

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 18, 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 January 18, 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: George Chachis, Helen Hatala, Xavier Roque, Roosevelt Smith, Suzanne Woodard, Denise Hollingsworth; Absent: Dave Babula

Also present: Mayor Barry Conaway, Administrator David Ballard, CFO Ken MacMillan, Municipal Attorney Lou Garty, Municipal Engineer Frank Morris, Police Chief John Fine, Director of Public Works Bill Curry, Director of Public Affairs John Alexander, Zoning/Fire/Code Official Ross Kownatsky.

MOMENT OF SILENCE

SALUTE TO FLAG

UNFINISHED BUSINESS

None.

CONSENT AGENDA

Councilman Chachis, moved that all Consent Agenda items be approved. It was seconded by Councilman Smith. 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.

UPDATES

An update was provided for the following:

- Redrawing of Election Wards 1 & 3 - Cindy A. Crivaro, RMC & Frank Morris, Municipal Engineer
- Water/Sewer Line Insurance Program Update - Christopher Rebar, Home Serve

CONFERENCES

- 2022 NJDOT Municipal Aid Program - Frank Morris, Municipal Engineer

RESOLUTION CLARIFICATIONS

An explanation was provided for the following:

- Resolution No. 53-2022: Burlington County for solid waste disposal and recycling services - Bill Curry, Director of PW & Lou Garty, Esq.
- Resolution No. 54-2022: FOP Lodge #63 Side Agreement for K-9 officers - Lou Garty, Esq.
- Resolution No. 55-2022: Vehicle Leasing Program - Bill Curry, Director of PW

PUBLIC COMMENTS

Awhw Akiri, President of Hapiglow, 6 W. Union Street- spoke of promoting community happiness, asked for the City's support.

Council President Hollingsworth responded that the City is not able to participate with this on-line business.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 53-2022

RESOLUTION NO. 53-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING THE 2022 RECYCLING AND SOLID WASTE SERVICES AGREEMENT WITH THE COUNTY OF BURLINGTON

WHEREAS, Burlington County operates a resource recovery complex (landfill) for its use and the use of its municipalities and its County residents; and

WHEREAS, in the past, the City of Burlington has contracted with the Board of Commissioners for the County of Burlington for the disposal of its solid waste and recyclable materials; and

WHEREAS, the County has the facility necessary to accept solid waste and recyclable materials; and

WHEREAS, the City has received the contract from the County providing the rates, terms and provisions for solid waste disposal and recycling services for a five year term from January 1, 2022 through December 31, 2026; and

WHEREAS, the Common Council for the City of Burlington finds that it is in the best interest of the residents of the City of Burlington to execute this agreement to provide for the disposal of solid waste and recycling of material to the County facility.

NOW, THEREFORE BE IT RESOLVED by the Common Council for the City of Burlington that the Council does hereby authorize the City to enter into the contract with Burlington County for solid waste disposal and recycling services for a five year term from January 1, 2022 through December 31, 2026; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute the contract for Recycling and Solid Waste Services for the term specified and the Administration is hereby authorized to perform such acts as are necessary to effectuate the Agreement on behalf of the City and to ensure the continuation of these services for the proper disposal of solid waste and recyclable materials, consistent with the intent of this Resolution.

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

Resolution No. 54-2022

RESOLUTION NO. 54-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON RATIFYING A SIDE AGREEMENT WITH F.O.P./LODGE #63 REPRESENTING CITY OF BURLINGTON K-9 POLICE OFFICERS

WHEREAS, the City of Burlington has a contract for the employment of its Police Officers (Patrol) through the FOP/Lodge #63 Union (hereinafter “the Union”); and

WHEREAS, the K-9 Police Officers are a special unit within the Police Department and the members of the K-9 unit require additional training and to perform certain duties relating to the training, maintenance and care of the K-9; and

WHEREAS, the City of Burlington engaged in negotiations with the Union with respect to terms for the compensation and to address additional terms and conditions within the current contract for the K-9 officers to perform the required training by and maintenance of the K-9's utilized in this unit, including certain adjustments or modifications made to the time allocated to these officers for the performance of the training and duties as described therein; and

WHEREAS, the City, the Union and its K-9 officers have agreed upon additional contract language in a Side Agreement to memorialize additional terms for certain training and other functions performed by the K-9 officers which needs to be more specifically addressed in the current contract. The additional language does not revise all of the other rights and responsibilities of the parties under the existing contract; and

WHEREAS, the Side Agreement has been negotiated, reviewed and prepared with the input and legal advice of the City Solicitor; and

WHEREAS, the Side Agreement to the existing contract between the City and the Union, with the approval of the Officers of the K-9 unit, is attached hereto along with the current contract; and

WHEREAS, the Common Council for the City of Burlington has reviewed the Side Agreement and found it to be fair, reasonable, and in the best interests of the citizens in the City of Burlington to authorize the Mayor to execute this Side Agreement to the current contract with the FOP Lodge #63 to memorialize additional terms for training and other functions performed by the K-9 officers.

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

1. The Common Council for the City of Burlington hereby accepts and ratifies the Side Agreement to the contract with the FOP/Lodge #63 Union, representing the City's K-9 patrol officers to memorialize additional terms for certain training and other functions performed by the K-9 officers; and
2. The Mayor and Municipal Clerk are hereby authorized to execute the Side Agreement and the Mayor, his Administration and the City Solicitor are authorized to take such other action as is necessary and appropriate to effectuate the terms of this amendment to the contract consistent with the contract and the intent of this Resolution.

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

Resolution No. 55-2022

RESOLUTION NO. 55-2022 OF THE CITY OF BURLINGTON AMENDING RESOLUTION 289-2021 AUTHORIZING PREPARATION AND PUBLICATION OF THE LEASE OF 11 VEHICLES

FOR USE BY THE PUBLIC WORKS DEPARTMENT FROM THE PURCHASING COOPERATIVE KNOWN AS ENTERPRISE FLEET MANAGEMENT, INC AND APPROVING THE CITY'S PARTICIPATION IN THE PURCHASING COOPERATIVE

WHEREAS, on December 14, 2021, the City of Burlington adopted Resolution No. 289-2021 authorizing the lease of eleven (11) vehicles with Enterprise Fleet Management, Inc. through the National Joint Powers Alliance® (NJPA), a national cooperative purchasing organization; and

WHEREAS, because of the nationwide shortage of vehicles that has occurred due to a world-wide pandemic, the prices had increased from those that were authorized in Resolution No. 289-2021 from the date of the resolution to the date of the execution of the leases; and

WHEREAS, the City of Burlington wishes to enter into the leases under the new terms since it is advantageous to do so based on price and other factors considered; and

WHEREAS, the City of Burlington seeks to lease eleven (11) vehicles for municipal purposes, and specifically the following:

- 2 (two) 2022 Ford F-250 4x4 SD cab with up fits (plows lights etc.) at \$1,061.91 per month per vehicle with \$11,814.00 down payment per vehicle
- 4 (four) 2022 Ford F 250 4x4 SD Super cab with upfits (plows lights and utility etc.) at \$957.68 per month per vehicle with \$5,451.50 down payment per vehicle
- 2 (two) 2022 Ford F-350 Chassis XL 4x4 reg cab with up fits (plows, lights, etc.) at \$1,271.79 per month per vehicle with \$17,139.00 down payment per vehicle
- 1 (one) 2022 Ford Explorer 4dr 4x4 at \$ 585.15 per month with \$159.00 down payment
- 1 (one) 2022 Ford Explorer 4dr 4x4 at \$ 582.24 per month with \$159.00 down payment
- 1 (one) 2022 Ford Escape SE Hybrid 4dr all-wheel drive at \$475.88 per month with \$159.00 down payment

WHEREAS, the subject cooperative purchasing contract was awarded by NJPA to Enterprise Fleet Management, Inc. utilizing a competitive contracting process, and is made available to participating agencies such as the City of Burlington; and

WHEREAS, the contract cost for the goods and services under the NJPA cooperative purchasing contract for the first year shall not exceed \$134,439.60 (plus the required down payments set forth above), and for the entire five (5) year term, shall not exceed \$672,198.00 (plus the required down payments set forth above); and

WHEREAS, the Chief Financial Officer has certified that sufficient funds are available for the first year of this lease/purchase agreement from Enterprise Fleet Management, Inc.;

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

1. A contract for the lease of eleven (11) vehicles, as more fully described above, is hereby awarded to Enterprise Fleet Management, Inc. without public bidding as permitted by law, for the not to exceed contract amount of \$134,439.60 (plus the required down payments referred to above) for year one, and up to \$672,198.00 (plus the required down payments referred to above) for the entire five (5) year term.

2. The Mayor and Clerk are hereby authorized and directed to execute an Agreement with Enterprise Fleet Management, Inc. in accordance with this Resolution, along with such other documents necessary to fulfill the obligations thereunder and comprising of the Agreement, which includes the following:

- Credit Application
- Power of Attorney
- End User Agreement
- Master Equity Lease Agreement

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

Resolution No. 56-2022*

Common Council of the City of Burlington hereby approves the following appointments for the year 2022:

Councilwoman Hollingsworth as Council's representative to the Tourism Council;

Councilman Roque as Council's representative to the City of Burlington Municipal Alliance;

Councilman Roque as Council's representative as a Member to Main Street Burlington;

Councilman Smith as Council's representative as a Member to the Land Use Board;

Councilman Babula as Council's liaison to the Board of Education;

Councilman Smith as Council's liaison to the Historic Preservation Commission;

Councilman Babula as Council's liaison to the Board of Island Managers;

Councilwoman Woodard and Councilwoman Hollingsworth as Council's representatives to the Local Emergency Planning Committee;

Councilman Chachis as liaison to the Greater Burlington Chamber of Commerce;

Councilman Chachis and Councilwoman Woodard as representatives to the Burlington County Route 541 Steering Committee.

Approved by Consent Agenda. All were in favor.

Resolution No. 57-2022*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Yolanda Tiggett, 412 Garnet Drive, Burlington, N.J. to operate a business at 125 Route 130 & Wood Street, t/a "Yolie's Dominican Hair Salon."

Approved by Consent Agenda. All were in favor.

COUNCIL COMMENTS

Councilwoman Woodard suggested Council Members forward proposed questions to the Riverwalk Subcommittee.

President Hollingsworth spoke of Martin Luther King Day.

ADJOURNMENT

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, this meeting of January 18, 2022 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk