

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, SEPTEMBER 6, 2022, 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 September 6, 2022, 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: Dave Babula, Dawn Bergner-Thompson, George Chachis, Roosevelt Smith, Suzanne Woodard (left at 9:55pm), Denise Hollingsworth. Absent: Xavier Roque

Also present: Administrator David Ballard, CFO Ken MacMillan, Municipal Attorney Justin Strausser, Director of Housing Bill Harris, Director of Public Affairs John Alexander, Director of Public Works Bill Curry, Police Chief John Fine, Ed Fox of ERI/LUB Planner.

INVOCATION

Rev. Dr. Teaira Parker of the Broad Street United Methodist Church

SALUTE TO FLAG

Rev. Dr. Teaira Parker of the Broad Street United Methodist Church

PRESENTATIONS/CONFERENCES

- Proposed Cannabis Dispensary at 921 Route 130 - Blue Violet Cannabis, LLC
- Neighborhood Preservation Program Budget - Richard Spaulding, Grant Coordinator
- Trash Collection Update - Bill Curry, Director of Public Works

EXPLANATION OF ORDINANCES ON SECOND READING

An explanation was given for the following:

Ordinance No. 16-2022 Mayor Barry Conaway
Ordinance No. 17-2022 Mayor Barry Conaway

EXPLANATION OF RESOLUTIONS

An explanation was given for the following:

Resolution No. 196-2022 Bill Harris, Director of Housing
Resolution No. 209-2022 Ken MacMillan, CFO
Resolution No. 210-2022 Ken MacMillan, CFO
Resolution No. 212-2022 Mayor Barry Conaway

PUBLIC COMMENTS

Sam Richter, 2 E. Pearl Street- spoke of Delaware Avenue renamed Pearl Boulevard; a sign at the southwest corner of Pearl at Stacy reads Boulevard, not Street; spoke of the street between Pearl and Union not named.

Mary Wirth, 460 Locust Avenue- thanked Council President Hollingsworth for the explanations of the resolutions and ordinances.

Phil Augustyn, 307 High Street- spoke of the trash ordinance, security cameras on High Street and speeding.

Claudine Conaway, 110 James Street- asked for the documentation on the name change of W. Delaware Avenue and E. Delaware Avenue.

Rudy Smith, 205 W. Federal Street- spoke in support of improvements to the Engle Avenue Park.

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR AUGUST 2022

REPORTS - VARIOUS CITY DEPARTMENTS

08-10 Monies collected by the Municipal Clerk's Office for the month of July 2022 \$5,130.00

AGENDAS - VARIOUS BOARDS

08-20 Historic Preservation Commission Rescheduled - September 7, 2022

MISCELLANEOUS CORRESPONDENCE

08-200 Endeavor Emergency Squad, Inc., dated July 2022

NOTICES OF FORECLOSURES

08-300 Block 209, Lot 29.01

08-301 Block 23, Lot 8 & 23

08-302 Block 138.01, Lot 2

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

ORDINANCE NO. 18-2022 OF THE CITY OF BURLINGTON AMENDING GENERAL REVISED ORDINANCE CHAPTER 54-28 SETTING FORTH TITLES AND SALARY RANGES FOR VARIOUS POSITIONS WITHIN THE CITY OF BURLINGTON

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

ORDINANCE NO. 19-2022 OF THE CITY OF BURLINGTON AMENDING SUPPLEMENTING, AND REVISING CHAPTER 207, ARTICLE VII OF THE CODE OF THE CITY OF BURLINGTON ENTITLED, "ZONING"

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

ORDINANCE NO. 20-2022 OF THE CITY OF BURLINGTON AMENDING SUPPLEMENTING, AND REVISING CHAPTER 146 OF THE CODE OF THE CITY OF BURLINGTON ENTITLED, "FEES"

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

BOND ORDINANCE NO. 05-2022 OF THE CITY OF BURLINGTON AMENDING BOND ORDINANCE 5-2017, AS PREVIOUSLY AMENDED, OF THE CITY OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY

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

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 16-2022 OF THE CITY OF BURLINGTON AMENDING GENERAL REVISED ORDINANCE CHAPTER 54-28 SETTING FORTH TITLES AND SALARY RANGES FOR VARIOUS POSITIONS WITHIN THE CITY OF BURLINGTON

WHEREAS, the City of Burlington is desirous of amending the salary ordinance for various employees for the years 2022 and 2023;

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

County of Burlington, New Jersey, as follows:

SECTION I. Establishment of Salary Ranges:

Salary Ranges are hereby established for the position of Business Administrator hired after August 1, 2022 as indicated on Attachment A of this ordinance for the years 2022 and 2023.

SECTION II. Effective Date:

Amending Section II to read:

The Salary Amendment for these positions shall be effective January 1st of each respective year unless indicated otherwise.

Upon the motion of Councilman Chachis, 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: Mr. Babula, Ms. Bergner-Thompson, Mr. Chachis, Mr. Smith, Ms. Woodard. (5); NAYS: (0); ABSTAIN: Ms. Hollingsworth. (1); ABSENT: Mr. Roque. (1).

ORDINANCE NO. 17-2022 OF THE CITY OF BURLINGTON AMENDING ORDINANCE 344-31 ENTITLED, "ONE-WAY-STREETS"

WHEREAS, the City of Burlington (the "City") is a Faulkner Act municipality with a Mayor-Council form of government pursuant to N.J.S.A. 40:69A-31, *et seq.*, with its organization, positions, powers and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the owner of the property located at 218 West Broad Street (Block 25, Lot 13 on the Tax Map of the City of Burlington) ("Property") received conditional preliminary and final major site plan approval from the Burlington City Joint Land Use Board as set forth in Resolution No. 18-2022, dated April 27, 2022 and memorialized on June 22, 2022 ("JLUB Approval"); and

WHEREAS, a condition of the JLUB Approval requires the City make the 10 foot wide alley behind the Property one-way beginning after the applicant's property east out to Washington Avenue; and

WHEREAS, by way of letter dated May 5, 2022, the applicant through its attorney has made a request that the City grant the aforementioned request and amend the Ordinance accordingly; and

WHEREAS, the Chief of Police of the City of Burlington has reviewed the request and recommends the one-way designation.

NOW, THEREFORE BE IT ORDAINED by the Common Council for the City of Burlington, in the County of Burlington, State of New Jersey that Ordinance 344-31 of the City of Burlington entitled, "One-Way-Street" is hereby amended, revised and/or supplemented as follows:

SECTION 1. Section 344-31 entitled, "One-Way-Streets shall be amended to add the following:

Name of Street	Direction	Location
Alley behind the 300 Block of West Broad Street	East	Between the rear of Block 25, Lot 13 and Washington Avenue

SECTION 2. The appropriate signage shall be installed to implement this Ordinance.

SECTION 3. Except as set above, the balance of Chapter 344 shall not be affected by this Ordinance.

SECTION 4. All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent they are inconsistent herewith.

SECTION 5. 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 or subdivision, or clause of this Ordinance.

SECTION 6. This ordinance shall take effect upon final passage and publication as required by law.

Upon the motion of Councilwoman Chachis, 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: Mr. Babula, Ms. Bergner-Thompson, Mr. Chachis, Mr. Smith, Ms. Woodard, Ms. Hollingsworth. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Roque. (1).

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 196-2022

RESOLUTION NO. 196-2022 OF THE COMMON COUNCIL OF THE CITY OF

BURLINGTON AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH HABITECH ARCHITECTURE, LLC, FOR ARCHITECTURAL SERVICES RELATING TO THE REHABILITATION OF A CITY-OWNED PROPERTY AT 521 LAWRENCE STREET

WHEREAS, the Administration requires the services of a Registered Architect to provide sealed drawings for the rehabilitation of a City-owned property at 521 Lawrence Street as part of the City's Affordable Housing Program; and

WHEREAS, the Director of Housing and Community Development has reviewed the proposal submitted by Habitech Architecture, LLC, of 12 Pinecrest Drive, Medford, New Jersey in the amount of \$7,500; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this project from the following account: #T-13-56-850-853;

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

4. The Common Council of the City of Burlington hereby authorizes the Mayor to execute a contract on behalf of the City of Burlington with Habitech Architecture, LLC for the sum of \$7,500 to perform the above-listed architectural services.

2. The compensation of Habitech Architecture, LLC for these services shall be in accordance with the professional services contract to be entered into between the City and Habitech Architecture, LLC, which shall be consistent with the proposal submitted by the firm.

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. Smith, Ms. Woodard, Ms. Hollingsworth. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Roque. (1).

Resolution No. 197-2022*

RESOLUTION NO. 197-2022 OF THE CITY OF BURLINGTON AMENDING THE YEAR TWO BUDGET OF THE NEW LONDON ALLIANCE FIVE-YEAR PLAN SUBMITTED BY MAIN STREET BURLINGTON TO THE COMMON COUNCIL OF THE CITY OF BURLINGTON FOR THE NEIGHBORHOOD PRESERVATION PROGRAM GRANT

WHEREAS, the City of Burlington received a Neighborhood Preservation Program Grant from the New Jersey Department of Community Affairs (NJDCA) in the amount of \$125,000.00 to provide services to residents and businesses located in the New London neighborhood; and

WHEREAS, on January 21, 2020, the Common Council of the City of Burlington adopted Resolution No. 67-2020 to approve a Five-year Strategic Action Plan that focuses on community

revitalization in the New London Neighborhood; and

WHEREAS, the New London NPP Alliance presented a plan to the Mayor and City officials recommending certain improvements to the Engle Avenue Playground on August 4, 2022, a copy of which are attached to this resolution; and

WHEREAS, the proposed improvements to the Engle Avenue Playground requires the transfer of funds from certain NPP Year 2 accounts to fund the estimated \$16,037.00 cost of said improvements; and

WHEREAS, the President of MSB and the Director of Housing and Community Development advised NJDCA officials of the proposed budget revisions and said request was approved by NJDCA officials on August 24, 2022; and

WHEREAS, the proposed amendment to the Year 2 NPP Plan is necessary for the City to fulfill the purposes of the grant awarded by the State of New Jersey to the City of Burlington.

NOW, THEREFORE, BE IT RESOLVED THAT:

5. The Common Council of the City of Burlington approves and authorizes the budget revisions to the Year 2 NPP Plan as outlined; and
6. A copy of this resolution be forwarded to New Jersey Department of Community Affairs; and
7. Mayor Barry W. Conaway is authorized to sign any documents related to amending the Year 2 NPP grant and any other documents required by New Jersey Department of Community Affairs in connection with the NPP grant amendment.

Approved by Consent Agenda. All were in favor.

Resolution No. 198-2022*

RESOLUTION NO. 198-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE SALE OF CITY OWNED PROPERTIES, BLOCK 231 LOTS 21 & 22, 680 WOOD STREET, ON AN ONLINE AUCTION WEBSITE THROUGH MAX SPANN R.E. & AUCTION COMPANY

WHEREAS, there exists a need for Auction Marketing Services for the City of Burlington in the County of Burlington, State of New Jersey; and

WHEREAS, the properties listed on Schedule "A" is no longer needed for public use and shall be offered for public sale, date to be determined, pursuant to the requirements of N.J.S.A. 40A:12-13(a); and

WHEREAS, the City of Burlington intends to utilize the online auction services of Max Spann R.E. & Auction Company located at www.maxspann.com; and

WHEREAS, the sale is being conducted pursuant to the Division of Local Government Services' Local Finance Notice 2008-9.

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

1. The Professional Services Agreement with Max Spann R.E. & Auction Company, P.O. Box 4992, Clinton, New Jersey 08809 (a New Jersey licensed real estate broker), is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:1-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

2. Max Spann R.E. & Auction Company shall provide the following services in connection with the listing and auctioning of the properties the municipality wishes to sell during the term of this Agreement:

- (a) Advertise the auction in media deemed most effectual and appropriate by Max Spann R.E. & Auction Company.
- (b) Furnish a qualified Auctioneer.
- (c) Post and circulate promotional material on the properties promoting the auction.
- (d) Take any and all other action reasonably calculated in conformance with N.J.S.A. 40A:12-13 to effect an advantageous sale of the properties in accordance with the terms of the agreement.

3. The City of Burlington is not responsible for payment of any brokerage commissions. Max Spann R.E. & Auction Company will charge a ten (10%) percent buyer's premium to be added to the sale price payable solely by the purchaser.

4. A notice of this auction shall be printed in the Burlington County Times.

BE IT FURTHER RESOLVED, the City of Burlington reserves the right to reject bids from the auction list at any time.

Approved by Consent Agenda. All were in favor.

Resolution No. 199-2022*

RESOLUTION NO. 199-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING A SUBLEASE AGREEMENT BETWEEN ARTPRIDE NJ AND ARTS ED NJ

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 entered into a lease on or about July 4, 2019 with ArtPride NJ (“ArtPride”) for a portion of the building commonly known as Lyceum Hall (the “Leased Premises”); and

WHEREAS, ArtPride wishes to sub-let a portion of the Leased Premises to Arts Ed NJ pursuant to Section 7 of the lease; and

WHEREAS, the City has reviewed the proposed sublease agreement and approves of same.

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

The City of Burlington hereby approves the sublease agreement between ArtPride NJ and Arts Ed NJ.

Approved by Consent Agenda. All were in favor.

Resolution No. 200-2022*

RESOLUTION NO. 200-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON ASSIGNING MICHAEL A. ARMSTRONG & ASSOCIATES, LLC AS POOL COUNSEL FOR SPECIAL PROJECTS AND LEGAL MATTERS TO THE MATTER OF CITY OF BURLINGTON v. ARTHUR DICKINSON, et al.

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 Michael A. Armstrong & Associates, LLC as Pool Counsel for Special Projects and Legal Matters; and

WHEREAS, the City is a Plaintiff in the matter of City of Burlington v. Arthur Dickinson, et al. (the “Litigation”); and

WHEREAS, for 2022 budgetary purposes, the City hereby assigns Michael A. Armstrong & Associates, 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 Michael A. Armstrong & Associates, 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, the attached Professional Services Agreement to provide legal services with Michael A. Armstrong & Associates, LLC.

Approved by Consent Agenda. All were in favor.

Resolution No. 201-2022*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Tatiaina and Latimani Morgan, 1111 Coopertown Road, Delanco, N.J. to operate a business at 15 E. Broad Street t/a "Two Obsessed."

Approved by Consent Agenda. All were in favor.

Resolution No. 202-2022*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Michele Roczey, 90 Providence Boulevard, Kendall Park, N.J. to operate a business at 701 Salem Road t/a "Exxon."

Approved by Consent Agenda. All were in favor.

Resolution No. 203-2022*

RESOLUTION NO. 203-2022 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY DISTRIBUTION ALCOHOLIC BEVERAGE LICENSE FOR PEARL LIQUORS, LLC FOR THE 2022-2023 LICENSE TERM, PURSUANT TO N.J.S.A. 33:1-12.39

WHEREAS, this applicant is qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws and regulations, and

WHEREAS, the City Clerk has reported that the proper fees have been paid; and

WHEREAS, no written objections to the renewal application have been submitted; and

WHEREAS, no one appeared before the Municipal Board of Alcoholic Beverage Control, whether in person or by Counsel of duly accredited representatives objecting to any renewals; and

WHEREAS, this is a pocket license and needed a Special Ruling to Permit Renewal of an Inactive License pursuant to N.J.S.A. 33:1-12.39 prior to granting the renewal; and

WHEREAS, the Special Ruling to Permit Renewal was granted by the Director for the 2022-2023 license year, and

NOW, THEREFORE, BE IT RESOLVED, by the Municipal Board of Alcoholic Beverage Control of the City of Burlington, County of Burlington, State of New Jersey that the renewal of the Plenary Distribution License for Pearl Liquors, LLC, license number 0305-44-009-011, is hereby granted for the 2022-2023 license term.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a certified and true copy of this resolution to the Director of the New Jersey Division of Alcoholic Beverage Control Commission.

Approved by Consent Agenda. All were in favor.

Resolution No. 204-2022*

RESOLUTION NO. 204-2022 OF THE CITY OF BURLINGTON CANCELLING TAXES ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, the property identified as Block 31, Lot 23.01 located at 443 Wood Street is owned by Marc Belneau, declared to be a 100% permanently and totally disabled veteran; and

WHEREAS, the State of New Jersey provides tax exempt status, under N.J.S.A. 54:4-3:30, to veterans declared as such.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2022 2nd half tax amount of \$1,882.18 is hereby cancelled for the reason set forth above.

Approved by Consent Agenda. All were in favor.

Resolution No. 205-2022*

RESOLUTION NO. 205-2022 OF THE CITY OF BURLINGTON CANCELLING TAXES ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, the property identified as Block 154, Lot 34, located at 125 Belmont Street is owned by Ronald Chapman, declared to be a 100% permanently and totally disabled veteran; and

WHEREAS, the State of New Jersey provides tax exempt status, under N.J.S.A. 54:4-3:30, to veterans declared as such.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2022 2nd half tax amount of \$2,127.60 is hereby cancelled for the reason set forth above.

Approved by Consent Agenda. All were in favor.

Resolution No. 206-2022*

RESOLUTION NO. 206-2022 OF THE CITY OF BURLINGTON REFUNDING OVERPAYMENT OF TAXES ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, an overpayment of 2022 taxes has occurred on the properties identified herein, owned by property owners declared to be 100% permanently and totally disabled veterans; and

WHEREAS, the State of New Jersey provides tax exempt status, under N.J.S.A. 54:4-3:30, to veterans declared as such.

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

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>
107 (329 Glenwood Avenue)	22	Cameron T. Schwoebel 329 Glenwood Avenue Burlington, NJ 08016	\$3,578.00
221.03 (7 Fawn Hollow Road)	4	Ryan O. Herbert 7 Fawn Hollow Road Burlington, NJ 08016	\$5,143.12

Approved by Consent Agenda. All were in favor.

Resolution No. 207-2022*

RESOLUTION NO. 207-2022 OF THE CITY OF BURLINGTON AUTHORIZING THE REFUND OF HOMESTEAD BENEFIT

WHEREAS, the parcel identified herein received a homestead benefit credit; and

WHEREAS, the property is owned by a totally disabled veteran and Tax Exempt under N.J.S.A. 54:4-3:30; and

Whereas an overpayment of the 2022 taxes has occurred.

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

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u> <u>Mailing Address</u>	<u>Amount</u>
58 (900 Shadeland Avenue)	26	Perro, Sonya Jean & Howell, Ferol 900 Shadeland Ave Burlington, NJ 08016	\$ 687.80
129 (352 E. Union Street)	30	Costello, James F. 352 E Union St Burlington, NJ 08016	\$ 482.17

Approved by Consent Agenda. All were in favor.

Resolution No. 208-2022*

RESOLUTION NO. 208-2022 OF THE CITY OF BURLINGTON AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES

WHEREAS, an overpayment of 2022 taxes has occurred on the property identified herein, due to a payment made by the Mortgage Company on the wrong parcel.

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

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>
28.01 (200 Juniper Street)	14	Mary Ann Jones	\$3,036.76

***Make check payable to:**

Corelogic
P O Box 9202
Coppell, Texas 75019
Attn: Refund Dept.

Approved by Consent Agenda. All were in favor.

Resolution No. 209-2022*

RESOLUTION NO. 209-2022 OF THE CITY OF BURLINGTON AUTHORIZING THE CITY OF BURLINGTON TO ENTER INTO CONTRACT WITH REALAUCTION.COM, LLC AND ROK INDUSTRIES, INC. D/B/A NJ TAX LIEN INVESTOR.COM IN THE PARTICIPATION OF 2022 ELECTRONIC TAX SALE

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the City of Burlington has authorized the Tax Collector to participate in an Electronic Tax Sale by Resolution of the Governing Body; and

WHEREAS, the Tax Collector has solicited 2 quotations as required by the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has approved ROK Industries, Inc. d/b/a NJ Tax Lien Investors/Real Auction.com to conduct Electronic Tax Sales; and

WHEREAS, ROK Industries, Inc. d/b/a NJ Tax Lien Investor.com/Real Auction.com has responded with the full services required to properly conduct an Electronic Tax Sale;

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Burlington, New Jersey, hereby authorizes the City of Burlington to enter into contract and authorizes the Tax Collector to conduct the 2022 Electronic Tax Sale with ROK Industries, Inc. d/b/a NJTaxLien Investor.com/Real Auction.com.

Approved by Consent Agenda. All were in favor.

Resolution No. 210-2022*

RESOLUTION NO. 210-2022 OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO CHARGE A FEE FOR THE PREPARATION OF 2022 TAX SALE NOTICES

WHEREAS, NJSA 54:5-19.1 authorizes Electronic Tax Sales pursuant to rules and regulations promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the rules and regulations promulgated requires the Municipality to send two (2) notices of Tax Sale to all properties included in said sale, and to charge a fee of \$25.00 per notice for the preparation, printing and mailing of said notice; and

WHEREAS, the City of Burlington is authorized to charge \$25.00 per notice mailed, which will be assessed specifically to the delinquent properties that are causing the need for a Tax Sale;

NOW THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of Tax Sale that is sent in conjunction with the 2022 Electronic Tax Sale.

Approved by Consent Agenda. All were in favor.

Resolution No. 211-2022*

Common Council of the City of Burlington hereby approves a fire member application for William B. Dowdy, Jr., 428 W. Broad Street, Burlington, N.J., in the Mitchell Fire Company 903, he having filed the necessary papers.

Approved by Consent Agenda. All were in favor.

Resolution No. 212-2022*

RESOLUTION NO. 212-2022 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 Friends of Third State, a non-profit company, wish to host the 2022 Burlington Hops & Rocks Beer Festival & 5k within the City on September 17, 2022, to feature food vendors, brewers, musicians, and to highlight the City's history through the demonstration of historical brewing techniques ("the Event"); 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 September 17, 2022 from 11:30am through

5:00pm, with a rain date of September 18, 2022, 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. 213-2022*

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 falling within the attorney-client privilege pursuant to N.J.S.A. 10:4-12(8):

- Pearl Pointe Redevelopment

WHEREAS, 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 September of 2022 or shortly thereafter.

NOW, THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

Approved by Consent Agenda. All were in favor.

COUNCIL COMMENTS

Councilman Chachis asked about the status of the cannabis dispensary previously approved on Route 130.

Mr. Ballard suggested that the applicant had been ill.

Councilman Babula spoke of the Wood Street Fair; asked about a water leak.

Mr. Curry said the leak was repaired.

Councilman Babula said the Fernwood and Grant sign is turned; spoke of issues with the one-way signs on Mott Avenue and at the round-a-bout.

Chief Fine spoke of the area heavy enforcement.

Councilwoman Woodard spoke of turning the Lawrence Street lot into a parking area for the residents, residential permit parking.

Councilwoman Bergner-Thompson spoke of congestion at Riverbank.

TRAINING

Transit Oriented Development - Edward E. Fox III, AICP, PP, Senior Planner of ERI

EXECUTIVE CONFERENCES

- Pearl Point Redevelopment - Justin Strausser, Esq.

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilman Smith, this meeting of September 6, 2022, was adjourned at 10:06pm.

Cindy A. Crivaro, RMC
Municipal Clerk