

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JUNE 20, 2023, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

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.

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 20, 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

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

Absent: Denise Hollingsworth

Also present: Mayor Barry Conaway, Administrator Johanna Conyer, Daniel DiGangi, Finance Consultant, Municipal Attorney Stuart Platt, Director of Housing Bill Harris, Director of Public Affairs John Alexander, Director of Public Works Bill Curry, Police Chief John Fine.

MOMENT OF SILENCE

SALUTE TO FLAG

Vice President Chachis announced that a Special Meeting of the Common Council will be held next Tuesday, June 27, 2023, at 7pm for the purpose of introducing an Open Container Ordinance. All were in favor.

EXPLANATION OF RESOLUTIONS

Johanna Conyer, Administrator 138-2023

PUBLIC COMMENTS

Derrick Owings, 203 Wood Street – spoke as a representative of the Arts Guild in favor of the Open Container Ordinance.

Jim McCreary, 43 Riverbank - spoke in favor of the Open Container Ordinance.

Phil Augustyn, 307 High Street - spoke in opposition to the Open Container Ordinance.

Sam Richter, 2 E. Pearl Blvd.- spoke in opposition to the Open Container Ordinance.

Sharon Watkins, 130 E. Federal Street- thanked the Public Works Department for painting lines and gutters on her street.

Donnamarie Mazzola, 12 W. Pearl Street – spoke as the President of Main Street in favor of the Open Container Ordinance.

Karen Richter, 816 Mount Road – suggested splash pads for kids.

Claudine Conaway, 110 James Street - spoke in favor of the Open Container Ordinance.

CONSENT AGENDA

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

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

2023 BUDGET PRESENTATION

Daniel DiGangi, Finance Consultant, gave a powerpoint presentation.

Councilman Babula asked for the status of the purchase of police vehicles.

Ms. Conyer spoke of the inability of a vendor to secure the vehicles; there is a line item for vehicles.

Councilman Babula asked why Council did not meet with the Department Heads.

Ms. Conyer responded that they met with the Administration this year, and the process changed.

Councilman Babula asked for the status of the P/T employee for the Clerk's Office.

Ms. Conyer suggested that this is approving the budget, not specific items.

Councilman Babula suggested that a copy of the powerpoint should have been provided beforehand.

Ms. Conyer said the Bond Rating is excellent.

Councilman Babula suggested that the grant funds are abnormally low.

Mr. DiGangi indicated that the city is in the process of accumulating grant awards.

Councilman Babula spoke of a \$600,000 difference.

Mr. DiGangi suggested it would be reviewed later off-line.

Councilman Babula spoke of errors.

Mr. DiGangi said it is a State document that can't be changed.

Councilman Babula suggested a holding a Budget Work Session, in open, with the Department heads.

Mr. DiGangi spoke of the capital items as a generic plan; none are budgeted; a capital ordinance will be introduced.

Councilman Babula suggested that it should have been discussed prior to the budget adoption.

2023 BUDGET PUBLIC HEARING

None.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 137-2023 Adopting the 2023 Municipal Budget in the amount of \$9,000,811.52 to be raised by taxation for municipal purposes.

Upon the motion of Councilwoman Woodard, seconded by Councilman Smith, the foregoing resolution was adopted by the following roll call vote: AYES: Ms. Bergner-Thompson, Mr. Chachis, Mr. Roque, Mr. Smith, Ms. Woodard. (5); NAYS: Mr. Babula, (1); ABSTAIN: (0); ABSENT: Ms. Hollingsworth. (1).

Resolution No. 138-2023

RESOLUTION NO. 138-2023 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING CHANGE ORDER #1 TO THE PROFESSIONAL SERVICES CONTRACT WITH OWEN, LITTLE & ASSOCIATES, INC., FOR CERTIFIED FLOODPLAIN MANAGEMENT SERVICES

WHEREAS, the Common Council of the City of Burlington awarded a contract for Certified Floodplain Management (CFM) services in 2023 to Owen, Little & Associates, Inc., of 442 Atlantic City Boulevard, Beachwood, New Jersey 08722, via Resolution No. 37-2023, on January 3, 2023, in the amount of \$12,000.00; and

WHEREAS, the Federal Emergency Management Administration (FEMA) notified the City of Burlington that the agency's Five-Year Community Rating System (CRS) Cycle Review had to be completed in 2023 to evaluate the City's compliance with FEMA's regulations; and

WHEREAS, such technical and regulatory work is above and beyond the routine CFM's construction plan review and flood elevation certificate review services that were proposed by Owen, Little & Associates, Inc., LLC, to the City for the current year contract; and

WHEREAS, the City Administration has determined that the services of Owen, Little & Associates, Inc., were required to assist the City in completing the Five-Year CRS Cycle Review for submission to FEMA and that \$12,000 in additional funding is needed to cover the cost of the firm's CFM services to the City for the remainder of 2023 after covering the cost of completing said report; and

WHEREAS, funding is available for this change order in account #3-01-20-171-023 of the 2023 Housing & Community Development Department temporary budget to cover the cost of proposed Change Order #1 to the City's 2023 contract with Owen, Little & Associates, Inc.

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 Change Order No. 1 to amend the contract between the City of Burlington and Owen, Little & Associates, Inc., for the sum of \$12,000.00 for additional CFM services as described above; and.
2. The revised total compensation to Owen, Little & Associates, Inc., for said services shall be increased to \$24,000.00.

Upon the motion of Councilwoman Woodard, seconded by Councilman Smith, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Bergner-Thompson, Mr. Chachis, Mr. Roque, Mr. Smith, Ms. Woodard. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hollingsworth. (1).

Resolution No. 139-2023*

RESOLUTION NO. 139-2023 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REFUNDING OVERPAYMENT OF TAXES DUE TO DUPLICATE PAYMENT

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, an overpayment of 2022 and/or 2023 taxes has occurred on the properties identified herein due to a duplicate payment.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby authorizes the Chief Financial Officer to issue a refund check for 2022 and 2023 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>	<u>Year</u>
222	79	Skyliner Homes, LLC	\$1,367.27	2023
141	30	Curtis J. Nuness, Jr.	\$769.88	2023
91	13	Michael Ebert	\$65.00	2022

Approved by Consent Agenda. All were in favor.

Resolution No. 140-2023*

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss the following matters pursuant to N.J.S.A. 10:4-12(9):

- Senior Housing Project (Conifer) - Negotiations

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Burlington that the public be excluded from this meeting.

Approved by Consent Agenda. All were in favor.

Resolution No. 141-2023*

RESOLUTION NO. 141-2023 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON, NEW JERSEY, SUPPORTING RevolutionNJ

WHEREAS, Governor Philip Murphy and the New Jersey State Legislature created RevolutionNJ in 2018 to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States, New Jersey's pivotal role in the American Revolution, and the contributions of its diverse peoples to the nation's past, present, and future; and

WHEREAS, the New Jersey Historical Commission, under the leadership of Secretary of State Tahesha Way, with its non-profit partner Crossroads of the American Revolution established RevolutionNJ to advance the role that history plays in public discourse, community engagement, education, tourism, and scholarship in New Jersey; and

WHEREAS, RevolutionNJ will engage New Jerseyans in all 21 counties and 564 municipalities through its officially recognized programs, initiatives, and events over the next ten years; and

WHEREAS, it is fitting and desirable that we commemorate the beginning of the Nation and the role New Jersey played over the past 250 years as well as its present and future role as part of the United States, with particular focus on the individuals, ideas, and events that shaped our Country, State, and City of Burlington]; and

WHEREAS, RevolutionNJ will consider the role New Jersey played during the American Revolution, when it saw more battles and skirmishes than any other state and was truly the Crossroads of the American Revolution; and

WHEREAS, RevolutionNJ will highlight the role New Jerseyans played beyond the battlefield during the American Revolution, when people of diverse backgrounds contributed to the development of the State and the Nation in various ways and fought for the right to life, liberty, and the pursuit of happiness; and

WHEREAS, preserving, studying, and enjoying state history strengthens communities and builds bonds between New Jersey residents as we work together toward the goals of justice and equality embedded in the United States Constitution,

NOW, THEREFORE, BE IT RESOLVED, that the City of Burlington hereby endorses RevolutionNJ and its mission to advance the role that history plays in public discourse, community engagement, education, tourism and scholarship in New Jersey.

IT IS FURTHER RESOLVED that:

1. The City of Burlington, NJ, commemorates the 250th anniversary of the establishment of the United States as an independent Nation.
2. The Common Council of the City of Burlington authorizes the appointment of a committee to develop a plan for this commemoration that will promote the maximum involvement of our residents, neighborhoods, businesses, schools, civic organizations, and institutions in the commemorations.

The Common Council of the City of Burlington further urges all its residents to reflect upon the significance of this event and the role that our State and its diverse people have played in the history and development of our Nation and to participate in this important commemoration, endeavoring to include the stories of all those whose lives are part of the history of what we now know as New Jersey, and understanding that the Revolution continues today as we uphold the revolutionary ideals articulated in our founding documents.

Approved by Consent Agenda. All were in favor.

Resolution No. 142-2023*

RESOLUTION NO. 142-2023 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:

Doc's Pub, LLC
100-104 Jones Street (0305-33-016-003)

Tadeuz Kosciuzko Club
York Street & Route 130 (0305-31-035-001)

RW Burlington, LLC
811 Route 130 North Suite 2 (0305-44-007-007)

Harshiv Inc.
Route 130 and Mc Neal Street (0305-32-022-009)

Burlington General Store, LLC
219 High Street (0305-33-024-005)

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 12th 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.

COUNCIL COMMENTS

EXECUTIVE CONFERENCES

1. Senior Housing Project (Conifer) - Negotiations

ADJOURNMENT

Upon the motion of Councilwoman Woodard, seconded by Councilman Smith, this meeting of June 20, 2023, was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

