

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 18, 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 18, 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: Mayor Barry Conaway, Municipal Attorney Justin Strausser, Director of Housing Bill Harris, Director of Public Works Bill Curry, Finance Consultant Dean Ciminera, Director of Engineering Bill Kirchner, Acting Police Chief Ryan Elbertson.

### **SALUTE TO FLAG**

### **EXPLANATION OF ORDINANCES ON FIRST READING**

An explanation of the 4 Ordinances was provided.

### **EXPLANATION OF RESOLUTIONS**

An explanation of Resolution No. 105-2025, 106-2025, 109-2025 & 110-2025 was provided.

### **PUBLIC COMMENTS**

James Wood, 21 W. Broad Street – spoke of a property he is renting with plans to operate as a barbershop but has been unable to move past the zoning phase of the Mercantile License process since his January 10, 2025 paperwork submission; Has been paying rent since January; Met with the Zoning Officer after 38 days and was told that he could not utilize the space for a barbershop because it is not a commercial property; Expressed that he had done his research and only sought out commercial properties when seeking a place to rent; The downstairs space was previously used as an attorney’s office, while upstairs was used as residential space – and still is; In researching, found that a barbershop can exist in spaces traditionally reserved for residential use; Was told that he needed a diagram of the space layout, which was provided, but has not heard back; Emails have been sent to everyone, yet no one is responding; Detailed the day the building constructor entered his proposed place of business, unannounced with no appointment and no paperwork; shared that he felt the visit was an intimidation tactic that was ethnically motivated; Went to the police station,

filed a report and also filed a report with Consumer Affairs in Trenton; Seeking clarity for the continued zoning delay and what can be done; Requested emails be answered or phone calls returned.

Chris Seiler, 130 W. Broad Street – Showed a file that started in May of 2024, the first time that she came to a Council meeting to complain about the City’s Construction department; Detailed the contents of the file; Recalled a failed deal with proposed buyers of Geraghty’s Pub causing her to call the DCA; Expressed her familiarity with the zoning districts; Asked about the condemned buildings around town; Expressed gratitude that Mr. Wood’s background was completed by the BCPD before his fingerprints expired, despite the delays in zoning; Echoed Mr. Wood’s account of Mr. Mazeall walking into his proposed place of business uninvited; Encouraged the City to go after bad landlords and do something with the condemned buildings in town.

Michelle Battistini, 208 St. Mary Street – Expressed that she was at the Council meeting to advocate for her family as well as for others who have been affected by Construction Official and the construction unit; spoke of an incident at her family’s property located at 930 Rigg Road; Spoke of the nonresponse to a March 6, 2025 email sent by her stepfather concerning what she has labeled as an intimidation tactic and abuse of power; Spoke of the email detail relating to the incident; Questioned the Business Administrator’s presence at the residence with Construction Official who asserted that entering the residence was mandatory and ordered an immediate cessation of work until permits were obtained; Suggested her step-father attempted to secure permits, but was denied prompting her family to reach out to the DCA; an email was then received indicating the \$6,000 in fines were being levied; the matter has since been resolved and fines reversed, however, there was an additional \$100 fee for an appeal filed to contest the original fines; Asked for Council’s support in ensuring that its citizens are protected.

Mary Wirth, 460 Locust Avenue – Responded to Ms. Battistini’s comments; Asserted that the Business Administrator, as the boss of Construction Official, could have investigated the matter; Noted that people are becoming more informed on the process and that the permit process is only 20 days max and if denied, the only forms of appeal are through Council, the Administrator or filing a lawsuit; Recalled a time when if a resident or business owner was in noncompliance, the official, at the time, would allow them to stop work, get a permit from City Hall and continue the same day or so; Spoke of negative comments of concern regarding this matter on Facebook.

Monica Saintclair, 222 Wood Street – Thanked the previous speakers for their comments and strength to speak on the matter presented; Stated she is a business owner and resident of 2 years; Saw the Facebook post and is attending her first Council meeting; Provided her professional background; Offered her professional opinion on the matter; Suggested that there is ample evidence to support the claims made; Asserted that the people of City are asking for Council to protect them.

Jeff Hare, 930 Rigg Road – Responded to the previous public comments; Stated that he was told to put a porta-potty on his front lawn due to his bathroom renovations; Went to City Hall to secure paperwork, attempted to turn it in the next day but was denied; Returned the following day and successfully submitted it to the Technical Assistant; Spoke to Council President Dawn Bergner-Thompson about the issue; Acknowledged his mistake of not securing any necessary permits ahead

of time, but was unaware that a permit was needed for work he was doing himself in his own home; Was told that he needed a master plumber, master electrician and licensed contractor; Spoke of his family support, otherwise he would have paid thousands of dollars for professionals.

Phil Augustyn, 307 High Street – Directed comments to Chief Elbertson, raised concerns about the flashing speed limit sign on High Street that seems to be out of commission and the presence of 3 wheelers on High Street and the promenade; Asked the BCPD to respond.

Kathy Cabrera, 402 Rutgers Avenue – Followed up on Mr. Augustyn’s comments about the 3 wheelers, added that they are not coming from in the City; Expressed that the 3 wheelers are coming down Salem Road each night, 5-6:00pm, doing wheelies; Has video on her house cameras; Spoke of tractor trailers speeding on Salem Road; Owns a property on Chelton Avenue and complained about the condition of the roads in that part of town; Asked when they will be addressed; Reiterated earlier public comments made about the Construction Official.

Chris Saintclair, 222 Wood Street – Asked the City Solicitor if Council would answer any query about ongoing litigation in reference to Mr. Mazeall.

Frank McDonnell, 41 Pinewald Lane (Burlington Twp) – Spoke of 15 houses he owns in the City; Recollected and incident that occurred when the Construction Official came to inspect one of his properties; Also, spoke of a recent incident that occurred during the inspection of a property owned by Richard Gober that failed inspection; Feels changes requested weren’t consist with the UCC code.

### **CONSENT AGENDA**

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

### **APPROVAL OF PAYMENT OF BILLS\***

Approved by Consent Agenda. All were in favor.

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

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, the foregoing ordinance was adopted on First Reading 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).

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 84 OF THE CITY CODE, ENTITLED “ANIMALS”

Upon the motion of Councilwoman Woodard, seconded by Councilman Ballard, the foregoing

ordinance was adopted on First Reading 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).

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 84, OF THE CODE OF THE CITY OF BURLINGTON ENTITLED, "ANIMALS" TO ESTABLISH ARTICLE XI ENTITLED, "FARM ANIMALS"

Upon the motion of Councilwoman Woodard, seconded by Councilman Ballard, the foregoing ordinance was adopted on First Reading 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).

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 76 OF THE CODE OF THE CITY OF BURLINGTON ENTITLED, "OPEN CONTAINERS"

Upon the motion of Councilwoman Woodard, seconded by Councilman Ballard, the foregoing ordinance was adopted on First Reading 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).

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 105-2025

**RESOLUTION NO. 105-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AWARDED A CONTRACT TO RUSLING PAVING & CONCRETE, LLC FOR MISCELLANEOUS CONCRETE WORK**

**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 services related to miscellaneous concrete work; and

**WHEREAS**, the City issued a request for proposals for a for the aforementioned services; and

**WHEREAS**, Rusling Paving & Concrete, LLC has submitted the lowest qualified bid in the amount of \$94,985.88; and

**WHEREAS**, City Engineer has recommended that the City award a contract for the aforementioned services to Rusling Paving & Concrete, LLC for the base bid plus alternate bid #1 and alternate bid #2 in an amount not to exceed \$94,985.88; and

**WHEREAS**, the Common Council wishes to award the aforementioned contract to

Rusling Paving & Concrete, LLC.

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

1. The contract for services related to miscellaneous concrete work is hereby awarded to Rusling Paving & Concrete, LLC, as recommended by the City's Engineer, in the amount of \$94,985.88.
2. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to facilitate this award of contract.

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

On the question, Mayor Conaway spoke of concrete sidewalk replacements.

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. 106-2025

**RESOLUTION NO. 106-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AWARDING A CONTRACT TO ASPHALT PAVING SYSTEMS, INC. FOR THE 2024 NJDOT ROAD PROGRAM PROJECT**

**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 services related the 2024 NJDOT Road Program Project; and

**WHEREAS**, the City issued a request for proposals for a for the aforementioned services; and

**WHEREAS**, Asphalt Paving Systems, Inc. has submitted the lowest qualified bid in the amount of \$317,500.00; and

**WHEREAS**, City Engineer has recommended that the City award a contract for the aforementioned services to Asphalt Paving Systems, Inc. in an amount not to exceed \$317,500.00; and

**WHEREAS**, the Common Council wishes to award the aforementioned contract to Asphalt Paving Systems, Inc.

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

1. The contract for services related to the 2024 NJDOT Road Program Project is hereby awarded to Asphalt Paving Systems, Inc., as recommended by the City's Engineer, in the amount of \$317,500.00.
2. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to facilitate this award of contract.

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

On the question, Councilwoman Woodard asked for clarification on which streets were being addressed. (A: Chelton and Shadeland, per Mayor Conaway.)

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. 107-2025\*

RESOLUTION NO. 107-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AWARDING A CONTRACT TO RONALD A. CURINI APPRAISAL COMPANY FOR APPRAISAL SERVICES ON THE FORMER NEW JERSEY NATIONAL GUARD MOTOR POOL BUILDING

WHEREAS, the City of Burlington is a Faulkner Act municipality with a Mayor-Council form of government pursuant to N.J.S.A. 40:69A-31, et seq., with its organization, positions, powers, and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the Common Council of the City of Burlington determined that there was a need for an updated appraisal of the former New Jersey National Guard Armory motor pool building at 559 High Street, (Tax Block 156, Lot 11.01) for sale to a prospective buyer; and

WHEREAS, Ronald A. Curini Appraisal Company previously prepared an approval of this property in 2019; and

WHEREAS, Ronald A. Curini Appraisal Company at the request of the City Administration submitted a quote to prepare an update to said 2019 appraisal at a cost of TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$2,750.00).

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to execute a contract with Ronald A. Curini Appraisal Company in the amount of TWO THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$2,750.00) for said appraisal.

Approved by Consent Agenda. All were in favor.

Resolution No. 108-2025\*

**RESOLUTION NO. 108-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REJECTING ALL BIDS FOR WILLIAM R. ALLEN SCHOOL REHABILITATION & RESTORATION PROJECT**

**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 requested prospective bidders to submit bids for the William R. Allen School Rehabilitation & Restoration Project; and

**WHEREAS**, the single bid received substantially exceeded the estimate and available funding; and

**WHEREAS**, N.J.S.A. 40A:11-13.2(a) allows for the rejection of bids when all qualified bids substantially exceed the estimates.

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the City of Burlington that the sole bid for the William R. Allen School Rehabilitation & Restoration Project is hereby rejected as it exceeds the professional estimates.

Approved by Consent Agenda. All were in favor.

Resolution No. 109-2025

**RESOLUTION NO. 109-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND AWARDING A CONTRACT TO DELL-TECH, INC. FOR THE WILLIAM R. ALLEN SCHOOL REHABILITATION & RESTORATION PROJECT**

**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 has twice requested prospective bidders to submit bids for the William R. Allen School Rehabilitation & Restoration Project; and

**WHEREAS**, on both occasions, the Common Council has rejected all bids for exceeding the professional estimates; and

**WHEREAS**, N.J.S.A. 40A:11-5(q) allows the City to negotiate and award a contract without the need to publicly advertise for bids upon bids being rejected on two (2) occasions; and

**WHEREAS**, the Common Council has determined that it is the best interest of the City to award a contract for the William R. Allen School Rehabilitation & Restoration Project to Dell-Tech, Inc. in an amount not to exceed \$3,660,100.00.

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

1. The contract for services related to the William R. Allen School Rehabilitation & Restoration Project is hereby awarded to Dell-Tech, Inc. in the amount of \$3,660,100.00.
2. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to facilitate this award of contract.

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

On the question, Councilman Spaulding asked how the bid compared to all bids received (A: There was a singular bidder. Five (5) contractors came to pre-bid meeting; one dropped out and on the bid deadline the sole bid was for \$4 million, per Director of Housing, Bill Harris).

Councilwoman Woodard asked how many times the project related to was bid (A: Twice, per Director of Housing, Bill Harris).

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. 110-2025

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides grants and/or loans to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition, development, and stewardship of lands for outdoor recreation and conservation purposes; and

WHEREAS, the City of Burlington desires to further public interest by obtaining total funding in the amount of **\$955,000.00**, in the form of a \$238,7500.00 matching grant and, if available, a **\$716,250.00** loan, from the State to fund the following project(s):

Walnut St. (A.K.A. 6<sup>th</sup> St) Park Improvements Project at a cost of **\$955,000.00**.

WHEREAS, the State shall determine if the application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations, and applicable statutes, and is willing to enter into an agreement with the State for the above-named project;

NOW, THEREFORE, the governing body/board resolves that:

1. Barry W. Conaway or the successor to the office of Mayor is hereby authorized to:
  - a. make application for such a loan and/or such a grant,
  - b. provide additional application information and furnish such documents as may

be required, and

c. act as the authorized correspondent of the above-named applicant;

2. The applicant agrees to provide its matching share to the Green Acres funding request, if a match is required, in the amount of **\$716,250.00**;
3. In the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. This resolution shall take effect immediately.

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

On the question, Councilwoman Woodard questioned whether this project financing would go through capital funding, and confirmed that if approved for the grant, the balance would be paid through an interest free loan. (A: Not sure re: capital funding, but compared the project to Jake's Law Playground where the City did receive 75% match through the State, per City Engineer, William Kirchner, PE, CME.)

Councilman Spaulding questioned if the intention is a 20-year loan.

Councilwoman Rijs asked for a reiteration of the mix-up in funding (A: There was an error caught in the review process, by the State, noting that our submission reflected a 75% match when that was not the case. The match is 25%, and there would need a Resolution, passed by Council, to amend the application for consideration, per City Engineer, William Kirchner, PE, CME; Asked the deadline for to submit the amended Resolution (A: The City was given a couple of weeks a week and a half ago, per City Engineer, William Kirchner, PE, CME); Questioned if the issues was tabled would the City lose the opportunity (A: Yes, per City Engineer, William Kirchner, PE, CME).

Councilman Hutton reiterated, for clarification, when Council voted on the Resolution connected to the grant for this project before it was under the impression that the City was only paying 25% and questioned if it required as new Resolution – so now the City is paying a quarter of a million dollars at \$36,000/year.

The resolution was then adopted by the following roll call vote: AYES: Mr. Ballard, Mr. Chachis, Mr. Hutton, Ms. Rijs, Ms. Woodard, Ms. Bergner-Thompson. (6); NAYS: (0); ABSTAIN: Mr. Spaulding. (1); ABSENT: (0).

**RESOLUTION NO. 111-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A THIRD EXTENSION OF THE MEMORANDUM OF UNDERSTANDING (“MOU”) WITH DELCO LAND DEVELOPMENT, LLC (“DELCO”)**

**WHEREAS**, the City owns property located at Block 221, Lot 3.05 on the Burlington City Tax Map situated along Route 130 and Jacksonville Road (“Subject Property”) which is in a Redevelopment Zone; and

**WHEREAS**, Delco is interested in redeveloping the Subject Property into a commercial development (the “Redevelopment”); and

**WHEREAS**, the City and Delco (each, a “Party” and jointly, the “Parties”) desire to jointly explore the feasibility of the Redevelopment and negotiate an agreement or agreements to provide for the redevelopment of the Project (“Redevelopment Agreement”); and

**WHEREAS**, the City and Delco entered into an MOU dated September 5, 2023, as authorized by Resolution No. 190-2023 of the Common Council of the City of Burlington; and

**WHEREAS**, the City and Delco entered a First Extension of MOU dated March 5, 2024, as authorized by Resolution No. 94-2024 of the Common Council of the City of Burlington.

**WHEREAS**, the City and Delco entered a Second Extension of MOU dated July 5, 2024, as authorized by Resolution No. 14-2024 of the Common Council of the City of Burlington; and

**WHEREAS**, Delco has advised they are continuing to conduct their due diligence regarding the potential redevelopment of the Property and have asked for an additional period of time to do so by virtue of an extension of the MOU; and

**WHEREAS**, the City agrees that a reasonable extension of time to permit Delco to complete its due diligence with regard to the Property will promote the public health, safety and general welfare of the residents of Burlington City.

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

- (1) The recitations of the preamble hereto are incorporated by reference as though same were set forth fully herein at length;
- (2) Burlington City is hereby authorized to enter into a Third Extension of the Memorandum of Understanding with Delco, attached hereto as Exhibit “A”;
- (3) The Mayor is hereby authorized and directed to execute the Third Extension of the Memorandum of Understanding on behalf of the City of Burlington; and

Approved by Consent Agenda. All were in favor.

Resolution No. 112-2025\*

**RESOLUTION NO. 112-2025 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
- Contract negotiations

**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 18, 2025, for discussions concerning the above-referenced items.

Approved by Consent Agenda. All were in favor.

Resolution No. 113-2025

**RESOLUTION NO. 113-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE USE OF ENGINE 9051 PIERCE PUMPER BY NEPTUNE HOSE COMPANY NO. 5**

**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**, Neptune Hose Company No. 5 has requested that the Common Council issues approval for the use of Engine 9051 Pierce Pumper at the New Jersey State Fireman’s Parade Convention held in Wildwood, New Jersey on September 12<sup>th</sup> and 13<sup>th</sup>; and

**WHEREAS**, the Common Council wishes to approve said use.

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Burlington, County of Burlington and State of New Jersey that Neptune Hose Company No. 5 is hereby authorized to use Engine 9051 Pierce Pumper to participate in the New Jersey State Fireman’s Parade Convention held in Wildwood, New Jersey on September 12<sup>th</sup> and 13<sup>th</sup>.

Upon the motion of Councilwoman Woodard, seconded by Councilman Ballard, 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. 114-2025\*

RESOLUTION NO. 114-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING RESOLUTION 89-2025 APPROVING AN APPLICATION FOR A PERSON-TO-PERSON TRANSFER OF LIQUOR LICENSE NO. 0305-33-024-006

WHEREAS, Resolution 89-2025 was adopted on March 4, 2025, approving a Person-to-Person transfer of Liquor License No. 0305-33-024-006; and

WHEREAS, the Common Council of the City of Burlington wishes to amend Resolution 89-2025 to clarify the type of transfer; and

WHEREAS, an application has been filed for a 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; 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 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.

**COUNCIL COMMENTS**

Councilman Spaulding – Followed up with the Mayor regarding the Urban Enterprise Zone (UEZ), noting that the discussion ended on the need to prepare letters to the legislatures (A: Delayed in that effort, per Mayor); Councilman Spaulding briefly explained UEZ for public context.

Councilman Hutton – Expressed to the citizens that Council does hear their concerns; Stated that there are certain responses that Council cannot give, but that they do hear them and that he believes they are hearing too much of the same complaint and that something does need to be done about

it; Expressed how Administration does have a responsibility to reply to Council about what is being done about this issue.

Council President Bergner-Thompson – Thanked everyone for coming to the meeting.

Councilwoman Woodard – Informed all that Rev. Hilda Covington was interview by Fox News to raise visibility for SisterHood Inc.’s 30<sup>th</sup> Anniversary; Expressed that they have a dire need to raise funds to keep the building open for the community.

Councilwoman Rijs – Encouraged everyone to support the arts and informed meeting attendees that City High School is doing a performance of ‘Rent’.

### **EXECUTIVE CONFERENCES**

- Employment Contract
- Separation Agreement

### **RESOLUTIONS** – Continued

#### **Resolution No. 115-2025**

### **RESOLUTION NO. 115-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING AN EMPLOYMENT AGREEMENT BETWEEN THE CITY OF BURLINGTON AND RYAN P. ELBERTSON AS CHIEF OF POLICE, DATED JANUARY 1, 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**, Ryan P. Elbertson has served as the City Police Department Acting Chief of Police since May 6, 2024; and

**WHEREAS**, an Employment Agreement has been prepared setting forth in writing the terms and conditions of Ryan P. Elbertson’s employment with the City of Burlington as its Chief of Police through 2027, which has been found to be acceptable to Ryan P. Elbertson, the City Administrator and the Public Safety Director; and

**NOW THEREFORE BE IT RESOLVED** by the Common Council of the City of Burlington, County of Burlington and State of New Jersey, that the Employment Agreement between Ryan P. Elbertson and the City of Burlington is hereby authorized and approved; and

**BE IT FURTHER RESOLVED** that the Mayor, the City Administrator and the Public Safety Director are hereby authorized to implement this Resolution and execute the Employment Agreement on behalf of the City.

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. 116-2025

**RESOLUTION NO. 116-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING EXECUTION AND APPROVING THE SEPARATION AGREEMENT OF JOHN ALEXANDER**

**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**, John Alexander (hereinafter “Mr. Alexander”) was employed as the Director of Public Affairs from the City; and

**WHEREAS**, after more than sixteen (16) years of employment as the Director of Public Affairs for the City, Mr. Alexander is retiring from his employment with the City; and

**WHEREAS**, Mr. Alexander and the City have engaged in settlement negotiations regarding the terms of Mr. Alexander’s retirement; and

**WHEREAS**, as a result of those settlement negotiations, all controversies between Mr. Alexander and the City have been resolved; and

**WHEREAS**, in order to avoid the cost of litigation about Mr. Alexander’s retirement benefits, the City wishes to offer Mr. Alexander a term of pay upon his separation from employment with or in exchange for a general release and waiver of claims; and

**WHEREAS**, the Common Council is of the opinion that a formal separation agreement is in the best interests of the City; and

**WHEREAS**, the City believes it appropriate and necessary to execute a Separation Agreement and General Release detailing the terms reached; and

**WHEREAS**, a Separation Agreement and General Release has been prepared and same has been found to be acceptable by Mr. Alexander and the City.

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

1. The Separation Agreement and General Release between the City of Burlington and John Alexander attached hereto as Exhibit “A” is hereby authorized and approved.
2. The Mayor and City Clerk are hereby authorized to execute the Separation Agreement and General Release on behalf of the City.

(To obtain a copy of the agreement, a request under OPRA is required.)

Upon the motion of Councilwoman Woodard, seconded by Councilman Ballard, 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).

**ADJOURNMENT**

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Rijs, this meeting of March 18, 2025, was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk

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Dawn Bergner-Thompson, President  
Common Council