

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JUNE 18, 2019, 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, Mr. Swan, Ms. Woodard (7:30-8:250), Ms. Lollar. (6) Absent: Ms. Mercuri. (1)

Also present: Mayor Conaway, Administrator- David Ballard, Chief Financial Officer- Ken Mac Millan, Municipal Attorney- Lou Garty, Director of Housing- Bill Harris, Chief Fine.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on June 18, 2019 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

SALUTE TO FLAG

UNFINISHED BUSINESS

Councilwoman Hatala ask fort an update on the traffic light at Route 130 & Columbus Road.

Mr. Ballard said he will reach out again.

CONSENT AGENDA

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

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 167-2019

RESOLUTION NO. 167-2019 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A CONTRACT TO BRINK'S TANK SERVICES, INC. FOR THE DEMOLITION OF 107 E. FEDERAL STREET

WHEREAS, Bids were received on June 5, 2019, for the demolition of 107 E. Federal Street in the City of Burlington; and

WHEREAS, Brink's Tank Services, Inc. submitted the only bid, in the amount of \$44,850.00; and

WHEREAS, the City Sewer Engineer, Pennoni Associates, Inc. has reviewed the submitted bid and finds the qualifications of the sole bidder to be in order; and

WHEREAS, the City Sewer Engineer, Pennoni Associates, Inc recommends that Common Council award the contract to the sole bidder known as Brink's Tank Services, Inc., 1256 Liberty Avenue, Hillside, N.J., 07205.

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 Brink's Tank Services, Inc. for the demolition of 107 E. Federal Street, in an amount not to exceed \$44,850.00.

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

On the question, Councilwoman Hatala ask confirmed that there was only one bid and this was bid a second time.

Mr. Ballard said the bid fell below the Engineer's estimate.

Mr. Macmillan said this is not a typical demolition; there is an attached dwelling, with a basement

Councilwoman Hatala suggested the bid was too high.

The resolution was then adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Mr. Swan, Ms. Lollar. (4); NAYS: Ms. Hatala. (1); ABSTAIN: (0); ABSENT: Ms. Mercuri, Ms. Woodard. (2).

Resolution No. 168-2019

RESOLUTION TO AMEND ADOPTED BUDGET FOR AN CLEAN COMMUNITIES GRANT FROM THE NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

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

WHEREAS, the City of Burlington received **Clean Communities Grant** in the amount of \$23,194.57 from the New Jersey Department of Environmental Protection;

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$23,194.57 as follows which item is now available as a revenue from:

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

Clean Communities Grant \$ 23,194.57

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 23,194.57 be and the same is hereby appropriated under the caption of:

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

Clean Communities Grant \$ 23,194.57

Upon the motion of Councilman Chachis, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Mr. Swan, Ms. Lollar. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Mercuri, Ms. Woodard. (2).

Resolution No. 169-2019

RESOLUTION NO. 169-2019 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO WAIVE BUILDING AND CONSTRUCTION PERMIT FEES FOR THE COUNTY OF BURLINGTON, NJ PUBLIC SAFETY PROJECT FOR 9-1-1 COMMUNICATIONS SYSTEM EQUIPMENT UPGRADES ON THE COMMERCE SQUARE WATER TOWER

WHEREAS, County of Burlington, New Jersey is undertaking a project to upgrade the emergency communication system, including equipment upgrades to their equipment located on the City of Burlington Water Tower in Commerce Square; and

WHEREAS, the City of Burlington recognizes the public benefit that this project provides to the residents of the City of Burlington and the County of Burlington; and

WHEREAS, the County of Burlington has requested the waiver of the City's portion of building and construction permit fees associated with the project;

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington hereby authorizes the Administration of the City of Burlington to waive the City's portion of building and construction permit fees that would otherwise be typically charged by the Construction Office for such a project;

BE IT FURTHER RESOLVED that the Municipal Clerk will provide a copy of this resolution to Michael Wright, Construction Official;

BE IT FURTHER RESOLVED that this permit fee waiver is specific to this project and will expire after issuance of the necessary permits.

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, Mr. Swan, Ms. Lollar. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Mercuri, Ms. Woodard. (2).

Resolution No. 170-2019

RESOLUTION NO. 170-2019 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
WAIVING FEES FOR IMPROVEMENTS TO 23 WEST UNION STREET

WHEREAS, The Library Company of Burlington located at 23 West Union Street has proudly served the City of Burlington community for over 255 years; and

WHEREAS, the City of Burlington recognizes the public benefit that The Library Company of Burlington offers to the residents to the City of Burlington; and

WHEREAS, The Library Company of Burlington is undertaking needed renovations to improve their patrons' health, safety and welfare at the Library including the repair of the drainage system.

WHEREAS, The Library Company of Burlington, in their letter dated June 11, 2019, has respectfully requested the waiving of the fees associated with this project.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington hereby authorizes and directs the Administration for the City of Burlington to waive all fees imposed by the City associated with the permits and/or approvals needed for the above project for the property situated at 23 West Union Street.

Upon the motion of Councilman Chachis, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Mr. Swan, Ms. Lollar. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Mercuri, Ms. Woodard. (2).

Resolution No. 171-2019*

RESOLUTION NO. 171-2019 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN RFP FOR QUALIFIED DEVELOPERS FOR THE PROPERTY IDENTIFIED AS OPPORTUNITY SITE #1 WITHIN THE NEW YORKSHIRE REDEVELOPMENT PLAN

WHEREAS, the City amended the New Yorkshire Redevelopment Plan in July of 2011, via Ordinance 09-2011, designating certain property as an Area in Need of Redevelopment; and

WHEREAS, the New Yorkshire Redevelopment Plan identifies several sites within the zone which present key opportunities for redevelopment; and

WHEREAS, the City desires to pursue redevelopment at one such site, designated as Opportunity Site #1 with the Redevelopment Plan, and identified on the Tax Map for the City of Burlington as Block 141, Lots 8, 9, 11, 12, 13, 14, 15, 16 and 17; and

WHEREAS, the Local Redevelopment & Housing Law, N.J.S.A. 40A:12A-8f, *et seq.*, provides the City with the authority to designate redevelopers to carry out the objectives of designated redevelopment areas; and

WHEREAS, in order to identify the most beneficial redeveloper for Opportunity Site #1, the City wishes to review proposals from qualified redevelopers prior to entering into a redevelopment agreement and designating a redeveloper; and

WHEREAS, in order to solicit proposals, the City wishes to issue a Request for Proposals (RFP) to develop Opportunity Site #1; and

NOW THEREFORE, BE IT RESOLVED that the City hereby authorizes its professionals and administrative staff to publish an RFP for potentially qualified developers to be designated as the redeveloper for Opportunity Site #1; and

BE IT FURTHER RESOLVED that upon receipt of proposals, the City will review and discuss the proposals timely received, and if necessary, invite potential developers to appear before the Common Council for further inquiry. Upon determining the most beneficial developer for the site, and upon confirming compliance with all terms and conditions of the RFP, the City shall designate one of the respondents as the developer for Opportunity Site #1, conditioned upon successfully negotiating and executing a redevelopment agreement, and upon satisfying all other prerequisites as required by law.

Approved by Consent Agenda. All were in favor.

Resolution No. 172-2019*

RESOLUTION NO. 172-2019 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN EVENT TO TAKE PLACE IN THE RIVERFRONT PARK AREA WHICH FEATURES A BEER COMPONENT

WHEREAS, the Colonial Burlington Foundation and the New Jersey Brewer’s Association wish to host a food, music, and beer festival within the City on August 17, 2019 to feature local food vendors, local and regional brewers, musicians, and to highlight the City’s history through the demonstration of historical brewing techniques (“the Event”); and

WHEREAS, through cooperation with the New Jersey Brewer’s Association, the City is able to feature the beer component of the Event, which is expected to bring revenue to the City and its businesses, and raise awareness of the City’s history; and

WHEREAS, Section 251–3 of the City Code prohibits alcoholic beverages of any kind from being allowed in any City park; and

WHEREAS, the Common Council for the City of Burlington wishes to make an exception to this general prohibition, temporarily waiving Section 251–3 for the limited time, scope, and location of this Event; and

WHEREAS, the Event is scheduled to take place on August 17, 2019 from 12:00PM through 6:00PM, with a rain date of August 18, 2019, in the Burlington City Riverfront Park area, confined to a fenced area opposite the bandstand.

NOW THEREFORE, BE IT RESOLVED that the City hereby authorizes the temporary waiver of Section 251–3 of the City Code as stated herein.

Approved by Consent Agenda. All were in favor.

Resolution No. 173-2019*

Common Council of the City of Burlington hereby authorizes Niagara Hose Co. #6 to conduct a “Pass the Boot” fundraiser at 656 High Street they having filed the necessary papers and pending the proper permits from the County of Burlington, on the following dates:

July 13, 2019	9:00am - 3:00pm
August 3, 2019	9:00am - 3:00pm
September 21, 2019	9:00am - 3:00pm

Approved by Consent Agenda. All were in favor.

Resolution No. 174-2019*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Charles T. Quigley, III, 6 Kilmer Court, Cinnaminson, N.J. to operate a business at 630 Route 130 South t/a “Burlington County Bike Shop.”

Approved by Consent Agenda. All were in favor.

Resolution No. 175-2019*

A resolution providing for a meeting not opened to the public in accordance with the provisions of the New Jersey Open Public Meetings Act. N.J.S.A. 10:4-12: Therefore be it resolved by the Common Council of the City of Burlington, assembled in public session on June 18, 2019, that an Executive Session Closed to the Public shall be held on June 18, 2019, in the Council Meeting Room for discussion of matters relating to the specific items designated in this resolution:

- Contracts/Real Estate N.J.S.A. 10:4-12(7) - 317-333 E. Federal Street

The nature of the discussion conducted in closed session and or the result thereof may be disclosed to the public in an open public meeting held in June of 2019 or shortly there after.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Marcelin Jean Pierre, 403 Jefferson Avenue, Edgewater Park, N.J. - spoke of his business at 609 Route 130; JiuJitsu / children age 4 to adulthood.

Paul Bracey, 12 Green Street, Mount Holly, NJ- spoke of segregation and crime in the City; spoke of Doty's Way; spoke of running a summer program.

David Dukerson, 60 Halston Lane, Willingboro, N.J.- reiterated comments made by Mr. Pierre regarding the JiuJitsu business on Route 130.

COUNCIL COMMENTS

President Lollar announced the presentation by the University of Penn Students' to be held tomorrow night.

Councilman Babula asked for an update on Pearl Pointe.

Mr. Harris spoke of a meeting held last week with Mr. Rivellini; the permits are under review; will have a report on Friday; construction should be starting soon.

Councilman Babula spoke of the Traffic Study to be done on Rutgers Avenue and the surrounding streets; spoke of concerns that Burlington Township did not need a study.

Ms. Crivaro advised President Lollar that we are looking for funding.

Mr. Ballard suggested it may come out of the roads line item.

President Lollar announced upcoming events.

CONFERENCES

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

EXECUTIVE CONFERENCES

- Proposed Acquisition of 317-333 E. Federal Street - Bill Harris, Director of Housing

ADJOURNMENT

Upon the motion of Councilwoman Hatala, seconded by Councilman Swan, this meeting of June 18, 2019 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk