

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, DECEMBER 14, 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 December 14, 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, Administrator- David Ballard, Chief Financial Officer- Ken Mac Millan, Lt. Elbertson, Director of Public Affairs- John Alexander, Director of Public Works- Bill Curry, Director of Housing- Bill Harris, Municipal Attorney- Lou Garty, Emergency Mgt. Coord.- Frank Caruso.

SALUTE TO FLAG

PRESENTATION

Recognition of Councilwoman Ila Marie Lollar for her many years of Service on Council.

UNFINISHED BUSINESS

None.

CONSENT AGENDA

Councilwoman Hatala, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Woodard. 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 DECEMBER 14, 2021*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 282-2021

RESOLUTION NO. 282-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN AWARD OF WWTP 2022-2023 ELECTRICAL MAINTENANCE CONTRACT SERVICES FOR THE CITY OF BURLINGTON'S WASTEWATER TREATMENT PLANT

WHEREAS, on January 5, 2021 the City authorized the Mayor to execute and enter into a Professional Services contract with Pennoni Associates to serve as Sewer Engineer, which Contract includes services to prepare bid packages for public bids, prepare an engineer's estimate, and advertise the project with the official newspaper; assist in opening and evaluating bids, prepare the bid recommendation, and prepare contracts; for a two year electrical maintenance contract for Electrical Maintenance at the Burlington City Wastewater Treatment Plant; and

WHEREAS, Pennoni Associates advertised a bid for a two-year electrical maintenance contract for Electrical Maintenance at the Burlington City Wastewater Treatment Plant in the Burlington County Times on October 20, 2021; and

WHEREAS, the City of Burlington has received one bid which was opened on November 17, 2021 and evaluated by Pennoni Associates; and

WHEREAS, Pennoni Associates has completed the evaluation of the bid package and made a recommendation to retain the services of Municipal Maintenance Company for a two-year contract to begin on January 1, 2022, which expires on December 31, 2023; and

WHEREAS, the original bid also requested an option for a two-year renewal of the contract based upon the pricing and satisfactory performance of the contract; and

WHEREAS, the City's Engineer has issued a written recommendation that the City authorize a two (2) year Contract with Municipal Maintenance Company in accordance with Section C-1.1.3 of the Contract, and consistent with the provisions of N.J.S.A. 40A:11-15; and

WHEREAS, based upon the City's projected budget of \$143,888.00 for the two-year Contract (in accordance with Section C-1.1.3 of the Contract and N.J.S.A. 40A:11-15), the City's Engineer has recommended that a two (2) year Contract of the electrical maintenance contract for a total amount not to exceed \$143,888.00 for the two-year Contract with Municipal Maintenance Company be authorized.

NOW THEREFORE, BE IT RESOLVED that the Common Council for the City of Burlington hereby authorizes the Mayor to execute an Agreement with Municipal Maintenance Company for a two-year contract of an electrical maintenance contract, (referred to by the Engineers as Contract No. BCSEX 21001E) at a total cost of \$143,888.00, for the purpose of performing the maintenance functions consistent with the advertisement for bids previously issued by the City of Burlington through its Professional Consulting Engineers.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hollingsworth, 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).

(283-2021 was issued 12/7/21)

Resolution No. 284-2021

RESOLUTION NO. 284-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN AGREEMENT TO PROVIDE ENGINEERING SERVICES WITH ENVIRONMENTAL RESOLUTIONS, INC. RELATING TO LITIGATION ASSISTANCE TO THE CITY OF BURLINGTON IN ITS CURRENT LITIGATION WITH THE STATE OF NEW JERSEY, DEP, RELATING TO ACCESS AND USE OF CERTAIN AREAS ON BURLINGTON ISLAND

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 actively engaged in litigation with the State of New Jersey, DEP (the "State") relating to access to and the use of areas on and around Burlington Island, where the State of NJ asserts that it owns certain Tidelands in the Delaware River and is seeking to dredge the Delaware River; and

WHEREAS, the City and the State DEP have recently agreed to explore whether this dispute could be resolved through negotiations relating to the potential use of the dredge cells and for other

compensation for the City and in connection with those negotiations, the City seeks to engage an engineering consultant to provide professional engineering services and confidential advice to the City of Burlington to review and assess certain proposals by the State; and

WHEREAS, on or about November 1, 2021, the City of Burlington's City Solicitor sought proposals from Engineers within the pool of qualified Engineers to perform work for special projects. The request sought proposals for a Scope of Services which would include but not be limited to assessing the potential environmental impacts of such a use/activity; evaluating the State's proposal for use of certain areas as a base for dredging; to evaluate the State's proposal and potentially recommend an alternate design plan with lesser impacts; to review or recommend whether it is environmentally and economically feasible (or advisable) for the City to seek to take control of or request proceeds from the sale of any dredge spoils; to evaluate the environmental impact of the State's proposal for dredging on the existing wildlife on the island, the ability to use the island for educational and other public purposes consistent with Green Acres lands for Block 230, Lots 1 and 2; and

WHEREAS, on November 17, 2021, Environmental Resolutions, Inc. provided a proposal to the City of Burlington which included a brief summary of the qualifications of the person(s) who would be able to provide the services as well as the Rates Sought for Professional Engineers and supporting personnel; and

WHEREAS, ERI has also provided the City with a proposed budget to perform these services in 2022 in the amount of \$10,200.00 which budget is reasonable for the services to be provided and the acceptance of this budgeted cost is recommended by the City's Administration and Solicitor; and

WHEREAS, Environmental Resolutions, Inc. is among the engineers appointed as part of its pool of pre-qualified engineers to perform services for certain special projects required by the City and the City Solicitor, the Mayor and the City Engineer have reviewed the proposal of Environmental Resolutions, Inc. and found it to be fair, reasonable, and in the best interests of the citizens in the City of Burlington to authorize or ratify an award of this contract.

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

1. The City of Burlington is authorized to enter into an Agreement with Environmental Resolutions, Inc. for the year 2022 in an amount not to exceed \$10,200.00 consistent with the and the intent of this Resolution and in accordance with the rates set forth in the proposal submitted by Environmental Resolutions on November 17, 2021 and the budget proposal submitted for services in 2022.
2. The Mayor and administrative staff of the City of Burlington are authorized to execute an Agreement with Environmental Resolutions, Inc. for the year 2022 not to exceed \$10,200.00 consistent with the and the intent of this Resolution and in accordance with the rates set forth in the proposal submitted by Environmental Resolutions on November 17, 2021.

3. The Mayor, City Clerk, Business Administrator and/or City Solicitor are authorized and directed to take any and all steps necessary to execute the Agreement between Environmental Resolutions, Inc. and the City of Burlington.
4. This Resolution shall take effect immediately.

Upon the motion of Councilwoman Woodard, seconded by Councilman Babula, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Ms. Woodard, Ms. Lollar. (5); NAYS: Mr. Babula. (1); ABSTAIN: (0); ABSENT: (0).

Resolution No. 285-2021

RESOLUTION NO. 285-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A TWO-YEAR EXTENSION THE 2019 CONTRACT WITH ALS GROUP USA CORPORATION FOR SANITARY LANDFILL TESTING (Contract Number BCSEX19000)

WHEREAS, On February 4, 2020, the City awarded the above referenced project to ALS Group USA Corporation of Middletown, PA for the low proposal 2-Year Contract price of \$52,277.00 (Years 1 and 2), including an optional two-year contract extension of \$52,277.00 (Years 3 and 4) based upon the submission of the lowest bid price pursuant to a publicly advertised bid; and

WHEREAS, ALS Group USA Corporation has completed the services in an effective and efficient manner throughout the contract period which expires December 31, 2021; and

WHEREAS, the original contract provided an option for a two-year renewal of the contract for \$52,277.00 (Years 3 and 4) based upon the pricing and satisfactory performance of the contract; and

WHEREAS, the City's Engineer has issued a written recommendation that the City authorize a two (2) year Contract extension in accordance with Section C-1.1.3 of the Contract, and consistent with the provisions of N.J.S.A. 40A:11-15; and

WHEREAS, the City's Engineer has issued a written recommendation that the City authorize Change Order No. 1 in the amount of \$4,801.60, which adjusted the 2-Year contract price to \$57,078.60.

WHEREAS, based upon the City's projected budget of \$57,078.60 for the two-year Contract extension including Change Order No. 1 and the fact that the City's Engineer has recommended that a two (2) year Contract extension of the Sanitary Landfill Testing contract for a total amount not to exceed \$57,078.60 for the two-year Contract extension with ALS Group USA Corporation be authorized; and

WHEREAS, the current contract expires on December 31, 2021 and exercising the proposed option for extension will achieve certain efficiencies and proved the continuation of the essential services through December 31, 2023.

NOW THEREFORE, BE IT RESOLVED that the Common Council for the City of Burlington hereby authorizes the City to exercise a two-year contract extension of the current contract with ALS Group USA Corporation for a two year contract extension of the current Sanitary Landfill Testing contract, (referred to by the Engineers as Contract Number BCSEX19000) at a total cost of \$57,078.60 (for Option Years 3 and 4 including Change Order No. 1), for the purpose of performing the Sanitary Landfill Testing functions in conformance with the prior bid specifications, bid proposal by ALS Group USA Corporation and the contract terms; and

BE IT FURTHER RESOLVED that the Common Council for the City of Burlington hereby authorizes the Mayor and/or Administration to perform such act as are necessary to confirm the exercise of the two year option, including executing any contract Agreement confirming the extension of the current contract to term not to exceed two additional years at a total cost of \$57,078.60, for purpose of performing sampling and testing functions consist with the RFP or bid previously issued by the City of Burlington through its Professional Consulting Engineers.

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. 286-2021

RESOLUTION TO AMEND ADOPTED BUDGET FOR A NEIGHBORHOOD PRESERVATION GRANT FROM THE NJ DEPARTMENT OF COMMUNITY AFFAIRS

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the City of Burlington received **Neighborhood Preservation Grant** in the amount of \$125,000.00 from the New Jersey Department of Community Affairs;

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$125,000.00 as follows which item is now available as a revenue from:

Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Neighborhood Preservation Grant

\$ 125,000.00

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 125,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations Operations-Excluded from "CAP"
Public and Private Programs Offset by Revenues:

Neighborhood Preservation Grant

\$ 125,000.00

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. 287-2021 Resolved: By Mayor Conaway and the Members of Common Council to the citizens of the City of Burlington, Best Wishes for Peace and Joy this Holiday Season and a New Year of Health, Happiness and Prosperity to all in 2022.

Merry Christmas, Happy Chanukah and Happy Kwanza.

Upon the motion of Councilman Babula, seconded by Councilwoman Hatala, 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. 288-2021*

RESOLUTION OF THE CITY OF BURLINGTON AUTHORIZING CANCELLATION OF UNEXPENDED IMPROVEMENT AUTHORIZATION BALANCES IN THE SEWER CAPITAL FUND

RESOLVED: That WHEREAS, it has been determined that there are improvement authorizations fully and/or substantially complete, and

WHEREAS, it has been further determined that there are unexpended balances applicable to said projects that are no longer needed for their original purposes;

NOW, THEREFORE, BE IT RESOLVED that the Chief Financial Officer be authorized to cancel the unexpended balances and credit same upon the records of the City as reflected on the attached schedule:

<u>Improvement Description</u>	<u>Date Adopted</u>	<u>Funded</u>	<u>Unfunded</u>
Repair Sewer Lines (High Street, Outfall and Wood Street)	06/18/02	\$ 2,774.53	

Upgrade Pump Stations (Mitchell, JFK)	06/18/02	18,594.74	
Improvements to Sewer Systems – 2007	09/18/07		\$ 1,051.67
Various Sewer Infrastructure Improvements	12/02/08	239,199.80	742,146.00
Repairs to Drainage Outfall Lines	04/02/13		58,009.87
Replacement of Stormwater Pumps	03/01/16		22.56
Improvements to Sewer Systems – 2016	05/03/16		54,326.00
Installation of Odor Control System and Grinders	07/11/17		8,153.46
Acquisition of Jet/Vac & Odor Control System	09/04/18		18,201.86

Approved by Consent Agenda. All were in favor.

Resolution No. 289-2021*

RESOLUTION NO. 289-2021 OF THE CITY OF BURLINGTON 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, 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 seeks to lease eleven (11) vehicles for municipal purposes, and specifically the following:

- 3 (three) 2022 Ford F-250 4x4 SD cab with up fits (plows lights etc.) at \$891 per month
- 1 (one) 2022 Ford F 250 4x4 SD Super cab with upfits (plows lights and utility etc.) at \$891 per month
- 2 (two) 2022 Ford F-350 Chassis XL 4x4 reg cab with up fits (plows, lights, etc.) at \$1078. per month
- 2 (two) 2022 Ford F-350 xl 4x4 SD regular with upfits (plows, lights, etc.) at \$1078 per month
- 2 (two) 2022 Ford Explorer 4dr 4x4 at \$ 591 per month
- 1 (one) 2022 Ford Escape SE Hybrid 4dr all-wheel drive at \$509 per month

WHEREAS, City of Burling has researched available goods and services from qualified vendors which would serve Burlington’s needs and determined that the sought-after goods could be purchased through a nationally recognized and accepted cooperative purchasing contract; and

WHEREAS, pursuant to N.J.S.A. 52:34-6.2b.(3) (as amended by P.L. 2011, c.139) and LFN 2012-10, a New Jersey municipality may purchase goods and services without public bidding under the Local Public Contracts Law through the use of a nationally or state recognized and accepted cooperative

purchasing contract that has been developed utilizing a competitive bidding or contracting process by another contracting unit within New Jersey or another state; and

WHEREAS, the law requires that the contracting unit must verify that vendors on a national or state cooperative contract comply with applicable New Jersey procurement documentation requirements and the City has received the appropriate documentation of a New Jersey Business Registration Certificate, a Statement of Corporate Ownership, and a Public Contract EEO Compliance; and

WHEREAS, The National Joint Powers Alliance® (NJPA) is a public agency serving as a national municipal contracting agency established under the Service Cooperative statute by Minnesota Legislative Statute §123A.21 with the authority to develop and offer, among other services, cooperative procurement services to its membership. Eligible membership and participation includes states, cities, counties, all government agencies, both public and non-public educational agencies, colleges, universities, and non-profit organizations.; and

WHEREAS, Under the authority of Minnesota state laws and enabling legislation, NJPA facilitates a competitive solicitation and contracting process on behalf of the needs of itself and the needs of current and potential member agencies nationally. This process results in national procurement contracts with various Vendors of products/equipment and services which NJPA Member agencies desire to procure. These procurement contracts are created in compliance with applicable Minnesota Municipal Contracting Laws; and

WHEREAS, NJPA is a public agency governed by publicly elected officials that serve as the NJPA Board of Directors. NJPA's Board of Directors oversees and authorizes the calls for all new proposals and holds those resulting Contracts for the benefit of its own and its Members use; and

WHEREAS, NJPA contracts offer Members nationally leveraged volume purchasing discounts and contract terms and conditions offer the opportunity for Vendors to recognize individual member procurement volume commitment through additional volume-based contract discounts; and

WHEREAS, The collective purchasing power of thousands of NJPA Member agencies nationwide offers the opportunity for volume pricing discounts; and

WHEREAS, Sourcwell has entered into a national cooperative purchasing agreement for "Fleet Management Services" with vendor Enterprise Fleet Management, Inc., , which was awarded via RFP on July 28, 2021 under contract # 060618-EEM effective July 24, 2018 through July 24, 2022, which is made available to governmental agencies through Sourcwell, of which the City of Burlington desires to become a member; and

WHEREAS, Enterprise Fleet Management, Inc. has agreed to deliver products and services through valid contracts, purchase orders, or means that are acceptable to NJPA Members, which are new and first-quality products and related services to NJPA Members under an awarded Contract; and

WHEREAS, also pursuant to N.J.S.A. 52:34-6.2b.(3) (as amended by P.L. 2011, c.139) and LFN 2012-10, prior to making purchases under nationally recognized and accepted cooperative purchasing contracts, the City of Burlington must determine that the use of the cooperative purchasing contract shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered; and

WHEREAS, consistent with the Sourcewell cooperative purchasing contract and needs of the City of Burlington, Enterprise Fleet Management, Inc. has submitted a proposal to lease the eleven (11) vehicles to Burlington for up to a term of 60 months, with the City's option to purchase the vehicles at the end of the 60 Month Term for an estimated \$1.00 per vehicle and sale of said vehicles through Enterprise Fleet Management, Inc.'s consignment auction program; and

WHEREAS, based on its research, the Municipality has determined that the city of Burlington's use of the Sourcewell cooperative purchasing contract to procure the goods and services will result in cost savings to the City of Burlington; and

WHEREAS, Sourcewell is a service cooperative and local government unit of the State of Minnesota; and

WHEREAS, the subject cooperative purchasing contract was awarded by Sourcewell 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 Sourcewell cooperative purchasing contract for the first year shall not exceed \$114,804.00, and for the entire five (5) year term, shall not exceed \$574,020.00; 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. ; and

WHEREAS, consistent with applicable law, the City of Burlington has advertised its intent to make this award to Enterprise Fleet Management, Inc. as well as the public's opportunity to submit comments thereto.

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

1. The City of Burlington is authorized to become a member of the cooperative purchasing unit known as Enterprise Fleet Management, Inc and to comply with any membership requirements.
2. 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 \$114,804.00 for year one, and up to \$574,020.00 for the entire five (5) year term.

3. 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

NOW THEREFORE, BE IT FURTHER RESOLVED that the Common Council for the City of Burlington hereby authorizes is Professionals, Staff, and Administration, as necessary, to prepare, publish, and notice that the City has entered into the lease described herein.

Approved by Consent Agenda. All were in favor.

Resolution No. 290-2021*

RESOLUTION NO. 290-2021 OF THE CITY OF BURLINGTON REFUNDING OVERPAYMENT OF TAXES

WHEREAS, an overpayment of 2021 taxes, has occurred on the property identified herein;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington authorizes the Chief Financial Officer to issue a refund check for 2021 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>
116 (207 E. Union Street)	9	Edward & Gloria Wargo	\$ 2,937.93
129 (309 Barclay Street)	10	337 Mountainave, LLC	\$ 1,323.63

***Make check payable to:**
Corelogic
Attn: Refund Dept.
3001 Hackberry Rd
Irving, Texas 75063-0156

Approved by Consent Agenda. All were in favor.

Resolution No. 291-2021*

RESOLUTION NO. 291-2021 OF THE CITY OF BURLINGTON REFUNDING OVERPAYMENT OF TAXES

WHEREAS, an overpayment of 2021 taxes, has occurred on the property identified herein due to a duplicate payment;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington authorizes the Chief Financial Officer to issue a refund check for 2021 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>
47 (652 Taylor Avenue)	6	Donna Brewton	\$ 1,229.16

Make check payable to:

Donna Brewton
652 Taylor Avenue
Burlington, N.J. 08016

Approved by Consent Agenda. All were in favor.

Resolution No. 292-2021*

RESOLUTION NO. 292-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON RE-ESTABLISHING THE AUTHORIZATION OF INTEREST RATE AND GRACE PERIOD FOR THE YEAR 2022

WHEREAS, N.J.S.A. 54:4-67 et seq., permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal charges.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington that the rate of interest on unpaid taxes shall be eight percent per annum on the first One Thousand, Five Hundred Dollars(\$1,500.00) of delinquency and eighteen percent per annum on any amount in excess of One Thousand, Five Hundred Dollars, to be calculated from the date the tax amount was payable until the date of actual payment, provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the due date; and

BE IT FURTHER RESOLVED, that the rate of interest on unpaid water and sewer bills shall be eight percent per annum up to One Thousand, Five Hundred Dollars (\$1,500.00) of delinquency and

eighteen percent per annum on any amount in excess of One Thousand, Five Hundred Dollars to be calculated from the date the bill was payable until the date of the actual payment, provided that no interest shall be charged if payment of any bill is made within ten (10) calendar days following the billing date; and

BE IT FURTHER RESOLVED, that the Municipal Clerk provides a certified copy of this resolution to the Tax Collector and Chief Financial Officer.

Approved by Consent Agenda. All were in favor.

Resolution No. 293-2021*

RESOLUTION NO. 293-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND SUPPORTING AN APPLICATION TO BE MADE TO THE STATE OF NEW JERSEY FOR GRANT FUNDING FROM THE HAZARDOUS DISCHARGE SITE REMEDIATION FUND (HDSRF) AND SUPPORTING REDEVELOPMENT WITH RESPECT TO COMMERCE SQUARE REDEVELOPMENT AREA, SPECIFICALLY BLOCK 1 LOTS 3.02, 3.03, AND 5 (THE PROPERTY) IN THE CITY OF BURLINGTON, BURLINGTON COUNTY, NJ

WHEREAS, the Hazardous Discharge Site Remediation Fund (HDSRF) was established to provide financial assistance to municipalities, businesses and homeowners for the investigation and/or remediation of suspected or known discharges of a hazardous substance; and

WHEREAS, grants are available to conduct environmental assessments and investigations for real property in cases in which a municipality owns the property for the purposes of redevelopment; and

WHEREAS, City of Burlington acquired The Property in Commerce Square in 1977 by voluntary conveyance from the United States government for the purposes of redevelopment; and

WHEREAS, the City of Burlington determined that Commerce Square was an Area In Need of Redevelopment by Land Use Board (Planning Board) Resolution dated March 24, 2004 and by Common Council Resolution dated May 4, 2004; and

WHEREAS, the City of Burlington did apply for and was awarded a grant from the Hazardous Discharge Site Remediation Fund through the Department of Environmental Protection for the preliminary assessment, site investigation, site investigation addendum and reports for the Commerce Square property; and

WHEREAS, there is additional investigation to be completed at the site that is eligible for the HDSRF Grant Program;

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that an application is to be made to the State of New Jersey, for Hazardous Discharge Site Remediation Funds (HDSRF) for additional investigation of The Property, in order to determine the extent or the existence of any hazardous substance or hazardous waste and whether or what form of remediation of the site is required;

AND, BE IT FURTHER RESOLVED, that the City of Burlington is committed to the Redevelopment of The Property designated on the City's tax map as Block 1, Lots 3.02, 3.03, and 5, more commonly referred to as Commerce Square, and finds that a realistic opportunity exists for the redevelopment of Commerce Square within a three (3) year period, after the completion of the remediation of this site, for residential use, by creating a walkable neighborhood of new streets, blocks and buildings, based on the traditional town planning that characterizes the historic center of the City of Burlington; and further, by means of the extension of Commerce Square Boulevard through the Property, terminating in a civic amenity, a proposed Burlington Riverfront Promenade, along the Delaware River frontage of the property.

BE IT FURTHER RESOLVED, that the Director of Housing and Community Development and the City's Administration and professionals are hereby authorized to provide information to the Grant administrator, to coordinate gathering the required information and data necessary to support the application to the State of New Jersey's Hazardous Discharge Site Remediation Fund (HDSRF) on behalf of the City of Burlington and that the Mayor or an appropriate designee is authorized to sign the grant application documents or other attestations on behalf of the City as may be necessary and required for the submission of the grant application.

Approved by Consent Agenda. All were in favor.

Resolution No. 294-2021*

A resolution providing for a meeting not opened to the public in accordance with the provisions of the New Jersey Open Public Meetings Act. N.J.S.A. 10:4-12: Therefore be it resolved by the Common Council of the City of Burlington, assembled in public session on December 14, 2021, that an Executive Session Closed to the Public shall be held on December 14, 2021, via ZOOM for discussion of matters relating to the specific items designated in this resolution:

Contracts/Real Estate N.J.S.A. 10:4-12(7):

- Jacksonville Road & Route 130
- 200 E. Federal Street

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 December of 2021 or shortly there after.

Approved by Consent Agenda. All were in favor.

Resolution No. 295-2021*

RESOLUTION NO. 295-2021 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSE NO. 0305-33-012-004

WHEREAS, the following applicant has applied for renewal of existing licenses for the year 2021-2022:

**Praul, Regina F., Adm. of Estate of Mary Misiorek, Dec'd.
357 East Pearl Street (0305-33-012-004)**

WHEREAS, said applicant for Plenary Retail Consumption Alcoholic Beverage License has submitted renewal application forms, which forms are complete in all respects; and

WHEREAS, said applicant for Plenary Retail Consumption Alcoholic Beverage License has paid all fees and has obtained tax clearance through the State of New Jersey, Division of Taxation; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws; and

NOW, THEREFORE BE IT RESOLVED, on this 14th day of December, 2021 by the Common Council, of the City of Burlington, County of Burlington, State of New Jersey, that:

The aforesaid application is hereby approved and the Municipal Clerk is authorized and directed to issue the appropriate license applied for by said applicant.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Ernest Turner, 34 W. 4th Street- spoke of concerns with playgrounds /tot lots.

Seigha Omuso, 243 W. Union Street- thanked Council President Lollar for all her work as Councilwoman.

COUNCIL COMMENTS

Councilman Chachis spoke of a transition of government; asked who should participate in discussions regarding Burlington Island.

Ms. Garty spoke of giving an update in the new year.

Councilwoman Hatala spoke of the demolition of 524-526 High Street; spoke of Burlington Point, heard it may be sold again.

CONFERENCES

- William R. Allen School - Margaret M. Hickey, AIA
- 357 E. Pearl Street - River View Edge, LLC
- Request for Local Hires - Laborers Eastern Region Organization
- Cannabis License - LIFE Compassion Center

EXECUTIVE CONFERENCES

- Jacksonville Road & Route 130 - Kevin Coleman of WCRE
- 200 E. Federal Street - M. Lou Garty, Esq.

ADJOURNMENT

Upon the motion of Councilwoman Hollingsworth, seconded by Councilman Babula, this meeting of December 14, 2021 was adjourned at 11:15pm.

Cindy A. Crivaro, RMC
Municipal Clerk