

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JUNE 13, 2023, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

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 13, 2023, at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC  
Municipal Clerk

The 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.

Governing Body Members present: Dawn Bergner-Thompson, George Chachis, Xavier Roque, Suzanne Woodard

Absent: Dave Babula, Roosevelt Smith, Denise Hollingsworth

Also present: Mayor Barry Conaway, Administrator Johanna Conyer, Municipal Attorney Stuart Platt, Director of Housing Bill Harris, Director of Public Affairs John Alexander, Police Lt. Joe Caruso

### **INVOCATION**

Rev. Dee Ann Waite of Fighting for Christian Ministries

### **SALUTE TO FLAG**

### **PRESENTATIONS**

Lynette Miller, Tax Collector - 2023 Female Leader in Government  
Phyllis McLin - 2023 Female Entrepreneur- Clique Salon and Spa

### **EXPLANATION OF ORDINANCES ON SECOND READING**

Johanna Conyer, Administrator 06-2023

### **EXPLANATION OF RESOLUTIONS**

Johanna Conyer, Administrator 130-2023 & 136-2023

### **PUBLIC COMMENTS**

Phil Augustyn, 307 High Street – spoke of the Garden Party at the Revell House; spoke of the red, white, and blue lights hung in town for Memorial Day, asked if they can remain up all summer.

Rashuana Johnson, 741 Woodland Road, Edgewater Park, NJ – spoke as a business owner in town; owns two businesses at 400 High Street, Suite C; spoke of loitering and vandalism at her businesses; asked for protection; the 400 block of High Street is not safe.

Doug Ghaul, 812 Bordentown Road – asked for the status of the request for speed humps on Bordentown Road.

Ms. Conyer said there was a meeting recently and it is moving forward.

Claudine Conaway, 110 James Street – spoke of the street name, W. Delaware Avenue, was changed; would like to know when it was changed and why.

Mr. Platt suggested the City Administration look at the history of street maps.

Ernestine Brown, 36 E. Federal Street – spoke of an incident in front of her home; stated the city posted it on the City website; spoke of being harassed at her home.

### **CONSENT AGENDA**

Councilwoman Woodard moved that all Consent Agenda items be approved. It was seconded by Councilman Roque. All were in favor.

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

Approved by Consent Agenda. All were in favor.

## **CORRESPONDENCE FOR MAY 2023**

### **REPORTS - VARIOUS CITY DEPARTMENTS**

05-10 Monies collected by the Municipal Clerk's Office for the month of April 2023

05-11 Monies collected by the Municipal Clerk's Office for the month of March 2023

### **PETITIONS OF APPEALS**

05-40 Block 9032, Lot 44- 446 High St 2023 Tax Appeal

### **PARADE PERMIT APPLICATIONS**

05-50 Memorial Day parade Route

### **CORRESPONDENCE FROM CITY ORGANIZATIONS**

05-70 Annual Drinking Water Quality Report For year 2023, results from 2022

05-71 OEM Proclamation rescinding Covid 19 Emergency Declaration 3/18/20

05-72 Housing Authority June meeting changed to June 29.

### **CORRESPONDENCE FROM BURLINGTON COUNTY - VARIOUS DEPARTMENTS**

05-80 Burl County Memorial Day Service @ Burl Twp. on 5/30/23 at 1100 am

05-81 200 Club Dinner June 2, 2023

05-82 Burl County upcoming community outreach email CC

**MISCELLANEOUS CORRESPONDENCE**

05-100 Tatham Mews LLC MOU termination notice from Del Duca, Lewis & Berr dated 5/5/23  
05-101 Endeavor April 2023 report

**FLYERS**

05-300 2022 Citizen of the Year Dinner May 17 @ Riverview  
05-301 Sent again on 5/11/23

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

**APPROVAL OF MINUTES\***

Approved by Consent Agenda. All were in favor.

**ORDINANCE(S) - SECOND READING & FINAL DISPOSITION**

**CALENDAR YEAR 2023**

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

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

**WHEREAS**, the Common Council of the City of Burlington in the County of Burlington finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

**WHEREAS**, the Common Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$ 164,819.27 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS** the Common Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Common Council of the City of Burlington, in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the City of Burlington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 576,867.44, and that the CY 2023 municipal budget for the City of Burlington be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Upon the motion of Councilwoman Woodard, seconded by Councilman Smith, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

None.

This ordinance was then adopted by the following roll call vote: AYES: Ms. Bergner-Thompson, Mr. Chachis, Mr. Roque, Ms. Woodard. (4); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula, Ms. Hollingsworth, Mr. Smith. (3).

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 130-2023

RESOLUTION NO. 130-2023 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON, RESCINDING RESOLUTION NO. 250-2022

WHEREAS, on December 6, 2022, Common Council of the City of Burlington (“Council”) adopted and memorialized Resolution 250-2022 wherein Council, acting as Redevelopment Authority, declared the Property known as Block 94, Lots 2, 2.01, 2.02 and 3.02 in the City of Burlington, and Block 96, Lot 1 in the City of Burlington as an area in need of redevelopment under the Local Housing and Redevelopment Law;

WHEREAS, on January 27, 2023, various parties filed a lawsuit entitled, “Parkway Generation Operating, LLC v. The City of Burlington” challenging the area in need of redevelopment designation;

WHEREAS, the parties entered into a Settlement Agreement wherein consideration for the dismissal of the lawsuit, the City agreed to rescind Resolution No. 250-2022 without prejudice;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that Resolution No. 250-2022 is rescinded without prejudice in accordance with the Settlement Agreement entered into between Parkway Generation Operating, LLC and Public Service Electric and Gas Company and the City of Burlington, dated May 16, 2023.

Upon the motion of Councilman Roque, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Ms. Bergner-Thompson, Mr. Chachis, Mr. Roque, Ms. Woodard. (4); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula, Ms. Hollingsworth, Mr. Smith. (3).

Resolution No. 131-2023\*

RESOLUTION NO. 131-2023 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSES, PLENARY DISTRIBUTION ALCOHOLIC BEVERAGE LICENSES AND ALCOHOLIC BEVERAGE CLUB LICENSES

WHEREAS, all of the following applicants have applied for renewal of existing licenses for the year 2023-2024:

**Italian American Roma Club**  
**739 Lincoln Avenue (0305-31-029-001)**

**Oneida Boat Club**  
**3 York Street (0305-31-031-001)**

**Keim Boulevard Beverage Co. LLC**  
**3 Keim Boulevard (0305-33-023-004)**

**Peak & Peak, LLC**  
**148 W. Broad Street (0305-33-006-005)**

**G & G Business, Inc.**  
**240 Rte 130 S @ Jacksonville Road (0305-44-018-008)**

**AP Liquor Inc.**  
**653 High Street (0305-44-014-005)**

**Slade Valentine American Legion Post 336**  
**149 Linden Avenue (0305-31-025-002)**

**TIPJ Enterprises, Inc.**  
**703 Route 130 North (0305-44-017-005)**

**273 Route 130 Enterprise LLC  
273 Route 130 South (0305-33-11-006)**

**Union Street Hospitality, LLC  
19 E. Union Street (0305-33-019-008)**

**River City Spirits, LLC  
318 High Street (0305-33-020-009)**

**Curtins Wharf Inc.  
501 East Pearl Street (0305-33-005-003)**

WHEREAS, all applicants for Plenary Retail Consumption Alcoholic Beverage Licenses, applicants for Plenary Retail Distribution Alcoholic Beverage Licenses and Club Alcoholic Beverage Licenses have submitted renewal application forms, which forms are complete in all respects; and

WHEREAS, all applicants for Plenary Retail Consumption Alcoholic Beverage Licenses, applicants for Plenary Retail Distribution Alcoholic Beverage Licenses and Club Alcoholic Beverage Licenses have paid all fees and have obtained tax clearance through the State of New Jersey, Division of Taxation; and

WHEREAS, these applicants are qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws; and

NOW, THEREFORE BE IT RESOLVED on this 13<sup>th</sup> day of June 2023 by the Common Council, of the City of Burlington, County of Burlington, State of New Jersey, that:

Each of the aforesaid applications are hereby approved and the Municipal Clerk is authorized and directed to issue the appropriate licenses applied for by each of said applicants.

Approved by Consent Agenda. All were in favor.

Resolution No. 132-2023\*

RESOLUTION NO. 132-2023 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPOINTING A SLEO II FOR A ONE YEAR TERM

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

WHEREAS, City Chief of Police John Fine has recommended to the Common Council the appointment of a Special Officer pursuant to Chapter 2, Section 28 of the City Code.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby appoints Stephen Hesson as a SLEO II for a one-year term commencing on June 13, 2023.

Approved by Consent Agenda. All were in favor.

Resolution No. 133-2023\*

RESOLUTION NO. 133-2023 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE ISSUANCE OF A MERCANTILE LICENSE TO OPERATE A BUSINESS AT 240 US RT 130, UNIT 1

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

WHEREAS, the City of Burlington has received a complete application for the issuance of a mercantile license to Yasmeen Hickson to operate a hair salon at 240 US Rt. 130, Unit 1, Burlington, NJ; and

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Yasmeen Hickson to operate a business at 240 US Rt. 130, Unit 1, t/a “Pretty Girls Hair Boutique”.

Approved by Consent Agenda. All were in favor.

Resolution No. 134-2023\*

RESOLUTION NO. 134-2023 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE ISSUANCE OF A MERCANTILE LICENSE TO OPERATE A BUSINESS AT 684 HIGH STREET

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

WHEREAS, the City of Burlington has received a complete application for the issuance of a mercantile license to Precious Neyor to operate a hair salon at 684 High St., Burlington, NJ; and

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Precious Neyor to operate a business at 684 High Street, t/a “Bella’s Braiding”.

Approved by Consent Agenda. All were in favor.

Resolution No. 135-2023\*

RESOLUTION NO. 135-2023 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE ISSUANCE OF A MERCANTILE LICENSE TO OPERATE A BUSINESS AT 445 KEIM BOULEVARD

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

WHEREAS, the City of Burlington has received a complete application for the issuance of a mercantile license to Tural Nuri to operate a used car lot at 445 Keim Boulevard, Burlington, NJ; and

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Tural Nuri to operate a business at 445 Keim Boulevard, t/a “GTA Motor Auto”.

Approved by Consent Agenda. All were in favor.

Resolution No. 136-2023

RESOLUTION NO. 136-2023 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING A MEMORANDUM OF AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF CHILDREN AND FAMILIES, OFFICE OF RESILIENCE FOR THE POLICE-YOUTH INITIATIVE GRANT PROGRAM

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

WHEREAS, the Police-Youth Initiative Grant Program was created to foster a trusting relationship between the community and law enforcement; and

WHEREAS, the Burlington City Police Department has submitted a funding request for several functions throughout 2023 totaling \$59,000; and

WHEREAS, the New Jersey Department of Children and Families, Office of Resilience (the “DCF”) has issued a Memorandum of Agreement to memorialize the responsibilities and obligations of the Burlington City Police Department and the DCF in relation to those funds.

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Burlington hereby authorizes and approves the Memorandum of Agreement with the New Jersey Department of Children and Families, Office of Resilience for the Police-Youth Initiative Grant Program.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized and directed to execute the Memorandum of Agreement and any additional documentation necessary to effectuate this Resolution.

Upon the motion of Councilman Roque, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Ms. Bergner-Thompson, Mr. Chachis, Mr. Roque, Ms. Woodard. (4); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Babula, Ms. Hollingsworth, Mr. Smith. (3).

**PROJECT UPDATE**

Amphitheater

Ms. Conyer spoke of the State Historic Preservation Office having questions about the project; the City will appear before the City of Burlington Historic Preservation Commission in July, submit documentation to the State HPO and request funding followed by the preparation of specs to issue an RFP; will also request approval to build on Green Acres.

### **COUNCIL COMMENTS**

Councilwoman Bergner-Thompson spoke of the Annual Fishing Derby; thanked the Public Works Department and the Police Department for their assistance with the event.

Councilwoman Woodard spoke of a Ward 1 Community Meeting on Saturday, June 17<sup>th</sup>, 12-2pm at Sisterhood.

VP Chachis asked for the status of the Allen School.

Mr. Harris spoke of drawings under review by the National Park Service; minor changes were submitted 3 weeks ago.

Councilwoman Woodard asked for an update on her request a future Council discussion on the potential for a parking lot at E. Federal and Lawrence Streets.

Ms. Conyer said she spoke with the City Engineers; they are coming up with a few options for material; it is moving forward.

### **ADJOURNMENT**

Upon the motion of Councilwoman Woodard, seconded by Councilman Roque, this meeting of June 13, 2023, was adjourned.

---

Cindy A. Crivaro, RMC  
Municipal Clerk