

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JULY 27, 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 July 27, 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, Helen Hatala, Denise Hollingsworth, Suzanne Woodard, Ila Marie Lollar. (5) Absent: George Chachis. (1)

Also present: Mayor Conaway, Administrator- David Ballard, Chief Financial Officer- Ken Mac Millan, Municipal Attorney- Lou Garty, Director of Public Works- Bill Curry, Director of Public Affairs- John Alexander, Director of Housing- Bill Harris, Redevelopment Consultant- Jim Kennedy.

### **SALUTE TO FLAG**

### **UNFINISHED BUSINESS**

Councilman Babula ask for update on an issue with the drainage basin behind Villa Rosa.

Mayor Conaway explained that the drainage basin belongs to Walgreens, a letter will be sent and copied to Council.

### **CONSENT AGENDA**

Councilwoman Woodard, moved that all Consent Agenda items be approved. It was seconded by Councilwoman Hatala. 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 JULY 27, 2021\***

**ORDINANCE(S) - INTRODUCTION & FIRST READING**

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 130 OF THE CODE OF THE CITY OF BURLINGTON (CRIMINAL BACKGROUND CHECKS)

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

AN ORDINANCE OF THE CITY OF BURLINGTON ADOPTING REVISIONS TO THE REDEVELOPMENT PLAN GOVERNING THE AREA IN NEED OF REDEVELOPMENT IDENTIFIED OR DESIGNATED AS THE NEW YORKSHIRE REDEVELOPMENT AREA

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

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 193-2021

RESOLUTION NO. 193-2021 OF THE CITY OF BURLINGTON AUTHORIZING THE AWARD OF A CONTRACT WITH HOME SERVE, IN PARTNERSHIP WITH THE NATIONAL LEAGUE OF CITIES (“NCL”), PURSUANT TO AN RFP/RFQ ISSUED BY THE CITY TO REVIEW PROPOSALS TO PROVIDE WATER, SEWER AND OTHER SERVICE LINE INSURANCE OR WARRANTY PROGRAMS FOR BURLINGTON CITY PROPERTY OWNERS

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 Common Council of the City of Burlington recognizes that the City’s infrastructure challenges continue to increase, such that homeowners will be increasingly confronted with deteriorating water and sewer lines and the risk of costly repairs for the portion of the water and/or sewer lines which are the responsibility of the property owner; and

WHEREAS, the Common Council of the City of Burlington further recognizes that there are vendors and/or companies which are willing to provide insurance and/or warranty programs to City residents to protect against the high cost of such repairs in the event of damage or leakage or other loss of

function to the area of the sewer line, water line or other service line, which is the responsibility of the property owner; and

WHEREAS, the Common Council of the City of Burlington further recognizes that the cost of securing such insurance or warranty programs on an individual basis by an individual homeowner obtaining competing quotes for this type of insurance or warranty may be much higher than if a qualified company is able to provide a warranty or insurance program to the public on a larger scale, based upon an ability to obtain and review information as to the local market within the City of Burlington and then offer an insurance policy or warranty program with discounted pricing to a larger class of consumers; and

WHEREAS, the opportunity to utilize and obtain access to publicly available data and information for the purpose of formulating a warranty or insurance program to a broader local market, as well as offering a program with discounted pricing to City property owners, may necessitate access to public information and dissemination of certain marketing materials to homeowners, which is an economic opportunity for a prospective vendor or company; and

WHEREAS, in order to receive proposals to evaluate the suitability, cost, reliability of potential vendors and their local contract partners, the Common Council of the City of Burlington authorized the City Administration to engage in the open competitive contracting process pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, by authorizing the issuance of a Request For Proposals/Request for Qualifications to solicit proposals qualified insurance companies to offer insurance or warranty protection to City of Burlington property owners, for the consideration of reviewing the cost, term of the policy, types of coverage, marketing materials, and other terms or conditions as may be proposed, including proposed marketing materials and a statement as to the public information sought; a statement as to the manner of providing information and/or marketing materials to the public and the level and type of coordination or public information to be requested from the City; the qualifications of contractors to be utilized to perform repairs and information as to the percentage of said contractors which are local contractors or national firms; and other requirements for the contents of the proposals as was established by the Common Council; and

WHEREAS, pursuant to the aforementioned authorization, the City duly published and advertised the economic opportunity through an RFQ/RFP, namely RFP#01-2021, an invitation to submit qualifying proposals to provide insurance or a warranty program for water and/or sewer line or other service line repairs to City residents at a discounted rate; and

WHEREAS, the invitation to submit a proposal allowed prospective firms to submit detailed, qualifying proposals to provide insurance or a warranty program for water and/or sewer line or other service line repairs to City residents at a discounted rate, with the proposals to be submitted to the City by no later than May 12, 2021, for the review and evaluation by the City's administrative and professional staff as to the cost, quality of the product, consumer service history, qualifications and similar factors or features of proposals; and

WHEREAS, one proposal was received from Home Serve, as a Utility Service Partner of the National

League of Cities (“NLC”), dated May 12, 2021; and

WHEREAS, the proposal by Home Serve was reviewed and evaluated for its content, for a determination as to the costs to property owner, the benefits and whether the proposal complied with the requirements of the RFP/RFQ and was determined to be a qualifying proposal; and

WHEREAS, the proposal by Home Serve was recommended by the City’s administration to be awarded the contract or an agreement based upon terms to be set forth in a form of contract which will be approved by the Common Council in which the successful proposer, Utility Service Partners, Inc., will be a company authorized to offer insurance or a warranty program for water and/or sewer line or other service line repairs to City residents at a discounted rate and with the provision that nothing in the contract will entitle the firm to be the sole and exclusive provider of such insurance or warranty programs for property owners in the City of Burlington.

NOW THEREFORE, BE IT RESOLVED that the Common Council for the City of Burlington hereby acknowledges and agrees with the recommendation of the City administration and hereby awards the economic opportunity to offer insurance or a warranty program for water and/or sewer line or other service line repairs to City residents at a discounted rate to Home Serve., the Administrator for the National League of Cities, consistent with the terms and conditions of the RFP/RFQ authorized by the Common Council to be issued; and

NOW THEREFORE, BE IT FURTHER RESOLVED that the Common Council for the City of Burlington authorizes is Professionals, Staff, and Administration, as necessary, to communicate with the proposer, Home Serve, for the purpose of preparing a form of contract for Council’s review and approval, which specific terms are consistent with the specification of the City’s

Request For Proposals/Request for Qualifications soliciting proposals from companies qualified to provide the requested services and consistent with the provisions of the proposal submitted by the successful proposer, Utility Service Partners, Inc., the Administrator for the National League of Cities.

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

Resolution No. 194-2021

Authorizing the Acceptance of the SFY21 Body-Worn Camera Grant and the Execution of Grant Documents Pertaining to Same

WHEREAS, The City of Burlington Police Department did apply for and receive a grant from the State of New Jersey Department of Law and Public Safety Office of the Attorney General; and

WHEREAS, this State of New Jersey Grant Program is known as the SFY21 Body-Worn Camera Grant; and

WHEREAS, the purpose of this grant is to aid police departments by funding body-worn cameras and ancillary equipment such as clips, chargers, batteries, etc. as well as storage costs; and

WHEREAS, the specifics of this grant award are as follows:

Name of Recipient: City of Burlington  
Grant Name: SFY21 Body-Worn Camera Grant  
Award Number: 21-BWC-094  
Award Period: January 1, 2021 – December 31, 2025  
Grant Amount: State - \$112,090.00  
Matching Amount: Local unit - \$ 0

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington, County of Burlington, State of New Jersey, does hereby accept the SFY21 Body-Worn Camera Grant from the State of New Jersey Department of Law and Public Safety Office of the Attorney General in the amount of \$112,090.00 and authorizes the City of Burlington Police Department to utilize these grant funds specifically for the purpose as described in the application which is to purchase body-worn cameras, all ancillary equipment and storage equipment as allowed;

BE IT FURTHER RESOLVED, that the Mayor, Municipal Clerk and Chief Financial Officer of the City of Burlington are hereby authorized to execute any and all documentation in connection with this grant.

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

Resolution No. 195-2021

RESOLUTION TO AMEND ADOPTED BUDGET FOR “SFY21 BODY-WORN CAMERA” GRANT” FROM THE NJ DEPARTMENT OF LAW AND PUBLIC SAFETY

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 a **SFY21 Body-Worn Camera Grant** in the amount of \$112,090.00 from the New Jersey Department of Law and Public Safety;

**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 \$112,090.00 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:

**SFY21 Body-Worn Camera Grant** \$ 112,090.00

## **SECTION 2**

BE IT FURTHER RESOLVED that a like sum of \$ 112,090.00 be and the same is hereby appropriated under the caption of:

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

**SFY21 Body-Worn Camera Grant** \$ 112,090.00

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

### Resolution No. 196-2021

RESOLUTION NO. 196-2021 OF THE CITY OF BURLINGTON CONDITIONALLY DESIGNATING PERON DEVELOPMENT, LLC AS REDEVELOPER FOR A PORTION OF THE MCNEAL MANSION AND VICINITY REDEVELOPMENT AREA AND AUTHORIZING THE EXECUTION OF AN INTERIM COST AGREEMENT WITH RESPECT THERETO

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law"), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the Mayor and Common Council of the City of Burlington (the "City") serve as the redevelopment entity pursuant to the provisions of the Redevelopment Law for the purpose of implementing redevelopment plans and carrying out redevelopment projects within the City; and

WHEREAS, the City owns, or may in the future own, real property in the City identified on the City's Official Tax Maps as Lots 1, 2, 2.02 and 2.03 in Block 203; Lots 1 and 1.01 in Block 207; Lots 1 and 3 in Block 225; and Lots 1.02 (a portion thereof), 1.03, 1.05, 1.06, 1.07, 1.08 and 1.10 in Block 226 (collectively referred to as the "Redevelopment Property"); and

WHEREAS, the Redevelopment Property comprises a portion of the McNeal Mansion and Vicinity Redevelopment Area (the "Redevelopment Area"), which was declared an area in need of

redevelopment pursuant to Resolution No. 05-305-R-231 and Resolution No. 249-2016; and

WHEREAS, pursuant to Ordinance No. 12-2006, on July 11, 2006, the City adopted the Redevelopment Plan - McNeal Mansion and Vicinity (the “Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, pursuant to Ordinance No. 07-2017, on August 15, 2017, the City amended the Redevelopment Plan as it applied to Block 226, Lot 1 (the “Amended Redevelopment Plan”), which governs uses upon lands then designated as Block 226, Lot 1 that comprise a portion of the Redevelopment Property; and

WHEREAS, Peron Development, LLC has proposed to redevelop the Redevelopment Property with contemplated uses including, but not limited to, a hotel with liquor license, convention space, restaurants, cafés, breweries, water park, arts center, retail shopping, strip center, boating docks, multifamily residential units and/or such other uses as may be agreed upon between the City and Peron Development, LLC (the “Project”); and

WHEREAS, the City wishes to engage in negotiations with Peron Development, LLC in furtherance of entering into a formal redevelopment agreement, with said preliminary negotiations to include the receipt and review of additional Project specific information from Peron Development, LLC; and

WHEREAS, the City desires to authorize the execution of an interim costs agreement with the Conditional Redeveloper (in substantially the form appended hereto as Attachment A, the “Interim Costs Agreement”) to reimburse the City for any and all costs incurred by the City prior to the execution of a Redevelopment Agreement, including the City’s reasonably incurred out-of-pocket fees, costs and expenses related to the designation of the Conditional Redeveloper, negotiation of the terms and conditions of a redevelopment agreement and other documents related to the redevelopment of the Project Area including, but not limited to, fees for legal, accounting, engineering, planning and financial advisory services, including all such fees, costs and expenses incurred prior to the date of adoption of this resolution (the “Interim Costs”).

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

1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.
2. Peron Development, LLC is hereby designated as the Conditional Redeveloper of the Redevelopment Property pending the execution of the Redevelopment Agreement with the City.
3. The City is authorized to execute an Interim Costs Agreement in substantially the form appended hereto as Attachment A.
4. The within designation is hereby made for a limited period of one-hundred and twenty (120) days, and is contingent upon (i) Peron Development, LLC agreeing to reimburse the City for any and all Interim Costs in accordance with the Interim Costs Agreement, and (ii) negotiating and executing a formal Redevelopment Agreement between the City and Peron Development, LLC.

5. This resolution shall take effect immediately.

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

Resolution No. 197-2021

RESOLUTION NO. 197-2021 OF THE CITY OF BURLINGTON CONDITIONALLY DESIGNATING TAMARAND PROPERTIES, LLC AS REDEVELOPER WITH RESPECT TO THE PROPERTY IDENTIFIED AS BLOCK 118, LOT 44 (MORE COMMONLY KNOWN AS 232 STACY STREET) WHICH LOT IS WITHIN THE HISTORIC YORKSHIRE REDEVELOPMENT AREA

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the “Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of redevelopment; and

WHEREAS, the Mayor and Common Council of the City of Burlington (the “City”) serve as the Redevelopment entity pursuant to the provisions of the Redevelopment Law for the purpose of implementing redevelopment plans and carrying out redevelopment projects within the City; and

WHEREAS, the City owns certain real property in the City which is a vacant lot, identified on the City’s Official Tax Map as Block 118, Lot 44, (more commonly known as 232 Stacy Street) and which is adjacent to the properties known as 23-27 E. Union Street; and

WHEREAS, by Resolution No. 98-155R-107, adopted June 4, 1998, the Common Council for the City of Burlington designated and established the Redevelopment Area known as the Historic Yorkshire Redevelopment area (“the 1998 Redevelopment Area”) which consisted of properties within the identified area consistent with the requirements of the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-7(e), et seq.; and

WHEREAS, a Redevelopment Plan was adopted for the 1998 Redevelopment Area by the Common Council for the City of Burlington, by Ordinance No. 03-1998, adopted on July 7, 1998; and

WHEREAS, the subject property is within the Historic Yorkshire Redevelopment Area; and

WHEREAS, Tamarand Properties, LLC (“Tamarand” or “the Developer”) of Livingston, New Jersey, currently owns the properties commonly known as 23-27 E. Union Street and is in the process of rehabilitating those properties; and

WHEREAS, Tamarand has submitted a written proposal to the City to purchase the vacant lot and redevelop or use the existing vacant lot with the contemplated use as an improved paved and marked parking area for use by the occupants of the residential units to be rehabilitated in the existing

buildings on 23-27 E. Union Street; and

WHEREAS, the Common Council, as the Redevelopment entity for the City, has determined to decline the initial offer made by Tamarand to purchase the lot, but Council has determined that it wishes to explore the potential sale of this vacant lot under certain conditions for its Redevelopment, including that improvements be made to the area within a specific period of time, that the area be paved, with buffering, and that the terms and conditions for the sale of the lot be subject to the developer obtaining a formal written and independent commercial appraisal of the property by a commercial appraiser, with MAI designation, providing an evaluation as to the value of the lot with the requirement that the parties agree upon terms for an Agreement of Sale and authorize the execution of the same by September 8, 2021; and

WHEREAS, the Common Council of the City as the Redevelopment entity, has determined that in order to explore such a Redevelopment opportunity, it is appropriate to conditionally designate Tamarand as the Developer of the property until September 8, 2021, subject to the aforementioned conditions for said conditional Redeveloper designation and such other conditions as the Council deems appropriate and to which the parties may agree, including a provision for the Developer to reimburse the City for its professional fees.

WHEREAS, the City wishes to engage in negotiations with Tamarand as the Developer of the property in furtherance of entering into a formal redevelopment agreement, with said Developer; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Burlington, that:

1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein with respect to the legal authority and factual basis for this legislation.
2. The Common Council, as the Redevelopment entity for the City, declines to accept the initial offer made by Tamarand to purchase the lot for the sum of \$7500 and authorizes the Solicitor to so advise Tamarand of that determination.
3. Tamarand Properties, LLC of Livingston, New Jersey, is hereby conditionally designated as the Redeveloper of the Redevelopment Property referred to as Block 118, Lot 44 until September 8, 2021, including the condition that the Redeveloper will obtain a formal, written and independent commercial appraisal of the property by a commercial appraiser, with an MAI designation, providing an evaluation as to the market value of the subject lot, that the parties agree upon terms for an Agreement of Sale and authorize the execution of the same by September 8, 2021, and that the Redeveloper agree to the designation of the permitted use for the lot, that the Redeveloper makes improvements be made to the area within a specific period of time to be set forth in an Agreement between the parties, including the condition that the area to be used for parking is to be paved and marked, that buffering be installed, and that such other terms and conditions for the sale of the lot be set forth in an Agreement between the parties, to be agreed upon by September 7, 2021.
4. The City's Solicitor and/or Redevelopment Counsel is hereby authorized to communicate with

the Developer as to the terms and conditions for the conditional designation and to enter into negotiations with the Developer as to the conditions, namely the designation of a qualified independent commercial appraiser for the evaluation of the fair market value of the property.

5. The within designation is hereby made for a limited period in duration and expires on September 8, 2021, and is contingent upon the Developer, Tamarand LLC providing any additional Project related information as specified in the Redevelopment Agreement.

6. 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. Babula, Ms. Hatala, Ms. Hollingsworth, Ms. Woodard, Ms. Lollar. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Mr. Chachis. (1).

Resolution No. 198-2021

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REFERRING THE PROPOSED AMENDMENT TO THE NEW YORKSHIRE REDEVELOPMENT PLAN TO THE CITY OF BURLINGTON LAND USE BOARD FOR REVIEW AND DETERMINATION OF CONSISTENCY WITH THE MASTER PLAN

WHEREAS, the Common Council for the City of Burlington, by Resolution No. 98-155R-107, adopted June 4, 1998, which designated and established the Redevelopment Area known as the New Yorkshire Redevelopment area (“the Redevelopment Area”) which consisted of properties within the identified area consistent with the requirements of the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-7(e), *et seq.*; and

WHEREAS, a Redevelopment Plan was adopted for the Redevelopment Area by the Common Council for the City of Burlington, by Ordinance No. 03-1998, adopted on July 7, 1998; and

WHEREAS, a revised Redevelopment Plan was prepared by Heyer Gruel and Associates, Professional Planners, in July of 2011; and

WHEREAS, by Resolution No.159-2011, dated August 9, 2011, the revised Redevelopment Plan prepared by Heyer Gruel and Associates was referred by the Common Council to the Land Use Board for a determination as to whether the amendment was consistent with the City’s Master Plan and the Land Use Board reported affirmatively to the Common Council that the proposed revision or Amendment to the Redevelopment Plan was consistent with the City’s Master Plan; and

WHEREAS, on December 13, 2011 via Ordinance No. 09-2011, the Common Council for the City of Burlington, adopted the proposed revisions to the New Yorkshire Redevelopment Area, a non-condemnation Redevelopment Area as set forth in the Plan document drafted by Heyer Gruel and Associates; and

WHEREAS, the Common Council for the City of Burlington recently requested and designated the

City's Director of Housing and Community Development, William Harris, PP, to review the existing Redevelopment Plan and prepare proposed revisions to the Redevelopment Plan governing the New Yorkshire Redevelopment Area; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-7(e), *et seq.*, the draft of the amendment to the New Yorkshire Redevelopment Plan prepared by Mr. Harris dated July 13, 2021 ("the Redevelopment Plan") is being referred to the Land Use Board for its review and recommendation of consistency with the City's Master Plan; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-7(e), *et seq.*, the draft amended New Yorkshire Redevelopment Plan prepared by William Harris, PP dated July 13, 2021, must be referred to the City's Land Use Board for its review and recommendation of consistency with the City's Master Plan; and

NOW, THEREFORE BE IT RESOLVED, by the Common Council of the City of Burlington, that the July 13, 2021 proposed Amended New Yorkshire Redevelopment Plan prepared by William Harris, PP, governing the non-condemnation Redevelopment Area known as the New Yorkshire Redevelopment Area, as to Opportunity Sites #1, (located at the west side of the intersection of Clarkson Street and Linden Avenue, consisting of .90 acres of land); Site #4 (located at the northeast corner of the intersection of Green Street and Linden Avenue, consisting of 1.40 acres of land); and Site #11 (Block 138.01), which Amendment to the Plan shall be and is hereby referred to the City of Burlington Land Use Board for its review and findings as to its consistency with the City's Master Plan; and

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

#### Resolution No. 199-2021

Upon the recommendation of the City Engineers, Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order No. 2, with Richard T. Barrett Paving Company for a reduction in the amount of \$44,412.50 providing for quantity adjustments and additional items in connection with the Fernwood Avenue, York Street, Broad Street and Holmes Drive Paving Project, making a revised total contract amount of \$246,067.20.

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

Resolution No. 200-2021

Upon the recommendation of City Engineer, Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order No. 2, with Earle Asphalt Company for an increase in the amount of \$7,315.00 providing for an adjustment to an Air Voids Penalty in connection with the FY 2020 NJDOT Municipal Aid Program - Temple Avenue, E. 5th Street & W. 4<sup>th</sup> Street Improvement Project, making a revised contract total of \$308,046.17.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hollingsworth, the foregoing resolution was adopted by the following roll call vote: AYES: Ms. Hatala, Ms. Hollingsworth, Ms. Woodard, Ms. Lollar. (4); NAYS: (0); ABSTAIN: Mr. Babula. (1); ABSENT: Mr. Chachis. (1).

Resolution No. 201-2021\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Deyonne K. Phillips, 324 N. Main Street, Heighstown, N.J. and Octavia Tyson, 777 W. State Street, Trenton, N.J. to operate a business at 319 High Street t/a “Code 2.0.”

Approved by Consent Agenda. All were in favor.

Resolution No. 202-2021\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Derick A. Muluh, 39 Cedar Lane, Clementon, N.J. to operate a business at 412 High Street t/a “Muluh Incorporated.”

Approved by Consent Agenda. All were in favor.

Resolution No. 203-2021\*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Errol Brown, 25 Tina Lane, Burlington, N.J. to operate a business at 34B Route 130 S t/a “Sun Island Bar BQ and Jerk Jamaican Restaurant.”

Approved by Consent Agenda. All were in favor.

**PUBLIC COMMENTS**

None.

**COUNCIL COMMENTS**

Councilman Babula gave compliments to the Police Department for their work.

Councilwoman Hatala spoke of Congressman Andy Kim, the Department of Humanities with have a meeting regarding sources of fundraising; suggested it could help with funding the bandshell; spoke of the Pearl Point retail spaces.

Councilwoman Hollingsworth asked about the status of filling the Ward 2 Vacant Council Seat.

Ms. Garty spoke former Councilman Swan's resignation; the details are being reviewed.

Councilwoman Woodard asked for redevelopment updates in September; thanked the Police Department for working on the parking issues.

**CONFERENCES**

- Proposed Ordinance Amendment- Chapter 130 Criminal Background Checks

**ADJOURNMENT**

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hollingsworth, this meeting of July 27, 2021 was adjourned at 7:52 pm.

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Cindy A. Crivaro, RMC  
Municipal Clerk