

Resolution No. 227-2022
Resolution No. 229-2022
Resolution No. 230-2022

Dave Ballard, Administrator
Dave Ballard, Administrator
Bill Harris, Director of Housing

Council President Hollinsworth announced that this is Administrator Dave Ballard's last Council Meeting; he will be retiring after 11+ years of service; introduced the new Deputy Clerk, Michael Gollnick.

PUBLIC COMMENTS

John Strydesky, 812 N. Wood Avenue, Linden, NJ- thanked Dave Ballard for his service to the City.

Phil Augustyn, 307 High street- spoke of signs stolen and vandalism in town; new trash regulations working well, suggested fining those who abuse.

Claudine Archer, 46 E. Oaks Road, Willingboro, NJ with an office on Sunset Road- spoke of resources offered by her organization for those in need.

Karen Richter, 816 Mount Road- also spoke of support services.

CONSENT AGENDA

Councilman Chachis 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 RECEIVED - September 2022

REPORTS - VARIOUS CITY DEPARTMENTS

09-10 Monies collected by the Municipal Clerk's Office for the month of August 2022- \$50.00

PARADE PERMIT APPLICATIONS

09-60 September 16 Tabernacle Bap Church, October 8 (8a-11a) High St to River.

CORRESPONDENCE FROM CITY ORGANIZATIONS

09-80 September 16 Friends of Burlington Island

09-81 September 22 Greater Burl Chamber of Commerce Dinner (Union House)

CORRESPONDENCE FROM BURLINGTON COUNTY - VARIOUS DEPARTMENTS

09-90 September 23 General Election (Nov 8) New polling Location (Smith School)

MISCELLANEOUS CORRESPONDENCE

09-200 September 12 Alaimo Group Landfill Closure/Post Closure Project

09-201 September 15 VC Brands Dist Ctr 6 Campus Dr Closure

09-202 September 1 SCUGS notice of Public Hearing for NJ Transit (SCDRTAP)

09-203 September 23 Sound off NJ Legislative Conference in AC
09-204 September 29 Anonymous letter ref trailer parking in Fawn Hallow

NOTICES OF FORECLOSURES

09-300 September 21 503 Duser Rd

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

BOND ORDINANCE NO. 06-2022 OF THE CITY OF BURLINGTON AUTHORIZING SUPPLEMENTAL FUNDING FOR THE CONSTRUCTION OF A BANDSTAND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$1,500,000; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,425,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the City Council of the City of Burlington, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purpose described in Section 7 hereof is hereby authorized as a general improvement to be made or acquired by the City of Burlington, County of Burlington, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purpose stated in Section 7 hereof is \$1,500,000; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is up to \$1,425,000; and
- (c) a down payment in the amount of \$75,000 for the purpose stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$1,425,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$75,000, which amount represents the required down

payment, are hereby appropriated for the purpose stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$1,425,000 to finance the costs of the purpose described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purpose described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$1,425,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$100,000.

Section 7. The improvement hereby authorized and the purpose for which said obligations are to be issued; the estimated costs of said purpose; the amount of down payment for said purpose; the maximum amount obligations to be issued for said purpose and the period of usefulness of said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A.	Supplemental Funding for the Construction of a Bandstand on the Promenade, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	\$1,500,000	\$75,000	\$1,425,000	20 years

Section 8. Grants or other monies, other than those listed in Section 7 above, received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purpose described in Section 7 above.

Section 9. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of

Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$1,425,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The improvement authorized hereby is not a current expense and is an improvement that the City may lawfully make. No part of the cost of the improvement authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. All ordinances or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 21-2022 OF THE CITY OF BURLINGTON APPROVING A FLOOD BARRIER EASEMENT RELATIVE TO THE PROPERTY DESIGNATED AS BLOCK 25, LOT 13, CITY OF BURLINGTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY AND AUTHORIZING THE EXECUTION OF ALL DOCUMENTS NECESSARY TO IMPLEMENT SAID FLOOD BARRIER EASEMENT

WHEREAS, the City of Burlington is the owner of the Right-of-Way ("ROW") of West Broad Street, Burlington, New Jersey, adjacent to the property located at 218 West Broad Street, Burlington, New Jersey 08016 also known as Block 25, Lot 13 on the Official Tax Map of the City of Burlington; and

WHEREAS, 218 W. Broad Street, LLC is the owner of property located at 218 West Broad Street, Burlington, New Jersey 08016 also known as Block 25, Lot 13 on the Official Tax Map of the City of Burlington; and

WHEREAS, the Grantor herein conveys a Flood Barrier Easement to the Grantor's ROW for the purpose of installing and maintaining FEMA required and the City Joint Land Use Board approval dated April 27, 2022 as contained in Resolution No. 18-2022 ("Approval") on the building at 218 W. Broad Street during times of threatened flooding in the City, in accordance with the filed Site Plan Sheet 1, dated June 9, 2017, last revised June 3, 2022, said Flood Barrier Easement being described as follows: The flood barriers permitted to be installed on the front of the building at 218 W. Broad Street (Block 25, Lot 13) by this Flood Barrier Easement will protrude into the City's ROW approximately 8 inches for the small window barriers and 36 inches for the large window and door barriers. None of the barriers will extend so far into the ROW on West Broad Street to block the existing sidewalk "(Flood Barrier Easement)"; and

WHEREAS, the Grantor hereby conveys to the Grantee, its heirs and assigns, the above-described Flood Barrier Easement for the purposes hereinabove stated, together with the free and full right for it, its heirs, assigns and successors in title the use of it so long as the building at 218 W. Broad Street continues in accordance with the Approval; and

WHEREAS, it is further understood and agreed that the Flood Barrier Easement granted herein is to be held by the Grantee, its assigns and successors in title, as appurtenant to the land owned by

the Grantee; and

WHEREAS, this Flood Barrier Easement has been authorized by Burlington City Council Ordinance No. 21-2022 and is executed in duplicate by the appropriate City Officials and the sole member of the Grantee LLC and each executed copy thereof shall be considered an original; and

WHEREAS, the City of Burlington and 218 West Broad Street, LLC have agreed to enter into the Flood Barrier Easement to memorialize its terms.

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

SECTION 1. The City of Burlington hereby approves the Flood Barrier Easement with 218 West Broad Street, LLC for the portion of Block 25, Lot 13, to be more particularly described as set forth in the Flood Barrier Easement being subject to review and approval by the City Solicitor and City Engineer.

SECTION 2: The Mayor of the City of Burlington is hereby authorized to execute the Flood Barrier Easement and all other documents necessary to implement said Flood Barrier Easement on behalf of the City.

SECTION 3: All Ordinances or parts of Ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.

SECTION 5: This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

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

Public Comments

None.

Council Comments

None.

This ordinance was then adopted by the following roll call vote: AYES: Mr. Babula, Ms. Bergner-Thompson, Mr. Chachis, Mr. Roque, Mr. Smith, Ms. Woodard, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 223-2022

RESOLUTION NO. 223-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON CONSENTING TO THE APPOINTMENT OF JOHANNA S. CONYER-HARRIS AS BUSINESS ADMINISTRATOR FOR THE CITY OF BURLINGTON

WHEREAS, there is a need to fill the position of the Business Administrator for the City of Burlington; and

WHEREAS, Mayor Conaway has recommended the appointment of Johanna S. Conyer-Harris as Business Administrator; and

WHEREAS, City Common Council hereby consents to Johanna S. Conyer-Harris residing outside of the City of Burlington during her term.

NOW THEREFORE, BE IT RESOLVED the Common Council of the City of Burlington, County of Burlington and State of New Jersey hereby consents to the appointment by Mayor Conaway of Johanna S. Conyer-Harris as Business Administrator for the City of Burlington for the term of the Mayor and will run to December 31, 2023 and until the appointment of a successor.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute an Employment Agreement with the Business Administrator.

BE IT FURTHER RESOLVED that the compensation, terms, and conditions of employment for the Business Administrator of the City of Burlington shall be in accordance with the City Salary Ordinance, Employment Agreement and the Burlington City Employment Policies and Practices.

Upon the motion of Councilman Chachis, 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, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 224-2022*

AMENDING THE CAPITAL BUDGET FOR 2022

WHEREAS, the City of Burlington, County of Burlington desires to amend the 2022 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

Adding the Project of Construction of a Band Stand on the Promenade.

NOW, THEREFORE, BE IT RESOLVED, by the City of Burlington, County of Burlington that the Capital Budget of the year 2022 is hereby amended as per the attached sheets 40b, 40c and 40d.

Approved by Consent Agenda. All were in favor.

Resolution No. 225-2022

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the City Clerk pursuant to N.J.S.A.40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all member of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Findings and Responses"; and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled; "Findings and Responses", as evidence by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52 - to with:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City to Burlington hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Upon the motion of Councilman Babula, seconded by Councilwoman Woodard, 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, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 226-2022

WHEREAS, the City has an existing contract with Allied Control Services, Inc. for supplying Maintenance of Water and Wastewater Instrumentation and Chlorination Equipment for the period of 2021 to 2022; and

WHEREAS, the Contracts permit a two (2) year extension by the City, provided:

1. A resolution is passed finding that the services are being performed in an effective and efficient manner.
2. No such contract shall be extended so that it runs for more than a total of four (4) consecutive years.
3. Any price change included shall, as part of an extension, be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustments or extensions and shall not exceed the change in index rate for the 12 months preceding the most recent quarterly calculations available at the time the contract is renewed.
4. The terms and conditions of the Contract remain substantially the same.

WHEREAS, based on the above the Water Superintendent, CFO, and City Water Engineer recommend that the City extend this contract to the benefit of the City.

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the City of Burlington, County of Burlington, State of New Jersey authorizes the extension of the 2021-2022 Maintenance of Water and Wastewater Instrumentation and Chlorination Equipment to Allied Control Services, Inc. in the amount of \$88,243.00 for 2023 and \$90,891.00 for 2024.

Upon the motion of Councilman Babula, seconded by Councilman Roque, 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, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 227-2022

RESOLUTION NO. 227-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ENVIRONMENTAL RESOLUTIONS, INC. FOR ENGINEERING SERVICES FOR THE LEAD SERVICE LINE REPLACEMENT PROJECT

WHEREAS, the City of Burlington did appoint and award a contract to Environmental Resolutions, Inc. as the Water Engineer for 2022 as per Resolution No. 06-2022; and

WHEREAS, the City of Burlington did correspondingly appoint Environmental Resolutions, Inc. to the pool of engineers for special projects for 2022 as per Resolution No. 25-2022; and

WHEREAS, the City of Burlington wishes to replace lead and galvanized water services in the City's water system; and

WHEREAS, Engineering Services are required in association with this project; and

WHEREAS, the City of Burlington received a written proposal dated September 28, 2022, in the amount of \$55,000.00 for said professional services from the City Water Engineer, Environmental Resolutions, Inc.; and

WHEREAS, the Chief Financial Officer has certified the availability of funds for this project.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, that the Mayor and Municipal Clerk are hereby authorized to execute a contract in the amount of \$55,000.00 with Environmental Resolutions, Inc. for professional services in connection with the Lead Service Line Replacement Project.

BE IT FURTHER RESOLVED that a notice stating the service and the amount of this contract shall be published and this Resolution shall be maintained on file and available for public inspection on the Office of the Municipal Clerk.

Upon the motion of Councilman Babula, 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, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 228-2022*

RESOLUTION NO. 228-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON ASSIGNING THE LAW OFFICES OF SWATI M. KOTHARI, LLC AS POOL COUNSEL FOR SPECIAL PROJECTS AND LEGAL MATTERS TO THE MATTER OF MATTHEW MERCURI v. CITY OF BURLINGTON, KENNETH R. MACMILLAN

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, by Resolution No. 26-2022, adopted on January 4, 2022, the City approved the appointment of Swati M. Kothari, LLC as Pool Counsel for Special Projects and Legal Matters; and

WHEREAS, the City is a Plaintiff in the matter of Matthew Mercuri v. City of Burlington, Kenneth R. MacMillan (the "Litigation"); and

WHEREAS, for 2022 budgetary purposes, the City hereby assigns Swati M. Kothari, LLC to the above-described Litigation pursuant to a professional services agreement.

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 approves the assignment of Swati M. Kothari, LLC to represent the City in the Litigation more fully described in the Professional Services Agreement for a total contract amount not to exceed \$7,500.00 for the calendar year 2022; and
2. The City of Burlington is hereby authorized to enter, and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, Professional Services Agreement to provide legal services with Swati M. Kothari, LLC.

Approved by Consent Agenda. All were in favor.

Resolution No. 229-2022

Upon the recommendation of City Engineer, Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order No. 1, with Earle Asphalt Company for an increase, in the amount of \$48,453.70 providing for quantity adjustments and additional items in connection with the 2021 NJDOT Municipal Aid Program - Fernwood Avenue, Talbot Street & Linden Avenue Improvement Project, making a revised contract total of \$328,366.83.

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

Resolution No. 230-2022

RESOLUTION NO. 230-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MOLINARI & ASSOCIATES, P.C., FOR APPRAISAL SERVICES RELATING TO THE POSSIBLE SALE OF CERTAIN CITY-OWNED PROPERTIES IN THE McNEAL MANSION AND VICINITY AREA REDEVELOPMENT PLAN

WHEREAS, the Common Council of the City of Burlington requires the services of a New Jersey Certified General Real Estate Appraiser to provide an estimate of the value of certain City-owned properties in the McNeal Mansion and Vicinity Redevelopment Area for a potential sale of said properties to a redeveloper; and

WHEREAS, the City of Burlington's financial advisor, The Acacia Financial Group, recommended three qualified New Jersey Certified General Real Estate Appraisers for this appraisal in order for the City Administration to solicit fee quotations; and

WHEREAS, the Director of Housing and Community Development contacted said appraisal firms for fee a quotation on August 8, 2022, and Molinari & Associates, P.C., was the only firm to submit a complete quote for this task at a cost of \$16,000.00; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this assignment in the redeveloper's escrow account in the amount of \$20,623.00.

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

The Common Council of the City of Burlington hereby authorizes the Mayor to execute a contract on behalf of the City of Burlington with Molinari & Associates, P.C., for the sum of \$16,000.00 to perform the above-listed appraisal.

2. The compensation Molinari & Associates, P.C., for these services shall be in accordance with the professional services contract to be entered into between the City and Molinari & Associates, P.C., which shall be consistent with the proposal submitted by the firm.

Upon the motion of Councilman Smith, seconded by Councilwoman Woodard, 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, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 231-2022*

Common Council of the City of Burlington hereby authorizes the temporary closure of the lower 900 block of Rigg Road for a Block Party on Saturday, October 8, 2022 from 4:30pm to 10:00pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 232-2022*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Letitia Garland-Ellington, 131 Nottingham Drive, Willingboro, N.J. to operate a business at 201 W. Route 130 S. t/a Cheesecakes Galore.”

Approved by Consent Agenda. All were in favor.

COUNCIL COMMENTS

Councilman Chachis thanked Mr. Ballard for his years of service to the City; spoke of redevelopment in Commerce Square, asked if there will be an RFP.

Mayor Conaway suggested Administration and the Redevelopment Authority discuss what they would like to see in the RFP.

Councilman Chachis asked about a mission statement.

Councilman Babula thanked Mr. Ballard for his years of service to the City.

Councilwoman Bergner-Thompson thanked Mr. Ballard for his years of service to the City; reminded everyone of the Columbus Park Block Party, all are welcome; spoke of the passing of a city employee, offered condolences to the family.

Councilwoman Woodard thanked Mr. Ballard for his years of service to the City; spoke of moving forward with redevelopment; suggested additional parking at the lot located at Federal and Lawrence Streets; the Code Enforcement Division needs help, suggested a private sector.

Councilman Smith thanked Mr. Ballard for his years of service to the City; asked for the status of the lights in town.

Mr. Curry said the contract is under review with PSE&G; spoke of supply chain issues.

Councilman Roque thanked Mr. Ballard for his years of service to the City.

President Hollingsworth thanked Mr. Ballard for his years of service to the City; recognized summer activities on the river.

ADJOURNMENT

Upon the motion of Councilman Roque, seconded by Councilwoman Woodard, this meeting of October 4, 2022, was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk