

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 4, 2025, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

This meeting was called pursuant to the provisions of the Open Public Meetings Law. This meeting of March 4, 2025, was included in a list of meetings notice sent to the Burlington County Times and the Trenton Times on January 6, 2025, and advertised in said newspapers on January 10, 2025, posted on the bulletin board in the Municipal Building on January 6, 2025, and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Cindy A. Crivaro, RMC
Municipal Clerk

The Municipal Clerk advised the public of the location of the two fire exits: one on the left after exiting the Council Chamber and the other being the entrance to the building.

Governing Body Members present: Dave Ballard, Dawn Bergner-Thompson, George Chachis, Timothy Hutton, Geneva Rijs, Richard Spaulding, Suzanne Woodard.

Also present: Administrator Johanna Conyer, Municipal Attorney Stuart Platt, Director of Housing Bill Harris, Director of Public Works Bill Curry, Acting Police Chief Ryan Elbertson.

SALUTE TO FLAG

EXPLANATION OF RESOLUTIONS

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

PUBLIC COMMENTS

Phil Augustyn, 307 High Street – Shared the loss of resident, Roseanne Harden, who he called a good person.

Suzanne Gallagher, 415 Locust Avenue – Requested that background information be included with the online Council Meeting agendas so that residents can better understand the agenda contents; Concerned about the Historic Preservation Commission existing in only an advisory capacity and the impact that may have on maintaining the Historic designation status at the State and Federal levels – as it currently stands, residents have the option to adhere to or ignore the HPC recommendations; Looking to see what other towns are doing some choose to let their historic commissions or land use boards serve in an authoritative, enforcement capacity; Suggested we adopt an ordinance similar to other towns on enforcement.

Devon Punchello, 245 Talbot Street – Spoke on the nature of the comments regarding the use of OPM to fund projects, specifically, the Walnut/6th Street Park; When you have projects of that size, there should be someone assigned to conduct due diligence and follow the money; Shared

background on son who is a welder, his breadth of work in various roles and paygrades; Noted line items presented during the Council Meeting presentation of the Walnut/6th Street project that were not included during the public meeting of the same subject matter; Shared observations of mismatch decorum throughout various City projects, namely schools, that do not match the colors of the City – raising the concern about contractors using leftover materials from back warehouses to build these projects; Questioned where the surplus goes, when those decisions are made; Commented that someone needs to be in charge of ensuring that kids get quality equipment in such that it be a clause in the project contract that materials used for this project – and future – are current (new) and modern.

CONSENT AGENDA

Upon the motion of Councilman Spaulding, Resolution No. 92-2025 was removed from the Consent Agenda.

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR FEBRUARY 2025

REPORTS - VARIOUS CITY DEPARTMENTS

02-10 Monies collected by the Municipal Clerk's Office for the month Jan 2025

AGENDAS/CORRESPONDENCE - VARIOUS BOARDS

02-20 HPC, Notice, 4/12/25 Meeting Cancellation

CORRESPONDENCE FROM CITY ORGANIZATIONS

02-70 Endeavor Emergency Squad, Inc., Statistic for January 2025

CORRESPONDENCE FROM BURLINGTON COUNTY - VARIOUS DEPARTMENTS

02-80 BurlCo Health Department, Health Needs Assessment Survey

02-81 NJ DEP, Notice of Youth Inclusion Initiative

CORRESPONDENCE FROM STATE OF NEW JERSEY - VARIOUS DEPARTMENTS

02-90 NJ DOH, Respiratory Illness Report 2/1/25

02-91 NJ Treasury, Div. of Taxation, 2024 Table of Equalized Valuations (Amended)

02-92 NJ DCA, Notice, Comptroller Regulation Readoption and Recodification

02-93 NJ DEP, Weekly Update News and Resources 2/08/25

02-94 NJ DEP, Weekly Update News and Resources 2/14/25

02-95 NJ DOH, Respiratory Illness Report 1/8/25

02-96 NJLM, Weekly Roundup 2/12/25

02-94 NJLM, Weekly Roundup 2/16/25

02-95 NJ DOS, Notice, Public Meeting 4/11/25

02-96 NJ DEP, Press Release, Approving 13 Brownfield Development Areas

02-97 NJ DEP, Notice, FY2025 Annual Fee Report and Assessment of Fees
02-98 NJ DOH, Respiratory Illness Report 2/22/25
02-99 NJ MVC, Mobile Unit at Tabernacle Church on 3/25/25
02-100 NJ DEP, Weekly Update News and Resources 2/22/25

MISCELLANEOUS CORRESPONDENCE

02-200 NJ Spotlight News, Proposed DEP Stormwater Regulations
02-201 Resident, Stop Sign Request at the cross streets of Pearl & Ellis
02-202 PSE&G, Notice to Residents, Back-to-Back Winter Storms
02-203 The Platt Law Group, Notice to Rebecca A. Martin, EIT
02-204 NJLM, Notice, Healthy Communities Grants Available
02-205 NJ American Water, Notice of Salty Taste in Tap Water

FLYERS

02-400 Underground Railroad Museum, A Celebration of Local Heros/Sheroes
02-401 Recreation, Natural Health & Wellness for Seniors, 02/12, 02/19, 02/26
02-402 Recreation, Color Your Stress Away, 2/20/25
02-403 GBCOC, Dance Party Fundraiser 3/29/25
02-404 The Burlington Entertainers, Fabulous Fifties Fundraiser 4/11th, 12th, 13th

APPROVAL OF PAYMENT OF BILLS*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 87-2025

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.

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, the foregoing resolution was introduced.

On the question, Councilman Spaulding questioned whether residents of impacted areas would receive forewarning that their area was about to be treated (A: No. Treatment is done throughout the season and most of the area is wooded land and marshes, per the BA)

Council President Bergner-Thompson suggested Columbus Park is usually addressed during mosquito control efforts.

The resolution was then adopted by the following roll call vote: AYES: Mr. Ballard, Mr. Chachis, Mr. Hutton, Ms. Rijs, Mr. Spaulding, Ms. Woodard, Ms. Bergner-Thompson. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 88-2025

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.

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Ballard, Mr. Chachis, Mr. Hutton, Ms. Rijs, Mr. Spaulding, Ms. Woodard, Ms. Bergner-Thompson. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 89-2025*

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 6, 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 6, 2025."

Approved by Consent Agenda. All were in favor.

Resolution No. 90-2025

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.

Upon the motion of Councilman Ballard, seconded by Councilwoman Woodard, the foregoing resolution was introduced.

On the question, Councilwoman Rijs questioned whether there was a designated location for the electronic recycling (A: The recycling center, per BA); Optimistic that the electronic recycling program will be a good thing.

Council President Bergner-Thompson questioned whether someone will be monitoring the electronic waste collection (A: Yes, per Director of Public Works, Bill Curry).

The resolution was then adopted by the following roll call vote: AYES: Mr. Ballard, Mr. Chachis, Mr. Hutton, Ms. Rijs, Mr. Spaulding, Ms. Woodard, Ms. Bergner-Thompson. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 91-2025*

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.

Approved by Consent Agenda. All were in favor.

Resolution No. 92-2025 (Removed from the Consent Agenda)

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.

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, the foregoing resolution was introduced.

On the question, Councilman Spaulding questioned appropriateness of the closed session meeting for the Faulkner Act/OPRA Training. Asked what concerns are present regarding confidentiality (A: Council will be provided legal advice on the Faulkner Act and OPRA, per Solicitor).

The resolution was then adopted by the following roll call vote: AYES: Mr. Ballard, Mr. Chachis, Mr. Hutton, Ms. Rijs, Mr. Spaulding, Ms. Woodard, Ms. Bergner-Thompson. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 93-2025

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.

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Ballard, Mr. Chachis, Mr. Hutton, Ms. Rijs, Mr. Spaulding, Ms. Woodard, Ms. Bergner-Thompson. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 82-2025 (TABLED 2/18/25)

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";

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

Upon the motion of Councilman Ballard, seconded by Councilwoman Woodard, the foregoing resolution was taken off the Table.

Upon the motion of Councilman Ballard, seconded by Councilwoman Woodard, the foregoing resolution was reintroduced.

On the question, Councilman Chachis questioned why this was tabled on 2/18/25. (There was no discussion. A: If you understand the resolution, you can vote, per Solicitor).

The resolution was then adopted by the following roll call vote: AYES: Mr. Ballard, Mr. Chachis, Mr. Hutton, Ms. Rijs, Mr. Spaulding, Ms. Woodard, Ms. Bergner-Thompson. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 94-2025 (Does not exist; This number is intentionally omitted.)

Resolution No. 95-2025

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:

| <u>Account #</u> | <u>GENERAL FUND</u> | <u>From</u> | <u>To</u> |
|------------------|-----------------------------|-------------|-------------|
| 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 | | 3,000.00 |
| | TOTAL | \$59,000.00 | \$59,000.00 |

SEWER UTILITY

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

Upon the motion of Councilman Ballard, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Ballard, Mr. Chachis, Mr. Hutton, Ms. Rijs, Mr. Spaulding, Ms. Woodard, Ms. Bergner-Thompson. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 96-2025*

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.

Approved by Consent Agenda. All were in favor.

Resolution No. 97-2025*

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:

- (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.

Approved by Consent Agenda. All were in favor.

Resolution No. 98-2025* REMOVED – PREVIOUSLY ADOPTED

Resolution No. 99-2025*

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-20.5et 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:1 1-5; 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:

- 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.

Approved by Consent Agenda. All were in favor.

Resolution No. 100-2025*

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:
 - (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.

Approved by Consent Agenda. All were in favor.

Resolution No. 101-2025* REMOVED – PREVIOUSLY ADOPTED

Resolution No. 102-2025*

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:

- (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.

Approved by Consent Agenda. All were in favor.

Resolution No. 103-2025*

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:1 1-5; 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:

(c) 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:

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

(d) 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.

Approved by Consent Agenda. All were in favor.

Resolution No. 104-2025*

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.

Approved by Consent Agenda. All were in favor.

COUNCIL COMMENTS

Councilman Ballard – Thanked the Administration and Director of Public Works, Bill Curry, for the electronics pick up contract; Thinks it's wonderful that the City will receive money for recycling electronics.

Councilman Spaulding –Acting in his capacity as Council liaison to the Board of Education, he met with City High Principal Arbelaez who gave him a tour of the high school, which was helpful and informative; Discussed talk that there will be no Food Truck Tuesdays for the 2025 season and afraid that other things are going away as well – volunteered to help continue Food Truck Tuesday events and called upon others to do the same in effort to get something organized (A: Solicitor offered to volunteer time to this effort, per Solicitor; There will be dates inside of July and August for this event, per BA).

Councilman Chachis asked if there was an update on the Senior Housing Project. (A: No update; Developer Micheal's is working through the NJDEP process, per Bill Harris, Director of Housing)

Councilwoman Rijs –Spoke on the most recent Main Street Burlington meeting, the room was packed and there is a lot of interest in helping the City.

President Bergener-Thompson –Thanked everyone for coming out to the meeting.

EXECUTIVE CONFERENCE

- Matters falling within the attorney-client privilege - Faulkner Act/ OPRA Training

ADJOURNMENT

Upon the motion of Councilwoman Woodard, seconded by Councilman Hutton, this meeting of March 4, 2025, was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

Dawn Bergner-Thompson, President
Common Council