

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JUNE 30, 2020, AT 7:00 PM, VIA ZOOM PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The following notice of the meeting was sent:

This Special Meeting was called pursuant to the provisions of the Open Public Meetings Law. Notice of this meeting was sent to the Burlington County Times and the Trenton Times, filed in the Office of the Municipal Clerk, posted on the bulletin board at the Municipal Building and the City of Burlington Website on June 24, 2020. Notices have remained continuously posted.

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., as amended by A-3850, and in consideration of Executive Orders No. 103 and 107, issued by Governor Murphy on March 9 and 21, 2020 respectively, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the City of Burlington does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, a Special meeting of the Common Council will be held on June 30, 2020 electronically only. Members of the public who wish to participate in the meeting may do so by calling in or joining at 7:00p.m using the information provided below. Individuals calling in or joining will be able to fully participate in the meeting, including providing public comment. A non-public dial in number will be used if executive session is required.

Join Zoom Meeting:

<https://us02web.zoom.us/j/2993296844?pwd=UURxMXhYMyxYXIUNUJZTHZwemxqQT09>

Dial: 1-646-558-8656

Meeting ID: 299 329 6844

Password: 863459

Cindy A. Crivaro, RMC
Municipal Clerk

The President of Council has requested that all cell phones be muted during this meeting. Thank you for your cooperation.

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, Chief Financial Officer- Ken Mac Millan, Director of Housing- Bill Harris, Municipal Attorney- Lou Garty, Chief of Police- John Fine, Director of Public Affairs- John Alexander, Municipal Engineer - Frank Morris.

SALUTE TO FLAG

CONSENT AGENDA

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

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS*

Each Citizen will be allotted up to two (2) minutes to speak, in order to allow everyone an opportunity to express their concerns.

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 167-2020

RESOLUTION TO AMEND ADOPTED BUDGET FOR AN AFRICAN AMERICAN CIVIL RIGHTS OF THE 20TH CENTURY GRANT FROM THE US DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE

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 an **African American Civil Rights of the 20th Century Grant** in the amount of \$500,000.00 from the US Department of the Interior National Park Service for improvements to the William R. Allen School;

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 2020 in the sum of \$500,000.00 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:

| | |
|---------------------------------------------------------------------------|----------------------|
| African American Civil Rights of the 20th Century Grant | \$ 500,000.00 |
|---------------------------------------------------------------------------|----------------------|

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 500,000.00 be and the same is hereby appropriated under the caption of:

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

African American Civil Rights of the 20th Century Grant \$ 500,000.00

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

Resolution No. 168-2020

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 \$20,913.60 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 2020 in the sum of \$20,913.60 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 \$ 20,913.60

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 20,913.60 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

\$ 20,913.60

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. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 169-2020

RESOLUTION TO AMEND ADOPTED BUDGET FOR A PRESERVATION GRANT FROM THE NJ HISTORIC TRUST

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 a **NJ Historic Trust Preservation Grant** in the amount of \$746,250.00 from the NJ Historic Trust for improvements to the William R. Allen School;

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 2020 in the sum of \$746,250.00 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:

NJ Historic Trust Preservation Grant

\$ 746,250.00

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 746,250.00 be and the same is hereby appropriated under the caption of:

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

NJ Historic Trust Preservation Grant

\$ 746,250.00

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. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 170-2020

RESOLUTION TO AMEND ADOPTED BUDGET FOR A SMALL CITIES CDBG GRANT FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS

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 **Small Cities CDBG Grant** in the amount of \$276,699.00 from the New Jersey Department of Community Affairs for ADA improvements to the William R. Allen School;

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 2020 in the sum of \$276,699.00 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:

Small Cities CDBG Grant \$ 276,699.00

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 276,699.00 be and the same is hereby appropriated under the caption of:

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

Small Cities CDBG Grant \$ 276,699.00

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. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 171-2020

RESOLUTION NO. 171-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE MUNICIPAL CLERK TO ISSUE A NOTICE AND SCHEDULE A HEARING RELATING TO THE POTENTIAL REVOCATION OF A LANDLORD REGISTRATION LICENSE

WHEREAS, on or about May 8, 2020, the Code official for the City of Burlington issued a Notice of Violation to the registered landlord for the property located at 225 St. Mary's Street, with the direction to the Landlord to correct or abate certain Code Violations listed in the Notice of Violations by no later than May 21, 2020 and the violations cited constitute major life safety hazards; and

WHEREAS, it appears that the owner of the subject property was served with a copy of the Notice by the Code Enforcement Official; and

WHEREAS, it appears that the Code Enforcement Official has indicated that the violations as set forth in the Notice have not been abated by the landlord; and

WHEREAS, under the City's Code, an annual registration of is due to be filed by January 31st of each year, with the payment of the required fee due also due by January 31. The Code Officer determined that the registration submitted contained false information in violation of City Code; and

WHEREAS, based upon the violations cited and the failure to abate them as directed, in conjunction with the submission of what appears to be false or inaccurate information on the annual registration form and the failure to abate the violations and pay all required fees within the time required in the Notice issued, as authorized by City Code as the Mayor's designee, the Code Enforcement Officer has requested that the Notice of Violation be referred to the Common Council for a hearing by Council on whether to revoke or suspend the license to operate this property as well as any other properties within the City of Burlington; and

WHEREAS, under the City's Code pursuant to Code §195-43 (D)(2), the Municipal Clerk would issue the Notice of a Hearing and schedule a hearing for the purpose of Council determining whether to take action on the subject Landlord Registration.

NOW THEREFORE, BE IT RESOLVED that the Municipal Clerk is hereby authorized to issue a Notice of Hearing to the subject landlord and its agent or representative and to schedule the matter for a hearing for the purpose of Council determining whether to take action (including suspension or revocation) on the subject Landlord Registration, including whether to revoke or suspend the license of the landlord as to the subject property and/or other properties in the City

of Burlington; and

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby authorized to issue such Notice of a Hearing to the Landlord pursuant to Code §195-43 (D)(2), and to schedule a Hearing in consultation with the Solicitor, as to the ability to conduct such a hearing via remote video or other remote access and is authorized to distribute the Notice and supporting materials based upon the advice of the Solicitor and based upon such additional information and materials as may be provided by the Code Enforcement Officer and/or Solicitor in issuing the Notice of Hearing and in preparation for the Council to conduct a Hearing on the Landlord Registration or license as to 225 St. Mary's Street and other registered rental properties in the City of Burlington.

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).

Resolution No. 172-2020*

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 30, 2020, that an Executive Session Closed to the Public shall be held on June 30, 2020, 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) 302 Commerce Square Boulevard (YMCA)

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 2020 or shortly there after.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Sam Ritcher, 400 Wood Street- commented on the proposed business loan program discussed at the last meeting to assist business owners in town; Council decided on loans instead of grants.

COUNCIL COMMENTS

Councilman Babula thanked and complemented Officer Eric Johnson and Officer Jeff Green on helping a woman at Burlington Point who was having a stroke; spoke of Main Street and the Chamber and the need to keep the sidewalks clean and weeding the tree boxes, some look fine, others need help.

Resolution No. 174-2020

Councilman Chachis offered the following motion:

I move that a redevelopment ordinance be drafted that adopts the Land Use Board response to Burlington City Council Resolution No. 148-2019 that recommends that any potential proposed

medical marijuana facility be restricted to either of two specific sites: one on Route 130 and the other in Commerce Square, both described in the Board's response to Council last fall. The primary recommended site with Industrial District I-1 Commerce Square would be designated for cultivation, manufacturing, processing, and packaging, testing, wholesale distribution/transportation and the sale of medical marijuana and medical marijuana products through licensed dispensaries. The secondary recommended site would be within Highway Corridor District HC-2 limited to sale of medical marijuana and medical marijuana products through licensed dispensaries and further limited by specific conditions and requirements determined by the Burlington City Council.

It was seconded by Councilwoman Woodard.

On the question, Councilwoman Hatala suggested it was up to the Council President.

Councilman Chachis said he wanted this on tonight, it's been since August.

Councilwoman Hollingsworth spoke of reports prepared by the LUB with a recommendation.

The foregoing 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).

Councilwoman Hatala spoke of upcoming improvements on Route 130 relating to drainage in front of Lucas Ford and Burlington Chevrolet.

Mr. Morris said they were suppose to start shortly after June 1st.

Councilwoman Hatala suggested that COVID 19 held up the work.

Mr. Morris spoke of a June 4th preconstruction meeting.

Councilwoman Hollingsworth spoke of the 202 Census; spoke of a grant for the Allen School.

Councilman Swan spoke of Talbot Street in bad shape due to work by Public Service.

Councilwoman Woodard spoke of the grant for the Allen School; what will the money be used for, what is the intent.

Mr. Harris spoke of 5 million dollars in State and Federal funding; it will be used for internal and ADA improvements I accordance with the UCC so it can be occupied by BCAP.

Councilwoman Woodard spoke of a resolution introduced by the State Assembly and Resolution 145 adopted by the Board of Chosen Freeholders in the County amending the State Constitution on slavery, prohibiting slavery; would like a resolution for the next meeting.

CONFERENCES

- Business Micro-Grants
- Business Parklet Options

RESOLUTIONS

Resolution No. 173-2020

RESOLUTION NO. 173-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON RATIFYING AND AUTHORIZING THE USE OF FUNDS DONATED BY THE CITY'S PROFESSIONALS AND OTHER CORPORATE PARTNERS TO FUND "MICRO-GRANTS" OF BETWEEN \$500.00 - \$1,500.00 TO PROVIDE RELIEF TO EXISTING CITY BUSINESSES DURING THE COVID-19 EMERGENCY

WHEREAS, on March 9, 2020, the Governor of the State of New Jersey issued Executive Order 103, declaring a State of Emergency and a Public Health Emergency in response to the outbreak of the COVID-19 pandemic within the State of New Jersey; and

WHEREAS, on March 16, 2020, the Governor of the State of New Jersey issued Executive Order 104, which, among other provisions, provided that "All restaurants, cafeterias, dining establishments, and food courts, with or without a liquor license, all bars and all holders of a liquor license with retail consumption privileges, are permitted to operate during their normal business hours, but are limited to offering only food delivery and/or take out services, in accordance with their existing liquor licenses;" and

WHEREAS, the Governor has continued to issue various Executive Orders designed to promote public safety and also to enable businesses and public facilities to re-open in a safe and responsible manner; and

WHEREAS, the Mayor and Common Council of the City of Burlington recognize that the COVID-19 pandemic has dramatically impacted the State and local economy and the residents and businesses in the City of Burlington; and

WHEREAS, the impact of the COVID-19 State of Emergency has affected many businesses in terms of their financial circumstances, including the ability of businesses to pay their employees, rent, utilities and other expenses; and

WHEREAS, the Mayor and his Administration and the members of the Common Council have been working with the City of Burlington's business community to enact measures designed to assist established businesses in the City to meet their immediate and pressing financial needs; and

WHEREAS, a number of the City's professionals as well as other corporate partners, all with longstanding relationships with the City of Burlington and its small business community, have pledged to support the City's businesses by voluntarily donating funds to the City's Urban Development Action Grant ("UDAG") account in order to specifically provide funding for micro-grants in the amount of \$500.00 - \$1,500.00 per business through the City's UDAG

account for the purpose of providing short term funding for economic relief to City businesses faced with significant business interruption and financial challenges during the COVID-19 pandemic; and

WHEREAS, the Common Council determined that instead of utilizing its UDAG program, that such funds be distributed as grants which funds would be collected by the Historic Yorkshire Alliance (“HYA”) a local non-profit entity designated for that purpose of collecting and administering such funds and in which the HYA would review applications by businesses seeking potential funding, would screen them, interview Applicants and award funding of between \$500 to \$1500 to existing businesses in the City of Burlington based upon its determination of need; and

WHEREAS, the pledge of contributions by the City’s professionals will assist the City’s small businesses in meeting certain immediate financial needs during the state of emergency, with the request that all fees for grant applications would be waived; and

WHEREAS, in order to assist these businesses, the Common Council of the City of Burlington does hereby ratify and approve the use of the contributions received consistent with the provisions in this Resolution, the Common Council finds it in the best interests of the City to have the applications of the potential recipients of these funds reviewed, screened and awarded by the Historic Yorkshire Alliance, with the request that any application fees or other fees for the receipt of such funds be waived by the Historic Yorkshire Alliance.

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

1. The Common Council of the City of Burlington does hereby ratify and approve the use of the financial contributions received from the City’s professionals to fund micro-grants of between \$500 to \$1500 per business for established businesses in the City with the application to be administered by the Historic Yorkshire Alliance with the HYA hereby designated for that purpose, which includes collecting and administering such funds. In addition, the HYA would review applications by businesses seeking potential funding, would screen them for need and qualification as appropriate, interview Applicants and award funding of between \$500 to \$1500 to existing businesses in the City of Burlington based upon its determination of need; and

2. The Common Council of the City of Burlington does hereby ratify and approve the use of the contributions received consistent with the provisions in this Resolution, with the request that any application fees or other fees for the receipt of such funds be waived by the Historic Yorkshire Alliance.

BE IT FURTHER RESOLVED, that the Common Council of the City of Burlington does hereby support and encourage its citizens to continue to strictly comply with the emergency measures implemented by the Governor of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Burlington does hereby support and encourage its citizens and businesses to strictly comply with recommendations relating to “social distancing” designed to decrease the rate of transmission; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Burlington does hereby support and encourage its citizens to strictly comply with regulations implemented by Burlington County, and by the City of Burlington as being necessary and an important part of the communal strategy to prevent the spread of this virus by working together, and the fact that higher rates of survival and lower rates of transmission are dependent upon mutual coordination and compliance with these adjustments to our daily lives.

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

Councilwoman Hollingsworth then made a motion to amend this resolution to allow the Historic Yorkshire Alliance to administer the Micro-Grants. It was seconded by Councilman Swan.

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

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

EXECUTIVE CONFERENCES

- 302 Commerce Square Boulevard (YMCA)

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilman Swan, this meeting of June 30, 2020 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

