



# City of Burlington

## COUNCIL MEETING AGENDA

March 4, 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 RESOLUTIONS**

Johanna Conyer, Administrator  
87-2025, 88-2025, 90-2025, 93-2025, 82-2025, 95-2025

**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 \_\_\_\_\_.

**PETITIONS AND COMMUNICATIONS\***

**APPROVAL OF PAYMENT OF BILLS\***

**APPROVAL OF MINUTES\***

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 87-2025 Authorizing the Burlington County Highway Department, Division of Mosquito Control, to perform aerial applications of larvicides and insecticides for mosquito control during the year 2025.

Resolution No. 88-2025 Authorizing a contract with Water Resource Management, Inc. for Licensed Operator Services for the Water Treatment Plant in an amount not to exceed \$115,000.00

Resolution No. 89-2025\* Approving the Person-to-Person transfer of Plenary Retail Consumption License No. 0305-33-024-006 from Burlington General Store, LLC to Grand Slam Restaurant Group, LLC.

Resolution No. 90-2025 Authorizing a three-year contract with EACR, Inc., for electronic waste collection services at no cost to the City.

Resolution No. 91-2025\* Authorizing a contract with GenServe, LLC for generator maintenance services in an amount not to exceed \$21,295.00.

Resolution No. 92-2025\* Providing for a meeting not opened to the public in accordance with the provisions of the New Jersey Open Public Meetings Act, pursuant to N.J.S.A. 10:4-12(7): Matters falling within the attorney-client privilege

Resolution No. 93-2025 Amending Resolution 266-2023 to revise the scope of the need for the Burlington Manor Apartments Project.

Resolution No. 82-2025 Authorizing an agreement for Payment in Lieu of Taxes for an Affordable Housing Rental Development Project located at Block 121, Lot 2, aka Burlington Manor Apartments. (TABLED 2/18/25)

Resolution No. 95-2025 Authorizing Transfer #1 between the 2024 Budget Appropriation Reserves, as per N.J.S.A. 40A:4-59.

Resolution No. 96-2025\* Approving the appointment of Rainone Coughlin Minchello to serve as ABC Special Counsel for the year 2025 at an amount not to exceed \$10,000.00.

Resolution No. 97-2025\* Approving the appointment of Environmental Resolutions Inc. to serve as the Land Use Board Planner for the year 2025 at an amount not to exceed \$25,000.00.

Resolution No. 98-2025\* Approving the appointment of certain designated firms as Pool for Alternate Land Use Board Planner for the year 2025.

Resolution No. 99-2025\* Approving the appointment of certain designated firms as Pool for Alternate Land Use Board Traffic Consultant for the year 2025.

Resolution No. 100-2025\* Approving the appointment of Environmental Resolutions Inc. to serve as the Land Use Board Engineer for the year 2025 at an amount not to exceed \$25,000.00.

Resolution No. 101-2025\* Approving the appointment of certain designated firms as Pool for Alternate Land Use Board Engineer for the year 2025.

Resolution No. 102-2025\* Approving the appointment of Zeller & Wieliczko, LLC to serve as the Land Use Board Solicitor for the year 2025 at an amount not to exceed \$25,000.00.

Resolution No. 103-2025\* Approving the appointment of certain designated firms as Pool for Alternate Land Use Board Solicitor for the year 2025.

Resolution No. 104-2025\* Approving the appointment of The Platt Law Group to serve as Tax Foreclosure and Bankruptcy Special Counsel for the year 2025 at an amount not to exceed \$10,000.00.

**COUNCIL COMMENTS**

MOTION TO GO INTO EXECUTIVE SESSION: 1. \_\_\_\_\_ 2. \_\_\_\_\_

**EXECUTIVE CONFERENCE**

- Matters falling within the attorney-client privilege

MOTION TO CLOSE EXECUTIVE SESSION: 1. \_\_\_\_\_ 2. \_\_\_\_\_

**ADJOURNMENT** 1. \_\_\_\_\_ 2. \_\_\_\_\_

**RESOLUTION NO. 87-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING BURLINGTON COUNTY MOSQUITO EXTERMINATION COMMISSION TO PERFORM AERIAL APPLICATION FOR MOSQUITO CONTROL OVER BURLINGTON CITY DURING 2025**

**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 Burlington County Department of Public Works – Division of Mosquito Control has requested authorization from the City to perform aerial applications of pesticides for mosquito control over portions of the City during 2025; and

**WHEREAS**, all pesticides and aircraft to be used in this procedure are those approved for aerial application by both State and federal governments; and

**WHEREAS**, prior to performing aerial applications over the City, the Burlington County Department of Public Works – Division of Mosquito Control will notify Burlington County Central Communications.

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the City of Burlington that the Mayor is hereby authorized to execute the authorization for aerial mosquito control with the Burlington County Department of Public Works – Division of Mosquito Control.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 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. 88-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING A CONTRACT WITH WATER RESOURCE MANAGEMENT, INC. FOR LICENSED OPERATOR SERVICES FOR THE WATER TREATMENT PLANT**

**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 City of Burlington is in need of Licensed Operator services for the Water Treatment Plant; and

**WHEREAS**, such services are exempt from public bidding pursuant to Local Public Contracts Law N.J.S.A. 40:11-5(gg), and it has been decided that it is in the best interest of the City of Burlington to utilize Water Resource Management, Inc. for the aforementioned services; and

**WHEREAS**, the City’s wishes to award said contract to Water Resource Management, Inc. in an amount not to exceed \$115,000.00.

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

1. The Common Council of the City of Burlington hereby awards and authorizes a contract with Water Resource Management, Inc. for Licensed Operator Services for the Water Treatment Plant in an amount not to exceed \$115,000.00; and
2. The City of Burlington is hereby authorized to enter and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a contract with Water Resource Management, Inc. to effectuate the foregoing in a form to be approved to the City Solicitor.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 2025

**RESOLUTION NO. 88-2025**

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. 89-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON  
APPROVING AN APPLICATION FOR A PERSON-TO-PERSON, PLACE-TO-PLACE  
TRANSFER OF LIQUOR LICENSE NO. 0305-33-024-006

WHEREAS, an application has been filed for a Person-to-Person, Place-to-Place transfer of Plenary Retail Consumption License No. 0305-33-024-006 from Burlington General Store, LLC to Grand Slam Restaurant Group, LLC; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicants are qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicants have disclosed, and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business.

WHEREAS, a Tax Clearance Certificate for Transfer has been received from the Division of Taxation.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington does hereby approve, effective March 4, 2025, the person-to-person, place-to-place transfer of the aforesaid Plenary Retail Consumption License to Grand Slam Restaurant Group, LLC located at 219 High Street, Burlington, N.J. 08016, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Grand Slam Restaurant Group, LLC, effective March 4, 2025."

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Dawn Bergner-Thompson, President  
Common Council

Attest:

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Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 2025

RESOLUTION NO. 89-2025

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. 90-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A CONTRACT WITH EACR, INC. TO PROVIDE ELECTRONICS WASTE COLLECTION**

**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 City of Burlington desires to enter into a contract with EACR, Inc. for the collection of City electronic waste; and

**WHEREAS**, such services are exempt from public bidding pursuant to Local Public Contracts Law N.J.S.A. 40:11-5, and it has been decided that it is in the best interest of the City of Burlington to utilize EACR, Inc. for the aforementioned services; and

**WHEREAS**, the City is not required to pay for the services of EACR to collect the electronic waste; and

**WHEREAS**, the Director of Public Works has recommended that the City execute a three (3) year Recycling Agreement with EACR.

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

1. The Common Council of the City of Burlington hereby awards and authorizes a contract with EACR, Inc. at no cost to the City for electronic waste collection services; and
2. The City of Burlington is hereby authorized to enter and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a contract with EACR, Inc. to effectuate the foregoing in a form to be approved to the City Solicitor.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 2025

**RESOLUTION NO. 90-2025**

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

**RESOLUTION NO. 91-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND AWARDING A CONTRACT TO GENSERVE, LLC FOR GENERATOR MAINTENANCE SERVICES**

**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 City of Burlington requires annual generator maintenance services; and

**WHEREAS**, the City has a need to acquire such service as a Non-Fair and Open Contract pursuant to N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the purchasing agent has determined and certified in writing that the value of said services will exceed \$17,500.00; and

**WHEREAS**, the City solicited three (3) quotes for the aforementioned services; and

**WHEREAS**, it has been recommended by the City Engineer that the City award a contract for the aforementioned services to GenServe, LLC in an amount not to exceed \$21,295.00; and

**WHEREAS**, the Common Council wishes to award the aforementioned contract to GenServe, LLC.

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

1. The contract for generator maintenance services is hereby awarded to GenServe, LLC in an amount not to exceed \$21,295.00.
2. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to facilitate this award of contract in a form to be approved by the City Solicitor.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 2025

**RESOLUTION NO. 91-2025**

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. 92-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT**

**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 Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Governing Body to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12(b)(7) and designated below:

- Matters falling within the attorney-client privilege

**NOW THEREFORE BE IT RESOLVED** by the Common Council of the City of Burlington that an Executive Session closed to the public shall be held on March 4, 2025, for discussions concerning the above-referenced items.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 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. 93-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING RESOLUTION 266-2023 OF THE NEED FOR THE BURLINGTON MANOR APARTMENT PROJECT**

**WHEREAS**, the Common Council of the City of Burlington adopted Resolution 266-2023 on or about December 5, 2023 relating to the need for the Burlington Manor Apartments Project; and

**WHEREAS**, the Common Council seeks to amend Resolution 266-2023 to revise the scope of the Project; and

**WHEREAS**, Leon W. Weiner & Associates, Inc. (“Sponsor”) proposes to rehabilitate one-hundred twenty-six (126) units of senior low-income housing consisting of one-hundred twenty-five (125) one-bedroom apartments and one (1) two-bedroom superintendent unit with other improvements and amenities in connection therewith (the “Project”) pursuant to the provisions of the New Jersey Housing and Mortgage Finance Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1.1 *et seq.*, and all applicable guidelines promulgated thereunder (collectively referred to as the “HMFA Requirements”) within the City of Burlington (“Municipality”) on a site described as Block 121, Lot 1 as shown on the Official Assessment Map of the City of Burlington, County of Burlington, State of New Jersey and commonly known as Burlington Manor Apartments, located at 255 E. Pearl Street, Burlington, New Jersey 08016; and

**WHEREAS**, the Project will be subject to the HMFA Requirements, and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (“Agency”): and

**WHEREAS**, pursuant to HMFA Requirements, the governing body of the Municipality hereby determines that there is a need for this housing project in the Municipality.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the City of Burlington County of Burlington and State of New Jersey that Resolution 266-2023 is amended as stated above and the Council finds and determines that the rehabilitation of the Project proposed by the Sponsor meets or will meet an existing housing need; and

**BE IT FURTHER RESOLVED** that the Mayor and Council do hereby adopt the within Resolution and make the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of the HMFA Law to enable the Agency to process the Sponsor’s application for Agency funding and finance the rehabilitation of the Project.

RESOLUTION NO. 93-2025

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 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. 82-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING AND AUTHORIZING AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES FOR AN AFFORDABLE HOUSING RENTAL DEVELOPMENT PROJECT LOCATED AT BLOCK 121, LOT 2 ON THE OFFICIAL TAX MAP OF THE CITY OF BURLINGTON**

**WHEREAS**, the Sponsor is the contract purchaser of a site described as Block 121, Lot 2 as shown on the official assessment map of the City of Burlington, County of Burlington, and State of New Jersey and commonly known as Burlington Manor Apartments, located at 255 E. Pearl Street, Burlington City, New Jersey 08016 (the “Property”);

**WHEREAS**, the Sponsor proposes to rehabilitate one-hundred twenty-six (126) units of multifamily low-income housing consisting of one-hundred twenty-five (125) one-bedroom apartments and one (1) two-bedroom superintendent unit with other improvements and amenities in connection therewith (the “Project”);

**WHEREAS**, the Sponsor will receive financing for the Project from the New Jersey Housing and Mortgage Finance Agency (the “Agency”);

**WHEREAS**, the Municipality is authorized, pursuant to the New Jersey Housing and Mortgage Finance Agency Law of 1983, N.J.S.A. 55:14K-1 et seq. (the “HMFA Law”), to grant an exemption for real estate taxes to housing projects that meet an existing housing need if the project’s owner agrees to pay to the City an annual charge for municipal services supplied to the Project;

**WHEREAS**, the City has determined in a Resolution of Need (Resolution 266-2023) by the City Council (the “Resolution”), adopted on December 25, 2023 that the Project meets an existing housing need;

**WHEREAS**, the City has agreed to grant an exemption to the Project for real estate taxes and the Sponsor has agreed to make payments to the City in lieu of real estate taxes; and

**WHEREAS**, the Sponsor and the City desire to enter into this Agreement to memorialize the Sponsor's exemption from real property taxes and its obligation to make payments in lieu of such real property taxes;

**WHEREAS**, pursuant to HMFA Requirements, the governing body of the City hereby determines that there is a need for this housing project in the City; and

**WHEREAS**, the Sponsor has presented to the City a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency.

**NOW THEREFORE BE IT RESOLVED**, that the Common Council of the City of Burlington , that:

1. Council finds and determines that the proposed Project will meet or meets an existing housing need;

2. Council does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in conformity with the provisions of HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall rehabilitate, own and operate the Project;

3. Council does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the City in such amounts and manner set forth in the Agreement for Payments in Lieu of Taxes attached hereto as Exhibit "A";

RESOLUTION NO. 82-2025

4. Council hereby authorizes and directs the Mayor of the City of Burlington to execute, on behalf of the City, an Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit "A"; and

\_\_\_\_\_  
 Dawn Bergner-Thompson, President  
 Common Council

Attest:

\_\_\_\_\_  
 Cindy A. Crivaro, RMC  
 Municipal Clerk

March 4, 2025  
 February 18, 2025 - TABLED

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. 82-2025

**February 18, 2025 - TABLED**

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

**EXHIBIT "A"**

**AGREEMENT FOR PAYMENTS IN LIEU OF  
TAXES**

**THIS AGREEMENT FOR PAYMENTS IN LIEU OF TAXES** (this “**Agreement**”) is made as of this 4<sup>th</sup> day of March, 2025 (the “**Effective Date**”) between **BURLINGTON MANOR PRESERVATION ASSOCIATES LLC**, a Delaware limited liability company (the “**Sponsor**”), having offices at 4 Denny Road, Wilmington, DE 19809, and its permitted assigns, and the the **CITY OF BURLINGTON** (the “**City**”), in the County of Burlington, State of New Jersey, having its offices at City Hall, 525 High Street, Burlington, New Jersey 08016 (the “**Municipality**” and together with the Sponsor, the “**Parties**”).

**WITNESSETH:**

**WHEREAS**, the Sponsor is the contract purchaser of a site described as Block 121, Lot 2 as shown on the official assessment map of the City of Burlington, County of Burlington, and State of New Jersey and commonly known as Burlington Manor Apartments, located at 255 E. Pearl Street, Burlington City, New Jersey 08016 and as more particularly described on Exhibit A attached hereto (the “**Property**”);

**WHEREAS**, the Sponsor proposes to rehabilitate one-hundred twenty-six (126) units of senior low-income housing consisting of one-hundred twenty-five (125) one bedroom apartments and one (1) two bedroom superintendent unit with other improvements and amenities in connection therewith (the “**Project**”);

**WHEREAS**, the Sponsor will receive financing for the Project from the New Jersey Housing and Mortgage Finance Agency (the “**Agency**”);

**WHEREAS**, the Municipality is authorized, pursuant to the New Jersey Housing and Mortgage Finance Agency Law of 1983, N.J.S.A. 55:14K-1 et seq. (the “**HMFA Law**”), to grant an exemption for real estate taxes to housing projects that meet an existing housing need if the project’s owner agrees to pay to the Municipality an annual charge for municipal services supplied to the Project;

**WHEREAS**, the Municipality has determined in a Resolution of Need (Resolution 266-2023) by the Mayor and Council of the Municipality (the “**Resolution**”), adopted on December 25, 2023 that the Project meets an existing housing need;

**WHEREAS**, the Municipality has agreed to grant an exemption to the Project for real estate taxes and the Sponsor has agreed to make payments to the Municipality in lieu of real estate taxes; and

**WHEREAS**, the Sponsor and the Municipality desire to enter into this Agreement to memorialize the Sponsor’s exemption from real property taxes and its obligation to make payments in lieu of such real property taxes.

**NOW, THEREFORE**, the Sponsor and the Municipality, in consideration of the mutual undertakings set forth herein and for other good and valuable consideration, the receipt and

sufficiency of which are hereby acknowledged, and intending to be legally bound hereby covenant and agree as follows:

1. This Agreement is made pursuant to the authority contained in Section 37 of the HMFA Law and the Resolution, and with the approval of the Agency, as required by the HMFA Law. This Agreement is subject to N.J.S.A. 55:14K-37 and shall be submitted to the Agency for review. Except as expressly set forth in Section 2 below to the contrary, any exemption from taxation pursuant to the provisions of N.J.S.A. 55:14K-37 shall not extend beyond the date on which the eligible loan made by the Agency on the Project is paid in full.

2. On the date (the "**Tax Exemption Commencement Date**") of the Sponsor's execution of a mortgage encumbering the Property and the Project with a permanent (not merely construction) mortgage lien in favor of the Agency (the "**Agency Mortgage**"), the land and improvements comprising the Property and the Project shall be exempt from all ad valorem real property taxes, provided that the Sponsor shall make payments in lieu of taxes to the Municipality as provided hereinafter. Subject to the next sentence, the exemption of the Property and the Project from ad valorem real property taxation and the Sponsor's obligation to make payments in lieu of taxes shall apply until the earlier of (a) satisfaction and discharge of the Agency Mortgage or (b) the expiration of thirty (30) years from the Tax Exemption Commencement Date (such earlier event being the "**Tax Exemption Expiration Date**"). Notwithstanding the prior sentence as to the Tax Exemption Expiration Date, the Parties agree that, pursuant to N.J.S.A. 55:14K-37(c), the tax exemption granted pursuant to this Agreement shall continue, without any further action of the Parties, beyond the Tax Exemption Expiration Date and the Tax Exemption Expiration Date shall be automatically extended for so long as the Project remains subject to affordability controls pursuant to the rent and income limits established by the federal Low Income Housing Tax Credit program pursuant to Section 42 of the Internal Revenue Code, as amended.

If for any reason the land is determined not to be exempt from taxation, and if the Sponsor is required to pay both the Annual Service Charge and taxes on the land (the "**Land Taxes**") during any year after the Tax Exemption Commencement Date, then in such instances the Sponsor shall receive a credit against the Annual Service Charge equal to the Land Taxes paid by the Sponsor for the immediately preceding calendar year ("**Land Tax Credit**"). The Land Tax Credit shall operate as a partial payment toward the Sponsor's Annual Service Charge obligation.

3. From the Effective Date until the Tax Exemption Commencement Date:

(a) the Sponsor shall make payment to the Municipality in an amount equal to the amount currently payable on an annual basis (pursuant to the HMFA Law, the annual amount may not exceed the amount of taxes due on the Property for the year preceding the recording of the Agency Mortgage); and

(b) the Municipality agrees that no assessment shall be made upon any improvements constructed in connection with the Project, whether by added/omitted assessment, revaluation, interim assessment or any other manner permitted by law.

4. (a) From the Tax Exemption Commencement Date until the Tax Exemption Expiration Date, the Sponsor shall pay to the Municipality an annual service charge in lieu of real

estate taxes (the “**Annual Service Charge**”) in an amount equal to the lesser of (a) Ten and One Half Percent (10.5%) of Project Revenues, as defined below and (b) the amount of ad valorem real estate taxes that would have been levied against the Property for the period of time in question.

(b) As used herein, “**Project Revenues**” means the total annual gross rental or carrying charge or other income of the Sponsor from the Project less the costs of utilities furnished by the Project, which shall include the costs of gas, electricity, heating fuel, trash disposal, water supplied, and sewage charges, if any.

(c) The estimated amounts of the Annual Service Charge to be paid each year pursuant to this Agreement are set forth in Exhibit B attached hereto. It is expressly understood and agreed that the revenue projections provided to the Municipality as set forth in Exhibit B and as part of the Sponsor’s application for an agreement for payments in lieu of taxes are estimates only. The actual payments in lieu of real estate taxes to be paid by the Sponsor shall be determined as set forth in this Agreement.

5. (a) Payments of the Annual Service Charge by the Sponsor shall be made on a quarterly basis in accordance with bills issued by the tax collector of the Municipality in the same manner and on the same dates as real estate taxes are paid to the Municipality and shall be based upon the lesser of 10.50% of Project Revenues of the previous quarter and the amount of ad valorem real estate taxes that would have been levied against the Property for the period of time in question.

(b) No later than three (3) months following the end of the Sponsor’s fiscal year for each year that this Agreement is in effect after the Tax Exemption Commencement Date, the Sponsor shall submit to the Municipality a certified, audited financial statement of the operation of the Project (the “**Audit**”), setting forth (i) the Project Revenues for the previous year and (ii) the total Annual Service Charge due to the Municipality, calculated at the lesser of Ten and One Half Percent (10.5%) of Project Revenues for the previous year and the amount of ad valorem real estate taxes that would have been levied against the Property for the period of time in question (the “**Audit Amount**”). The Sponsor simultaneously with the submission of the Audit shall pay the difference, if any, between (i) the Audit Amount and (ii) the quarterly payments in lieu of real estate taxes made by the Sponsor to the Municipality for the preceding year. The Municipality may accept any such payment without prejudice to its right to challenge the amount due. In the event that the payments made by the Sponsor for any fiscal year shall exceed the Audit Amount for such fiscal year, the Municipality shall credit the amount of such excess to the account of the Sponsor.

(c) All payments pursuant to this Agreement shall be in lieu of taxes and, subject to the provisions of this Agreement, the Municipality shall have all the rights and remedies of tax enforcement granted to Municipalities by law just as if such payments constituted regular tax obligations on real property within the Municipality. If, however, the Municipality disputes any Audit Amount, it may apply to the Superior Court, Chancery Division, Burlington County for an accounting of the Project Revenues in accordance with this Agreement and HMFA Law. The Municipality must commence any such action to challenge an Audit Amount within six months of the receipt of the corresponding Audit.

(d) In the event of any delinquency in the payments required under this Agreement, the Municipality shall give notice of the delinquency to the Sponsor and the Agency in the manner set forth in Section 10(a) below and allow the Sponsor or Agency thirty (30) days to cure the delinquency prior to taking any legal action.

6. The tax exemption herein shall apply only so long as the Sponsor or its successors and assigns and the Project remain subject to the provisions of the HMFA Law and Regulations made thereunder and the supervision of the Agency, but in no event after the Tax Exemption Expiration Date (as the same may be extended as set forth in Section 2 above).

7. (a) Notwithstanding anything to the contrary contained herein, the withdrawal, removal and/or replacement of the Sponsor's managing member(s) for cause in accordance with the operating agreement of the Sponsor (the "**Operating Agreement**") shall not require the consent of the Municipality and shall not constitute a default under this Agreement. If the investor member of the Sponsor exercises its right to remove a member thereof under the Operating Agreement, the Municipality shall not unreasonably withhold its consent to any substitute managing member proposed by the investor member, provided in no event shall Municipality's consent be required if the investor member or its affiliate decides to serve as the substitute managing member. The substitute managing member shall assume all of the rights and obligations of the removed managing member under this Agreement. In the event of a change in the organizational structure of the Sponsor pursuant to this Section 7(a), this Agreement shall be assigned to the Sponsor's successor without the Municipality's consent, but upon prior written notice to the Municipality and shall continue in full force and effect only if the successor entity assumes the Agency Mortgage and qualifies under HMFA Law or any successor thereto for the tax exemption provided by this Agreement. In no event may this Agreement be voluntarily terminated without notice to and consent of the Agency.

(b) The Project and the Property may be sold or transferred with the prior written consent of the Municipality, which consent shall not be unreasonably withheld, delayed or conditioned, subject to all statutory and regulatory requirements and conditions applicable to the Project. Sponsor agrees that the Municipality shall not be deemed unreasonable in refusing to consent to the sale or transfer of the Project if (a) the Sponsor is in material default under this Agreement or the HMFA Law, and such default has continued beyond any applicable cure period; (b) the Municipality reasonably believes that the risk of a breach of any covenant or agreement contained in this Agreement would be increased as a result of such sale or transfer; (c) the Municipality reasonably believes that the prospective transferee has insufficient experience or net worth to operate the Project in a manner satisfactory to the Municipality, or has willfully violated affordability or management covenants with the Municipality or other public agencies; or (d) the Municipality reasonably believes that such sale or transfer will result in the loss of the Project's exemption from real estate taxes, without satisfactory payment or arrangement therefor. No such sale or transfer shall be effective until the transferee signs an assumption agreement that is acceptable to the Municipality and that obligates the transferee to keep all the covenants and agreements contained in this Agreement and/or the Financing, Deed Restriction and Regulatory Agreement that will be recorded in connection with the Agency Mortgage. In the event of a sale, transfer or conveyance of the Project by the Sponsor with the Municipality's consent pursuant to this Section 7(b), this Agreement shall be assigned to the Sponsor's successor, and shall continue in full force and effect only if the successor entity assumes the Agency Mortgage and qualifies

under the HMFA Law or any successor thereto for the tax exemption provided by this Agreement. In no event may this Agreement be voluntarily terminated without notice to and consent of the Agency.

8. The Sponsor reserves all rights pursuant to applicable laws of the State of New Jersey with respect to the Municipality's determination of the value of land and improvements within the Property, including the right to challenge the annual assessments through a tax appeal or other appropriate proceeding.

9. Notwithstanding anything to the contrary contained in this Agreement, the Sponsor may terminate this Agreement upon ninety (90) days prior written notice to the Municipality. Upon any termination of such tax exemption, whether by affirmative action of the Sponsor, its successors and assigns, or by virtue of the provisions of the HMFA Law, or any other applicable state law, the Property and the Project shall be assessed as omitted property in accordance with the law.

10. The Sponsor, and its successors and assigns, shall, upon request, permit duly authorized representatives of the Municipality to inspect and examine upon reasonable prior written notice (a) the Property, (b) the equipment, buildings and other facilities of the Project, and (c) all documents and papers relating to the Project. Any such inspection or examination shall be made during reasonable hours of the business day, in the presence of an officer or agent of the Sponsor, or its successors and assigns.

11. Any notice or communication sent by either party to the other hereunder shall be sent by certified mail, return receipt requested or reputable overnight courier, addressed follows:

(a) When sent by the Municipality to the Sponsor, it shall be addressed to Burlington Manor Preservation Associates LLC at 4 Denny Road, Wilmington, Delaware 19809, attention: Glenn Brooks, or to such other address as the Sponsor may hereafter designate in writing and a copy of such notice or communication by the Municipality to the Sponsor shall be sent by the Municipality to the New Jersey Housing and Mortgage Finance Agency, 637 South Clinton Avenue, P.O. Box 18550, Trenton, New Jersey 08650-2085. The Municipality shall also send copies of all notices to the Sponsor to the investor member of the Sponsor from and after delivery to the Municipality of notice of the identity and contact information of such investor member.

(b) When sent by the Sponsor to the Municipality, it shall be addressed to Burlington City, City Hall, 525 High Street, Burlington, New Jersey 08016, attention: Municipal Clerk, or to such other address as the Municipality may designate in writing and a copy of such notice or communication by the Sponsor to the Municipality shall be sent by the Sponsor to the New Jersey Housing and Mortgage Finance Agency, 637 South Clinton Avenue, P.O. Box 18550, Trenton, New Jersey 08650-2085.

12. In the event of a breach of this Agreement by either party or a dispute arising between the Parties in reference to the terms and provisions as set forth herein, either party may apply to the Superior Court, Chancery Division, Burlington County to relief in such fashion as will tend to accomplish the purposes of the HMFA Law.

13. This Agreement sets forth all of the promises, covenants, agreements, conditions and understandings between the Parties with respect to the subject matter hereof, and supersedes

all prior and contemporaneous agreements and understandings, inducements or conditions, express or implied, oral or written, with respect thereto.

14. If any clause, sentence, subdivision, paragraph, section or part of this Agreement be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder hereof, but shall be confined in its operation to the clause, sentence, subdivision, paragraph, section or part hereof directly involved in the controversy in which said judgment shall have been rendered.

15. This Agreement may be executed in any number of counterparts, each of which when so executed shall be deemed to be an original and such counterparts together shall constitute one and the same instrument.

16. Subject to the terms of Agency financing, this Agreement may be assigned by the Sponsor to an affiliate of the Sponsor, provided that such affiliate develops the Project in accordance with the terms and conditions set forth in this Agreement.

17. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and permitted assigns.

18. This Agreement shall be subject to a Deed of Easement and Restrictive Covenant for extended low-income occupancy for the Project for a period of no less than 45 years in a form consistent with NJHMFA requirement for similar LIHTC projects which shall be provided to the City prior to the completion of the Project.

**[CONTINUED ON NEXT PAGE]**



**MUNICIPALITY:**

**CITY OF BURLINGTON**

ATTEST:

\_\_\_\_\_  
Cindy A. Crivaro, RMC City Clerk

By: \_\_\_\_\_  
Mayor Barry W. Conaway

STATE OF NEW JERSEY        )  
  )  
COUNTY OF BURLINGTON    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2025,  
by Barry W. Conaway, who acknowledged herself to be the Mayor of the City of Burlington.

\_\_\_\_\_  
Notary Public  
Commission Expiration: \_\_\_\_\_

**EXHIBIT "A"**

## EXHIBIT A

ALL THAT CERTAIN tract or parcel of land, Situate in the City of Burlington, County of Burlington and the State of New Jersey, being more particularly described, in accordance with a final plat of lands entitled "Neighborhood Development Program Re-Use Parcels 23, 24 & 25", prepared by Taylor, Wiseman & Taylor, Surveyors (Dg. No. 305-15555), dated January 1978 (certified by Robert R. Heggan, Lic. Land Surveyors No. 17775, 2/9/1978), and filed 11/30/1978 as Map No. 03023, and also a Survey certified to First Pennsylvania Bank, N.A. and Stewart Title Guaranty Company prepared by the same Surveyors above (Dg. No. 304-15555), dated 10/17/1978 (Certified by Harry O. Bateman, Lic. Land Surveyor No. 10123), as follows:

BEGINNING at a point within the bed of Pearl Street (a public street) and in the proposed Northerly line of Pearl Boulevard (a public boulevard), where the same is intersected by the division line between Re-Use Parcel 23 (Lot 9, Block 114 as illustrated on the official Tax Map of Burlington City and Re-Use Parcel 24 (Lot 2, Block 121), said point being 24.00 feet measured Northwardly and at right angles to Pearl Boulevard West Bound Base Line at Station 22 and 93.56, and from said beginning point runs; thence, along said Re-Use Parcel 23; thence

1. North 11 degrees 09 minutes 40 seconds West, 132.97 feet to a point, corner to the same, thence still along the same and along Re-Use Parcel 25 (Lot 1, Block 121); thence

2. North 00 degrees 39 minutes 52 seconds West, 69.40 feet to a point, corner to said Re-Use Parcel 25; thence, along the same

3. North 89 degrees 40 minutes 08 seconds east, 543.26 feet to a point, corner to the same and corner to Lots 25 and 3, Block 121; thence, along said Lot 3

4. South 01 degree 03 minutes 00 seconds east, 200.02 feet to a point in the aforementioned proposed Northerly line of Pearl Boulevard, said point being 24.00 feet measured northwardly and at right angles to Pearl Boulevard West Bound Base Line at Station 17 and 72.78, thence, along the same

5. South 89 degrees 40 minutes 08 seconds West, 520.78 feet to a point and place of beginning.

BEING 2.463 Acres.

BEING Lot 2, Block 121

BEING THE SAME PREMISES WHICH City of Burlington, by Deed dated 11/21/1978 and recorded 12/1/1978 at Burlington County, New Jersey in Deed Book 2148, Page 185, granted and conveyed unto Burlington Manor Associates, a New Jersey limited partnership, in fee.

**EXHIBIT "B"**

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	Year 11	Year 12
<b>INCOME</b>												
Gross Rental Income	\$ 2,771,880	\$ 2,827,318	\$ 2,883,864	\$ 2,941,541	\$ 3,000,372	\$ 3,060,379	\$ 3,121,587	\$ 3,184,019	\$ 3,247,699	\$ 3,312,653	\$ 3,378,906	\$ 3,446,484
Vacancy Loss - Apartments	(138,594)	(141,366)	(144,193)	(147,077)	(150,019)	(153,019)	(156,079)	(159,201)	(162,385)	(165,633)	(168,945)	(172,324)
Laundry and Vending Income	14,000	14,280	14,566	14,857	15,154	15,457	15,766	16,082	16,403	16,731	17,066	17,407
Other Income	1,200	1,224	1,248	1,273	1,299	1,325	1,351	1,378	1,406	1,434	1,463	1,492
<b>TOTAL INCOME</b>	\$ 2,648,486	\$ 2,701,456	\$ 2,755,485	\$ 2,810,595	\$ 2,866,806	\$ 2,924,143	\$ 2,982,625	\$ 3,042,278	\$ 3,103,123	\$ 3,165,186	\$ 3,228,490	\$ 3,293,059
<b>EXPENSES</b>												
TOTAL ADMINISTRATIVE	\$ 63,772	\$ 65,695	\$ 67,656	\$ 69,685	\$ 71,776	\$ 73,929	\$ 76,147	\$ 78,432	\$ 80,784	\$ 83,208	\$ 85,704	\$ 88,275
TOTAL SALARIES AND RELATED CHARGES	254,451	262,085	269,947	278,046	286,387	294,979	303,828	312,943	322,331	332,001	341,961	352,220
TOTAL UTILITIES	159,500	164,285	169,214	174,290	179,519	184,904	190,451	196,165	202,050	208,111	214,355	220,785
TOTAL MAINTENANCE AND REPAIRS	35,815	36,889	37,996	39,136	40,310	41,519	42,765	44,048	45,369	46,730	48,132	49,576
TOTAL MAINTENANCE CONTRACT	106,180	109,365	112,646	116,026	119,507	123,092	126,784	130,588	134,506	138,541	142,697	146,978
INSURANCE	170,000	175,100	180,353	185,764	191,336	197,077	202,989	209,079	215,351	221,811	228,466	235,320
REPAIR AND REPLACEMENT	55,440	57,103	58,816	60,581	62,398	64,270	66,198	68,184	70,230	72,337	74,507	76,742
MANAGEMENT FEE	110,376	113,687	117,098	120,611	124,229	127,956	131,795	135,749	139,821	144,016	148,336	152,786
TAXES (PILOT)	259,748	264,775	269,898	275,118	280,438	285,858	291,381	297,009	302,743	308,585	314,539	320,604
WELLNESS SERVICES	115,000	118,450	122,004	125,664	129,434	133,317	137,316	141,435	145,679	150,049	154,550	159,187
<b>TOTAL EXPENSES</b>	\$ 1,330,282	\$ 1,367,425	\$ 1,405,628	\$ 1,444,920	\$ 1,485,333	\$ 1,526,900	\$ 1,569,655	\$ 1,613,631	\$ 1,658,863	\$ 1,705,390	\$ 1,753,247	\$ 1,802,474
<b>NET OPERATING INCOME</b>	\$ 1,318,204	\$ 1,334,030	\$ 1,349,857	\$ 1,365,675	\$ 1,381,473	\$ 1,397,242	\$ 1,412,971	\$ 1,428,647	\$ 1,444,260	\$ 1,459,796	\$ 1,475,243	\$ 1,490,585
DEBT SERVICE	1.15	1.17	1.18	1.19	1.21	1.22	1.23	1.25	1.26	1.28	1.29	1.30
DEBT SERVICE COVERAGE RATIO												
<b>CASH FLOW</b>	\$ 173,692	\$ 189,518	\$ 205,345	\$ 221,162	\$ 236,961	\$ 252,730	\$ 268,458	\$ 284,135	\$ 299,748	\$ 315,284	\$ 330,730	\$ 346,073

	Year 13	Year 14	Year 15	Year 16	Year 17	Year 18	Year 19	Year 20
\$	3,515,414	\$ 3,585,722	\$ 3,657,437	\$ 3,730,586	\$ 3,805,197	\$ 3,881,301	\$ 3,956,927	\$ 4,038,106
\$	(175,771)	\$ (179,286)	\$ (182,872)	\$ (186,529)	\$ (190,260)	\$ (194,065)	\$ (197,946)	\$ (201,905)
\$	17,755	\$ 18,110	\$ 18,473	\$ 18,842	\$ 19,219	\$ 19,603	\$ 19,995	\$ 20,395
\$	1,522	\$ 1,552	\$ 1,583	\$ 1,615	\$ 1,647	\$ 1,680	\$ 1,714	\$ 1,746
\$	3,358,921	\$ 3,426,099	\$ 3,494,621	\$ 3,564,513	\$ 3,635,804	\$ 3,708,520	\$ 3,782,690	\$ 3,858,344
\$	90,924	\$ 93,651	\$ 96,461	\$ 99,355	\$ 102,335	\$ 105,405	\$ 108,568	\$ 111,825
\$	362,787	\$ 373,670	\$ 384,880	\$ 396,427	\$ 408,319	\$ 420,569	\$ 433,186	\$ 446,182
\$	227,409	\$ 234,231	\$ 241,258	\$ 248,496	\$ 255,951	\$ 263,629	\$ 271,538	\$ 279,684
\$	51,064	\$ 52,596	\$ 54,173	\$ 55,799	\$ 57,473	\$ 59,197	\$ 60,973	\$ 62,802
\$	151,387	\$ 155,929	\$ 160,607	\$ 165,425	\$ 170,388	\$ 175,499	\$ 180,764	\$ 186,187
\$	242,379	\$ 249,651	\$ 257,140	\$ 264,854	\$ 272,800	\$ 280,984	\$ 289,414	\$ 298,096
\$	79,044	\$ 81,416	\$ 83,858	\$ 86,374	\$ 88,965	\$ 91,634	\$ 94,383	\$ 97,214
\$	157,370	\$ 162,091	\$ 166,954	\$ 171,962	\$ 177,121	\$ 182,435	\$ 187,908	\$ 193,545
\$	326,785	\$ 333,082	\$ 339,497	\$ 346,034	\$ 352,694	\$ 359,479	\$ 366,391	\$ 373,434
\$	163,963	\$ 168,881	\$ 173,948	\$ 179,166	\$ 184,541	\$ 190,077	\$ 195,780	\$ 201,653
\$	1,853,110	\$ 1,905,197	\$ 1,958,776	\$ 2,013,891	\$ 2,070,587	\$ 2,128,909	\$ 2,188,904	\$ 2,250,622
\$	1,505,810	\$ 1,520,902	\$ 1,535,845	\$ 1,550,622	\$ 1,565,217	\$ 1,579,611	\$ 1,593,786	\$ 1,607,722
\$	1,144,512	\$ 1,144,512	\$ 1,144,512	\$ 1,144,512	\$ 1,144,512	\$ 1,144,512	\$ 1,144,512	\$ 1,144,512
	1.32	1.33	1.34	1.35	1.37	1.38	1.39	1.40
\$	361,298	\$ 376,390	\$ 391,833	\$ 406,110	\$ 420,705	\$ 435,099	\$ 449,274	\$ 463,209

**RESOLUTION NO. 95-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING APPROPRIATION RESERVES BUDGET TRANSFER #1**

**WHEREAS**, N.J.S.A. 40A:4-59 provides that a municipal governing body may make Appropriation Reserve transfers during the first three months of the fiscal year; and

**WHEREAS**, there are certain 2024 Appropriation Reserves that have unexpended balances; and

**WHEREAS**, there are certain 2024 Appropriation Reserves that are insufficient to cover operating expenses;

**NOW THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Burlington that the following Appropriation Reserve budget transfers be approved:

<b><u>GENERAL FUND</u></b>			
<b><u>Account #</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
01-20-100-010	Administration – SW		\$ 5,000.00
01-20-110-020	Mayor & Council – OE		1,000.00
01-21-180-020	Planning Board - OE		22,000.00
01-21-185-020	Code Enforcement – OE		10,000.00
01-23-220-100	Group Health Insurance – OE	\$59,000.00	
01-26-290-010	Streets & Roads – SW		5,000.00
01-26-315-020	Vehicle Maintenance – OE		10,000.00
01-28-370-010	Recreation Programs – SW		3,000.00
01-30-420-020	Celebration of Public Events – OE		<u>3,000.00</u>
	<b>TOTAL</b>	<b>\$59,000.00</b>	<b>\$59,000.00</b>

<b><u>SEWER UTILITY</u></b>			
<b><u>Account #</u></b>		<b><u>From</u></b>	<b><u>To</u></b>
07-55-501-010	Operations – SW	\$50,000.00	
07-55-502-020	Operations - OE		<u>\$50,000.00</u>
	<b>TOTAL</b>	<b>\$50,000.00</b>	<b>\$50,000.00</b>

**RESOLUTION NO. 95-2025**

Dawn Bergner-Thompson, President  
Common Council

Attest:

Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 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. 96-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR ALCOHOLIC BEVERAGE CONTROL SPECIAL COUNSEL SERVICES

WHEREAS, there exists a need for Alcoholic Beverage Control Special Counsel, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute an agreement with Rainone Coughlin Minchello, 555 U.S. Highway One South, Suite 440, Iselin, New Jersey 08830 in an amount not to exceed \$10,000 for the term of January 1, 2025 through December 31, 2025.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the Burlington County Times.

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Dawn Bergner-Thompson, President  
Common Council

Attest:

---

Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 2025

RESOLUTION NO. 96-2025

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. 97-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ENVIRONMENTAL RESOLUTIONS, INC. LAND USE BOARD PLANNER**

**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 Land Use Board Planner whereby proposals were solicited and evaluated by the Mayor based upon 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 a Land Use Board Planner will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

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

**WHEREAS**, the Mayor has appointed and selected Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mt. Laurel, New Jersey 08054 to serve as the Land Use Board Planner based upon the Mayor's determination of the "most advantageous, price and other factors based upon the evaluation criteria set forth in the Request for Proposals; and

**WHEREAS**, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for the year 2025.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Environmental Resolutions, Inc. to serve as the Land Use Board Planner for the term of January 1, 2025 through December 31, 2025.

2. The compensation of the Land Use Board Planner for the 2025 calendar year shall be in accordance with the professional services contract to be entered into between the City and Environmental Resolutions, Inc.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Environmental Resolutions, Inc. to provide Land Use Board planning services setting forth the following terms:

**RESOLUTION NO. 97-2025**

- (a) A term of January 1, 2025 through December 31, 2025.
- (b) Hourly rates and compensation not more than that set forth in Environmental Resolutions, Inc. proposals.
- (c) In an amount estimated not to exceed: \$25,000

4. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1) (a) of the local public contracts law.

This resolution shall be printed once in the City's official newspaper.

\_\_\_\_\_  
 Dawn Bergner-Thompson, President  
 Common Council

Attest:

\_\_\_\_\_  
 Cindy A. Crivaro, RMC  
 Municipal Clerk

March 4, 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. 98-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED FIRMS AS POOL FOR ALTERNATE LAND USE BOARD PLANNER**

**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 of Alternate Land Use Board Planner, 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 Planner" for various special projects involving unique or specialized Land Use Planning knowledge, which services 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 Alternate Land Use Board Planner to be assigned projects or matters from the pool of alternate planners for the Land Use Board 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 firms to the City's Request for Proposals for Alternate Land Use Board Planner; 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 planning firms to serve as Alternate Land Use Board Planners for various projects and matters based upon a determination of the best needs of the City (hereafter "Alternate Land Use Board Planner") for the term of January 1, 2025, through December 31, 2025:

**RESOLUTION NO. 98-2025**

- Environmental Resolution Inc., 815 East Gate Drive, Suite 103, Mount Laurel 08054
- Heyer, Gruel, & Associates, 236 Broad Street, Red Bank, NJ 07701

(b) The compensation of the alternate 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 Planner, which shall be consistent with the RFP proposals submitted by the firms.

\_\_\_\_\_  
Dawn Bergner- Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 2025

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

**RESOLUTION NO. 99-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED FIRMS AS POOL FOR LAND USE BOARD TRAFFIC CONSULTANT**

**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 of Land Use Board Traffic Consultants, 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 "Land Use Board Traffic Consultants" for various special projects involving unique or specialized traffic consultant knowledge, which services 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 traffic consultant firms to be assigned projects or matters from the pool of traffic consultants for Land Use Board 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 firms to the City's Request for Proposals for Land Use Board Traffic Consultants; 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 traffic consultant firms to serve as Traffic Consultants for various projects and traffic matters based upon a determination of the best needs of the City (hereafter "Land Use Board Traffic Consultants") for the term of January 1, 2025, through December 31, 2025:

**RESOLUTION NO. 99-2025**

- Pennoni Associates, Inc., 515 Grove Street, Suite 1B, Haddon Heights, New Jersey 08035
- Bowman 460 Veteran Drive, Suite 6A, Burlington, NJ 08016

(b) The compensation of the traffic consultants 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 Land Use Board Traffic Consultants, which shall be consistent with the RFP proposals submitted by the firms.

\_\_\_\_\_  
Dawn Bergner- Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 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. 100-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ENVIRONMENTAL RESOLUTIONS, INC. LAND USE BOARD ENGINEER**

**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 Land Use Board Engineer whereby proposals were solicited and evaluated by the Mayor based upon 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 a Land Use Board Engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

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

**WHEREAS**, the Mayor has appointed and selected Environmental Resolutions, Inc., 815 East Gate Drive, Suite 103, Mt. Laurel, New Jersey 08054 to serve as the Land Use Board Engineer based upon the Mayor's determination of the "most advantageous, price and other factors based upon the evaluation criteria set forth in the Request for Proposals; and

**WHEREAS**, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for the year 2025.

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

1. The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of Environmental Resolutions, Inc. to serve as the Land Use Board Engineer for the term of January 1, 2025 through December 31, 2025.
2. The compensation of the Land Use Board Engineer for the 2025 calendar year shall be in accordance with the professional services contract to be entered into between the City and Environmental Resolutions, Inc.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Environmental Resolutions, Inc. to provide Land Use Board engineering services setting forth the following terms:

**RESOLUTION NO. 100-2025**

- (a) A term of January 1, 2025 through December 31, 2025.
- (b) Hourly rates and compensation not more than that set forth in Environmental Resolutions, Inc. proposals.
- (c) In an amount estimated not to exceed: \$25,000

4. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1) (a) of the local public contracts law.

This resolution shall be printed once in the City's official newspaper.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

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. 101-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED FIRMS AS POOL FOR ALTERNATE LAND USE BOARD ENGINEER**

**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 of Alternate Land Use Board Engineer, 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 Engineer" for various special projects involving unique or specialized Land Use Engineering knowledge, which services 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 Alternate Land Use Board Engineer to be assigned projects or matters from the pool of alternate engineers for the Land Use Board 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 firms to the City's Request for Proposals for Alternate Land Use Board Engineer; 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 planning firms to serve as Alternate Land Use Board Engineers for various engineering projects and matters based upon a determination of the best needs of the City (hereafter "Alternate Land Use Board Engineer") for the term of January 1, 2025, through December 31, 2025:

**RESOLUTION NO. 101-2025**

- Environmental Resolution Inc., 815 East Gate Drive, Suite 103, Mount Laurel 08054
- Grant Engineering & Construction Group, LLC 211 Warren St., Suite 209, Newark, NJ 07103

(b) The compensation of the alternate 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 Engineer, which shall be consistent with the RFP proposals submitted by the firms.

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Dawn Bergner- Thompson  
President Common Council

Attest:

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Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 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. 102-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ZELLER & WIELICZKO, LLC LAND USE BOARD SOLICITOR**

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

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Land Use Board Solicitor whereby proposals were solicited and evaluated by the Mayor based upon 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 a Land Use Board Solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

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

**WHEREAS**, the Mayor has appointed and selected to Zeller & Wieliczko, LLC, 120 Haddontowne Court, Cherry Hill, NJ 08034 to serve as the Land Use Board Solicitor based upon the Mayor's determination of the "most advantageous, price and other factors based upon the evaluation criteria set forth in the Request for Proposals; and

**WHEREAS**, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A.40A:11-5; and

**WHEREAS**, the Chief Financial Officer has certified as to the availability of funds for the year 2025.

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

1. The Common Council of the City of Burlington hereby approves Mayor Barry W. Conaway's appointment of Zeller & Wieliczko, LLC to serve as the Land Use Board Solicitor for the term of January 1, 2025, through December 31, 2025.
2. The compensation of the Land Use Board Solicitor for the 2025 calendar year shall be in accordance with the professional services contract to be entered into between the City and Zeller & Wieliczko, LLC.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Zeller & Wieliczko, LLC to provide Land Use Board legal services setting forth the following terms:

**RESOLUTION NO. 102-2025**

- (a) A term of January 1, 2025 through December 31, 2025.
- (b) Hourly rates and compensation not more than that set forth in Zeller & Wieliczko, LLC proposals.
- (c) In an amount estimated not to exceed: \$25,000

4. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1) (a) of the local public contracts law.

This resolution shall be printed once in the City's official newspaper.

\_\_\_\_\_  
 Dawn Bergner-Thompson, President  
 Common Council

Attest:

\_\_\_\_\_  
 Cindy A. Crivaro, RMC  
 Municipal Clerk

March 4, 2025

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

**RESOLUTION NO. 103-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED FIRMS AS POOL FOR ALTERNATE LAND USE BOARD SOLICITOR**

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

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Alternate Land Use Board Solicitor, 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 Solicitor" for various special projects involving unique or specialized legal knowledge, which services 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 Alternate Land Use Board Solicitor to be assigned projects or matters from the pool of alternate solicitors for the Land Use Board 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 firms to the City's Request for Proposals for Alternate Land Use Board Solicitor; 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 Mayor Barry W. Conaway's appointment of the following planning firms to serve as Alternate Land Use Board Solicitor for various projects and legal matters based upon a determination of the best needs of the City (hereafter "Alternate Land Use Board Solicitor") for the term of January 1, 2025, through December 31, 2025:

**RESOLUTION NO. 103-2025**

- Zeller & Wieliczko, LLC, 120 Haddontowne Court, Cherry Hill, NJ 08034
- Florio Perrucci Steinhardt, Cappelli & Tipton, LLC, 1010 Kings Highway South, Building 1, 2<sup>nd</sup> Floor, Cherry Hill, NJ 08034

(b) The compensation of the alternate solicitor 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 Solicitor, which shall be consistent with the RFP proposals submitted by the firms.

\_\_\_\_\_  
 Dawn Bergner- Thompson,  
 President Common Council

Attest:

\_\_\_\_\_  
 Cindy A. Crivaro, RMC  
 Municipal Clerk

March 4, 2025

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

RESOLUTION NO. 104-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR TAX FORECLOSURE AND BANKRUPTCY SPECIAL COUNSEL SERVICES

WHEREAS, there exists a need for Tax Foreclosure and Bankruptcy Special Counsel, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute an agreement with The Platt Law Group, 40 Berlin Avenue, Stratford, NJ 08084 in an amount not to exceed \$10,000 for the term of January 1, 2025, through December 31, 2025.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the Burlington County Times.

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Dawn Bergner-Thompson, President  
Common Council

Attest:

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Cindy A. Crivaro, RMC  
Municipal Clerk

March 4, 2025

RESOLUTION NO. 104-2025

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