



City of Burlington

COUNCIL MEETING AGENDA

January 21, 2025
7:00 pm

NOTICE OF THIS MEETING WAS ADVERTISED IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT.

FIRE EXITS: TURN LEFT UPON EXITING COUNCIL CHAMBERS AND THE ENTRANCE TO THE BUILDING.

Cindy A. Crivaro, RMC
Municipal Clerk

Please silence all electronics during this meeting. Thank you.

GOVERNING BODY ROLL CALL:

_____ Councilman Dave Ballard	_____ Councilman Richard Spaulding
_____ Councilman George Chachis	_____ Councilwoman Suzanne Woodard
_____ Councilman Timothy Hutton	_____ President Dawn Bergner-Thompson
_____ Vice President Geneva Rijs	

ALSO PRESENT:

_____ Mayor Barry Conaway
 _____ Administrator Johanna Conyer
 _____ Municipal Attorney Stuart Platt, Esq. / Justin Strausser, Esq.
 _____ Financial Consultant Dean Ciminera / _____
 _____ Director of Housing Bill Harris
 _____ Director of Public Works Bill Curry / _____
 _____ Acting Police Chief Ryan Elbertson / _____

Others: _____

SALUTE TO FLAG

EXPLANATION OF ORDINANCES ON SECOND READING

Johanna Conyer, Administrator 01-2025

EXPLANATION OF RESOLUTIONS

Johanna Conyer, Administrator 59-2025

PUBLIC COMMENTS

Each Citizen will be allotted up to five (5) minutes to speak, to allow everyone an opportunity to express their concerns.

MOTION TO OPEN PUBLIC COMMENTS: 1. _____ 2. _____

MOTION TO CLOSE PUBLIC COMMENTS: 1. _____ 2. _____

CONSENT AGENDA

All items listed with an asterisk (*) are routine and will be enacted by one motion. Should a Council Member wish to discuss a consent agenda item separately, that item can be removed from the consent agenda and considered in its normal sequence on the regular agenda.

_____ Moved that all Consent Agenda items (*) be approved Seconded by _____.

APPROVAL OF INVOICES*

APPROVAL OF MINUTES*

ORDINANCE(S) - SECOND READING, FINAL DISPOSITION & PUBLIC HEARING

ORDINANCE NO. 01-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 207, ARTICLE IV OF THE CODE OF THE CITY OF BURLINGTON ENTITLED, "HISTORIC PRESERVATION"

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 55-2025* Authorizing the cancellation of 2024 taxes in the amount of \$1,642.05 on Block 137, Lot 7, pursuant to a Totally Disabled Veteran exemption.

Resolution No. 56-2025* Authorizing the cancellation of 2024 taxes in the amount of \$3,320.25 on Block 102.01, Lot 10, pursuant to a Totally Disabled Veteran exemption.

Resolution No. 57-2025* Authorizing the cancellation of 2024 taxes in the amount of \$2,557.72 on Block 92, Lot 1, pursuant to a Totally Disabled Veteran exemption.

Resolution No. 58-2025* Authorizing the cancellation of Tax Sale Certificate 24-0034 for Block 91, Lot 43 and further authorizing a refund to the lienholder in the amount of \$3,088.72.

Resolution No. 59-2025 Adopting the Fourth Round Affordable Housing Fair Share obligation.

Resolution No. 60-2025* Approving the appointment of designating a Pool of certain Planners for Alternate Land Use Board Planning Services for the year 2025.

Resolution No. 61-2025* Approving Fire Department Emergency Drivers for the year 2025.

Resolution No. 62-2025* Approving the appointment of Frank Caruso as Emergency Management Coordinator for a three (3) year term, January 1, 2025, to December 31, 2027.

Resolution No. 63-2025* Authorizing the submission of a grant application and execution of a grant agreement with the New Jersey Department of Community Affairs for approximately \$100,000.00 in connection with the FY2025 Oaklyn Park Improvements Project.

Resolution No. 64-2025* Authorizing a Floodplain Variance hearing to be held on January 21, 2025, in connection with 205 Green Street.

Resolution No. 65-2025* Approving the appointment of designating a Pool of certain Engineers for Alternate Land Use Board Engineering Services for the year 2025.

VARIANCE PUBLIC HEARING

Floodplain Variance Application – 205 Green Street

PRESENTATION

Friendly Flower-Class 5 Cannabis Retail at 1137 Bordentown Road

COUNCIL COMMENTS

ADJOURNMENT 1. _____ 2. _____

ORDINANCE NO. 01-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 207, ARTICLE IV OF THE CODE OF THE CITY OF BURLINGTON ENTITLED, "HISTORIC PRESERVATION"

WHEREAS, the City of Burlington (the "City") 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, Chapter 207, Article IV of the City Code sets forth the rules and regulations of the City of Burlington Historic Preservation Commission; and

WHEREAS, the City wishes to amend Chapter 207, Article IV to address issues regarding attendance of applicants at meetings and notification of new property owners that they are located within one of the City's Historic Districts; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Common Council is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the City by law.

NOW, THEREFORE BE IT ORDAINED by the Common Council for the City of Burlington, in the County of Burlington, State of New Jersey that the Code of the City of Burlington is hereby amended, revised and/or supplemented as follows:

SECTION 1: Chapter 207, Article IV, Section 22, entitled "Establishment of system; Historic Preservation Map", is hereby amended, supplemented, and revised as follows:

§ 207-22 **Establishment of system; Historic Preservation Map.**

- A. [No Changes]
- B. [No Changes]
- C. [No Changes]
- D. [No Changes]
- E. Every municipal certificate of compliance issued to owners of properties or structures in the Historic District in connection with the sale or conveyance of properties or structures in the Historic District shall state, in conspicuous typeface, that the property or structure is subject to the limitations and regulations governing properties and structures in the Historic District under Chapter 207, Article IV of the City Code. Such notification, along with a copy of the appropriate ordinance and other pertinent HPC documents, shall be mailed by certified mail, return receipt requested, to the prospective buyer and seller, realtor, and attorney of the buyer. This notice shall be sent in addition to the issuance of a regular

certificate of compliance. Such notification shall be deemed actual and constructive notice to new property owners of the effect and applicability of these provisions to their ownership, use and improvement of their property.

F. In order to facilitate the work of the Commission, to improve transparency and communication, and to help ensure compliance with this historic preservation ordinance, any lessor of real property within the City shall provide written notification to the lessee on or before the landlord/ tenant lease is signed whenever said property is located within one of the City's historic districts and/or the property is a site that is individually designated as historic by the City. The historic districts and individually listed sites are shown on the map of the Historic Districts included with this ordinance, the City's master plan and on the City's website. This written notification to the lessee shall be submitted on the City's standard form and include the following:

- 1) A statement that the property in question is located within a historic district or that it is an individually listed historic site in the City;
- 2) A statement that the City has a Historic Preservation ordinance that regulates any renovation work or alterations on the exterior of the structure or structures on the site;
- 3) A statement that any work on the exterior of the structure or structures may require application to and review by the Commission prior to the start of any exterior work as described in this ordinance;
- 4) The notification shall reference this ordinance and the City's website where additional information about the City's historic districts, historic sites

The written notification required above shall be completed no later than at the time the lease for the property is executed between the lessor and lessee thereof. The required written notification form can be obtained from the City and on the City's website.

SECTION 2: Chapter 207, Article IV, Section 32, entitled "Procedures for the Commission's review of building permits", is hereby amended, supplemented, and revised as follows:

§ 207-32 **Procedures for the Commission's review of building permits.**

- A. [No Changes]
- B. [No Changes]
- C. When an application is found to be technically complete, the Commission's Secretary shall schedule the application to be reviewed at the Commission's next regularly scheduled meeting. The property owner shall be notified of the meeting date and shall be allowed an opportunity to speak at the meeting. In order for the application to be heard, the applicant or their designated representative shall be present at the meeting. If the applicant cannot be present, they shall notify the Commission's Secretary in writing who the designated

representative will be. If neither the applicant nor their designated representative can attend the meeting, they shall notify the Commission Secretary by 12:00 pm the day before the scheduled meeting. If neither the applicant nor their designated representative is present at the meeting, the application shall be “denied without prejudice” until such time as the applicant or their designated representative attends a meeting where the application is scheduled to be heard and listed on the agenda. Once an application has been heard, the Commission shall inform the property owner and the Zoning Officer of its decision by written resolution setting forth its findings and conclusions no later than fourteen (14) calendar days from the public hearing of the application at a Commission meeting.

SECTION 3: Chapter 195, Article III, Section 29, entitled “Registration and licensing”, is hereby amended, supplemented, and revised as follows:

§ 195-29 **Registration and licensing.**

Each rental unit shall be registered annually and inspected upon each change in tenancy and biennially. The registration shall expire one year from the date of issuance. Any lease which has been executed prior to the adoption this article shall not be affected but the rental unit must nevertheless be registered and inspected in accordance with this article. No rental unit shall hereafter be rented unless the rental unit is registered in accordance with this article.

- A. [No Changes]
- B. [No Changes]
- C. [No Changes]
- D. At each change of occupancy of any rental unit, the registered landlord of the rental unit shall provide proof of compliance with § 207-22(F) of the City Code.

SECTION 4: Except as set forth in Sections 1, 2, and 3, the balance of the Code of the City of Burlington shall not be affected by this Ordinance.

SECTION 5: All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent they are inconsistent herewith.

SECTION 6: If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph or subdivision, or clause of this Ordinance.

SECTION 7: This Ordinance shall take effect thirty (30) days after final passage by Council or twenty (20) days after approval by the Mayor, whichever comes first.

ORDINANCE NO. 01-2025

Passed Common Council,

President
Common Council

Approved,

Barry W. Conaway, Mayor

ATTEST:

Cindy A. Crivaro, RMC
Municipal Clerk

Introduction: 01/07/25
Publication: 01/13/25
2nd & Final: 01/21/25
Publication: 00/00/25
Effective: 00/00/25

RESOLUTION NO. 55-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES PURSUANT TO EXEMPTION FOR A TOTALLY DISABLED VETERAN

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

WHEREAS, Mr. Ludwig Borgella (“claimant”), owner and resident of 410 Lawrence St. (Block 137, Lot 7) has applied for tax exemption as a Totally Disabled Veteran pursuant to N.J.S.A. 54:4-3.30, et seq.; and

WHEREAS, the claimant has supplied all requisite proofs in support of this claim; and

WHEREAS, the Tax Assessor and Business Administrator have reviewed the claim and related documentation and finds all to be in order and recommend approval of the exemption; and

WHEREAS, the effective date of the exemption is June 2, 2023, in conformance with the claimants’ date of submission of claim; and

WHEREAS, claimant has been billed and or paid taxes for the exempt period; and

WHEREAS, the Tax Collector seeks to balance the account in recognition of the exemption; and

WHEREAS, the Tax Collector confirms and wishes to clear any resulting overpayment by returning funds to the appropriate entity.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that the Tax Collector is hereby authorized to cancel 2024 taxes in the amount of \$1,642.05 and refund any overpayments accordingly to the appropriate entity. Additionally, the Tax Collector has authorization to cancel the remaining amounts that would become due and owing by claimant. A certified copy of this resolution shall be forwarded to the Tax Collector, Business Administrator, Tax Assessor and claimant.

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

January 21, 2025

RESOLUTION NO. 55-2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						

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**CITY OF BURLINGTON
RESOLUTION REQUEST FORM**

Council Meeting Date: January 21, 2025

DATE: December 27, 2024

TO: Johanna S. Conyer, Business Administrator

FROM: Danielle Lippincott

DEPARTMENT REQUESTING RESOLUTION: Tax Collector

TITLE OF RESOLUTION: Refund of Overpayment due to Total Disable Vet for Block 137 Lot 7 Located at 410 Lawrence St

BRIEF DESCRIPTION OF ACTION: CoreLogic issued a payment on 02/07/2024 & 05/02/2024 in the amount of \$1,642.05 for 2024 1st and 2nd quarter property taxes. Property was declared exempt on 06/02/2023. Refund due back to CoreLogic.


BIDDING PROCESS *(If applicable):*

APPROPRIATION ACCOUNT TO BE CHARGED *(If applicable):*

AMOUNT OF PROPOSED CONTRACT *(If applicable):*

Approved by Business Administrator:

1/7/25
Date


Signature

Certification of Funds Needed

Please note that the Contact Person is the point person for providing pertinent information regarding request.

*****Please attach all supporting documents*****

BLQ: 137. 7.
Owner Name: BORGELLA, LUDWIG

Tax Year: 2024 to 2024
Property Location: 410 LAWRENCE ST

Tax Year: 2024	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	821.03	821.02	821.03-	821.02-	0.00
Payments:	821.03	821.02	0.00	0.00	1,642.05
Balance Adjust:	821.03-	821.02-	821.03	821.02	0.00
Balance:	821.03-	821.02-	0.00	0.00	1,642.05-

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2024 Prin Balance
								0.00		0.00
02/07/24	1	Payment	001	CORELOGIC	CK	20026	839 LPM	821.03	0.00	821.03-
		Description Original Billed CORELOGIC/ACH								
05/02/24	2	Payment	001	ACH/660	CK	20385	921 LPM	821.02	0.00	1,642.05-
		Description BULK PAYMENT/CORELOGIC/00660								
07/26/24	1	Adjustment	084			20682	13 OVERBILL	821.03-	0.00	2,463.08-
07/26/24	2	Adjustment	084			20682	14 OVERBILL	821.02-	0.00	3,284.10-
07/26/24	3	Adjustment	084			20682	15 OVERBILL	821.03	0.00	2,463.07-
07/26/24	4	Adjustment	084			20682	16 OVERBILL	821.02	0.00	1,642.05-

Total Principal Balance for Tax Years in Range: 1,642.05-

RESOLUTION NO. 56-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES PURSUANT TO EXEMPTION FOR A TOTALLY DISABLED VETERAN

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

WHEREAS, Mr. Shawn M. Wooden (“claimant”), owner and resident of 1212 Wood St. (Block 102.01, Lot 10) has applied for tax exemption as a Totally Disabled Veteran pursuant to N.J.S.A. 54:4-3.30, et seq.; and

WHEREAS, the claimant has supplied all requisite proofs in support of this claim; and

WHEREAS, the Tax Assessor and Business Administrator have reviewed the claim and related documentation and finds all to be in order and recommend approval of the exemption; and

WHEREAS, the effective date of the exemption is September 6, 2023, in conformance with the claimants’ date of submission of claim; and

WHEREAS, claimant has been billed and or paid taxes for the exempt period; and

WHEREAS, the Tax Collector seeks to balance the account in recognition of the exemption; and

WHEREAS, the Tax Collector confirms and wishes to clear any resulting overpayment by returning funds to the appropriate entity.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that the Tax Collector is hereby authorized to cancel 2024 taxes in the amount of \$3,320.25 and refund any overpayments accordingly to the appropriate entity. Additionally, the Tax Collector has authorization to cancel the remaining amounts that would become due and owing by claimant. A certified copy of this resolution shall be forwarded to the Tax Collector, Business Administrator, Tax Assessor and claimant.

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

January 21, 2025

RESOLUTION NO. 56-2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						

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**CITY OF BURLINGTON
RESOLUTION REQUEST FORM**

Council Meeting Date: January 21, 2025

DATE: December 27, 2024

TO: Johanna S. Conyer, Business Administrator

FROM: Danielle Lippincott

DEPARTMENT REQUESTING RESOLUTION: Tax Collector

TITLE OF RESOLUTION: Refund of Overpayment due to Total Disable Vet for Block 102.01 Lot 10 Located at 1212 Wood St

BRIEF DESCRIPTION OF ACTION: CoreLogic issued a payment on 02/07/2024 & 05/02/2024 in the amount of \$3,320.25 for 2024 1st and 2nd quarter property taxes. Property was declared exempt on 09/06/2023. Refund due back to CoreLogic.

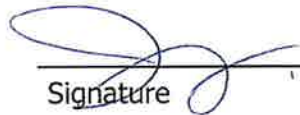
BIDDING PROCESS *(If applicable):*

APPROPRIATION ACCOUNT TO BE CHARGED *(If applicable):*

AMOUNT OF PROPOSED CONTRACT *(If applicable):*

Approved by Business Administrator:

1/7/25
Date


Signature

Certification of Funds Needed

Please note that the Contact Person is the point person for providing pertinent information regarding request.

*****Please attach all supporting documents*****

RESOLUTION NO. 57-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES PURSUANT TO EXEMPTION FOR A TOTALLY DISABLED VETERAN

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

WHEREAS, Mr. Charles C. Andrews Jr. (“claimant”), owner and resident of 1403 Wood St. (Block 92, Lot 1) has applied for tax exemption as a Totally Disabled Veteran pursuant to N.J.S.A. 54:4-3.30, et seq.; and

WHEREAS, the claimant has supplied all requisite proofs in support of this claim; and

WHEREAS, the Tax Assessor and Business Administrator have reviewed the claim and related documentation and finds all to be in order and recommend approval of the exemption; and

WHEREAS, the effective date of the exemption is March 17, 2023, in conformance with the claimants’ date of submission of claim; and

WHEREAS, claimant has been billed and or paid taxes for the exempt period; and

WHEREAS, the Tax Collector seeks to balance the account in recognition of the exemption; and

WHEREAS, the Tax Collector confirms and wishes to clear any resulting overpayment by returning funds to the appropriate entity.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that the Tax Collector is hereby authorized to cancel 2024 taxes in the amount of \$2,557.72 and refund any overpayments accordingly to the appropriate entity. Additionally, the Tax Collector has authorization to cancel the remaining amounts that would become due and owing by claimant. A certified copy of this resolution shall be forwarded to the Tax Collector, Business Administrator, Tax Assessor and claimant.

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

January 21, 2025

RESOLUTION NO. 57-2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						

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**CITY OF BURLINGTON
RESOLUTION REQUEST FORM**

Council Meeting Date: January 21, 2025

DATE: December 27, 2024

TO: Johanna S. Conyer, Business Administrator

FROM: Danielle Lippincott

DEPARTMENT REQUESTING RESOLUTION: Tax Collector

TITLE OF RESOLUTION: Refund of Overpayment due to Total Disable Vet for Block 92 Lot 1 Located at
1403 Wood St

BRIEF DESCRIPTION OF ACTION: CoreLogic issued a payment on 02/07/2024 in the amount of \$2,557.72
for 2024 1st quarter property taxes. Property was declared exempt on 03/17/2023. Refund due back to CoreLogic.

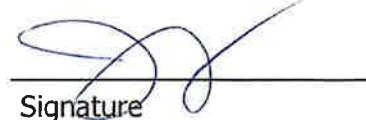
BIDDING PROCESS *(If applicable):*

APPROPRIATION ACCOUNT TO BE CHARGED *(If applicable):*

AMOUNT OF PROPOSED CONTRACT *(If applicable):*

Approved by Business Administrator:

1/7/25
Date


Signature

Certification of Funds Needed

Please note that the Contact Person is the point person for providing pertinent information regarding request.

*****Please attach all supporting documents*****

BLQ: 92. 1. Tax Year: 2024 to 2024
Owner Name: ANDREWS, CHARLES C JR & KHRISAVE Property Location: 1403 WOOD ST

Tax Year: 2024	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Original Billed:	2,557.72	2,557.72	2,557.72-	2,557.72-	0.00
Payments:	2,557.72	0.00	0.00	0.00	2,557.72
Balance Adjust:	2,557.72-	2,557.72-	2,557.72	2,557.72	0.00
Balance:	2,557.72-	0.00	0.00	0.00	2,557.72-

Reso Needed to Refund

Date	Qtr	Type	Code	Check No	Mthd	Reference	Batch Id	Principal	Interest	2024 Prin Balance
								Original Billed		0.00
02/07/24	1	Payment	001	CORELOGIC	CK	20026	560 LPM	2,557.72	0.00	2,557.72-
								CORELOGIC/ACH		
07/26/24	1	Adjustment	084			20682	1 OVERBILL	2,557.72-	0.00	5,115.44-
07/26/24	2	Adjustment	084			20682	2 OVERBILL	2,557.72-	0.00	7,673.16-
07/26/24	3	Adjustment	084			20682	3 OVERBILL	2,557.72	0.00	5,115.44-
07/26/24	4	Adjustment	084			20682	4 OVERBILL	2,557.72	0.00	2,557.72-

Total Principal Balance for Tax Years in Range: 2,557.72-

RESOLUTION NO. 58-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON CANCELLING TAX SALE CERTIFICATE AND REFUNDING LIENHOLDER DUE TO PAYMENT PROCESSING ERROR

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

WHEREAS, payment of taxes for Block 91, Lot 43, located at 89 W. Eighth Street was incorrectly processed; and

WHEREAS, the Tax Sale Certificate 24-0034 must be canceled and the lienholder refunded.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby authorizes cancellation of Tax Sale Certificate 24-00034.

BE IT FURTHER RESOLVED that lienholder, Ram Tax Lien Fund II LP, shall be refunded \$3,088.72 accordingly.

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

January 21, 2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						

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**CITY OF BURLINGTON
RESOLUTION REQUEST FORM**

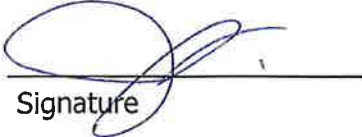
Council Meeting Date: January 21, 2025

DATE: December 30, 2024
TO: Johanna S. Conyer, Business Administrator
FROM: Danielle Lippincott
DEPARTMENT REQUESTING RESOLUTION: Tax Collector

TITLE OF RESOLUTION: Cancel Tax Sale Certificate 24-00034 for Block 91 Lot 43 and refund Lienholder due to payment processing error.

BRIEF DESCRIPTION OF ACTION: Payment for Block 91 Lot 43, to remove the property from our annual tax sale, was posted to Block 91 Lot 45.01. Certificate must be canceled for Block 91 Lot 43 Located at 89 W Eighth St and the Lienholder must be refunded with interest.
Premium \$800 Certificate \$885.29 Subsequent Payments \$1,379.56 and interest \$23.87. Total amount due back to the Lienholder, Ram Tax Lien Fund II LP, is \$3,088.72. Premium will be refunded from the Tax Redemption Account.

BIDDING PROCESS *(If applicable):*
APPROPRIATION ACCOUNT TO BE CHARGED *(If applicable):*
AMOUNT OF PROPOSED CONTRACT *(If applicable):*

Approved by Business Administrator: 1/7/25 
Date Signature

Certification of Funds Needed

Please note that the Contact Person is the point person for providing pertinent information regarding request.

******Please attach all supporting documents******

Certificate: 24-00034
Prop Loc: 89 W EIGHTH ST

Owner: SANTIAGO, ROBERTO SR & ELVIA
Address: 89 W EIGHTH ST
BURLINGTON, NJ 08016

Type of Lien: Outside
Interest Rate: 0.00
Apr 2: N

Premium: 800.00

Block/Lot/Qual: 91. 43.

Sale Date: 11/14/24

Holder Name: RAM TAX LIEN FUND II LP

Holder Id: 408

Redemption Calculation Date: 01/21/25

Address: PO BOX 71054

Include Current Charges: N

CHICAGO, IL 60694

TAX SALE CERTIFICATE:

Balance Type	Principal	Interest	Total
Water	130.77	0.58	131.35
Sewer	750.60	3.34	753.94
Total:	881.37	3.92	885.29
		Cost:	0.00
		Total Certificate:	885.29
#Days: 67	Per Diem: 0.000000	Int on Cert:	0.00
	Redemption Penalty (2.00 %):		17.71
	Total:		903.00

SUBSEQUENT CHARGES:

Balance Type	Year Prd	Date	Prin/Penalty	Interest Rate	Per Diem	#Days	Interest	Total
Sewer	2024	1 12/05/24	295.17	8.00	0.065593	46	3.02	298.19
Sewer	2024	2 12/05/24	293.80	8.00	0.065289	46	3.00	296.80
Water	2024	1 12/05/24	25.74	8.00	0.005720	46	0.26	26.00
Water	2024	1 12/05/24	342.23	18.00	0.171115	46	7.87	350.10
Water	2024	2 12/05/24	422.62	18.00	0.211310	46	9.72	432.34
		Total:	1,379.56				23.87	1,403.43

BALANCE TYPE SUMMARY:

	Certificate Total & Subseq. Prin/Penalty	Interest	Total
Certificate Water	131.35	0.00	131.35
Subseq Water	790.59	17.85	808.44
Total Water	921.94	17.85	939.79
Certificate Sewer	753.94	0.00	753.94
Subseq Sewer	588.97	6.02	594.99
Total Sewer	1,342.91	6.02	1,348.93

LIEN REDEMPTION:

Principal: 2,264.85
Redemption Penalty (2.00 %): 17.71
Interest: 23.87
Recording Fees: 55.00
Other Fees: 12.00

December 30, 2024
09:54 AM

CITY OF BURLINGTON
Lien Redemption Work Sheet - Certificate: 24-00034

Page No: 2

TOTAL REDEMPTION: 2,373.43 Total Per Diem: 0.519027

RESOLUTION NO. 59-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON ADOPTING ITS FOURTH ROUND FAIR SHARE AFFORDABLE HOUSING OBLIGATION AND OTHER ACTIONS

WHEREAS, pursuant to the Fair Housing Act P.L. 2024, c.2, (“FHA”) the State of New Jersey adopted legislation addressing the Fourth Round of affordable housing for the period 2025 to 2035; and

WHEREAS, pursuant to the FHA, the Department of Community Affairs (“DCA”), published Fourth Round preliminary obligations for each municipality in October of 2024; and

WHEREAS, the DCA calculated the City of Burlington as having a present need or rehabilitation share of 63 units and a prospective need share of 30 units for the Fourth Round; and

WHEREAS, pursuant to the FHA, every municipality in the State of New Jersey has an obligation to adopt a binding resolution establishing its fair share affordable housing obligation for the Fourth Round by January 31, 2025; and

WHEREAS, the City’s affordable housing professionals have reviewed the present need and prospective share published by the DCA and have recommended that the City adopt these amounts as its Fourth Round Fair Share obligation; and

WHEREAS, the City Common Council has reviewed this matter and agree to accept the recommendations of the City’s affordable housing professionals and take other necessary actions in connection with the FHA.

NOW, THEREFORE, BE IT RESOLVED, the Common Council of the City of Burlington, County of Burlington and State of New Jersey hereby establishes its Fourth Round Affordable Housing Fair Share obligation as a present need or rehabilitation share of 63 units and a prospective need share of 30 units; and

BE IT FURTHER RESOLVED, that the City of Burlington’s Fourth Round Affordable Housing Fair Share obligation is subject to vacant land adjustments and other amendments as may be provided for by law and the City hereby reserves its right to adjust its Fourth Round Affordable Housing Fair Share obligation accordingly; and

BE IT FURTHER RESOLVED, that the City’s affordable housing attorney is hereby authorized to file an action in the form of a declaratory judgment complaint and civil case information statement within 48 hours after the adoption of this resolution; and

BE IT FURTHER RESOLVED, that the City’s affordable housing professionals shall submit the City of Burlington into the DCA affordable housing dispute program and take any other action necessary to comply with the FHA and implement its Fourth Round Affordable Housing Fair Share obligation including, but not limited to defending any challenges to the City’s actions herein; and

BE IT FURTHER RESOLVED, the Common Council also authorizes its affordable housing professionals to prepare the appropriate Housing Element and Fair Share Plan as a component of the City’s Master Plan so that is filed with DCA on or before June 30, 2025; and

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be submitted to the DCA and posted on the City website upon its adoption.

Attest:

Dawn Bergner-Thompson, President
Common Council

Cindy A. Crivaro, RMC
Municipal Clerk

January 21, 2025

RESOLUTION NO. 59-2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						

RESOLUTION NO. 60-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF DESIGNATING A POOL OF CERTAIN PLANNERS FOR ALTERNATE LAND USE BOARD PLANNING SERVICES

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

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of Alternate Land Use Board Planners may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the Mayor has selected several engineering firms to be assigned projects or matters from the pool of planners for Alternate Land Use Board Planners based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the responses provided by the law firms to the City's Request for Proposals for Alternate Land Use Board Planners; 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 2025.

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

(a) The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of the following firms or planners to serve as Alternate Land Use Board Planners for various projects and/or planning matters based upon a determination of the best needs of the City (hereafter "Alternate Land Use Board Pool Planners") for the term of January 1, 2025, through December 31, 2025:

- Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mt. Laurel, New Jersey 08054

RESOLUTION NO. 60-2025

- Heyer, Gruel & Associates, 236 Broad Street, Redbank, NJ 07701

(b) The compensation of the planners for these services for the 2025 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Alternate Land Use Board Pool of Planners, which shall be consistent with the RFP proposals submitted by the planners and firms.

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

January 21, 2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						

RESOLUTION NO. 61-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING FIRE DEPARTMENT EMERGENCY DRIVERS FOR THE YEAR 2025

Common Council of the City of Burlington hereby approves the following Fire Department Emergency Drivers for the Year 2025:

The following is the Emergency Driver's list for the year 2025:

Nicole Adams	David Fugh	Jeffery Iwanicki
Zachary Adams	Douglas Ghoul	Rusty Caruso
Roy Barkewich	Mark Lawshe	Timothy Fitch
Jon Cassidy	Ryan Phillips	Colin Zimmerman
Brian Curiale	Tyler Phillips	Jamie Lambing
Shawn Meredith	Jamie Sabo	Nicholas Wirth
Andrew Grandin	Keith Spencer	Christopher Reeves
Brandon Brelsford	Robert Thompson	John Lambing, IV
Kevin Sexton	Jeffery Tinnick	Jason Lambing
Brent Tomer	John Tinnick	Donna Caruso
Eric Sides	Michael Tomazewski	Dominic Mancuso
Pedro Torres	Joshua Maugeri	Joseph Murr
Howard Nixon	John Filippine, Jr.	Gary Schroeder
Leah Andrade	John Filippine, Sr.	Eugene Stark
Richard Spotts	Richard Edge	Daniel Steere
Justin Steere	Edward Ator, Jr.	Richard Snyder
Brian Wood, Jr.	Richard Iovine	Jacob Snyder
Edward Wood	Michael Blei	Nicholas Slifko
Jeffery Steere, Sr.	Leslie Blei	Alfred Erzak
Cindy Sexton	Vincent Heisler	Damon Meredith
Ross Kownatsky, Sr.	James Daut	Scott Goldberg
Brian Wood, Sr.	Ernest Schroeder	Jacob Larsen
Alyssa Meredith		Nathan Pogorzelski
James Wallrath		Joel Felicano
Kyle Webb		
James Lowden		
Robert Wilkinson		
David Counard		

Resolution No. 61-2025

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

January 21, 2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						

CITY OF BURLINGTON FIRE DEPARTMENT

525 High Street
Burlington, New Jersey 08016

Office: 609-386-0200 x170

Fax: 609-386-3223

To: Johanna Conyer, Business Administrator
CC: Cindy Crivaro, Municipal Clerk

From: Rusty Caruso, Fire Chief

Date: January 2, 2025

The following is the Emergency Driver's list for the year 2025:

Nicole Adams	David Fugh	Jeffery Iwanicki
Zachary Adams	Douglas Ghaul	Rusty Caruso
Roy Barkewich	Mark Lawshe	Timothy Fitch
Jon Cassidy	Ryan Phillips	Colin Zimmerman
Brian Curiale	Tyler Phillips	Jamie Lambing
Shawn Meredith	Jamie Sabo	Nicholas Wirth
Andrew Grandin	Keith Spencer	Christopher Reeves
Brandon Brelsford	Robert Thompson	John Lambing, IV
Kevin Sexton	Jeffery Tinnick	Jason Lambing
Brent Tomer	John Tinnick	Donna Caruso
Eric Sides	Michael Tomazewski	Dominic Mancuso
Pedro Torres	Joshua Maugeri	Joseph Murr
Howard Nixon	John Filippine, Jr.	Gary Schroeder
Leah Andrade	John Filippine, Sr.	Eugene Stark
Richard Spotts	Richard Edge	Daniel Steere
Justin Steere	Edward Ator, Jr.	Richard Snyder
Brian Wood, Jr.	Richard Iovine	Jacob Snyder
Edward Wood	Michael Blei	Nicholas Slifko
Jeffery Steere, Sr.	Leslie Blei	Alfred Erzak
Cindy Sexton	Vincent Heisler	Damon Meredith
Ross Kownatsky, Sr.	James Daut	Scott Goldberg
Brian Wood, Sr.	Ernest Schroeder	Jacob Larsen
Alyssa Meredith		Nathan Pogorzelski
James Wallrath		Joel Felicano
Kyle Webb		
James Lowden		
Robert Wilkinson		
David Counard		

RESOLUTION NO. 62-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON DESIGNATING FRANK CARUSO TO SERVE AS THE EMERGENCY MANAGEMENT COORDINATOR FOR THE CITY OF BURLINGTON FOR A THREE (3) YEAR TERM

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

WHEREAS, the Mayor has recommended the re-appointment of the Frank Caruso as Emergency Management Coordinator for a three (3) year term that will run from January 1, 2025, to December 31, 2027

NOW THEREFORE, BE IT RESOLVED the Common Council of the City of Burlington, County of Burlington and State of New Jersey hereby consents to the appointment by Mayor Conaway of Frank Caruso as the Emergency Management Coordinator for a three (3) year term that will run January 1, 2025, to December 31, 2027.

 Dawn Berger Thompson
 President Common Council

Attest:

 Cindy A. Crivaro, RMC
 Municipal Clerk

January 21, 2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIIS						
SPAULDING						
WOODARD						
BERGER-THOMPSON						

RESOLUTION NO. 63-2025

Whereas, the City of Burlington desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project titled FY2025 Oaklyn Park Improvements Project which includes the reconstruction of concrete sidewalk paths around the park and the replacement of out-of-service playground equipment to accommodate accessibility and safety.

Be it therefore RESOLVED,

- 1) that the Common Council of the City of Burlington on the County of Burlington and State of New Jersey does hereby authorize the City Engineer to submit the grant application for such a grant utilizing the NJDCA SAGE Portal on behalf of the City of Burlington; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between **the City of Burlington** and the New Jersey Department of Community Affairs.

Be it further RESOLVED, that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

(signature)
Barry W. Conaway

Mayor

(signature)
Cindy A. Crivaro

Municipal Clerk

CERTIFICATION:

I, Cindy A. Crivaro, RMC, Municipal Clerk for the City of Burlington, hereby certify that at a meeting of the Common Council held on January 21, 2025, the above *RESOLUTION NO. 63-2025* was duly adopted.

AFFIX GOV'T,
CORPORATE OR
NOTARY SEAL

Cindy A. Crivaro, RMC

Resolution No. 63-2025

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

January 21, 2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						

RESOLUTION NO. 64-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A HEARING FOR A FLOODPLAIN VARIANCE BY ZUBAIR ALI, IN REGARD TO THE PROPERTY LOCATED AT 205 GREEN STREET AS PER SECTION 170-4D OF THE CITY CODE

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

WHEREAS, Chapter 170 of the City Code sets forth flood damage prevention measures within the City; and

WHEREAS, if a variance is required for a property to meet the provisions of said Chapter, Section 170-4 requires the property owner seek a variance, to be heard and decided by the City Common Council; and

WHEREAS, Zubair Ali, the owner of 205 Green Street, requires a floodplain variance to comply with the provisions of Chapter 170; and

WHEREAS, Common Council shall therefore hear Zubair Ali request for a floodplain variance.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington as follows shall hold a hearing on Zubair Ali Chapter 170 variance request on the property located at 205 Green Street on January 21, 2025, at 7 P.M. at City Hall, 525 *High St.*, Burlington, NJ 08016.

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

January 21, 2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						



525 High Street- Burlington, NJ 08016
Phone: 609-386-0200

Floodplain Variance Application

Applicant:	Property Owner:
Contact Name: ZUBAIR ALI	Name: ZUBAIR ALI
Business Name:	Mailing Address:
Mailing Address: 362 LA ROVE ST	City, State & Zip Code:
City, State & Zip Code: NORTH PLAINFIELD NJ 07060	Phone:
Contact Number:	Cell:
E-Mail:	E-Mail:

Property Information:	
Parcel Description (i.e. Lot, Block, Subdivision):	
Street Address with City, State & Zip Code: 205 GREEN ST Burlington	Flood Zone(s):
Lot Size: 1123 : Square Feet : Acres	Base Flood Elevation: <input type="checkbox"/> 1929 NGVD <input checked="" type="checkbox"/> 1988 NAVD
Existing Use(s):	

Floodplain Variance Request Information:
Variance Plan:
<input type="checkbox"/> New Construction <input type="checkbox"/> Lot One-Half Acre or Less in Size <input type="checkbox"/> Lot Exceeding One-Half Acre <input type="checkbox"/> Functionally Dependent Use (Proximity to Water)
<input type="checkbox"/> Substantial Improvement <input checked="" type="checkbox"/> Lot One-Half Acre or Less in Size



525 High Street- Burlington, NJ 08016
Phone: 609-386-0200

Floodplain Variance Application No.: _____

Date Filed: 12-3-2024 **Meeting Date:** _____

A variance is a grant of relief given by a community from the terms of specific standards required in its floodplain regulations. The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by the Federal government according to actuarial risk and will not be modified by the granting of a variance. ANY VARIANCE GRANTED BY A COMMUNITY MUST BE CONSISTENT WITH THE NFIP GUIDELINES AND WITH LOCAL LAW.

1. Name of Applicant: ZUBAIR ALI _____

2. Specify the section of the floodplain regulations from which a variance is sought: Seeking
variance for BFE Base Flood Elevation _____

3. Explain how proposed development would vary from the provisions of the floodplain regulations:
Proposed Rehabilitation of Property will not meet the
required base flood elevation. _____

4. Explain the hardship imposed if a strict application of the floodplain regulations is enforced:
The existing dwelling will be economically infeasible as it
will require to re frame entire home

Note: Applicant may attach additional supporting documents and data necessary to help explain this project and variance request.

AN APPLICANT RECEIVING A VARIANCE TO BUILD A STRUCTURE WITH THE LOWEST FLOOR ELEVATION BELOW THE BASE FLOOD ELEVATION (100-YEAR) IS HEREBY NOTIFIED THAT THE REDUCED FLOOR ELEVATION MAY RESULT IN INCREASED PREMIUM RATES FOR FLOOD INSURANCE UP TO AMOUNTS AS HIGH AS \$25 PER \$100 OF INSURANCE COVERAGE. CONSTRUCTION BELOW THE BASE FLOOD LEVEL INCREASES RISKS TO LIFE AND PROPERTY.

Zubair Ali
Applicant's Signature

12-3-2024
Date

RECORD OF VARIANCE ACTIONS (Floodplain Administrator complete)

In accordance with the criteria and guidelines of the City of Burlington, Flood Damage Prevention Regulations §170, the Common Council hereby [] Approves, [] Denies the above request for variance.

Chair Date

Secretary of the Board

RESOLUTION NO. 65-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF DESIGNATING A POOL OF CERTAIN ENGINEERS FOR ALTERNATE LAND USE BOARD ENGINEERING SERVICES

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

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of engineers as Alternate Land Use Board Engineers may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

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

WHEREAS, the Mayor has selected several engineering firms to be assigned projects or matters from the pool of engineers for Alternate Land Use Board Engineers based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the responses provided by the law firms to the City's Request for Proposals for Alternate Land Use Board Engineers; 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 2025.

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

(a) The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of the following engineering firms or engineers to serve as Alternate Land Use Board Engineers for various projects and/or engineering matters based upon a determination of the best needs of the City (hereafter "Alternate Land Use Board Pool Engineers") for the term of January 1, 2025, through December 31, 2025:

- Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mt. Laurel, New Jersey 08054

- Grant Engineering & Construction Group, LLC, 211 Warren St, Suite 209, Newark, New Jersey 07103

(b) The compensation of the Engineers for these services for the 2025 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Alternate Land Use Board Pool of Engineers, which shall be consistent with the RFP proposals submitted by the engineers and firms.

 Dawn Bergner-Thompson
 Common Council President

Attest:

 Cindy A. Crivaro, RMC
 Municipal Clerk

January 21, 2025

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL						
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
BALLARD						
CHACHIS						
HUTTON						
RIJS						
SPAULDING						
WOODARD						
BERGNER-THOMPSON						



Engineers
Planners
Surveyors
GIS Specialists

Frank J. Little, Jr., P.E., P.P., C.M.E.
Douglas F. Klee, P.E., P.P., C.M.E.
William J. Berg, P.L.S.

January 16, 2025

Mayor Conaway and Common Council
City of Burlington
525 High Street
Burlington, NJ 08016
Via Email: wharris@burlingtonnj.us

Re: Chapter 170 - Flood Damage Prevention Ordinance
Floodplain Variance Application
Applicant: Zubair Ali
Block: 147
Lot(s): 13
Location: 205 Green Street
OLA File No.: BURL-25-FLOOD

Dear Mayor Conaway and Members of the Common Council:

This office is in receipt of and has reviewed the Floodplain Variance Application Submission for the above referenced site.

In addition to the application, the submission consists of the following:

- A. Architectural and Floor Plans, Five (5) Sheets, prepared by T. LaPorta Architect, PC and dated 06/20/2023 as follows:
 - i. Sheet CS – Cover Sheet
 - ii. Sheet A-1 – Floor Plans, Wall Type & Notes
 - iii. Sheet A-2 – Attic Plan & Fastener Schedule
 - iv. Sheet E-1 – Electrical Plans
 - v. Sheet M-1 – Mechanical Plans & Diagrams
- B. Elevation Certificate prepared by Kelly Survey, signed by Steven R. Kelly, PLS, PP and dated 01/31/2023.

The subject structure is a two-story attached, non-compliant, single-family dwelling which contains a sub grade basement and is currently not habitable. The applicant proposes a full interior and exterior renovation of the structure which is a FEMA Substantial Improvement that requires compliance with all applicable flood zone regulations.

The existing First Floor Elevation is (12.0) and the Basement Elevation is (4.0) while the lowest elevation of regular household machinery & equipment servicing the building is also (4.0). The structure was built in 1889, and is therefore Pre-FIRM, and not located within a National, State or Municipal Historic District. Based upon the architectural plans, the home contains 3 bedrooms and 2 bathrooms within 1,123 SF and no habitable space is proposed within the basement area, though the basement will remain.

443 Atlantic City Blvd.
Beachwood, NJ 08722
732-244-1090
Fax 732-311-3412
www.owenlittle.com
info@owenlittle.com

1. **Scope of Work**

Review of the architectural plans detailing this interior renovation indicates that no structural mitigation actions are proposed nor are the installation of flood vents shown in the existing basement area. The applicant does propose to relocate the existing mechanicals from the basement to the attic and first floor. Since this renovation is considered a FEMA Substantial Improvement, the following actions are required to meet the requirements of the City's Flood Damage Prevention Code (Chapter 170) as well as the NJDEP Flood Hazard Area Rules and FEMA's Minimum Standards for Substantial Improvement. Specifically, the following mitigation action items are required:

- Basement must be filled with clean fill dirt and graded
- First floor must be elevated to meet BFE and Freeboard requirements as detailed below
- Engineered flood vents must be installed within the new crawlspace area to reduce hydrostatic pressure on the foundation wall system.
- All mechanical systems, including an a/c condenser unit, must be raised on a platform at or above the Design Flood Elevation of (13.8 NAVD88).

2. **FEMA Compliance Review**

Review of the Elevation Certificate indicates that the existing and proposed First-Floor Elevation is (12.0 NAVD88) whereas (12.0) is the minimum FEMA Base Flood Elevation. Therefore, this structure elevation complies with NFIP FEMA regulation as it relates to Elevation. However, because this renovation constitutes a substantial improvement, the basement must be abandoned and filled with clean fill dirt along with the installation of flood vents. Therefore, the following variances are required.

- a. Permit existing basement to remain whereas basements are not permitted in the Special Flood Hazard Area. A Variance is needed.
- b. The applicant shall confirm that the lowest elevation of relocated mechanical equipment will be at Elevation 12.0 and, if so, no Variance relief will be required.
- c. No engineered flood venting is proposed whereas flood vents are required at a minimum ratio of 1 square inch of opening in a foundation wall per square foot of enclosed area on exterior walls. A Variance is needed.

3. **Municipal/State NFIP Compliance Review**

Review of the Elevation Certificate indicates that the existing and proposed First-Floor Elevation is (12.0 NAVD88) whereas the FEMA required First Floor Elevation is (12.0) and the State of New Jersey requires an additional one (1) foot freeboard for factor of safety. As a result, the Municipal Design Flood Elevation is (13.0), therefore, the following variances are required:

- a. The existing and proposed First Floor Elevation is (12.0) where (13.0) is required. Although this is an existing condition, it does not conform to Municipal Design Flood Elevation, therefore, a Variance is needed.

- b. The lowest proposed Mechanical Elevation is (12.0) whereas (13.0) is required. The applicant shall provide testimony as to whether an exterior air conditioning condenser will be installed. A Variance is needed.

4. **NJ Flood Hazard Area Compliance Review**

In August 2024, the NJDEP Division on Resilience, Engineering & Construction Bureau of Flood Engineering and the NJDEP Watershed Program provided the following updated guidance and interpretation of the fluvial flood hazard area and associated flood elevation requirements summarized as follows:



Figure 7: Frequency Discharge Drainage Area Curves (Not Applicable to Red Project)

Table 11: Summary of Non-Coastal Stillwater Elevations

Flooding Source	Location	Elevations (feet MVD58)				
		10% Annual Chance	1% Annual Chance	2% Annual Chance	1% Annual Chance	0.2% Annual Chance
Delaware River	At the Philadelphia tide gauge	9.4	11.4	11.0	11.8	12.9
Delaware River	At the mouth of Pennsauken Creek	8.6	10.6	10.2	11.0	12.1
Delaware River	At the mouth of Pimpernick Creek	9.6	11.6	11.2	12.0	13.1
Delaware River	At downstream corporate limits of Burlington Township	7.2	9.2	8.8	9.6	10.7
Delaware River	At the Old Burlington tide gauge	7.3	9.3	8.9	9.7	10.8
Delaware River	At upstream corporate limits of Burlington Township	7.6	9.6	9.2	10.0	11.1
Delaware River	At downstream corporate limits of Lawrence Township	7.6	9.6	9.2	10.0	11.1
Delaware River	At upstream corporate limits of Lawrence Township	8.2	10.2	9.8	10.6	11.7

*Not calculated for this Flood Plain Project

“Three (3) feet of freeboard can be added to the fluvial flood elevation that is found within Table 11 (see above) in the FEMA Flood Insurance Study (FIS) and not directly added to the FEMA Base Flood Elevation. Therefore, the Old Burlington Tide Gauge is the primary Stillwater Elevation location we will use for projects in the city and (3.0) will be added to the Stillwater Elevation of (9.8) for the 1% annual event resulting in a BFE of (12.8) plus one (1) additional foot of state freeboard.”

Therefore, the NJ Climate Adjusted Flood Elevation is (13.8) and the following variances are required:

- a. The proposed First Floor Elevation is (12.0) where (13.8) is required. The proposed construction does not conform to the NJ Climate Adjusted Flood Elevation, therefore, a Variance is needed.

6. **Conditions for Variances** – As noted in the City’s Flood Damage Prevention Chapter, generally, variances may be issued for new construction to be erected on a lot of 1/2 acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items [a] through [f] above have been fully considered.

Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief. Variances shall only be issued upon:

- a. A showing of good and sufficient cause;
- b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

We note that FEMA Technical Bulletin P-993 dated July 2014 states the following:

“The hardship that would result from failure to grant a requested variance must be exceptional, unusual and specific to the property involved, not the personal circumstances of the applicant. When determining whether an applicant has established an exceptional hardship sufficient to justify a variance, the local governing body must weigh the applicant’s hardship against the community wide flood damage prevention requirements. As stated under Section 3.3.3(Good and Sufficient Cause), inconvenience, aesthetic considerations, physical handicaps, personal preferences, the disapproval of one’s neighbors, or homeowners association requirements do not qualify as exceptional hardships. This applies even if the alternative means of construction are more expensive or complicated than building the structure with a variance, or if they require the property owners to use the parcel differently than originally intended or build the house elsewhere.”

- c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in the Variance Procedure above, or conflict with existing local laws or ordinances.

7. Additional Requirements – Should Variance Relief be granted by the Common Council, the following additional requirements must be met:
- a. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
 - b. A Flood Elevation Certificate based on Construction Drawings is required prior to the issuance of any future building permits.

It is therefore recommended that should the Common Council approve this application; it be conditional upon consideration of the comments cited above and any other conditions the Common Council may wish to impose.

Very truly yours,



Allison S. Iannaccone, CFM
Burlington City Floodplain Manager

ASI:caa

Cc: William Harris (wharris@burlingtonnj.us)



THE FRIENDLY FLOWER LLC
REQUEST FOR RESOLUTION OF SUPPORT
FOR CLASS 5 CANNABIS RETAIL LICENSE
FROM BURLINGTON CITY COMMON COUNCIL
JANUARY 21, 2025



MANAGEMENT TEAM

- **BRITTANY SINCLAIR, CO-CEO**

- MASTER OF WORKFORCE EDUCATION
- BOWLING GREEN STATE UNIVERSITY

- **MARIELENA RIVERA-ROWE, CO-CEO**

- MASTER OF SPORTS BUSINESS
- TEMPLE UNIVERSITY



INVESTMENT TEAM



BROOKE MOORE

- BACHELOR, BUSINESS ADMINISTRATION
- UNIVERSITY OF MARY WASHINGTON



GEOFFREY MOEN

- MASTER OF PUBLIC POLICY
- HARVARD UNIVERSITY



CANNABIS EXPERTISE

Ms. Sinclair's Key Achievements:

- Launched 6 adult-use dispensaries in California & Nevada
- Opened 2 cultivation facilities in Nevada
- Launched 1 recreational cannabis facility in Massachusetts
- Launched 1 medical cannabis facility in Virginia

M&A & Operations Leadership:

- Led M&A activities, including business and staff integrations
- Oversaw day-to-day operations in California & Nevada
- Managed hiring, staff training, and HR functions
- Ensured compliance with state and local regulations





SUBJECT LOCATION

**1137
BORDENTOWN RD**



OUR VISION FOR I 137
BORDENTOWN RD
THE FUTURE
(ACTUAL RENDERINGS)



RECEPTION



RECEPTION

THE PRINCESS FLOWER

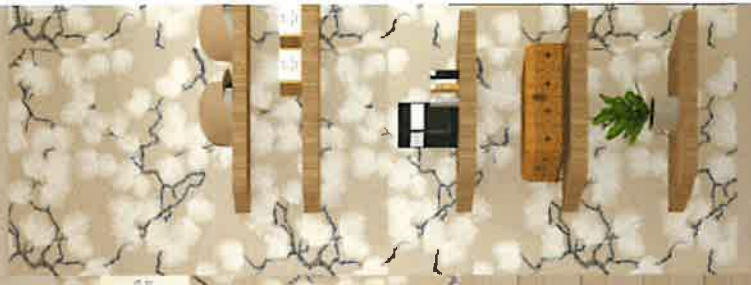
SALES COUNTER

THE FRIENDLY FLOWER

ATM

ATM

ATM





**SALES COUNTER &
EXPRESS COUNTER**

SALES FLOOR



SALES FLOOR – EXPANDED VIEW





SALES FLOOR

EXPRES
ORDE

COFFEE

PREP

EDIBLES

AW

BAR

BAR

BAR

BAR

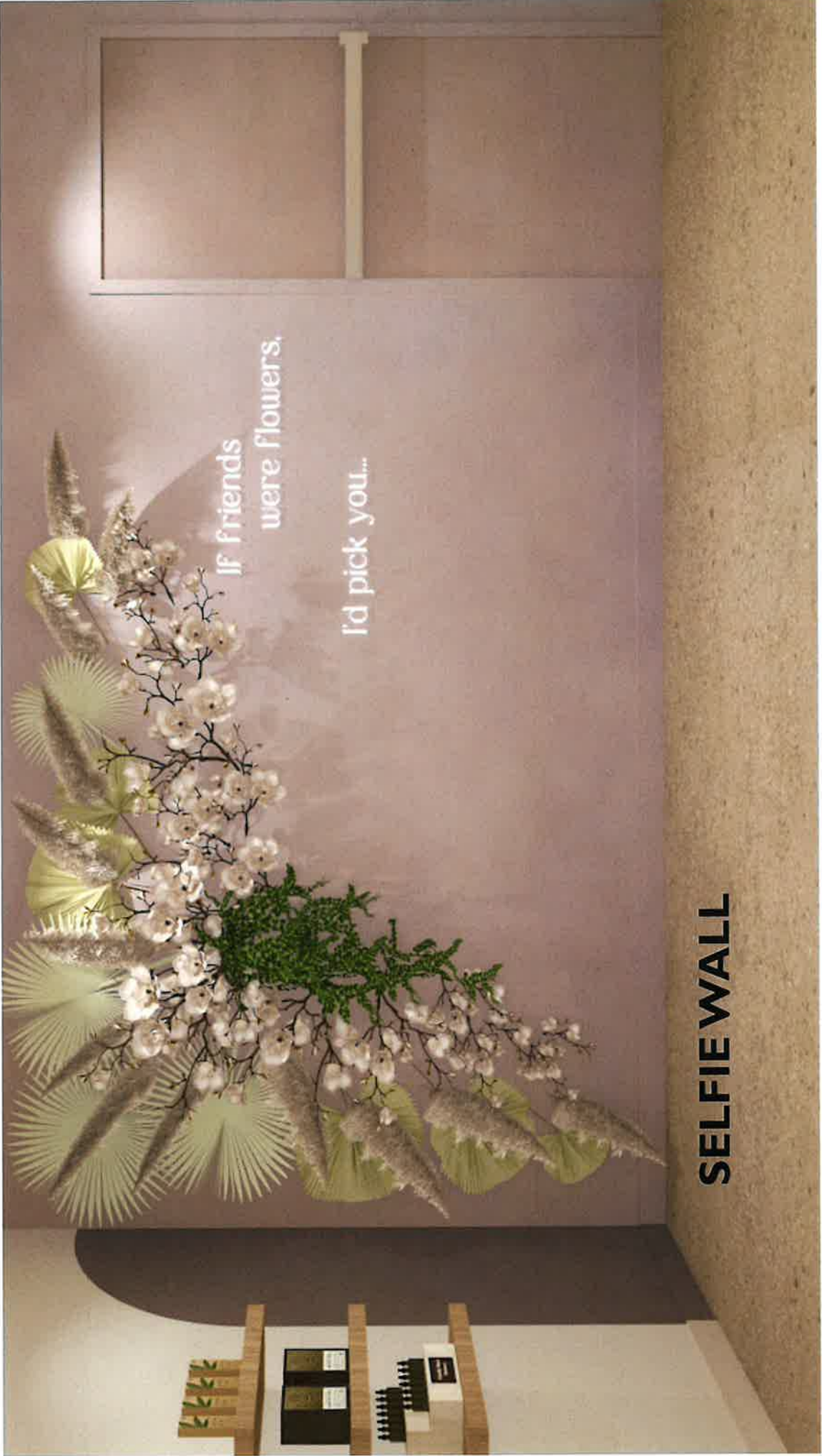
CAPSULES



SALES FLOOR



**SALES FLOOR
RESTROOMS
SELFIE WALL
ATM**



If friends
were flowers,
I'd pick you...

SELFIE WALL

SECURITY COMPLIANCE & MEASURES

- Adhere to all state and Burlington City security requirements
- Follow company's comprehensive security plan and cannabis regulations
- Maintain open communication with Burlington City Police
- 24/7 alarm system for continuous monitoring
- On-site security personnel with professional experience
- Panic buttons throughout the dispensary for added security
- 360-degree security cameras covering both interior and exterior

ODOR MITIGATION

- Cannabis Odors will not be detectable off-site
 - Extremely limited odor onsite
 - Odor absorbing ventilation and exhaust system with carbon filters to be installed and regularly maintained/replaced.
- In accordance with New Jersey cannabis regulations, all products received by The Friendly Flower to be sold in its dispensary will arrive in sealed packaging and will remain sealed until opened by the customer off-site after being purchased.
 - Customers are prohibited from consuming cannabis items inside the dispensary or on dispensary property, and this rule will be strictly enforced.

OPERATIONS



Hours of Operations:

8:00 AM – 9 PM Monday-Saturday
10:00 AM – 6:00 PM Sundays



Day to Day Operations

6-8 full-time employees
10-15 part time employees
Minimum of 3 employees on site during operating hours.



Opening Expected in Q3 2025

Site Plan Application deemed complete and pending hearing before Land Use Board



Community Benefits

Educational Events
At least 75% of employees to be Burlington County residents
Fundraising events (The Last Prisoner Project)



OUR PROFESSIONALS



CONSTRUCTION



LEGAL



ENGINEERING



ARCHITECTURE



INTERIOR DESIGN

