

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, OCTOBER 19, 2021, 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 October 19, 2021 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, Denise Hollingsworth, Suzanne Woodard, Ila Marie Lollar. (6) Absent: (0)

Also present: Mayor Conaway, Chief Financial Officer- Ken Mac Macmillan, Director of Housing- Bill Harris, Municipal Attorney- Lou Garty, Police Chief John Fine, City Engineer Frank Morris, Sewer Engineer Ken Shine, Water Engineer Bill Kirchner, Sewer Department Mark Staravoj, Emergency Mgt. Coord. Frank Caruso.

### **SALUTE TO FLAG**

### **UNFINISHED BUSINESS**

None.

### **CONSENT AGENDA**

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

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

**LIMITING CITIZENS TO SPEAK NO MORE THAN TWO (2) MINUTES, ONLY ONE TIME EACH, DURING THIS MEETING OF October 19, 2021\***

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 253-2021

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. 1, an increase in the amount of \$12,000.00 providing for additional work due to unforeseen circumstances making a revised total contract amount of \$81,500.00.

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

Resolution No. 254-2021

RESOLUTION NO. 254-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE STATE OF NEW JERSEY FOR HAZARDOUS DISCHARGE SITE REMEDIATION FUNDS FOR 745 SALEM ROAD TO OBTAIN GRANT FUNDING TO PERFORM A PRELIMINARY ASSESSMENT AND A SITE AND/OR REMEDIAL INVESTIGATION STUDY

WHEREAS, the Common Council of the City of Burlington has determined that there has been, or suspects that there could potentially have been, a discharge of hazardous substances or hazardous waste on the property at 745 Salem Road (commonly referred to as the "Burlington Mart" site) by prior owners of or entities which occupied the site; and

WHEREAS, Common Council of the City of Burlington authorizes the City Administration to prepare and submit an application to the State of New Jersey's Hazardous Discharge Site Remediation Fund ("HDSRF") for funding to perform an environmental assessment and investigation of 745 Salem Road in Burlington, NJ, (known as the former "Burlington Mart" site) in order to determine the extent or the existence of any hazardous substance or hazardous waste, which assessment is critical to the remediation and evaluation of the Redevelopment options for the site; and

WHEREAS, City of Burlington has acquired the property by voluntary conveyance for the purposes of redevelopment and the investigation of the site will aid the City in pursuing appropriate Redevelopment opportunities for the site; and

WHEREAS, the Common Council of the City of Burlington is committed to the Redevelopment of the Burlington Mart site (745 Salem Road) for the purpose of redeveloping the site for a personal storage facility (or other appropriate Redevelopment purposes) and to do so within a three-year period after the completion of the remediation of this site either through the planned redevelopment project or through an alternate Redevelopment project; and

WHEREAS, in furtherance of that commitment, the Common Council has determined that it would be expensive to undertake the required preliminary studies on its own such that Council has determined that it is appropriate and beneficial to the City to apply for and seek grant or other funding assistance from the State of New Jersey, through HDSRF funding by submitting an application to the HDSRF for funding to conduct the environmental assessment and investigation of the condition of the site in order to assess the appropriate options for Redevelopment of this site.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Burlington is committed to the Redevelopment of the Burlington Mart site (745 Salem Road) and hereby authorizes the City Administration (in conjunction with its professional consultants as may be necessary and appropriate), to prepare and submit an application to the State of New Jersey's Hazardous Discharge Site Remediation Fund (HDSRF) for the purpose of seeking HDSRF grants or funding for the purpose of performing an environmental assessment and investigation of the property known as 745 Salem Road in Burlington, NJ (also known or referred to as the "Burlington Mart" site); and

BE IT RESOLVED, that the Common Council of the City of Burlington does hereby further authorize the Mayor to execute such application documents and authorizes the City's administrative staff and professionals to prepare and submit such other ancillary documents as are necessary to submit the required application consistent with the purpose and intent of this Resolution.

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

Resolution No. 255-2021

RESOLUTION NO. 255-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE STATEMENT OF INTENT TO PURSUE PLAN ENDORSEMENT AND AUTHORIZATION TO SUBMIT THE MUNICIPAL SELF-ASSESSMENT REPORT TO THE NEW JERSEY STATE OFFICE OF PLANNING ADVOCACY

WHEREAS, N.J.S.A. 52:18A-196, et seq., referred to as the "State Planning Act," recognizes that New Jersey is the nation's most densely populated State which requires sound and integrated land use planning and coordination of planning at all levels of government in order to conserve the state's natural resources, to revitalize the urban centers, protect the quality of the environment, and to provide needed housing and adequate public services at a reasonable cost while promoting beneficial economic growth, development and renewal; and

WHEREAS, Plan Endorsement is a voluntary review process developed by the State Planning Commission to provide the technical assistance and coordination of the State for municipalities, counties, and regional agencies to meet the goals of the State Planning Act and State Development and Redevelopment Plan (the “State Plan”); and

WHEREAS, the purpose of the Plan Endorsement process is to increase the degree of consistency among municipal, county, regional and state agency plans with each other and with the State Plan and to facilitate the implementation of these plans and guide where and how development and redevelopment can be accommodated in accordance with the State Plan; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines incorporate, and expand upon, the principles of the Municipal Land Use Law in order to help towns plan for a sustainable future; and

WHEREAS, the State Planning Rules and Plan Endorsement Guidelines require the preparation and submission of a Municipal Self-Assessment Report as the means by which a municipality assesses the consistency of its existing community vision and planning documents with the State Plan; and

WHEREAS, the Mayor and Common Council of the City of Burlington desire to obtain Plan Endorsement from the State Planning Commission; and

WHEREAS, Burlington County Department of Economic Development and Regional Planning has prepared a Municipal Self-Assessment Report pursuant to the State Planning Rules and Plan Endorsement Guideline for the City of Burlington; and

WHEREAS, the City of Burlington Plan Endorsement Advisory Committee has reviewed the Municipal Self-Assessment Report and recommends that the Mayor and Council approve it for submission to the State Planning Commission and the Office of Planning Advocacy towards the City of Burlington’s pursuit of Plan Endorsement.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of City of Burlington hereby expressly state that it is the intention of City of Burlington to pursue a Plan Endorsement designation by the State Planning Commission by submitting the City’s Municipal Self-Assessment Report and the Municipal Questionnaire to the State Planning Commission for its review; and

BE IT FURTHER RESOLVED that the Common Council of the City Burlington approves the City’s Municipal Self-Assessment Report and the Municipal Questionnaire and authorizes these documents to be submitted to the Office of Planning Advocacy for consideration and review as part of the effort to pursue Plan Endorsement as well as any other ancillary documents or information which may be requested in conjunction with that review process; and

BE IT FURTHER RESOLVED that the Clerk of City of Burlington shall transmit a copy of this Resolution and the Notice as required by the State Planning Rules to the State Planning Commission and the Office of Planning Advocacy.

BE IT FURTHER RESOLVED that the Municipal Clerk for the City of Burlington shall transmit a copy of this Resolution and the Notice as is required by the State Planning Rules, in order for the complete package of information to be submitted to the State Planning Commission consistent with its review of the City's Municipal Self-Assessment Report and the Municipal Questionnaire.

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, Ms. Hollingsworth, Ms. Woodard, Ms. Lollar. (6); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 256-2021\*

Common Council of the City of Burlington hereby appoints Keith Spencer, 6 West Union Street, Burlington, N.J. to the Housing Authority for the term of January 1, 2022 to December 31, 2026.

Approved by Consent Agenda. All were in favor.

Resolution No. 257-2021\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Anthony Cruz, 1381 Terrill Road, Scotch Plains, N.J. to operate a business at 572 High Street t/a "AC Vintage."

Approved by Consent Agenda. All were in favor.

**PUBLIC COMMENTS**

None.

**COUNCIL COMMENTS**

Councilman Babula spoke of Route 130 at Villa Rosa.

Councilman Chachis thanked Mr. Curry and the Public Works Department for their work on the sidewalk on the riverbank.

Councilwoman Hatala asked for the status of 524 and 526 High Street.

Councilwoman Hollingsworth stated she received great feedback from residents about the Commerce Square and Tatham Street proposals from last weeks' meeting.

Councilwoman Woodard asked about the Mansfield pipeline.

Mr. MacMillan advised that they had decided it would be less costly to go through Burlington Township; Burlington Township would transport the sewer to the City's lines, then the City would then treat it.

**CONFERENCES**

- Traffic Proposals - Frank Morris, Municipal Engineer
- Pearl Liquors, LLC Request for Use Variance
- Stormwater Presentation - Ken Shine, Sewer Engineer
- Best Practices Initiative - Ken MacMillan, CFO
- Capital Projects - Administration

**ADJOURNMENT**

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hatala, this meeting of October 19, 2021 was adjourned at 9:15 pm.

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Cindy A. Crivaro, RMC  
Municipal Clerk