

A MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, FEBRUARY 1, 2022, AT 7:00 PM, VIA ZOOM PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The following notice of the meeting was sent:

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., as amended by A-3850, and in consideration of Executive Orders No. 103 and 107, issued by Governor Murphy on March 9 and 21, 2020 respectively, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the City of Burlington does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, the Regular meeting of the Common Council scheduled for February 1, 2022 will be held electronically only. Members of the public who wish to participate in the meeting may do so by calling in or joining at 7:00p.m. Individuals calling in or joining will be able to fully participate in the meeting, including providing public comment.

Join Zoom Meeting:

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

Dial: 1-646-558-8656

Meeting ID: 299 329 6844

Password: 863459

Cindy A. Crivaro, RMC
Municipal Clerk

Governing Body Members present: Dave Babula, George Chachis, Helen Hatala (7:35pm), Xavier Roque, Roosevelt Smith, Suzanne Woodard, Denise Hollingsworth

Also present: Mayor Barry Conaway, Administrator David Ballard, CFO Ken MacMillan, Municipal Attorney John Morelli, Police Chief John Fine, Emergency Mgt. Coord. Frank Caruso, Director of Public Works Bill Curry, Director of Public Affairs John Alexander, Director of Housing Bill Harris, Water Engineer Ken Shine, Deputy Fire Chief Brent Tomer, Battalion Chief Kevin Sexton, Battalion Chief Ryan Phillips.

INVOCATION

Father Connor Haynes of St. Mary's Episcopal Church

SALUTE TO FLAG

CONFERENCES

Ellis Street Drainage Pipe Maintenance, Construction Phase Services - Ken Shine, Sewer Engineer

RESOLUTION CLARIFICATIONS

An explanation was provided for the following:

Resolution No. 63-2022: 524, 526 High Street Demolition - Ken Shine, Sewer Engineer

Resolution No. 62-2022: Defense Logistics Agency, Law Enforcement Support Office, 1033 Program - Police Chief John Fine

UPDATES

An update was provided for the following:

Fire Department Fire Truck Acquisition - Deputy Fire Chief Brent E. Tomer

PUBLIC COMMENTS

Doug Ghaul, 812 Bordentown Road - thanked Council for supporting the purchase of the fire truck.

Sam Richter, 2 E. Pearl Street- spoke of 2 streets without names, one running between E. Pearl and E. Union, alongside of Union House, the other street running between that E. Pearl Street and Stacey Street.

Bourne Understanding, 4 Cooper Street- spoke of Black History Month and his involvement in the community; spoke of mediation and saving the City money; spoke of helping the youth.

Mr. Ballard will bring President Hollingsworth up to date on this situation later.

Ernest Turner, 34 W. 4th Street- spoke of demolition on High Street; asked if the parking will change.

Steven Young, Atlantic City, NJ- spoke as President of National Action Organization SJ Chapter on Civil Rights; spoke of a letter dated November 20th sent to the Mayor and Council; spoke of giving trades to black and brown people; spoke of wanting to resolve an with the City.

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR DECEMBER 2021

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of November 2021 \$300.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

12-01 Historic Preservation Commission Re-Organization Agenda, dated January 5, 2021

12-02 Historic Preservation Commission Meeting Agenda, dated January 5, 2022

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

12-500 Board of Taxation, dated December 29, 2021, re: Appointment of a Municipal Tax Assessors

12-501 NJLINCS, re: Court Day

CORRESPONDENCE TO AND FROM THE NJLM

12-600 NJLM, dated December 10, 2021, re: Legislative Alert A-5862

12-601 NJLM, dated December 3, 2021, re; State Issue, Federal Issues, Covid Weekly Update

12-602 NJLM, dated December 10, 2021, re: Responsible Collective Negotiations Bill Pulled from Committee

12-603 NJLM, dated December 16, 2021, re: Upcoming Seminars

12-604 NJLM, dated December 29, 2021, re: Upcoming League Seminars

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

12-700 NJDOH, dated December 3, 2021, re: Omicron

12-701 NJDOH, dated December 15, 2021, re: Recommended Minimum Quarantine Time frames

12-702 NJDOH, December 15, 2021, re: Covid -19 Public Health Recommendations

MISCELLANEOUS CORRESPONDENCE

12-800 BOIM, Oath signed by Board President

12-801 Friends of Burlington Island, dated December 1, 2021, re; request for a letter of support

12-802 Historic Bristol Borough, dated July 12, 2021

12-803 Burlington County Historical Society, re: Request for support

12-804 Lyceum Hall Center for the Arts, re: End of Year Report 2021

12-805 Endeavor Emergency Squad Inc., re: Statistics for November 2021

12-806 Petition for Speeding bumps on Bordentown Road, received December 15, 2021

12-807 Abry Edwards of Ma Mom Mabels Kitchen Table, re: food truck placement

12-808 Property Tax Relief for Homeowners

12-809 NEXUS, dated December 13, 2021, re: National Association of Realtors

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

AN ORDINANCE OF THE CITY OF BURLINGTON DESIGNATING CENTRAL SHORE HOLDINGS AS THE DEVELOPER THE PROPERTY IDENTIFIED AS OPPORTUNITY SITES # 5, 7, 9 AND PART OF #11 WITHIN THE NEW YORKSHIRE REDEVELOPMENT AREA

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, Mr. Chachis, Ms. Hatala, Mr. Roque, Mr. Smith, Ms. Woodard, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING ORDINANCE #16-2021 SO AS TO DESIGNATE KIJ CONSTRUCTION, LLC, AS THE DEVELOPER THE PROPERTY IDENTIFIED AS BLOCK 150, LOTS 19, 20, 21, 22, 24, 25 AND LOTS 38-39

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, the foregoing ordinance was adopted on First Reading by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Mr. Roque, Mr. Smith, Ms. Woodard, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

AN ORDINANCE 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 Councilwoman Woodard, the foregoing ordinance was adopted on First Reading by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Mr. Roque, Mr. Smith, Ms. Woodard, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

A BOND ORDINANCE AUTHORIZING REPAIRS AND IMPROVEMENTS TO VARIOUS ROADWAYS IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$370,000 THEREFOR; 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 \$57,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Upon the motion of Councilman Babula, seconded by Councilman Chachis, the foregoing ordinance was adopted on First Reading by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Mr. Roque, Mr. Smith, Ms. Woodard, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 58-2022*

Common Council of the City of Burlington hereby authorizes the Burlington County Highway Department, Division of Mosquito Control, to perform aerial applications of larvicides and insecticides for mosquito control over City of Burlington during the year 2022.

Approved by Consent Agenda. All were in favor.

Resolution No. 59-2022*

Common Council of the City of Burlington hereby authorizes the temporary closure of W. Union Street & corner of High Street and corner of High Street & 11 E. Union Street for a Winter Fest on Saturday, February 19, 2022 (rain date February 26, 2022) from 1:30pm to 8:00pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 60-2022*

RESOLUTION ESTABLISHING 2022 TEMPORARY CAPITAL BUDGET

WHEREAS, the City of Burlington desires to constitute the 2022 Temporary Capital Budget of the City of Burlington by inserting the **Paving of Various Streets**,

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

Section 1. The 2022 Temporary Capital Budget of the City of Burlington is hereby constituted by the adoption of a schedule to read as follows:

TEMPORARY CAPITAL BUDGET OF THE
CITY OF BURLINGTON, NEW JERSEY
Projects Scheduled for 2022
Method of Financing

<u>Project</u>	<u>Estimated Total Costs</u>	<u>Grants Total</u>	<u>Capital In Aid</u>	<u>Improvement Fund</u>	<u>Debt Authorized</u>
Paving of Various Streets (Riverfront Drive, McNeal Street, Taylor Avenue)	\$370,000.00	\$310,000.00	\$3,000.00	\$3,000.00	\$57,000.00

BE IT FURTHER RESOLVED that one certified copy of this resolution authorizing the projects be filed forthwith in the Office of the Director of Local Government within three days after adoption, to be included in the 2022 Permanent Capital Budget as adopted.

Approved by Consent Agenda. All were in favor.

Resolution No. 61-2022*

Upon the recommendation of Environmental Resolutions, Inc., the City's Water Engineer, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement with Allied Painting, Inc. in connection with the Seventh Street Water Tank Exterior Coating Repair Project, Change Order No. 2, an increase in the amount of \$500.00 providing for additional work due to unforeseen circumstances making a revised total contract amount of \$82,000.00.

Approved by Consent Agenda. All were in favor.

Resolution No. 62-2022

RESOLUTION NO. 62-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING PARTICIPATION IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE CITY OF BURLINGTON POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEA's); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEA's to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEA's, the entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A 40A:5-30.2 requires that the governing body of the municipality or county approve, by the majority of the full membership, both enrollment in, and the acquisition of any property through the 1033 Program; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Burlington, County of Burlington, State of New Jersey that the City of Burlington Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the calendar year from January 1, 2022- December 31, 2022.

BE IT FURTHER RESOLVED, that the City of Burlington Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A", which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the City of Burlington without restriction.

BE IT FURTHER RESOLVED, that the City of Burlington Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property that may be made available through the 1033 Program during the period of time for which this Resolution authorizes; with Program participation and all property request authorization terminating on December 31 of the calendar year from January 1, 2022, to December 31, 2022.

Upon the motion of Councilman Babula, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Mr. Roque, Mr. Smith, Ms. Woodard, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 63-2022

RESOLUTION NO. 63-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A CONTRACT TO OCEAN CONSTRUCTION, LLC FOR THE DEMOLITION OF 524 HIGH STREET, 526 HIGH STREET AND THE BUILDING BEHIND 526 HIGH STREET

WHEREAS, Bids were received on January 12, 2022, for the demolition of 524 High Street, 526 High Street and the building behind 526 High Street in the City of Burlington; and

WHEREAS, Ocean Construction, LLC submitted the lowest bid and the City Sewer Engineer, Pennoni Associates, Inc., has reviewed the qualifications of the low bidder and finds them to be in order; and

WHEREAS, the City Sewer Engineer, Pennoni Associates, Inc., recommends that Common Council award the contract to Ocean Construction, LLC, 822 Glassboro Road, Williamstown, N.J., 08094.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that the Mayor and Municipal Clerk are hereby

authorized to execute a contract with Ocean Construction, LLC for the demolition of 524 High Street, 526 High Street and the building behind 526 High Street, in an amount not to exceed \$136,200.00.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Mr. Roque, Mr. Smith, Ms. Woodard, Ms. Hollingsworth. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

COUNCIL COMMENTS

Councilwoman Woodard spoke of a merge left directional sign that needs to be removed at Jacksonville Road and Northbound Route 130; asked Mr. Curry to reach out to the County for access to brine.

President Hollingsworth reminded everyone of Holocaust Remembrance Day and Black History Month .

ADJOURNMENT

Upon the motion of Councilman Woodard, seconded by Councilman Chachis, this meeting of February 1, 2022 was adjourned at 8:17pm.

Cindy A. Crivaro, RMC
Municipal Clerk