

A MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 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 March 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 (7:10pm), Roosevelt Smith, Suzanne Woodard (7:20pm), Denise Hollingsworth

Absent: Xavier Roque

Also present: Mayor Barry Conaway, Administrator David Ballard, CFO Ken MacMillan, Municipal Attorney Stuart Platt, Water Engineer Bill Kirchner, Police Chief John Fine, Director of Public Works Bill Curry, Director of Public Affairs John Alexander, Director of Housing Bill Harris

INVOCATION

Council President Hollingsworth

SALUTE TO FLAG

INFORMATIONAL PRESENTATIONS

The following Informational Presentations were given:

- Lead Service Line Mailing - Bill Curry, Director of Public Works

EXPLANATION OF RESOLUTIONS

An explanation was provided for the following:

Resolution No.81-2022	Bill Harris, Director of Housing
Resolution No.82-2022	Ken MacMillan, CFO
Resolution No.85-2022	Mayor Conaway
Resolution No.86-2022	Lou Garty, Esq.
Resolution No.87-2022	Bill Harris, Director of Housing

EXPLANATION OF ORDINANCES - SECOND READING & FINAL DISPOSITION

An explanation was provided for the following:

Ordinance No. 02-2022	Bill Harris, Director of Housing
Bond Ordinance No. 02-2022	Ken MacMillan, CFO
Bond Ordinance No. 03-2022	Ken MacMillan, CFO

PUBLIC COMMENTS

Sam Richter, 2 E. Pearl Street- spoke of no street sign at the street segment between Stacy and Pearl.

Born Understanding Allah, 4 Cooper Street- helping the youth.

Steven Young, 214 Arkansas Avenue, Atlantic City, N.J.- suggested he was disrespected at the last meeting and requested an apology.

Council President Hollingsworth acknowledged the situation.

CONSENT AGENDA

Councilman Chachis, 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 FEBRUARY 2022

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of January 2022 \$450.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

02-01 Historic Preservation Commission, dated March 2, 2022

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

02-500 NJLINCS, dated February 7, 2022, re: FDA Warning Covid 19 Rapid Test

CORRESPONDENCE TO AND FROM THE NJLM

- 02-600 NJLM, dated February 2, 2022, re: Upcoming League Seminars and Webinars
- 02-601 NJLM, dated February 11, 2022, re: State Issues, Federal Issues, Covid Update
- 02-602 NJLM, dated February 11, 2022, re: Upcoming Seminars and Webinars
- 02-603 NJLM, dated February 16, 2022, re: Upcoming Seminars and Webinars
- 02-604 NJLM, dated February 22, 2022, re: Upcoming Seminars and Webinars

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

- 02-700 NJ DOH, dated February 3, 2022, re: Public Health Considerations for Covid-19
- 02-701 NJDOH, re: Covid-19 Activity Level Report week ending January 29, 2022
- 02-702 NJDEP, re: Lead Service Line Communications Toolkit
- 02-703 NJ Board Public Utilities, re: Affordable Connectivity Program
- 02-704 New Jersey General Assembly, Herb Conaway, MD, re: Mental Health Screening Grant Program

MISCELLANEOUS CORRESPONDENCE

- 02-800 Family of Antonio A. Baldorossi, re: Thank You for flowers
- 02-801 Family of Mary Stafford, re: Thank you for flowers
- 02-802 Manko, Gold, Katcher and Fox, dated December 24, 2021, re: PSEG Burlington Generating Station

NOTICES OF FORECLOSURES

- 02-900 Block 206, Lot 13
- 02-901 Block 137, Lot 7

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 AMENDING CHAPTER 162, SECTION

30, OF THE CODE OF THE CITY OF BURLINGTON (FIRE PREVENTION - SMOKE DETECTORS)

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

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 207, SECTION 71, OF THE CODE OF THE CITY OF BURLINGTON (LAND USE - SHEDS & PERGOLAS)

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

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 277, SECTION 12, OF THE CODE OF THE CITY OF BURLINGTON (SEWERS - CLEANING DRAINS & SEWERS)

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

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 146, SECTION 95, RELATING TO CHAPTER 195 OF THE CODE OF THE CITY OF BURLINGTON (HOUSING STANDARDS FEES)

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

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 146 AND CHAPTER 344 OF THE CODE OF THE CITY OF BURLINGTON (VEHICLES AND TRAFFIC & VIOLATIONS AND PENALTIES)

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

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 02-2022 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

WHEREAS, the City of Burlington 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 City of Burlington is the owner of parcels of land designated on the City Tax Map as Block 150, Lots 19-22, 24, 25, 38 and 39 within the City of Burlington which are more commonly known as 307-309 Green Street and 457, 459, and 461 St. Mary Street (the "Property"); and

WHEREAS, the Property is located within the New Yorkshire Redevelopment Area, established by the City in December of 2011 and governed by a Redevelopment Plan, as evidenced via Ordinance No. 09-2011 and identified as part of Opportunity Site (#11); and

WHEREAS, the City of Burlington previously determined that certain City-owned parcels within the aforementioned Redevelopment Area, including Opportunity Site #11, could be redeveloped and requested that the Director of Housing review proposals for the redevelopment; and

WHEREAS, the Common Council previously authorized the Director of Housing and Community Development and/or the Administration and the Solicitor to review proposals to purchase the property; and

WHEREAS, the City has received a proposal from KIJ Construction, LLC (the "Developer") in which the Developer would purchase the property from the City for a sum to be negotiated and determined, which includes the existing structure on 307-309 Green Street, which would be demolished by the Developer so that the Developer could construct a new building for the proposed purpose; and

WHEREAS, the Developer proposes to operate a training and apprenticeship program at a new structure on 307-309 Green Street and the adjacent parcels; and

WHEREAS, the property is ready to be transferred to a qualified purchaser; and

WHEREAS, the City has explored proposals for the rehabilitation of the site for other uses and determined that the subject proposal is the most feasible and beneficial proposal to the City; and

WHEREAS, based upon the foregoing, the Common Council of the City of Burlington has determined that the aforementioned City-owned property, identified on the Tax Map as Block 150,

Lots 19, 20, 21, 22, 24, 25, 38 and 39 (“the Property”), also known as 301-309 Green Street and 457, 459, and 461 St. Mary Street, are no longer needed for public purposes as contemplated by N.J.S.A. 40A:12-13 and previously enacted Ordinances for that purpose; and

WHEREAS, pursuant to previously adopted Ordinances and consistent with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-8g and N.J.S.A. 40A:12A-22j, the City may, among other things, authorize the sale of property located within redevelopment areas without the necessity for public bidding; and

WHEREAS, under the terms of the proposal submitted, the Developer would also be required to engage a professional Engineer and/or Architect to provide a revised concept plan and the Developer would assume the costs for the demolition and related environmental costs, all of which would be set forth in an Agreement of Sale with the Developer.

NOW THEREFORE BE IT ORDAINED by the Common Council for the City of Burlington that Ordinance No. 16-2021 is hereby amended so as to designate KIJ Construction, LLC as the developer for the City-owned property identified on the Tax Map as Block 150, Lots 19, 20, 21, 22, 24, 25, 38 and 39 (“the Property”), also known as 301-309 Green Street and 457, 459, and 461 St. Mary Street, which parcels are within the New Yorkshire Redevelopment Area and designated as a part of Opportunity Site #11 and which parcels are hereby designated as no longer needed for public purposes; and

BE IT FURTHER ORDAINED that the City and its Administrative staff and consultants are granted the authority to memorialize the offer to purchase the property through an Agreement of Sale consistent with the terms as stated herein, namely:

2. The City and the Developer agree to negotiate terms such for the purchase of subject parcels for the sum to be determined;
3. The Developer is permitted to demolish the existing structure in order to construct a new building, at its sole cost, to be permitted to operate a training and apprenticeship program;
4. The Developer will be required to engage a professional Engineer and/or Architect to provide a revised concept plan, which must also be approved by the Land Use Board.
5. The Developer will be required to engage a professional Engineer to provide a suitable plan for the safe and timely demolition of the existing structure;
6. The Developer will assume all of costs for the demolition and related engineering and the environmental costs, if any, for the safe demolition and the removal of all building contents and debris in a manner which is compliant with state, federal and any other applicable environmental laws for the demolition of the structure;
7. The terms of sale would prohibit the Developer from speculating on the land value so that the parcels could not be resold for a period of time to be set forth in the Agreement of Sale or similar agreement; and
8. The Agreement will include such other terms as are reasonable and necessary for contracts of this nature and to fulfill the intent of Council in enacting this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

Upon the motion of Councilman Chachis, seconded by Councilman Babula, 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, Mr. Chachis, Ms. Hatala, Mr. Smith, Ms. Woodard, Ms. Hollingsworth. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Roque. (1).

BOND ORDINANCE NO. 02-2022 AUTHORIZING THE REPLACEMENT OF DRAINAGE LINES IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$450,000; 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 \$450,000; 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 \$450,000; 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 \$450,000.

Section 3. The sum of up to \$450,000, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$450,000 to finance the costs of the purposes 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 purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$450,000 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 \$50,000.

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.	Replacement of Various Drainage Lines in the City, including, but not limited to Ellis Street, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$450,000	\$0	\$450,000	40 years

Section 8. Grants, or other monies 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 \$450,000 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 improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefitted 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;

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

BOND ORDINANCE NO. 03-2022 AUTHORIZING THE IMPROVEMENTS OF VARIOUS CITY PARKING LOTS IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$330,000; 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 \$75,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Common 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 purposes described in Section 7 hereof are hereby authorized as general improvements 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 purposes stated in Section 7 hereof is \$330,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is up to \$75,000; and
- © a down payment in the amount of \$5,000 for the purposes 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 up to \$75,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$5,000, which amount represents the required down payment, and the sum of \$250,000, which amount represents a grant from the New Jersey Department of Transportation, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$75,000 to finance the costs of the purposes 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 purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$75,000 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 \$75,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each 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>Grants</u>	<u>Amount of Obligation</u> \$	<u>Period of Usefulness</u> \$
A. Improvements of Various City Parking Lots including, but not limited to, repaving, installation of brick sidewalks, installation of electric charging stations, and lighting, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$330,000	\$5,000	\$250,000	\$75,000	10 years

Section 8. Grants or other monies 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 purposes 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 \$75,000 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 improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefitted 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;

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 79-2022*

RESOLUTION NO. 79-2022 OF THE COMMON COUNCIL AND CITY OF BURLINGTON SUPPORTING THE NEW JERSEY DEPARTMENT OF TRANSPORTATION CONCEPT DEVELOPMENT DESIGN PRELIMINARY PREFERRED ALTERNATIVE FOR THE REPLACEMENT OF ROUTE 130 SOUTHBOUND BRIDGE (STRUCTURE NO. 0317-152) OVER ASSISCUNK CREEK AT MP. 46.65

WHEREAS, on January 19, 2022, New Jersey Department of Transportation officials gave a presentation on a Concept Development Design Preliminary Preferred Alternative for the replacement of the Route 130 Southbound Bridge (Structure No. 0317-152), at milepost 46.65; and

WHEREAS, the project is currently in the Concept Development Phase and will advance to Preliminary Engineering and Final Design; and

WHEREAS, the NJDOT's consulting engineer indicated that the bridge is "Structurally Deficient" and "Scour Critical" and must be replaced, and the project will include shoulder widening, raising the roadway profile to increase the low chord elevation of the bridge superstructure, and guide rail improvements; and

WHEREAS, the proposed bridge would be built in two stages with traffic diverted to the adjacent abandoned bridge to maintain both traffic lanes Route 130 SB during the first stage, and traffic would be moved onto the new bridge in the second stage; and

WHEREAS, traffic detours will not be utilized during construction.

NOW, THEREFORE, BE IT RESOLVED that the Common Council and City of Burlington does hereby support the New Jersey Department of Transportation Concept Development Design Preliminary Preferred Alternative for the replacement of the Route 130 Southbound Bridge (Structure No. 0317-152), at milepost 46.65; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Commissioner of the State of New Jersey, Department of Transportation (DOT).

Approved by Consent Agenda. All were in favor.

Resolution No. 80-2022*

Appointment of Municipal Court Judge

WHEREAS, the City of Burlington Municipal Court is a shared court with the Township of Burlington; and

WHEREAS, Dennis P. McInerney was the distinguished Judge of the shared court until his announced his retirement effective December 31, 2021; and

WHEREAS, pursuant to N.J.S.A. 2B:12-4(a) a municipal court judge is appointed to serve a three year term, and Judge McInerney was appointed pursuant to N.J.S.A. 2B:12-4(b) for a 3-year term ending on December 31, 2022; and

WHEREAS, a successor municipal court judge is to be appointed for the balance of the unexpired term of his or her predecessor; and

WHEREAS, Mayor Barry W. Conaway is recommending, in accordance with our Shared Services Agreement with Burlington Township, that Peter C. Lange, Jr. be appointed as City of Burlington Municipal Court Judge for balance of the three year term ending on December 31, 2022.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington confirms the appointment of Peter C. Lange, Jr., to serve as the City of Burlington Municipal Court Judge for the remainder of the three year term ending December 31, 2022.

BE IT FURTHER RESOLVED, that copies of this resolution be sent by our Municipal Clerk to the Court Administrator for our shared court and to the Burlington County Vicinage Municipal Division.

Approved by Consent Agenda. All were in favor.

Resolution No. 81-2022

RESOLUTION NO. 81-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A CONTRACT WITH HABITAT FOR HUMANITY OF SOUTH CENTRAL

NEW JERSEY INC. IN THE AMOUNT NOT TO EXCEED \$81,250 FOR THE PERFORMANCE OF CONSTRUCTION WORK FOR THE RENOVATION OF CITY OWNED PROPERTY AS PART OF THE CITY'S AFFORDABLE HOUSING INITIATIVES

WHEREAS, the City of Burlington previously applied for a Neighborhood Preservation Program ("NPP") Grant from the State of New Jersey, Department of Community Affairs (NJDCA) and received grant funding; and

WHEREAS, the City of Burlington previously applied for and has been approved for additional grant funding in the amount of \$50,000 for performance of certain services relating to the grant for the preservation of properties to be rehabilitated for use as Affordable Housing sites; and

WHEREAS, in addition to the aforementioned grant funding, the City of Burlington has committed \$31,250 in funding from its Affordable Housing Trust Fund to rehabilitate certain eligible sites identified by the City for rehabilitation and to be used for Affordable Housing sites as well as to provide support for existing eligible identified properties by providing assistance similar to the "Rock the Block" initiative of 2020; and

WHEREAS, consistent with the terms of the aforementioned grant, the City of Burlington has formulated, developed, and implemented a 5-year Strategic Action Plan that focuses on community revitalization in the New London Neighborhood; and

WHEREAS, consistent with the terms of the aforementioned grant, the City of Burlington has established a NPP office, engaged local residents, conducted a neighborhood assessment, and performed other tasks in conformance with the terms of the grant such that the subject MOU to provide for the rehabilitation of the identified properties will fulfill the purposes of the grant; and

WHEREAS, consistent with the terms of the aforementioned grant, the City previously entered into a Memorandum of Understanding (hereinafter referred to as "MOU") in 2020 with Habitat For Humanity Of South Central New Jersey Inc. under its prior name, Habitat for Humanity of Burlington and Mercer Counties, whose address is 530 Route 38 East, Maple Shade NJ (Hereinafter referred to as "HFH") for the purpose of engaging HFH to perform certain rehabilitation projects; and

WHEREAS, consistent with the terms of the aforementioned grant, HFH previously provided the requested services to rehabilitate the eligible properties identified by the City in a manner which is satisfactory to the City of Burlington; and

WHEREAS, the parties mutually wish to extend or continue the contract for HFH to rehabilitate eligible identified properties and to provide other programs consistent with the terms of the subject NPP grant and the City's direction as to programs and properties to be designated for activity; and

WHEREAS, the City and HFH agree and acknowledge that the services described herein are professional services and/or are extraordinary, unspecifiable services (as that term is defined by the Public Contracts Law, N.J.S.A. 40A:11-1, et seq.) such that it is impractical to obtain quotes or bids for the type and quality of services to be provided or to specify the various knowledge, experience, skills and community contacts necessary to perform the services described herein. In addition, the source of the funding for this contract is the State Neighborhood Preservation Program Grant funding, such that the terms and conditions of the grant and the services to be provided are to be in conformance with the terms of the grant; and

WHEREAS, the contract term for the contract with HFH is for a period of approximately eleven months, commencing on March 2, 2022 through January 4, 2023, which is coterminous with the term of the State NPP grant; and

WHEREAS, entering into a contract with HFH to perform the required services as described herein will facilitate activities which will promote tailored projects designed to revitalize and preserve the New London neighborhood.

NOW, THEREFORE, BE IT RESOLVED;

9. That the City of Burlington does hereby authorize the utilization of the aforementioned grant funds as well as to approve the use of the funding from its Affordable Housing Trust Fund, consistent with the Spending Plan for the subject contract for services to be performed by HFH;
10. The Common Council also recognizes and accepts that the NJDCA may offer a lesser or greater amount of grant funding and that therefore, upon receipt of the grant agreement from the NJDCA, does further authorize the execution of the grant agreement; and
11. Consistent with the terms of the Grant Agreement from NJDCA, Council does further authorize the expenditure of funds pursuant to the terms of said agreement between the City of Burlington and the NJDCA, including any applicable provision of a local match share requirement for the specified ratio of local funds to State funding.

NOW THEREFORE, BE IT RESOLVED that the persons whose names, titles and signatures appear below are authorized to sign the application for 2022 and that they or their successors in said titles are authorized to sign the agreement and any other documents in connection therewith:

Mayor Barry W. Conaway

William Harris – Director, Dept. of Housing and Community Development

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms.

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

Resolution No. 82-2022

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS

RESOLVED: That WHEREAS, an emergent condition has arisen with respect to paying salaries and wages for various City employees and various other expenses necessary to provide essential services to the residents of the City of Burlington prior to the final adoption of the budget and no adequate provision has been made in the 2022 temporary appropriations for the aforesaid purpose, and N.J.S.40A: 4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2022 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A: 4-20) including this resolution total \$ 30,000.00 for Current Fund, \$ 0.00 for Water Utility and \$ 0.00 for Sewer Utility;

NOW, THEREFORE, BE IT RESOLVED: (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the purposes found on attachment "A" attached.
2. That said emergency temporary appropriations will be provided for in the 2022 budget under the titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

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

Resolution No. 83-2022*

MEMORIAL RESOLUTION

Robert W. Vandegrift

Whereas, Robert W. Vandegrift was a native of the City of Burlington and served as Councilman from 1985 to 1987 and became Mayor in 1991 serving through 1995; and

Whereas, Robert was a graduate of the City of Burlington Public School System graduating from Wilbur Watts High School in 1941, attending Cooks College and Rutgers University in New

Jersey, joined the Navy in 1942 to 1945, was a Chief Cropsman in the Atlantic and Pacific Theaters of War and served in the Korean War from 1950 to 1953; and

Whereas, Robert worked for the State of New Jersey Department of Environmental Protection as a Chief Investigator; and

Whereas, Robert was very active in many organizations, The Men's Club of Spanish Wells, American Legion and VFW in Burlington, attending several local churches and bible studies, served on the Board of Regents for Jerry Falwell's Liberty University in Lynchburgh Va., and was a personal friend to Dr. Jerry Falwell; and

Whereas, Robert enjoyed fishing, talking to people, reading, woodworking, gardening and attending gospel concerts; and

Whereas, Robert was married for 52 years to his wife, Anita, who passed 3 days before Robert, leaving behind four children Robert, Paulette, Donna and Claudia, eight grandchildren, six great grandchildren and nephew; and

Whereas, Robert served our Citizens well for many years, and the City of Burlington Mayor and Common Council, and its citizens, are deeply saddened by his death and wish to express deepest sympathy and gratitude for his service to the City.

Now, therefore be it resolved that, the Mayor and Common Council adopt this resolution in the memory of our friend and former colleague, Robert W. Vandegrift this 1st day of March in the year 2022.

Approved by Consent Agenda. All were in favor.

Resolution No. 84-2022*

RESOLUTION NO. 84-2022 OF THE CITY OF BURLINGTON CANCELING TAXES AND REFUNDING OVERPAYMENT ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, the property identified herein as Block 221.03 Lot 4, located at 7 Fawn Hollow Road is owned by Ryan O. Herbert, 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; and

WHEREAS, due to the cancellation of 2021 taxes as of November 24, 2021 in the amount of \$1,065.24, an overpayment will occur on property in the amount of \$1,065.24;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2021 pro-rated taxes are hereby cancelled for the reason set forth above and authorizes the Chief Financial Officer to issue a refund check in the amount of \$1,065.24 for the overpayment of 2021 taxes. The refund to be issued as follows:

<u>BLOCK</u>	<u>LOT</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
221.03 (7 Fawn Hollow Rd)	4	Ryan O. Herbert	\$ 1,065.24

****Make check payable to:**

Ryan O. Herbert
7 Fawn Hollow Road
Burlington, N.J. 08016

Approved by Consent Agenda. All were in favor.

Resolution No. 85-2022

RESOLUTION NO. 85-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF MUNICIPAL ATTORNEY/SOLICITOR

WHEREAS, the City of Burlington is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposal for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor as appointed and selected The Platt Law Group, P.C. to serve as the Municipal Attorney/Solicitor based upon the Mayor's determination of the "most advantageous,

price and other factors” based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2022.

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 of Mayor Barry W. Conaway’s appointment of The Platt Law Group, P.C. to serve as Municipal Attorney/Solicitor for the term of March 1, 2022 through December 31, 2022.

2. The compensation of the Solicitor and services of the Solicitor for the 2022calendar year shall be in accordance with the professional services contract to be entered into between the City and The Platt Law Group, P.C..

3. The City of Burlington is hereby authorized to enter into the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for The Platt Law Group, P.C. to provide legal services and serve as Municipal Attorney/Solicitor setting forth the following terms:

a. A term of March 1, 2022 through December 31, 2022

b. Hourly rates and compensation not in excess of that set forth in The Platt Law Group, P.C. Firm’s proposal; and

c. The following not to exceed amounts:

2022

General Solicitor Services \$125,000.00

Upon the motion of Councilman Chachis, seconded by Councilman Smith, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Mr. Smith, Ms. Hollingsworth. (4); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala, Mr. Roque, Ms. Woodard, (3).

Resolution No. 86-2022

RESOLUTION NO. 86-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REFERRING THE REVIEW OF PROPOSED ORDINANCE NO. 05-2022 TO THE CITY OF BURLINGTON LAND USE BOARD TO REPORT ITS RECOMMENDATIONS AND FINDINGS AS TO THE PROPOSED REVISIONS TO THE CITY CODE ON LAND USE, ZONING AND LAND DEVELOPMENT WITH RESPECT TO REVISED STANDARDS FOR SHEDS AND PERGOLAS

WHEREAS, at a public meeting held on March 1, 2022 the Common Council of the City of Burlington, the City Council introduced Ordinance No. 05-2022 which would amend the City Code as to certain standards relating to sheds and pergolas; and

WHEREAS, pursuant to New Jersey's Municipal Land Use Law (N.J.S.A. 40:55D-1, et seq.), an Ordinance involving or affecting land use and zoning must be referred to the Land Use Board (the "Land Use Board") for review and comment.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, that Ordinance No. 05-2022 is hereby referred to the Land Use Board to report its recommendations and findings to City Council as required under the MLUL as to the proposed changes by the Ordinance to the City Code, including the sections on Land Use Development and Zoning for any recommendations, findings and a determination as whether the adoption of the proposed Ordinance promotes consistency with the Master Plan, the goals and intents of the Zone Plan and to promote and advance other permitted, appropriate governmental purposes and planning principles; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Burlington Common Council hereby directs the City of Burlington Land Use Board to:

12. Review the proposed Ordinance providing for the amendment of standards governing sheds and pergolas in the City; and
13. To review said proposed Ordinance and to hear public comment regarding same; and
14. To report the Board's comments, recommendations and any suggested revisions to the City Council for its consideration and adoption; and
15. To report to the Common Council whether the adoption of the proposed Ordinance is consistent with the City's Master Plan, Zone Plan and other applicable standards for the Zoning Districts.

BE IT FURTHER RESOLVED, that the City of Burlington Land Use Board shall report its findings and recommendations to the Common Council for the City of Burlington via formal written Resolution within 45 days of this referral.

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

Resolution No. 87-2022

RESOLUTION NO. 87-2022 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON DESIGNATING THE CONIFER DEVELOPMENT GROUP AS THE DEVELOPER FOR A SENIOR HOUSING DEVELOPMENT AT OPPORTUNITY SITE #1 WITHIN THE NEW YORKSHIRE DEVELOPMENT AREA

WHEREAS, the Common Council of the City of Burlington acts as the Redevelopment entity for the City of Burlington and has identified certain City-owned properties to pursue for Redevelopment; and

WHEREAS, pursuant to and consistent with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-8g and N.J.S.A. 40A:12A-22j, the City may, among other things, authorize the sale of property located within Redevelopment areas without the necessity for public bidding; and
WHEREAS, the City previously identified a site designated as “Opportunity Site #1” within the New Yorkshire Redevelopment Area and identified on the Tax Map for the City of Burlington as Block 141, Lots 8, 9, 11, 12, 13, 14, 15, 16 and 17 as properties for Redevelopment; and

WHEREAS, an adjacent parcel which is privately owned, designated as Block 141, Lot 10, may also be purchased by the City or the developer for inclusion in this Redevelopment initiative; and

WHEREAS, the Common Council of the City of Burlington, authorized the issuance of an invitation to submit a proposal for development of the aforementioned Opportunity Site #1 as a 72-unit Senior Housing Project; and

WHEREAS, the Common Council received and reviewed the timely proposals submitted by various qualified developers; and

WHEREAS, the Common Council of the City of Burlington, as the Redevelopment Authority for the City of Burlington, heard the presentations of several developers, including the Conifer Development Group (“Conifer” or the “Developer”) held on February 8, 2022; and

WHEREAS, in furtherance of the mutual desire of the parties to explore the Redevelopment of this area and provide for a period of due diligence, the Common Council of the City of Burlington, as the Redevelopment Authority for the City, does hereby find that it is in its best interests to designate Conifer Development Group as the Redeveloper for the purposes as stated herein.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington, County of Burlington and State of New Jersey, as the Redevelopment Authority for the City, does hereby designate Conifer Group as the Redeveloper for the subject site and that a Redevelopment Agreement be set forth in a Developer’s Agreement with terms consistent with the submission of

the proposal and the presentation by the Developer and consistent with the proposal submitted by the Developer; and

BE IT RESOLVED that the City does hereby request that its Solicitor and/or Redevelopment Counsel review, negotiate and present proposed the terms for a form of Redevelopers' Agreement with the representatives of Conifer Development Group for the purpose of memorializing the terms for the Redevelopment of Opportunity Site #1, consistent with the presentation and the proposal submitted, so as to provide for the designation of the Developer, during which designation period the Developer shall have certain rights as the City's exclusive Redevelopment partner for this site.

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

Resolution No. 88-2022*

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) :

- Trash Collection Contract
- PSE&G Water Meters - Nick Repici, Esq. & Bill Kirchner, Water Engineer
- PSE&G Request for Access Agreement - Lou Garty, Esq. & Stuart Platt, Esq.

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 March of 2022 or shortly there after.

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

Approved by Consent Agenda. All were in favor.

COUNCIL COMMENTS

EXECUTIVE CONFERENCES

- Trash Collection Contract - Bill Curry, Director of Public Works
- PSE&G Water Meters - Nick Repici, Esq. & Bill Kirchner, Water Engineer
- PSE&G Request for Access Agreement - Lou Garty, Esq. & Stuart Platt, Esq.

ADJOURNMENT

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, this meeting of March 1, 2022 was adjourned at 9:10pm.

Cindy A. Crivaro, RMC
Municipal Clerk