

A **SPECIAL** MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, FEBRUARY 22, 2022, AT 7:00 PM, VIA ZOOM PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The following notice of the meeting was sent:

Special Meeting in accordance with the “Open Public Meetings Act”

The President of Common Council has scheduled a Special Meeting to be held on Tuesday, February 22, 2022 at 7pm, via ZOOM. Official action will be taken.

Join Zoom Meeting:

<https://us02web.zoom.us/j/2993296844?pwd=UURxMXhYMysxYXIUNUJZTHZwemxqQT09>

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, Xavier Roque, Roosevelt Smith, Suzanne Woodard, Denise Hollingsworth

Also present: Mayor Barry Conaway, Administrator David Ballard, Municipal Attorney Lou Garty, Police Chief John Fine, Director of Public Works Bill Curry, Director of Public Affairs John Alexander, Director of Housing Bill Harris, Redevelopment Counsel Stuart Platt, Esq., Financial Advisor Josh Nyikita of Acacia.

MOMENT OF SILENCE

Recognition of the passing of former Mayor Robert Vandergriff and his wife, Anita.

SALUTE TO FLAG

EXPLANATION OF RESOLUTIONS

An explanation was provided for the following:

| | |
|------------------------|---------------|
| Resolution No. 76-2022 | Mayor Conaway |
| Resolution No. 77-2022 | Mayor Conaway |

PUBLIC COMMENTS

None.

RESOLUTIONS

Resolution No. 76-2022

RESOLUTION NO. 76-2022 OF THE CITY OF BURLINGTON COMMON COUNCIL AUTHORIZING THE LAND USE BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION AS TO WHETHER ALL OR ANY PORTION OF THE PROPERTY DESIGNATED AS BLOCK 1, LOT 1, ON THE OFFICIAL TAX MAP IS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, the New Jersey Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-1, et seq. authorizes the governing body of any municipality to act by Resolution of the governing body, to authorize its Land Use Board to conduct a preliminary investigation to determine whether any area within the municipality is an area in need of Redevelopment; and

WHEREAS, the land proposed to be studied for this preliminary investigation is identified as Block 1, Lot 1, on the Official Tax Map of the City of Burlington, which is more commonly known as the PSE&G Generating Station Property; and

WHEREAS, the Common Council of the City of Burlington considers it to be in the best interest of the City of Burlington to have its Land Use Board conduct an investigation utilizing the process required by N.J.S.A. 40A:12A-1, et seq. and specifically, the requirements of N.J.S.A. 40A:12A-6, regarding the potential designation of the aforementioned area within the City for Redevelopment purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BURLINGTON, NEW JERSEY, THAT

1. The Land Use Board of the City of Burlington and its consultants are requested and directed to conduct a preliminary investigation to determine whether Block 1, Lot 1 is an area in need of Redevelopment according to the criterion in N.J.S.A. 40A:12A-1, et. seq.
2. The Land Use Board of the City of Burlington and its consultants are requested and directed to:
 - a. Oversee the preparation of an Investigation Report and Map, showing the boundaries of the proposed redevelopment area and the location of the various parcels of property included therein; and
 - b. Prepare a statement with the Map setting forth the basis for the investigation.
3. The Redevelopment Area determination shall also authorize the municipality to use all those powers provided by the Legislature for use in a Redevelopment area, specifically including the power of eminent domain (hereinafter referred to as a “Condemnation Redevelopment Area”).
4. Such determination by the Land Use Board shall be made after public notice and public hearing as required by N.J.S.A. 40A:12A-1, et seq. and/or N.J.S.A. 40A:12A-6.

5. The Land Use Board of the City of Burlington and its consultants are requested and directed to conduct the preliminary investigation, and prepare all documents including a map, Investigation report, area statement, to provide all required notices, to conduct all required hearings and to undertake all such actions as may be required by the New Jersey LRHL, N.J.S.A. 40A:12A-1, *et seq.*, as are necessary to provide the applicable Redevelopment Area designation.

Upon the motion of Councilman Chachis, seconded by Councilwoman Hatala, 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. 77-2022

RESOLUTION NO. 77-2022 OF THE CITY OF BURLINGTON ACCEPTING A GRANT FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND PUBLIC ENTITY PROGRAM THROUGH THE NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY AND THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

WHEREAS, City of Burlington has applied for and has been awarded a grant in the amount of up to \$ 113,023.05 from the Hazardous Discharge Site Remediation Fund Municipal Grant Program through the New Jersey Department of Environmental Protection and the New Jersey Economic Development Authority for Preliminary Assessment and Site Investigation of the US Pipe Site;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Burlington that the above referenced grant is hereby accepted, and the Business Administrator is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the City of Burlington.

BE IT FURTHER RESOLVED that a comprehensive plan exists specifically for the development or redevelopment of contaminated or potentially contaminated real property in the host municipality or that a realistic opportunity exists that the Project Site will be developed or redeveloped within a three-year period from the completion of the remediation.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

Upon the motion of Councilwoman Hatala, 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: Mr. Babula. (1); ABSTAIN: (0); ABSENT: (0).

Resolution No. 78-2022

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 pursuant to N.J.S.A. 10:4-12(6) and N.J.S.A. 10:4-12(7) :

- New Yorkshire Senior Housing Project Proposals

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 February of 2022 or shortly there after.

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

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hatala, 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); WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

COUNCIL COMMENTS

Councilwoman Hatala spoke in recognition of George Washington's Birthday; announce passing of resident and former business owner, Tony Conda.

EXECUTIVE CONFERENCES

- New Yorkshire Senior Housing Project Proposals

Council President Hollingsworth announced that as a result of the Executive Session this evening Council has come to a consensus to designate Conifer Realty as the Developer of the New Yorkshire Senior Housing Project; it will be memorialized by Resolution at the next meeting.

ADJOURNMENT

Upon the motion of Councilman Smith, seconded by Councilwoman Woodard, this meeting of February 22, 2022 was adjourned at 8:18pm.

Cindy A. Crivaro, RMC
Municipal Clerk

