

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JULY 15, 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 July 15, 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 (7:17pm), Administrator Johanna Conyer, Municipal Attorney Stuart Platt, Finance Consultant Dean Ciminera, Police Chief Ryan Elbertson.

SALUTE TO FLAG

EXPLANATION OF ORDINANCES ON SECOND READING

Dean Ciminera, Financial Consultant
Bond Ordinances 01-2025 thru 05-2025

EXPLANATION OF RESOLUTIONS

Johanna Conyer, Administrator
Resolutions 179-2025 & 180-2025

PUBLIC COMMENTS

Harry Heck, 116 E. Union Street – Urged enforcement of existing ordinances to address ongoing issues including: debris/limbs in the street (e.g., 5ft piles), empty/deteriorating buildings (e.g., properties across from pharmacy with false “coming soon” signage), illegal U-turns (suggested ticketing & spoke of his own personal experience receiving a ticket), public feeding of wildlife, unlicensed dogs, 2-hour parking limits in the business district, trash cans left on curbs (especially on Broad Street, for properties with backyards), and electric scooters on sidewalks.

Jon Dhamiri, 17 W Union Street – Representing a youth entrepreneurship program for teens, BE Team; seeking donations/sponsorships. Reported property theft, van vandalism (used for transport of program participants), and budget strain from replacing kids’ basketball league supplies; requested assistance.

Phil Augustyn, 307 High Street – Asked for the status of proposed gun store/shooting range to potentially be in the Armory. Thanked BCPD for the monthly violation reports but requested inclusion of traffic/parking tickets; cited ignored parking violations. Encouraged attendance at an upcoming Community Meeting, hosted by Councilman Spaulding.

Theodore A. Schultz, owner of 204-206 High Street – Received \$2,000 fine notice for unpermitted awning repair after storm damage; repaired immediately for safety (kids cut through property, risk of falling). Filed for a permit the next day with contractor but received another \$2,000 fine from the Construction Official. Spoke as a contractor/developer who owns properties across the County, consulted inspectors who clarified requirements. Reported issues to the County Board of Appeals. Noted adjacent city-owned property leaks water, damaging his building; plans to go back to appeal again and seeks inspector's reprimand.

CONSENT AGENDA

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

Councilman Spaulding motioned to remove the Bill List from the Consent Agenda.

All were in favor of approving the Consent Agenda including the removal of the Bill List to be considered separately.

APPROVAL OF PAYMENT OF BILLS*

Councilman Spaulding questioned reimbursements on Bill List, noting that many municipalities have a credit card that is managed by one or more people. Asked why the City doesn't take that approach for purchases. Suggested it is considered best practices vs. using a personal credit card.

BA Conyer explained that Councilman Spaulding was referring to a procurement card, P-card. Spoke of the requirement to go through training, then one person is responsible for it. Said she gives her personal credit card to Finance and/or the Confidential Secretary assuming all responsibility for anything related to it in case it is misused. With the P-card, would feel responsible to do all of the ordering which is currently done by the staff. I would not feel comfortable giving the staff the P-card. There are a lot of requirements for training. Spoke of the need to reduce the individual staff waiting on reimbursements.

Financial Consultant Ciminera spoke of the restrictions and training requirements related to a P-card. It is easier to use a credit card and be reimbursed.

BA Conyer said all is tested by the Auditors. Spoke of internal controls, having proper invoices and proper receipts. Spoke of many last-minute purchases for recreation and no time to ask for quotes and get invoices. Suggested she is paying for a majority of the purchases, and it is not illegal, it is allowed. Spoke of no P-card at her previous employer, Camden City. There are many times the credit card bill is paid before receiving reimbursement and didn't want that to happen to the non-executive employees and therefore made the decision to make the purchases.

Councilwoman Woodard spoke of a current procedure reminding Council Members they can consult the Business Administrator before raising concerns publicly.

Councilman Spaulding reiterated earlier comments regarding best practices based on what he has learned.

Councilwoman Woodard pointed out that Financial Consultant, Dean Ciminera, doesn't use a P-card and noted NJ Transit eliminated them. It is too cumbersome.

President Bergner-Thomson asked Financial Consultant, Dean Ciminera, how long he has been the CFO.

Mr. Ciminera responded 35 years.

All were in favor of approving the Bill List.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

BOND ORDINANCE NO. 01-2025 AUTHORIZING THE ACQUISITION OF VEHICLES AND EQUIPMENT FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$1,186,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,126,700; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Common Council of the City of Burlington, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Burlington, County of Burlington, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$1,186,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,126,700; and

(c) a down payment in the amount of \$59,300 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$1,126,700, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$59,300, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$1,126,700 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$1,126,700 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$29,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A Acquisition of Information Technology Equipment for the Fire Department, together with the acquisition of all materials and equipment and the completion of all work necessary therefor or related thereto.	\$5,100	\$255	\$4,845	7 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulnes s</u>
B . Acquisition of Vehicles for the Police Department, together with the acquisition of all materials and equipment and the completion of all work necessary therefor or related thereto.	208,100	10,405	197,695	5 years
C . Acquisition of Vehicles for the Construction Department including, but not limited to , a Sports Utility Vehicle, together with the acquisition of all materials and equipment and the completion of all work necessary therefor or related thereto.	46,100	2,305	43,795	5 years
D . Acquisition of Body, Vehicular and Facilities Cameras for the Police Department, together with the acquisition of all materials and equipment and the completion of all work necessary therefor or related thereto.	512,500	25,625	486,875	5 years
E. Acquisition of Various Heavy Equipment for the Department of Public Works including, but not limited to, Street Sweeper, Chipper, and Salt Spreader, together with the acquisition of all materials and equipment and the completion of all work necessary therefor or related thereto.	\$364,000	\$18,200	\$345,800	15 years
F. Acquisition of a Leaf Truck with Vacuum and Trash Carts for the Department of Public Works, together with the acquisition of all materials and equipment and the completion of all work necessary therefor or related thereto.	50,200	2,510	47,690	10 years
Total	\$1,186,000	\$59,300	\$1,126,700	

Section 8. The average period of useful life of the several purposes for the financing of

which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 8.28 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$1,126,700 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

Public Comments

None.

Council Comments

Mayor Conaway reviewed the items listed for acquisition under this Bond Ordinance.

This ordinance 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).

BOND ORDINANCE NO. 02-2025 AUTHORIZING THE COMPLETION OF VARIOUS ROAD AND RELATED IMPROVEMENTS IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$499,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$474,050 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Common Council of the City of Burlington, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of

the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Burlington, County of Burlington, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$499,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$474,050; and
- (c) a down payment in the amount of \$24,950 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$474,050, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$24,950, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$474,050 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$474,050 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$24,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as

follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulnes</u>
A	Reconstruction of Various Roads and Related Drainage Improvements in the City, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$105,100	\$5,255	\$99,845	20 years
B	Repaving of Various Streets and Roads in the City including, but not limited to, Wall Street, East Broad Street, and Neptune Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	393,900	19,695	374,205	10 years
	Total	\$499,000	\$24,950	\$474,050	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 12.10 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$474,050 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution

promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

Public Comments

None.

Council Comments

None.

This ordinance 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).

BOND ORDINANCE NO. 03-2025 AUTHORIZING THE COMPLETION OF VARIOUS IMPROVEMENTS TO CITY BUILDINGS AND GROUNDS; APPROPRIATING THE SUM OF \$1,174,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$1,115,300 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Common Council of the City of Burlington, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Burlington, County of Burlington, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$1,174,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$1,115,300; and
- (c) a down payment in the amount of \$58,700 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$1,115,300, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$58,700, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$1,115,300 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$1,115,300 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A.* 40A:2-20, shall not exceed the sum of \$44,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

	<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment t</u>	<u>Amount of Obligation s</u>	<u>Period of Usefulness s</u>
A	Improvements to Various Municipal Buildings and Grounds in and for the City, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	\$368,800	\$18,440	\$350,360	15 years
B	Improvements to Various City Parks including, but not limited to, Walnut Street, Oakland Avenue, and Columbus Road Parks, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	389,600	19,480	370,120	15 years
C	Construction of New Playgrounds in the City including, but not limited to, Kennedy Park and Jake's Place, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	415,600	20,780	394,820	15 years

Total	\$1,174,000	\$58,700	\$1,115,300
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Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 15.00 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A.* 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$1,115,300 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation

notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

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

Public Comments

None.

Council Comments

None.

This ordinance 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).

BOND ORDINANCE NO. 04-2025 AUTHORIZING ACQUISITION OF EQUIPMENT FOR AND COMPLETION OF VARIOUS IMPROVEMENTS TO THE WATER UTILITY SYSTEM IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$655,000; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$622,250; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Common Council of the City of Burlington, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purpose described in Section 7 hereof is hereby authorized as a general improvement to be made or acquired by the City of Burlington, County of Burlington, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purpose stated in Section 7 hereof is \$655,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purpose stated in Section 7 hereof is up to \$622,250; and
- (c) a down payment in the amount of \$32,750 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A.* 40A:2-11.

Section 3. The sum of up to \$622,250, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$32,750, which amount represents the required down payment, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$622,250 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$622,250 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A.* 40A:2-20, shall not exceed the sum of \$155,000.

Section 7. The improvement hereby authorized and the purpose for which said obligations are to be issued; the estimated costs of said purpose; the amount of down payment for

said purpose; the maximum amount obligations to be issued for said purpose and the period of usefulness of said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose</u>	<u>Estimated</u> A. Total Cost	<u>Down</u> <u>Payment</u>	<u>Amount of</u> <u>Obligations</u>	<u>Period of</u> <u>Usefulness</u>
A. Acquisition and Installation of Chemical Feeders and Pumps, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	\$360,200	\$18,010	\$342,190	15 years
B. Various Improvements to the Water Treatment Plant, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	294,800	14,740	280,060	20 years
Total	\$655,000	\$32,750	\$622,250	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 17.25 years.

Section 9. Grants, or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purpose described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A.* 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$622,250 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 14. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 15. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 16. All ordinances or parts of ordinances, inconsistent herewith are hereby repealed to the extent of any such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Upon the motion of Councilman Chachis, seconded by Councilman Ballard, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

None.

This ordinance 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).

BOND ORDINANCE NO. 05-2025 AUTHORIZING VARIOUS IMPROVEMENTS TO AND ACQUISITION OF VARIOUS EQUIPMENT FOR THE SEWER UTILITY SYSTEM IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$3,083,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$2,928,850 MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Common Council of the City of Burlington, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Burlington, County of Burlington, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$3,083,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$2,928,850; and
- (c) a down payment in the amount of \$154,150 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$2,928,850 to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$154,150, which amount represents the required down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$2,928,850 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$2,928,850 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to

sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A.* 40A:2-20, shall not exceed the sum of \$147,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u> \$	<u>Period of Usefulness</u> \$
A Acquisition of a Dump Truck for the Sewer Utility Department, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	\$105,000	\$5,250	\$99,750	10 years
B Acquisition of Various Equipment for the Sewer Utility System including, but not limited to, Heater Unit, Gate Openers, and Meter Pit, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	64,100	3,205	60,895	15 years
C Replacement of Discharge Pumps at the Sewer Treatment Plant, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	210,000	10,500	199,500	40 years

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligation</u>	<u>Period of Usefulness</u>
D. Acquisition of Various Replacement Equipment for the Sewer Utility System including, but not limited to, Faceplates and Safety Grates, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	\$157,500	\$7,875	\$149,625	15 years
E. Acquisition and Installation of Dewatering Belt Presses for the Sewer Utility System, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	2,546,400	127,320	2,419,080	40 years
Total	\$3,083,000	\$154,150	\$2,928,850	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 37.18 years.

Section 9. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A.* 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$2,928,850 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution

promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

Upon the motion of Councilman Chachis, seconded by Councilman Ballard, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

Mayor Conaway reviewed the items listed for acquisition under this Bond Ordinance.

This ordinance 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).

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

RESOLUTION NO. 179-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN ELECTRONIC TAX SALE, APPROVING AND AUTHORIZING A CONTRACT WITH REALAUCTION.COM, LLC AND ROK INDUSTRIES, INC. D/B/A NJ TAX LIEN INVESTOR.COM, AND AUTHORIZING A FEE FOR TAX SALE NOTICES

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, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the City of has the need for professional services to host online tax sales for the City; and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct electronic tax sales in the State of New Jersey along with participating Counties and Municipalities; and

WHEREAS, RealAuction.com and ROK Industries, Inc. d/b/a NJTaxlieninvestor.com have supplied and negotiated a contract to provide electronic tax sales services to the City, which contract is attached hereto and made a part hereof by reference; and

WHEREAS, the City wishes to participate in an electronic tax sale in 2025 and to award a contract for such services to RealAuction.com and ROK Industries, Inc. d/b/a NJTaxlieninvestor.com as a vendor which has been determined to have complied with the statutory provisions necessary to supply such services; and

WHEREAS, the rules and regulations promulgated require the City to send two (2) notices of tax sale to all properties affected by said sale and permits the City to charge a fee of \$25.00 per notice for the preparation, printing, and mailing of said notice.

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

1. An electronic tax sale is hereby authorized.
2. The Mayor is hereby authorized to execute the contract with RealAuction.com and ROK Industries, Inc. d/b/a NJTaxlieninvestor.com attached hereto for the aforementioned services.
3. The City is authorized to charge a fee of \$25.00 to the affected properties per notice of tax sale for the preparation, printing, and mailing of two (2) notices.
4. 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 Chachis, 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. 180-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING A CONTRACT WITH MUNICIPAL MAINTENANCE COMPANY FOR WASTEWATER TREATMENT PLANT GRIT CHAMBER SLUICE GATE REPLACEMENT

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 professional services related to Wastewater Treatment Plant grit chamber sluice gate replacement; 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 Municipal Maintenance Company for the aforementioned services; and

WHEREAS, the City wishes to award said contract to Municipal Maintenance Company in an amount not to exceed \$100,500.00.

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 Municipal Maintenance Company for professional services related to Wastewater Treatment Plant grit chamber sluice gate replacement in an amount not to exceed \$100,500.00; 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

Municipal Maintenance Company to effectuate the foregoing in a form to be approved to the City Solicitor.

Upon the motion of Councilman Chachis, 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. 181-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A HEARING FOR A FLOODPLAIN VARIANCE IN RELATION TO THE PROPERTY LOCATED AT 574 WASHINGTON AVENUE AS PER SECTION 170-4D OF THE CITY CODE

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

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

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

WHEREAS, Maria Marchand, owner of 574 Washington Avenue, requires a floodplain variance to comply with the provisions of Chapter 170; and

WHEREAS, Common Council shall therefore hear Maria Marchand’s request for a floodplain variance.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington as follows shall hold a hearing on Maria Marchand’s Chapter 170 variance request on the property located at 574 Washington Avenue on June 17, 2025, at 7 P.M. at City Hall, 525 High St., Burlington, NJ 08016.

Approved by Consent Agenda. All were in favor.

COUNCIL COMMENTS

Councilman Spaulding expressed concern over lack of transparency; contract amounts not listed on public agenda, though in resolution. Noted that full Council packets were once posted online after public request. Urged maximum transparency and warned against selectively withholding information.

Councilman Chachis asked the Business Administrator for the status of proposed community garden.

BA Conyer said she recently contacted the tenant and the response was received. The discussion will be forthcoming.

Councilwoman Woodard validated police prioritization concerns (quality-of-life vs crime). Suggested a manpower shortage result in tough choices (e.g., focus on safety vs U-turns). Recommended hiring more officers, including SLEOs, even if it means raising taxes; noted police are overtaxed.

Councilman Ballard reminded all of the upcoming Cruise Night – Thursday at 6:00pm with classic cars on the promenade.

Councilwoman Rijs thanked the BE Team speaker; acknowledged vandalism and theft impacting youth programs. Supported Councilwoman Woodard's police staffing comments and nationwide hiring challenges. Spoke of the recent Town Hall held by Councilman Chachis. Said she plans to host a Ward 2 "Soccer & Conversation" Town Hall in August – the parents could talk while kids play soccer.

Councilman Hutton promoted Brotherhood's Black Family Heritage Day on Saturday – collaboration of four churches – Tabernacle Baptist, First Baptist, New Dimension, and Councilman Hutton's church in Mount Holly.

President Bergner-Thompson encouraged participation in upcoming virtual Climate Change meeting seeking public input. Stressed importance to prevent Texas-like disasters in Burlington.

BA Conyer spoke of a recent hazardous response meeting. City residents attended and are the most active. The lights for the promenade have been delivered. Spoke of NJDEP legislation requiring properties to be heightened.

Council President Bergner-Thompson spoke of the recent State Streets Boardwalk event. There were no kid events.

BA Conyer suggested it did not happen due to the inclement weather.

FLOODPLAIN VARIANCE HEARING

574 Washington Avenue

Applicant: Maria Marchand

Seeking variance to rehab vacant, uninhabitable single-family home (cost exceeds assessed value). After 2+ years of permit delays, City requires: fill basement with dirt, install engineered flood vents, relocate mechanicals, and elevate first floor. (Hardship, per Solicitor: Without variance, home remains unlivable; no one can occupy it.)

City Floodplain Manager: Allison Iannaccone

Reviewed revised plans – basement filled, mechanicals relocated, flood vents added. First floor elevation deficient (would need >4.5 ft raise – impractical/impossible). Mitigation eliminated most flood risk; some residual remains (homeowner must sign waiver).

Recommendation: Approve variance to keep first floor as-is, provided mitigation measures are completed, no public risk.

Public Comments

None.

Council Comments

Councilwoman Woodard confirmed CFM's approval; asked if mitigation (e.g., filled basement) provided stability and prevents City liability. (Response: Yes – reasonable mitigation; no trouble for City, per Ms. Iannaccone.)

Councilwoman Rijs – Noted property wasn't originally in floodplain; mechanicals raised per code, but Historic Commissioner later imposed rules. Suggested reviewing conflicting regulations.

President Bergner-Thompson concerned about increasing extreme flooding conditions around the country (e.g., Texas events). Asked if variance binds to property or person, and if future buyers will know the risks. (Response: Variance is filed with County Clerk, becomes part of the deed; shows in title search. Renovation and waiver disclosed. NFIP flood insurance transferable; language clear, per Ms. Iannaccone.)

PRESENTATION

Momentum United Development, Inc., Kyle Kasey – Offer to purchase and develop certain city-owned properties in Opportunity Site #5 within the New Yorkshire Redevelopment Area.

Council Comments

President Bergner-Thompson asked if the units will be for sale or rent (Response: depends on market, per Mr. Kasey). Later asked: Have residents been surveyed about parking complaints (A: No direct complaints received, per Mr. Kasey); On financing, if approved, can City reclaim land if developer violates terms (A: Yes, per Solicitor); Questioned if developer has built in a flood zone (A: No, but builders have and have changed development plans to be compliant with FEMA, per Mr. Kasey; New construction goes straight to FEMA and Ms. Iannaccone provides a list of everything a builder needs to do ahead of the build to be complaint, per BA).

Councilwoman Woodard supports project but concerned about changing neighborhood character, which is a long-standing concern. Worried eliminating garages (homes there have no garages) will worsen parking chaos. Asked if developer is prepared to hold on to them long-term (A: Yes, per Mr. Kasey).

Councilman Hutton garages reduce street parking. Asked: Average driveway width and how many on-street parking spaces are lost on York Street (A: Nothing is there now – all gain, no loss; can park on opposite site, per Mr. Kasey). Driveways are beneficial to new homeowners, but what about existing residents.

Councilwoman Rijs asked if DEP raises elevation requirement (e.g., +4ft), would agreement need amendment (A: Yes)

Councilman Chachis confirmed that applicant has architect. Cited Charleson, DC pushback on modern designs would prefer designs to fit current aesthetic, especially since it's in his Ward (A: Willing to adjust design to fit community aesthetic, per Mr. Kasey).

Consensus: None. Presentation only.

ADJOURNMENT

Upon the motion of Councilman Ballard, seconded by Councilwoman Woodard, this meeting of July 15, 2025, was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

Dawn Bergner-Thompson, President
Common Council