No. 48-2020

RESOLUTION – 2020 DEBT SERVICE REQUIREMENTS

WHEREAS, N.J.S. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20 of the year preceding the beginning of the fiscal year; and

WHEREAS, the date of this resolution is subsequent to December 19, 2019; and

WHEREAS, principal and interest will be due on various dates from January 1, 2020 to December 31, 2020, inclusive, on sundry bonds issued and outstanding:

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made to cover the period from January 1, 2020 to December 31, 2020 inclusive:

DEBT SERVICE - CURRENT FUND	
Payment of bonds	\$ 775,000.00
Interest on bonds	137,865.63
DEBT SERVICE - WATER UTILITY	
Payment of bonds	\$ 50,000.00
Interest on bonds	9,687.51
DEBT SERVICE - SEWER UTILITY	
Payment of bonds	\$ 69,000.00
Interest on bonds	5,175.00
N.J. Environmental Infrastructure Trust:	
State of New Jersey Fund Loan	
Payment of Principal	\$228,694.64
State of New Jersey Trust Loan	

Payment of Principal	\$201,000.00
Payment of Interest	\$ 86,085.00

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

Resolution No. 49-2020\*

RESOLUTION NO. 49-2020 AUTHORIZING THE PROPER CITY OFFICIALS AND DEPARTMENTS TO COORDINATE THE EFFORTS WITH THE COLONIAL BURLINGTON FOUNDATION, INC. TO PROVIDE NEEDED SERVICES FOR THE ANNUAL WOOD STREET FAIR, AND UNAUTHORIZED VENDORS BE RESTRICTED FROM SELLING THEIR WARES, AND NO POLITICAL CAMPAIGN MATERIALS BE DISPLAYED.

RESOLVED: That the Common Council of the City of Burlington hereby authorizes the proper City Officials and Departments to coordinate the efforts with the Colonial Burlington Foundation, Inc. to provide needed services for the Annual Wood Street Fair.

BE IT FURTHER RESOLVED: That unauthorized vendors be restricted from selling their wares and that yard sale permits not be issued within the Fair and Art Show areas, as defined by the Colonial Burlington Foundation and City Historical Society; and

BE IT FURTHER RESOLVED: That the City of Burlington Fire Official strictly enforces the Fire Ordinance in accordance with the Uniform Safety Code, in reference to open fires in or near art exhibits.

Approved by Consent Agenda. All were in favor.

Resolution No. 50-2020

Common Council of the City of Burlington hereby authorizes the award of contracts for the supply and delivery of various chemicals for the year 2020.

RESOLUTION NO. 50-2020 OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A CONTRACT FOR THE 2020 SUPPLY & DELIVERY OF VARIOUS CHEMICALS

Whereas, the City Administration, after consultation with the Public Works Director, has requested Common Council's consideration of this resolution; and

Whereas, the City Administration was authorized to solicit sealed bids by the Common Council for the 2020 Supply & Delivery of the Various Chemicals listed below. The bid opening was held on Tuesday, January 7, 2020 at 11 AM in the City Hall Council Chambers; and

Whereas, the Administration reviewed the submitted bids and recommends that the Common Council award the contracts to the lowest qualified bidders; 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 execute a contract with the companies listed below:

<u>VENDOR</u>	<u>CHEMICAL</u>	<u>2020</u>	<u>2021</u>
Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Potassium Permanganate	\$ 8,835.95	\$ 8,835.95
Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Powdered Activated Carbon	\$31,119.20	\$31,119.20
Miracle Chemical Co. 1151 B Highway #33 Farmingdale, NJ 07727	Sodium Hypochlorite	\$75,974.40	\$77,126.40
PVS Chemicals, Inc. 10900 Harper Avenue Detroit, MI 48213	Sodium Hydroxide	\$33,600.00	\$33,600.00
Coyne Chemical 3015 State Road Croyden, PA 19021-6997	Sludge Polymer	\$11,495.47	\$11,878.52
Miracle Chemical Co. 1151 B Highway #33 Farmingdale, NJ 07727	Sodium Bisulfite	\$49,927.80	\$50,593.80

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

Resolution No. 51-2020

RESOLUTION NO. 51-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPOINTING DESIGNATED EMPLOYER REPRESENTATIVE (D.E.R.) FOR FMCSA CLEARINGHOUSE AND CDL PROGRAM

WHEREAS, the United States Department of Transportation Commercial Driver's License (CDL) regulations requires organizations with one or more CDL drivers to designate a representative hereby distinguished as the Designated Employee Representative (DER); and

WHEREAS, the DER is responsible for formal decisions regarding the drug and alcohol testing program; and

WHEREAS, the appointment of the DER has been requested and recommended by the Joint Insurance Fund (JIF) Municipal Excess Liability (MEL) Joint Insurance Fund; and

WHEREAS, given the responsibilities that coexist with the title of DER, City of Burlington Common Council finds it pertinent to appoint the Director of Public Works; and

WHEREAS, that appointed individual will ultimately be responsible for the formal decisions regarding drug and alcohol testing, understanding that some of these materials may be sensitive in nature and housed in the Administration Offices; and

WHEREAS, the DER will also be required to attend one of the JIF-sponsored training courses that will prepare the representative to fulfill this role with all of the knowledge and tools necessary to perform this function proficiently.

THEREFORE, BE IT RESOLVED, by the City of Burlington, County of Burlington, State of New Jersey, that:

1. The City of Burlington agrees to participate in the FMCSA Clearinghouse and the DER Program.
2. William Curry, Director of Public Works, is hereby appointed as the Designated Employee Representative (D.E.R.) of the City of Burlington.
3. David H. Ballard, Business Administrator is hereby appointed as the Alternate Designated Employee Representative (D.E.R.) of the City of Burlington.

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

Resolution No. 52-2020

RESOLUTION NO. 52-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A TWO-YEAR EXTENSION TO THE 2018 ELECTRICAL MAINTENANCE CONTRACT (BCSE #1700.01E), WITH MUNICIPAL MAINTENANCE COMPANY FOR ELECTRICAL MAINTENANCE SERVICES

WHEREAS, on December 12, 2017 the City awarded a two-year service contract for Electrical Maintenance at the Wastewater Treatment Plant to Municipal Maintenance Company for based upon the submission of the lowest bid price of \$127,788.00 pursuant to a publicly advertised bid; and

WHEREAS, Municipal Maintenance Company has completed the services in an effective and efficient manner throughout the contract period which expired December 31, 2019; and

WHEREAS, the original bid provided an option for a two-year renewal of the contract based upon the pricing and satisfactory performance of the contract; and

WHEREAS, the City's Engineer has issued a written recommendation that the City authorize a two (2) year Contract extension in accordance with Section C-1.1.3 of the Contract, and consistent with the provisions of N.J.S.A. 40A:11-15; and

WHEREAS, based upon the City's projected budget of \$127,788.00 for the two-year Contract extension and the fact that Municipal Maintenance Company is eligible for labor unit price adjustments that shall not exceed the change in index rate for the 12 months preceding the most recent quarterly calculation (in accordance with Section C-1.1.3 of the Contract and N.J.S.A. 40A:11-15), the City's Engineer has recommended that a two (2) year Contract extension of the electrical maintenance contract for a total amount not to exceed \$127,788.00 for the two-year Contract extension with Municipal Maintenance Company be authorized.

NOW THEREFORE, BE IT RESOLVED that the Common Council for the City of Burlington hereby authorizes the Mayor to execute an Agreement with Municipal Maintenance Company for a two year contract extension of the current electrical maintenance contract, (referred to by the Engineers as Contract No. BCSE 1700.1E) at a total cost of \$127,788.00, for the purpose of performing the maintenance functions consistent with the RFP previously issued by the City of Burlington through its Professional Consulting Engineers.

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

Resolution No. 53-2020

RESOLUTION NO. 53-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A TWO-YEAR EXTENSION THE 2018 MECHANICAL MAINTENANCE CONTRACT (BCSE #1700.01M), WITH MUNICIPAL MAINTENANCE COMPANY

WHEREAS, on December 12, 2017 the City awarded a two-year service contract for mechanical maintenance at the Wastewater Treatment Plant to Municipal Maintenance Company for based upon the submission of the lowest bid price of \$66,960.00 pursuant to a publicly advertised bid; and

WHEREAS, Municipal Maintenance Company has completed the services in an effective and efficient manner throughout the contract period which expired December 31, 2019; and

WHEREAS, the original bid provided an option for a two-year renewal of the contract based upon the pricing and satisfactory performance of the contract; and

WHEREAS, the City's Engineer has issued a written recommendation that the City authorize a two (2) year Contract extension in accordance with Section C-1.1 of the Contract, and consistent with the provisions of N.J.S.A. 40A:11-15; and

WHEREAS, based upon the City's projected budget of \$66,960.00 for the two-year Contract extension and the fact that Municipal Maintenance Company is eligible for labor unit price adjustments that shall not exceed the change in index rate for the 12 months preceding the most recent quarterly calculation (in accordance with Section C-1.1.3 of the Contract and N.J.S.A. 40A:11-15), the City's Engineer has recommended that a two (2) year Contract extension of the mechanical maintenance contract for a total amount not to exceed \$66,960.00 for the two-year Contract extension with Municipal Maintenance Company be authorized.

NOW THEREFORE, BE IT RESOLVED that the Common Council for the City of Burlington hereby authorizes the Mayor to execute an Agreement with Municipal Maintenance Company for a two year contract extension of the current mechanical maintenance contract, (referred to by the Engineers as Contract No. BCSE 1700.1M) at a total cost of \$66,960.00, for the purpose of performing the maintenance functions consistent with the RFP previously issued by the City of Burlington through its Professional Consulting Engineers.

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

Resolution No. 54-2020

RESOLUTION NO. 54-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON PROVIDING FOR A SHARED SERVICE AGREEMENT WITH THE TOWNSHIP OF WILLINGBORO FOR THE PROVISION OF ANIMAL CONTROL SERVICES

WHEREAS, the City of Burlington (“City”) and the Township of Willingboro (“Willingboro”) have both determined that it is in their best mutual interest to share certain services, and therefore wish to enter into a Shared Services Agreement (“Agreement”) in order for the Township of Willingboro to provide Animal Control Services to the City of Burlington; and

WHEREAS, the Shared Services Agreement shall be for a one (1) year term commencing April 1, 2020 through December 31, 2020, renewable yearly as provided for in the Agreement; and

WHEREAS, the Agreement requires the City of Burlington to pay a fee of \$10,500 (Ten Thousand Five Hundred dollars) to the Township of Willingboro, to receive the services set forth within the Agreement; and

WHEREAS, the Agreement further requires an additional fee of \$50 (fifty dollars) per call for emergency services, as defined within the Agreement; and

NOW THEREFORE, BE IT RESOLVED that pursuant to the authority granted to the City under the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, *et seq.*, the City hereby authorizes execution of the Agreement and authorizes the agreement to be effective as of April 1, 2020; and

NOW THEREFORE, BE IT FURTHER RESOLVED that pursuant to the authority granted to the City under the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1, *et seq.*, the City hereby authorizes all necessary steps to be taken to implement and/or effectuate the Agreement.

Upon the motion of Councilman Chachis, seconded by Councilman Swan, the foregoing resolution was introduced.

General discussion regarding wild animals: trapping, rabies in the City.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (6); NAYS: Ms. Hatala. (1); ABSTAIN: (0); ABSENT: (0).

Resolution No. 55-2020\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Fatou Faye, 34 Bedix Lane, Willingboro, N.J. to operate a business at 37 E. Broad Street t/a “Oumy Hair Braiding.”

Approved by Consent Agenda. All were in favor.

Resolution No. 56-2020\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Mohamed Shakran, 419 Bem Street, Riverside, N.J. to operate a business at 306 W. Route130 N t/a “All Approved Auto Sales.”

Approved by Consent Agenda. All were in favor.

Resolution No. 57-2020\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Sedef Gulsan, 23 Whitespruce Lane, Levittown, PA and Nagihan Bagcivan 140 Hawthorne Drive, Mt. Holly, N.J. to operate a business at 665 High Street t/a “Our Pharmacy.”

Approved by Consent Agenda. All were in favor.

Resolution No. 58-2020\*

WHEREAS, in accordance with N.J.S.A. 40:69A-43, the term of appointment for Department Directors is concurrent with the term of the Mayor appointing him; and

WHEREAS, Mayor Barry W. Conaway has elected to continue the services of William T. Curry as Director of Public Works.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby consents to Mayor Barry W. Conaway’s appointment of William T. Curry, as the Director of Public Works, for a four-year term, January 1, 2020 to December 31, 2023 at a salary as per salary ordinance.

Approved by Consent Agenda. All were in favor.

Resolution No. 59-2020\*

Whereas, in accordance with N.J.S. 40:10A-4, the governing body of any municipality may establish the position of local historian who serves without compensation but may be reimbursed for approved expenses incurred; and



Whereas, the City of Burlington Municipal Code Chapter 2-53 establishes the Division of Historian within the Department of Public Affairs; and

Whereas, the local historian shall be appointed in the manner generally provided by law for appointments of the local unit, and shall serve at the pleasure of the appointing authority;

Now, Therefore Be It Resolved, that the Common Council of the City of Burlington does hereby affirm the Mayor's appointment of Douglas Ghaul to the position of local historian, four-year term, January 1, 2020 to December 31, 2023.

Approved by Consent Agenda. All were in favor.

Resolution No. 60-2020\*

Be it resolved that the Common Council of the City of Burlington hereby confirms the Mayor's appointments of Anthony Page and Lisa Schiller as the City of Burlington Delegates to the Joint Insurance Fund (JIF) Safety Committee for the period 1/1/20 to 12/31/22.

Be it further resolved that a certified copy of this resolution be sent by the Municipal Clerk to our Joint Insurance Fund Administrator, Barbara Murphy at Municipal Excess Liability Joint Insurance Fund, 9 Campus Drive - Suite 16, Parsippany, NJ 07054.

Approved by Consent Agenda. All were in favor.

Resolution No. 61-2020\*

RESOLUTION NO. 61-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED ENGINEERS AS POOL ENGINEERS FOR CONSTRUCTION INSPECTIONS

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Construction Inspection Engineer, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of engineers as "Construction Inspection Engineers" for various special projects involving unique or specialized engineering knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected several engineering firms to be assigned projects or matters from the pool of engineers for Construction Inspection Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the responses provided by the law firms to the City's Request for Proposals for Construction Inspection Engineer ; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for the year 2020.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of the following engineering firms or engineers to serve as Construction Inspection Engineer for various projects and/or engineering matters based upon a determination of the best needs of the City (hereafter "Construction Inspection Engineers") for the term of January 1, 2020 through December 31, 2020:

Alaimo Group  
Remington, Vernick & Arango

2. The compensation of the Engineers for these services for the 2020 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Construction Inspection Engineers, which shall be consistent with the RFP proposals submitted by the engineers and firms.

Approved by Consent Agenda. All were in favor.

Resolution No. 62-2020

Appreciation for our Volunteer Firefighters In Recognition of New Jersey's Volunteer Firemen's Day, January 12, 2020

Whereas, NJ Statute 36:1-8 establishes the second Sunday of January in each year for the purpose of paying special tribute to volunteer firefighters and for the general observance of that purpose and shall be known as "Volunteer Fireman's Day"; and

Whereas, the Mayor and the Common Council of the City of Burlington are greatly appreciative of our volunteer firefighters who serve as members of the City of Burlington Fire Division, under the command of Chief Rusty Caruso; and

Whereas, we cannot thank enough our volunteer firefighters who are thrown into dangerous situations, often leave family dinners, get up in the middle of the night, and disrupt their daily lives, in order to protect our residents and businesses;

Now, Therefore Be It Resolved, by the Mayor and Common Council of the City of Burlington that on the occasion of Volunteer Firemen's Day, we do hereby recognize and commend all of our volunteer firefighters for their tireless and dedicated service to our City; and

Be It Further Resolved, that on behalf of all of our residents and businesses, we do hereby extend our gratitude and appreciation on this day, and every day.

Be It Further Resolved, that the Municipal Clerk is to provide copies of this resolution to the Fire Chief for his distribution to the fire houses.

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

Resolution No. 63-2020

Common Council, of The City of Burlington, hereby acknowledges and celebrates Reverend Dr. Martin Luther King, Jr.

Whereas, the City of Burlington Common Council resolved to celebrate Monday, January 20, 2020, as the Reverend Dr. Martin Luther King, Jr., Day; and

Whereas, Dr. King, of the Southern Christian Leadership Conference, led the struggle for equal opportunities for all Americans regardless of race or creed; and

Whereas, Dr. King was taken from us on April 4, 1968, his legacy and deeds have not been forgotten:

Now, Therefore, Be It Resolved, that as the Oliver Cromwell Black History Society, triumphs African-American heritage in the City of Burlington, we join them in remembering Dr. Martin Luther King Jr., on this day.

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

### **COUNCIL COMMENTS**

Mayor Conaway thanked the City Professionals; congratulated Council President Lollar and Vice President Hatala; look forward to working with Council moving forward.

Councilman Babula acknowledged the Police Department, the Fire Department, EMS and OEM.

Councilman Swan stated he looked forward to working with everyone this year; spoke of the lack lighting in the City parking lots and parks; thanked Chief Fine and his Department for keeping everyone safe.

Mr. Ballard will contact PSE&G about upgrading the lighting; spoke of meeting with Pearl Pointe, Mr. Rivellini.

Councilwoman Woodard thanked the First Responders, Administration and Vendors; advised the residents to “keep an eye on this Council, have a distinct feeling that it’s going to be a rough year, some folk really want to scuttle the progress”.

### **PUBLIC COMMENTS**

Ernestine Brown, 36 E. Federal Street- congratulated everyone on the appointments; thanked the Police Department for their service.

Bruce Davis 333 E. Pearl Street- asked everyone to pray; thanked God for protection over our troops and our Police Department; spoke of earlier comment having a negative impact, comments due to conflict.

### **ADJOURNMENT**

Upon the motion of Councilman Swan, seconded by Councilman Babula, this meeting of January 7, 2020 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk

