

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 3, 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 (7:05pm), Ms. Lollar. (7) Absent: (0)

Also present: Mayor Conaway, Director of Housing- Bill Harris, Municipal Attorney- Lou Garty, Director of Public Works Bill Curry, Chief Fine, Lt. Caruso, Deputy Fire Chief Tomer.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on March 3, 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

INVOCATION

Rev. Dr. Veronica Pollard

SALUTE TO FLAG

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FEBRUARY FOR 2020

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of January 2020 \$3,100.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

02-01 Land Use Board, February 26, 2020

02-02 Historic Preservation Commission, March 4, 2020

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

- 02-100 City of Burlington Fire Department, January Monthly Report
- 02-101 Neptune Hose Company No. 5 Annual Report 2019

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

- 02-500 Nicholas Gangemi, dated February 20, 2020, re: FOBCAS Trap-Neuter- Return (TRN)

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

- 02-700 Senator Ronald L Rice, Chair, dated February 6, 2020, re: Executive Order No. 42
- 02-701 NJDOT, dated February 12, 2020, re: 4 Ton Limit
- 02-702 NJDOT, dated February 20, 2020, re: Year 2020 Transit Village Program

MISCELLANEOUS CORRESPONDENCE

- 02-800 Elaine McClammy, dated January 31, 2020, re: parking on sidewalks
- 02- 801 Township of Fredon, re: School Board Elections
- 02-802 Todd Eagleson, re: London Bridge aka County Bridge C3-3
- 02-803 Gene Tusa, Knights of Columbus, dated February 14, 2020, re: Shield Awards
- 02-804 Endeavor Emergency Squad, Inc., re: Statistics for January 2020
- 02-805 Board of Island Managers, re: Meeting Notice , now at Knights of Columbus
- 02-806 Elaine McClammy, dated February 10, 2020, re: miscellaneous issues
- 02-807 200 Club of Burlington County, dated February 11, 2020, re: Award to Chief Fine

NOTICES OF FORECLOSURES

- 02-900 Block 69, Lot 17
- 02- 901 Block 229.02, Lot 6
- 02-902 Block 19, Lot 15
- 02-903 Block 206, Lot 4
- 02-904 Block 69, Lot 17
- 02-905 Block 32, Lot 21

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 207 OF THE CODE OF THE CITY OF BURLINGTON (LAND DEVELOPMENT), ARTICLE IV. (HISTORIC PRESERVATION)

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (6); NAYS: (0); ABSTAIN: Ms. Hatala. (1); ABSENT:(0).

AN ORDINANCE OF THE CITY OF BURLINGTON CHAPTER 344 OF THE CODE OF THE CITY OF BURLINGTON (VEHICLES AND TRAFFIC), ARTICLE V. (PARKING)

Upon the motion of Councilman Chachis, seconded by Councilwoman Hollingsworth, the foregoing ordinance 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).

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING PART II OF THE CITY CODE TO ADD CHAPTER 126, ENTITLED “SMOKING PROHIBITED IN CERTAIN PUBLIC PLACES”

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, the foregoing ordinance 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).

AN ORDINANCE OF THE CITY OF BURLINGTON ADOPTING THE REDEVELOPMENT PLAN GOVERNING THE AREA IN NEED OF REDEVELOPMENT IDENTIFIED AS BLOCK 221, LOT 3

Upon the motion of Councilman Chachis, seconded by Councilwoman Hollingsworth, the foregoing ordinance 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).

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 05-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON, AUTHORIZING THE SALE OF CITY OWNED PROPERTY IDENTIFIED AS BLOCK 1, LOT 3 (302 COMMERCE SQUARE BOULEVARD)

WHEREAS, the City of Burlington is a Faulkner Act municipality with a Mayor-Council form of government pursuant to N.J.S.A. 40:69A-31, *et seq.*, with its organization, positions, powers, and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the City of Burlington has determined that certain City-owned property, identified on the Tax Map as Block 1, Lot 3 (“the Property”), also known as 302 Commerce Square Boulevard is no longer needed for public purposes as contemplated by N.J.S.A. 40A:12-13; and

WHEREAS, the Property is located within the Commerce Square Redevelopment Area, established by the City in May of 2004 and governed by a Redevelopment Plan, as evidenced via Ordinance No. 11-2004; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-8g and N.J.S.A. 40A:12A-22j, the City may, among other things, authorize the sale of property located within redevelopment areas without the necessity for public bidding.

NOW THEREFORE BE IT ORDAINED by the Common Council for the City of Burlington that certain City-owned property, identified on the Tax Map as Block 1, Lot 3, (more commonly known as 302 Commerce Square Boulevard, is no longer needed for public purposes and shall be sold pursuant to the authority outlined with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-8g and N.J.S.A. 40A:12A-22j; and

BE IT FURTHER ORDAINED that the City and its Administrative staff and consultants are granted the authority to solicit and negotiate a contract for sale of the Property, and that should acceptable terms be reached, the Common Council for the City of Burlington shall review, consider, and if appropriate, approve a contract for sale of the Property via Resolution; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

Upon the motion of Councilman Babula, seconded by Councilman Chachis, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

Councilman Babula spoke in favor of this ordinance.

Councilman Swan asked if this ordinance authorizes the contract for the sale.

Ms. Garty Esq. said this authorizes the actual sale of the property.

This ordinance 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).

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 99-2020

RESOLUTION NO. 99-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CITY OF BURLINGTON TO EXTEND AN ACCESS AGREEMENT WITH THE BURLINGTON COUNTY BRIDGE COMMISSION TO ALLOW THE BURLINGTON COUNTY BRIDGE COMMISSION'S CONTRACTOR, ALLIED

PAINTING, INC., TO USE A PORTION OF CITY-OWNED PROPERTY DURING THE PERFORMANCE OF A PAINTING CONTRACT FOR THE BURLINGTON-BRISTOL BRIDGE

WHEREAS, the City of Burlington (“City”) is a Faulkner Act municipality with a Mayor-Council form of government pursuant to N.J.S.A. 40:69A-31, et seq., with its organization, positions, powers, and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the Burlington County Bridge Commission (“the Commission”) is a public agency run by the County of Burlington that owns and operates the Burlington-Bristol Bridge, accessed on its eastern terminus via the local road network in the City; and

WHEREAS, via Resolution 192-2019, the City authorized execution of an Access Agreement with the Commission in order to allow its painting contractor, Allied Painting, Inc., to use a portion of City-owned property during the performance of their work for the Commission (“the Allied Access Agreement”); and

WHEREAS, although this Agreement expired on December 31, 2019, Allied Painting has not yet finished its work for the Commission; and

WHEREAS, the City and the Commission therefore desire to extend the Allied Access Agreement under the same terms and conditions, with the extension to be effective January 1, 2020 through May 31, 2020; and

WHEREAS, all other terms and conditions outlined within the Allied Access Agreement, as well as the terms detailed in Resolution 192-2019, will remain unchanged and in full force and effect; and

NOW THEREFORE, BE IT FURTHER RESOLVED that the Municipal Clerk, the City’s Administrative staff, Solicitor, and other staff or professionals are authorized to perform all duties necessary to effectuate this extension, as may be necessary and appropriate to fulfill the intent of Council as stated in this Resolution.

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. 100-2020

RESOLUTION NO. 100-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CITY OF BURLINGTON TO EXTEND AN ACCESS AGREEMENT WITH THE BURLINGTON COUNTY BRIDGE COMMISSION TO ALLOW THE BURLINGTON COUNTY BRIDGE COMMISSION’S CONTRACTOR, CORNELL &

COMPANY, INC., TO USE A PORTION OF CITY OWNED PROPERTY DURING THE PERFORMANCE OF A CONTRACT FOR THE BURLINGTON-BRISTOL BRIDGE

WHEREAS, the City of Burlington (“City”) is a Faulkner Act municipality with a Mayor-Council form of government pursuant to N.J.S.A. 40:69A-31, *et seq.*, with its organization, positions, powers, and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the Burlington County Bridge Commission (“the Commission”) is a public agency run by the County of Burlington that owns and operates the Burlington-Bristol Bridge, accessed on its eastern terminus via the local road network in the City; and

WHEREAS, via Resolution 220-2019, the City authorized execution of an Access Agreement with the Commission in order to allow its painting contractor, Cornell & Company, Inc., to use a portion of City-owned property during the performance of their work for the Commission (“the Cornell Access Agreement”); and

WHEREAS, although this Agreement expired on December 31, 2019, Cornell & Company has not yet finished its work for the Commission; and

WHEREAS, the City and the Commission therefore desire to extend the Cornell Access Agreement under the same terms and conditions, with the extension to be effective January 1, 2020 through May 31, 2020; and

WHEREAS, all other terms and conditions outlined within the Cornell Access Agreement, as well as the terms detailed in Resolution 200-2019, will remain unchanged and in full force and effect; and

NOW THEREFORE, BE IT FURTHER RESOLVED that the Municipal Clerk, the City’s Administrative staff, Solicitor, and other staff or professionals are authorized to perform all duties necessary to effectuate this extension, as may be necessary and appropriate to fulfill the intent of Council as stated in this Resolution.

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. 101-2020

RESOLUTION NO. 101-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A CONTRACT WITH R&S CONSTRUCTION OF BRIDGETON, LLC, FOR THE REHABILITATION OF RESOLUTION NO. 283-2018 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON

AUTHORIZING THE EXECUTION OF A CONTRACT WITH NEIGHBORHOOD REDEVELOPMENT COOPERATIVE SOLUTIONS THE PROPERTY LOCATED AT 323 JONES AVENUE IN THE CITY OF BURLINGTON

WHEREAS, the City of Burlington is desirous of obtaining bids from general contractors for the rehabilitation of the City-owned property at 323 Jones Avenue as part of the City's Market-to-Affordable Housing Program; and

WHEREAS, the estimated cost of rehabilitating this property is in excess of the State bidding threshold of \$17,500 and requires ah such work be publicly bid as per N.J.S.A.40A:11-3; and

WHEREAS pursuant to N.J.S.A.40A:11-3, the City advertised for bids for the solicited rehabilitation of the subject property in the January 5, 2020, edition of the *Burlington County Times* with a return date of January 28, 2020; and

WHEREAS, R&S Construction of Bridgeton, LLC, submitted a complete bid package as determined by the City Attorney and Director of Housing & Community Development with the lowest bid in the amount of NINETY-THREE THOUSAND FIVE HUNDRED DOLLARS (\$93,500.00); and

WHEREAS, funding is available for the proposed rehabilitation services from the City's Affordable Housing Trust Fund; and

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 authorizes the Mayor to execute a contract on behalf of the City of Burlington with R&S Construction of Bridgeton, LLC for the sum of \$93,500.00, to be paid from the Affordable Housing Trust Fund, to perform the services as described in the contract documents prepared by Habitech Architecture, dated November 6, 2019.
2. The Mayor, City Clerk, and such other City Professionals and Administrative Staff as may be necessary are authorized to carry out and/or execute such other tasks, documents, and/or notices as may be necessary to effect this contract.

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. 102-2020

RESOLUTION AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES

WHEREAS, various 2019 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2019 Budget Appropriations in the last two months of 2019; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances to appropriation reserves which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the council of the City of Burlington that the transfers in the amount of \$10,000.00 be made between the 2019 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
<u>Current Fund:</u>		
Police:		
Salaries and Wages	\$ 10,000.00	
Legal:		
Other Expenses		\$ 10,000.00

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. 103-2020*

RESOLUTION NO. 103-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON CANCELLING TAXES AND REFUNDING OVERPAYMENT ON A PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, the property identified herein as Block 229.03 Lot 10, located at 1 Byron Avenue is owned by Darren Long, declared to be a 100% permanently and totally disabled veteran; and

WHEREAS, the State of New Jersey provides tax exempt status, under N.J.S.A. 54:4-3:30, to veterans declared as such; and

WHEREAS, due to the cancellation of 2020 taxes in the amount of \$3,278.11, an overpayment will occur on property in the amount of \$1,639.06.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2020 taxes are hereby cancelled for the reason set forth above and authorizes the Chief Financial Officer to issue a refund check in the amount of \$1,639.06 for the overpayment of 2020 taxes. The refund to be issued as follows:

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
229.03 (1 Byron Ave)	10	Darren Long	\$ 1,639.06

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Lorna Abdalazez, 449 Hulme Street - spoke of speeding on Hulme; requested to make Hulme Street one-way, toward Route 130.

Sam Ritcher, 400 Wood Street- thanked the Public Works Department for the street sweeper; thanked the Police Department for good community policing.

Chief John Fine spoke for Sgt. Anthony Baldorossi, a WWII Veteran’s last request to be driven around Burlington; spoke of a Books v. Badges basketball game on March 12th; March 19th there will be a Human Trafficking Seminar at the Tabernacle Baptist Church.

ADMINISTRATION REPORT

None.

COUNCIL COMMENTS

Councilwoman Hollingsworth thanked the Public Works Department for the clean streets.

Councilman Swan spoke of a new part time Recreation Leader, looking forward to see what she can do.

CONFERENCES

- Proposed Ordinance Amending Chapter 207, Article IV. Historic Preservation
- Proposed Ordinance Adding Chapter 126, entitled “Prohibiting Smoking in Certain Public Places

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilman Swan, this meeting of March 3, 2020 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

