

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, SEPTEMBER 2, 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 September 2, 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, Administrator Johanna Conyer, Municipal Attorney Stuart Platt, Finance Consultant Dean Ciminera, Police Chief Ryan Elbertson.

INVOCATION

Timothy Hutton, Pastor, Councilman

SALUTE TO FLAG

EXPLANATION OF ORDINANCE(S) ON FIRST READING

The ordinance was explained by Johanna Conyer, Administrator (1 – Tabled on 08/07/25)

EXPLANATION OF ORDINANCE(S) ON SECOND READING

Ordinance No. 09-2025 was explained by Johanna Conyer, Administrator

EXPLANATION OF RESOLUTIONS

Resolutions 196-2025, 199-2025 & 204-2025 were explained Johanna Conyer, Administrator

PUBLIC COMMENTS

Elena Cojoc, E. 6th Street – Highlighted son Daniel's sever soccer injury (broken tibia requiring three surgeries) during a City of Burlington Recreation scrimmage, noting dangerous play was not stopped. Expressed frustration over lack of team/coach support or visits post-injury, inadequate City insurance (\$25,000 limit with deductible, insufficient for costs), and lack of safety training. Requested mandatory safety training, improved insurance coverage, and transparency for parents to prevent future incidents.

Phil Augustyn, 307 High Street – Praised the Burlington Island Fundraiser by Jim and Dawn McCreary, urging City support. Promoted upcoming Wood Street Fair and Boardwalk events. Raised concerns about high traffic speeds (up to 50 mph) on High Street, questioning why speed limits aren't lowered for child safety.

Kelly James, 452 High Street – Homeless tenant of Kris Kirk that is currently storing five (5) bags at the police station due to lack of storage options.

Lisa...6 W. Union Street – Displaced tenants need a voice regarding evictions. Noted that City Police Officers are assisting the previous speaker.

Dawn Hilton, 16 E. Fourth Street – Complained about the poor conditions of 4th Street, excessive speeding near gas station, and lack of speed bumps or repairs despite requests. Questioned allocation of tax dollars, noting a \$2,700 tax increase over three years with no visible improvements. Is considering filing a tax appeal and also leaving the City.

Mary Wirth, 460 Locust Avenue – Opposed a proposed resolution to pay the Business Administrator for unused vacation/sick time, citing NJ State Comptroller laws (2007, 2010) limiting sick leave payouts to \$15,000 at retirement and prohibiting vacation time carryover beyond one year. Warned that approving the resolution violates state law and City policy, risking legal issues and employee demands for equal treatment.

Samuel Ritcher, 2 E. Pearl Street – Questioned the use of a parking lot between High and Stacy Streets for EV charging stations, now covered and marked for parking only, reducing available spaces during events like the Wood Street Fair. Requested clearer signage related to those spaces.

Barbara Halcott, 220 Conover Street – Reported ongoing issues with Susan's Lane, unpaved, including potholes, crime (e.g., car dumping), and neighbor-related car damage. Acknowledged temporary City response, but emphasized persisting issues.

Donnamarie Mazzola, 12 W. Pearl Street – Noted the lack of coordination with Main Street Burlington on the purchase and placement of benches funded by the NPP grant, and unanswered communication attempts with the Business Administrator's office despite multiple emails.

Suzanne Gallagher, 415 Locust Avenue – Echoed concerns about vacation/sick leave payout, estimating a \$32,000 payout would inflate the Administrator's salary to \$190,000. Noted the Business Administrator's use of personal credit cards for purchases earning cash back or rewards. Advocated government procurement cards to replace personal cards for City purchases to ensure compliance and save costs. Urged alignment with State laws on leave policies to avoid litigation and prioritize City services.

Harry Heck, 116 E. Union Street – Noted a lack of cleanup by Tabernacle Church after using the William R. Allen School, leaving the clean up to the City's Public Works department. Criticized lack of action on Kris Kirk's E. Union Street properties. Criticized lack of enforcement for illegal U-turns on High Street. Noted ATV riders on Broad Street with masks on. Questioned the Business Administrator's pay raises, proposed payout.

Rebecca Spiewak, 475 Washington Avenue – Reported unprofessional behavior from Inspector, Jody Mazeall (Construction Official), suggested he imposed unnecessary permit requirements for ordinary maintenance (e.g., painting), made inappropriate comments, creating roadblocks, and accusing the property owner/their contractor of \$60,000 in unpermitted work. Highlighted broader issues impacting local businesses.

Marvin Bowe, 352 High Street – Third State Brewing owner described issues with Inspector, Jody Mazeall (Construction Official), who issued a \$4,000 violation (plus \$2,000/wk) for a CO2 tank pad issue, threatening business closure. Expressed frustration with the appeal process and lack of City support for business.

Charity Leiman, 14 W. Pearl Street – Suggested lack of City support for local businesses, citing repeated stories of insufficient funding and bureaucratic obstacles (e.g., painting), inappropriate comments, and roadblocks costing \$60,000. Highlighted broader issues impacting local businesses.

George Davis, 22 Fawn Hollow Road – Described delays and errors in obtaining a Zoning Permit for a deck (two months instead of 10 days), leading to possible delays into 2026 and 22% contractor price increase. Criticized the Construction Official's suggesting arrogance and \$3,000 in fines. Sent unanswered emails to Mayor and Business Administrator. Hired an engineer for \$785 to certify work, plans to present letter to construction stating such and seek reimbursement from the City. Applauded the Chief of Police related to the Department's newsletter.

Sarah Donnelly, 313 Stacy Street – Detailed delays in rebuilding her fire-damaged home of 13 years (April 2024), still incomplete by September 2025 due to Construction Office inefficiencies. Criticized unnecessary zoning/permit requirements, ignored contractor emails, and lack of clear inspection failure reasons, risking loss of temporary housing and insurance.

Councilman Spaulding motioned to TABLE the following Resolution:

RESOLUTION NO. 208-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING EMPLOYEE BENEFITS FOR THE CITY BUSINESS ADMINISTRATOR RELATED TO PAID TIME OFF

Seconded by Councilman Ballard, the foregoing resolution was **TABLED** by the following roll call vote: AYES: Mr. Ballard, Mr. Hutton, Ms. Rijs, Mr. Spaulding. (4); NAYS: Mr. Chachis, Ms. Woodard, Ms. Bergner-Thompson. (3); ABSTAIN: (0); ABSENT: (0).

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR AUGUST 2025

REPORTS - VARIOUS CITY DEPARTMENTS

08-10 Monies collected by the Municipal Clerk's Office for the month July 2025

AGENDAS - VARIOUS BOARDS

08-20 HPC Meeting Agenda 08/06/25

08-21 HPC Meeting Agenda 09/03/25

CORRESPONDENCE FROM VARIOUS CITY DEPARTMENTS

08-30 BCPD, Newsletter, July 2025

CORRESPONDENCE FROM CITY ORGANIZATIONS

08-70 Endeavor Emergency Squad, Inc., Statistics for July 2025

CORRESPONDENCE FROM STATE OF NEW JERSEY - VARIOUS DEPARTMENTS

08-90 NJDEP Weekly Update 07/25/25

08-91 NJDEP, Notice, Billing Statement Fiscal Year 2025

08-92 NJ State Planning Commission, Notice, Public Hearings Infrastructure

MISCELLANEOUS CORRESPONDENCE

08-200 NJLM, Notification, Send in Topics for NJLM

08-201 NJLM, Notification, Presidential Executive Order on Homelessness

08-202 NJLM, Notification, Assembly Updates – A-5903

08-203 NJLM, Notification, Daily Update 07/24/25

08-204 NJ Spotlight, Article, "Homelessness in NJ"

08-205 Article, Bridge Removal, Road Construction – New Pearl/River Road

08-206 M.E.L. JIF, Bulletin, Hurricane Preparedness Best Practices

08-207 Attorney Letter, Resident Tiffany Cobourne

08-208 Article, Burlington County Restaurant Week 2025

08-209 Warner Realtors, Government Auction Marketing Program

08-210 Article, BurlCo Event to Distribute Farmers Market Vouchers to Seniors

08-211 JSCC, Letter, Letter to Legislators on Energy Master Plan

08-212 SCUCS, Public Hearing Notice, NJ Seniors + Disabled Trans Asst Program

08-213 NJLM, Notification, DCA Adoption for UCC Inspection Regulations

08-214 NJLM, Notification, Expanded Transportation in Southern Jersey

08-215 NJLM, Notification, Governor Legislation – First Responders Workers Comp

08-216 NJLM, Notification, Finance and Asset Grant Program

08-217 NJLM, Notification, Resilient NJ Grant Program

08-218 NJLM, Notification, Senator Booker Seeking NFIP Guidance

08-219 NJLM, Notification, Housing Prevention Grant Open

NOTICES OF FORECLOSURES

08-300 Block 29, Lot 20, 103 Juniper Street

08-310 Block 138.01, Lot 6, 118 E. Broad Street

08-311 Block 82, Lots 4, 5, 6, 42 W. Fifth Street

FLYERS

08-400 Office of the Mayor, Flyer, Groundbreaking Ceremony, Allen School
08-401 Braven Health, Flyer, Veterans Health Fair & Luncheon
08-402 Friends of BurlCo Animal Shelter, Flyer, Paw Prints Pet Fest & 5k
08-403 Jim McCreary, Flyer, Fundraiser for Burlington Island
08-404 SJFMC, National Health Center Week 2025
08-405 Colonial Burlington Foundation, Flyer, 54th Wood Street Fair
08-406 BurlCo & Jefferson Health, Flyer, Breast Cancer Brunch + Learn
08-407 The Father Center, Flyer, Hiring Event

APPROVAL OF PAYMENT OF BILLS*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

RESOLUTION(S)

Resolution No. 209-2025

RESOLUTION NO. 209-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON:

Councilman Chachis offered the following motion:

Given the ongoing backlog of code enforcement processing since COVID and its negative impact on the City's development, Council requests that the City Administration issue a Request for Proposals (RFP) to determine the feasibility of hiring a DCA approved contractor or contractors short-term to help resolve code enforcement issues.

Seconded by Councilman Ballard, the foregoing was adopted on 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).

ORDINANCE(S) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 344, ARTICLE V OF THE CITY CODE, ENTITLED "PARKING" (Tabled 08/07/25)

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

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 09-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 344, ARTICLE VII OF THE CITY CODE, ENTITLED "TRAFFIC REGULATIONS"

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

WHEREAS, Chapter 344, Article VII, Section 35 of the City Code sets forth speed limits on certain designated school zones; and

WHEREAS, the City of Burlington wishes to amend Chapter 344, Article VII, Section 35 to extend the school zone on High Street in order to enhance safety for students and pedestrians traveling on said roads during peak school hours; and

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

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

SECTION 1: Chapter 344, Article VII, Section 35 of the Code of the City of Burlington entitled “Speed limits on certain streets,” is hereby amended, supplemented, and revised as follows:

§ 344-35 Speed limits on certain streets.

The speed limits on the following described streets or parts of streets within the City of Burlington shall be reduced to 25 mph from 7:00 a.m. to 9:00 a.m. and 2:00 p.m. to 4:00 p.m. on days when school is in session:

Name of Street	Side	Location
High Street (County Route 541)		Beginning at the intersection of Route 130 south and ending at the Burlington City/Burlington Township line at Mill Road
Jacksonville Road		Beginning at the intersection of Route 130 south and ending at the intersection of Burlington Bypass
Route 130	North	Beginning 500 feet south of the intersection of Wood Street and ending 500 feet north of the intersection of Jacksonville Road (County Route 670)
Route 130	South	Beginning 500 feet north of the intersection

of Jacksonville Road (County Route 670) and
ending 500 feet south of the intersection of
Wood Street

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

SECTION 3: All Ordinances contrary to the provisions of this Ordinance are hereby repealed to the extent they are inconsistent herewith.

SECTION 4: If the provisions of any section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph or subdivision, or clause of this Ordinance.

SECTION 6: This Ordinance shall take effect thirty (30) days after final passage by Council or twenty (20) days after approval by the Mayor, whichever comes first.

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 196-2025

RESOLUTION NO. 196-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING CHANGE ORDER NO. 2 WITH DYNAMIC SANDBLASTING & PAINTING FOR THE BROAD STREET WATER TANK PROJECT IN THE AMOUNT OF \$43,460.24

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, Resolution #160-2024 authorized a contract with Dynamic Sandblasting & Painting in the amount of \$1,470,750.36 for the Broad Street Water Tank project; and

WHEREAS, Resolution #51-2025 authorized Change Order #1 for an increase in the amount of \$93,117.60 and a revised contract amount of \$1,563,867.96; and

WHEREAS, it is the recommendation of City Engineer, Environmental Resolutions, per their correspondence dated August 11, 2025, that the Common Council of the City of Burlington authorize an amended agreement with Dynamic Sandblasting & Painting in the form of Change Order No. 2, in connection with the Broad Street Water Tank project; and

WHEREAS, this Change Order No. 2 is an increase in the amount of \$43,460.24, making a revised total contract amount of \$1,607,328.20.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Burlington that the Mayor and Business Administrator are hereby authorized to execute a change order in a form acceptable to the City Solicitor, with Dynamic Sandblasting & Painting for an increase in the amount of \$43,460.24, to a contract total of \$1,607,328.20, in connection with the Broad Street Water Tank project.

Upon the motion of Councilman Chachis, seconded by Councilman 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. 197-2025*

RESOLUTION NO. 197-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO AMEND ADOPTED BUDGET IN THE AMOUNT OF \$10,000 FOR A NJ EMERGENCY MANAGEMENT ASSISTANCE GRANT

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the City of Burlington received an **Emergency Management Assistance Grant** in the amount of \$10,000.00 from the State of New Jersey Dept. of Law and Public Safety.

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2025 in the sum of \$10,000.00 as follows:

Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

NJ Emergency Management Assistance Grant

\$10,000.00

SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$10,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations Operations-Excluded from "CAP"
Public and Private Programs Offset by Revenues:

NJ Emergency Management Assistance Grant – OE \$10,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 198-2025*

RESOLUTION NO. 198-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$18,986.51 WITH RUSLING PAVING & CONCRETE FOR THE MISCELLANEOUS CONCRETE WORK 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, Resolution #105-2025 authorized a contract with Rusling Paving & Concrete in the amount of \$94,985.88 for Miscellaneous Concrete Work; and

WHEREAS, due to additional concrete work at The Promenade, the agreement must be amended to increase certain line items in the amount of \$18,986.51; and

WHEREAS, this Change Order No. 1 is an increase of \$18,986.51, making the revised total contract amount \$113,972.39; and

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Burlington that the Mayor and Business Administrator are hereby authorized to execute a change order in a form acceptable to the City Solicitor, with Rusling Paving & Concrete for an increase in the amount of \$18,986.51, to a contract total of \$113,972.39, in connection with the Miscellaneous Concrete Work project.

Approved by Consent Agenda. All were in favor.

Resolution No. 199-2025

RESOLUTION NO. 199-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING AND AUTHORIZING A CONTRACT WITH WINNER FORD FOR THE PURCHASE OF THREE (3) PATROL VEHICLES IN THE AMOUNT OF IN THE AMOUNT OF \$207,808

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 Police Department requires new patrol vehicles in order to maintain the integrity of the fleet of vehicles; and

WHEREAS, the City may contract for these vehicles without the need for open competitive bidding pursuant to NJ Public Contract Law (NJSA 40:11-1 et seq) by virtue of State Contract #T2776/#20-FLEET-01189; and

WHEREAS, the Chief of Police has recommended that the City award a contract for the vehicles in an amount not to exceed \$207,808.00 to Winner Ford; and

WHEREAS, the Common Council wishes to award the aforementioned contract to Winner Ford.

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

1. The contract for three (3) patrol vehicles is hereby awarded to Winner Ford in the amount of \$207,808.00 by virtue of NJ State Contract #T2776/#20-FLEET-01189.
2. The Mayor and Business Administrator are hereby authorized to execute any and all documents necessary to facilitate the award of this contract.

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. 200-2025*

RESOLUTION NO. 200-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CHANGE IN PETTY CASH CUSTODIANS

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, Vincent Calissi, Mark Staravoj and Michael Carnivale had been the custodian of the City’s Water, Sewer and DPW Petty Cash funds, respectively; and

WHEREAS, in accordance with NJSA 40A:5-21, City of Burlington is changing custodians to Mark Zott, Charles Ercol and William Curry, respectively; and

WHEREAS, Mark Zott, Charles Ercol and William Curry are all bonded in the amount of \$50,000.00 by virtue of the City’s Joint Insurance Fund blanket crime bond.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington, County of Burlington hereby authorizes such action and two (2) copies of this Resolution be filed with the Division of Local Government Services, NJ Department of Community Affairs for approval.

Approved by Consent Agenda. All were in favor.

Resolution No. 201-2025*

RESOLUTION NO. 201-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPOINTING A SLEO III FOR A ONE-YEAR TERM

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

WHEREAS, City Chief of Police Ryan Elbertson has recommended to the Common Council the appointment of a Special Officer pursuant to Chapter 2, Section 28 of the City Code.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby appoints Michael Ekelburg as a SLEO III for a one-year term commencing on September 2, 2025.

Approved by Consent Agenda. All were in favor.

Resolution No. 202-2025*

RESOLUTION NO. 202-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE ISSUANCE OF A MERCANTILE LICENSE TO ALEXANDER VIGH TO OPERATE A BUSINESS AT 112 W BROAD STREET

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 has received a complete application for the issuance of a mercantile license to Alexander Vigh to operate LTD Renovations, LLC at 112 W. Broad Street, Burlington, NJ.

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Alexander Vigh to operate a business at 112 W. Broad Street, Burlington, NJ.

Approved by Consent Agenda. All were in favor.

Resolution No. 203-2025*

RESOLUTION NO. 203-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE ISSUANCE OF A MERCANTILE LICENSE TO THOMAS FIEFFE TO OPERATE A BUSINESS AT 231 E BROAD STREET

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 has received a complete application for the issuance of a mercantile license to Thomas Fieffe to operate Loli's Convenience Store & Deli at 231 E. Broad Street, Burlington, NJ.

NOW THEREFORE BE IT RESOLVED, the Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Thomas Fieffe to operate a business at 231 E. Broad Street, Burlington, NJ.

Approved by Consent Agenda. All were in favor.

Resolution No. 204-2025

RESOLUTION NO. 204-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING A CONTRACT WITH GMH ASSOCIATES OF AMERICA, INC. FOR EMERGENCY REPLACEMENT OF CLARIFIER AT THE WASTEWATER TREATMENT PLANT IN THE AMOUNT OF \$334,746.14

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 emergency replacement of the clarifier at the Wastewater Treatment Plant; and

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

WHEREAS, the City wishes to award said contract to GMH Associates of America, Inc. in an amount not to exceed \$334,746.14.

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 GMH Associates of America, Inc. for professional services related to of emergency replacement of the clarifier at the Wastewater Treatment Plant in an amount not to exceed \$334,746.14; 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 GMH Associates of America, Inc. to effectuate the foregoing in a form to be approved to the City Solicitor.

Upon the motion of Councilman Ballard, seconded by Councilman Chachis, 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. 205-2025*

RESOLUTION NO. 205-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING AND AUTHORIZING AN AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE DESIGN AND CONSTRUCTION OF VARIOUS ROADS

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, State of New Jersey is about to undertake the design and construction of Route 130, CR543 (Beverly Road) to LaGorce Boulevard located in the City of Burlington and Burlington Township; and

WHEREAS, the Project may require the construction of new, and/or the protection, relocation and/or adjustment of facilities of the existing Sanitary sewer system; and

WHEREAS, the State has requested the City of Burlington authorize an agreement between the New Jersey Department of Transportation (“NJDOT”) and the City of Burlington water, sewer utility, and engineering companies to work and consult with NJDOT for the design and construction of the aforementioned roads that the State will, at its sole cost and expense, contract for and cause to be constructed; and

WHEREAS, the State will authorize and reimburse the City for its actual costs for design, review, approval, and inspection for the protection, relocation, or adjustment of its existing facilities necessary to facilitate the project; and

WHEREAS, the preliminary engineering design costs for correspondence, meetings, and exchanges of engineering information are eligible for reimbursement after execution of the agreement; and

WHEREAS, the Common Council wishes to approve and authorize said Agreement and any documents as may be necessary to facilitate the Agreement.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Burlington that the Agreement with NJDOT attached hereto for the purpose of the design and construction of Route 130, CR543 (Beverly Road) to LaGorce Boulevard is hereby authorized and approved.

BE IT FURTHER RESOLVED, that the Mayor, Barry Conaway, and Clerk of the City of Burlington are hereby authorized to implement this Resolution and execute the attached Agreement and any additional documents necessary in connection therewith.

Approved by Consent Agenda. All were in favor.

Resolution No. 206-2025*

RESOLUTION NO. 206-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES PURSUANT TO EXEMPTION FOR A TOTALLY DISABLED VETERAN

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

WHEREAS, Ezell Jackson (“claimant”), owner and resident of 18 Bisbee Drive (Block 221.05, Lot 9) has applied for tax exemption as a Totally Disabled Veteran pursuant to N.J.S.A. 54:4-3.30, et seq.; and

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

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

WHEREAS, the effective date of the exemption is February 14, 2025, in conformance with the claimants’ date of submission of claim; and

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

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

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

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that the Tax Collector is hereby authorized to cancel 2025 taxes in the amount of \$11,655.25 and refund any overpayments accordingly to the appropriate entity. Additionally, the Tax Collector has authorization to cancel the remaining amounts that would become due and owing by claimant. A certified copy of this resolution shall be forwarded to the Tax Collector, Business Administrator, Tax Assessor and claimant.

Approved by Consent Agenda. All were in favor.

Resolution No. 207-2025*

RESOLUTION NO. 207-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING A PURCHASE AND SALE AND REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF BURLINGTON (“CITY”) AND CHURCHILL INVESTMENT GROUP, LLC (“REDEVELOPER”)

WHEREAS, pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* as amended and supplemented, (the “Act”) the City has undertaken a program for the redevelopment of certain property identified as Opportunity Site #7, Block 139, Lots 32, 33 and 39-42 in City of Burlington (the “Project Site” or “Property”); and

WHEREAS, the City is the owner of the Property; and

WHEREAS, the Redeveloper intends to construct three new market rate single-family homes on the Property; and

WHEREAS, the Governing Body of the City has determined that the redevelopment of the Project Site will promote job creation and economic redevelopment within the municipality and the County of Burlington, as well as an attractive project; and

WHEREAS, the City Common Council has been authorized to act as Redevelopment Entity to oversee the implementation of such Redevelopment Plan; and

WHEREAS, Redeveloper maintains that it is in the business of owning, maintaining, and enhancing real property for commercial, residential and other purposes and that it has the financial ability, experience and expertise to redevelop the Property within a reasonable time through its team, in accordance with the provisions of this Agreement. The City and Redeveloper both desire and anticipate that the Project will consist of the construction of three new market rate single-family homes; and

WHEREAS, as a material inducement to the City, the Redeveloper has agreed, among other things, to: (i) create a project at the Property that is both aesthetically pleasing and will spark revitalization and substantial investment in this area of the City; (ii) redevelop the Property in accordance with the Concept Plan attached to the Purchase and Sale and Redevelopment Agreement (as may be modified by the Parties, in writing, from time to time, pursuant to the Project Milestones/Timeline set forth herein); (iii) reimburse the City for costs and fees incurred as set forth in the Purchase and Sale and Redevelopment Agreement; (iv) make certain representations and warranties as set forth therein; and (v) tender payment of such escrow, deposits and payments as set forth therein; and

WHEREAS, to effectuate the purposes of the Act, the City and Redeveloper agree to enter into a Purchase and Sale and Redevelopment Agreement attached hereto as Exhibit “A” in order to further the Project; and

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that it hereby authorizes and approves the Purchase and Sale and Redevelopment Agreement between Churchill Investment Group, LLC, the Redeveloper and the City of Burlington, attached hereto as Exhibit “A”; and

BE IT FURTHER RESOLVED that the Mayor of the City of Burlington is hereby authorized to execute the Purchase and Sale and Redevelopment Agreement on behalf of the City and the appropriate City Officials are hereby authorized to take the necessary action in furtherance of the Redevelopment Agreement.

Approved by Consent Agenda. All were in favor.

Resolution No. 208-2025 (TABLED: SEE PAGE 4)

RESOLUTION NO. 208-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING EMPLOYEE BENEFITS FOR THE CITY BUSINESS ADMINISTRATOR RELATED TO PAID TIME OFF

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, Johanna S. Conyer serves as the City Business Administrator (the “BA”); and

WHEREAS, the BA was appointed by the Mayor, which appointment was confirmed by the City Common Council on October 4, 2022, by Resolution No. 223-2022; and

WHEREAS, the term of the BA’s employment runs with the Mayor’s term through December 31, 2027; and

WHEREAS, the BA has accrued as an employee benefit approximately fifty (50) days of unused paid time off (“PTO”) as of today’s date; and

WHEREAS, the BA currently does not utilize the entirety of her unused PTO, but instead works during those days; and

WHEREAS, the BA has requested for the years 2026 and 2027 that she be compensated by way of additional salary for the unused PTO days she elects to work up to fifty (50) days annually as she chooses (“Unused PTO Benefit”); and

WHEREAS, the Unused PTO Benefit shall be in addition to any other compensation and benefits the BA receives under the City Salary Ordinance and the City’s employment benefits policies; and

WHEREAS, the City Common Council has considered the foregoing request and believes the request to be fair and reasonable, as the BA is entitled to payment whether the BA works or utilizes the unused PTO.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington hereby approves the Business Administrator’s Unused PTO Benefit as set forth above for the years 2026 and 2027, commencing on January 1, 2026.

BE IT FURTHER RESOLVED that at the conclusion of the BA's appointment, the BA shall be entitled to cashout any unused PTO at the statutory maximum.

COUNCIL COMMENTS

Councilwoman Rijs – Asked about the SDL portal. Requested coordination/communication with Main Street Burlington, President Seigha Omuso, in response to the installation of public benches where no communication was had with Main Street. Agreed with resident Elena Cojoc on the importance soccer safety, emphasizing coaching and commissioner oversight as paramount. Issued caution when discussing legalities pertaining to Resolution 208-2025.

Councilman Chachis – Inquired about liquor license availability; Municipal Clerk responded that all are spoken for.

Councilman Hutton – Emphasized the U.S. Constitution's protection of voices and opinions, urging a return to biblical principles, fairness, and doing what's right amid perceived injustices. Suggested he agreed to Tabling Resolution No. 208-2025. Referenced VP Rijs' comments, cautioning against political gain, and called for unity in ethical decision-making.

Councilman Spaulding – Requested to hear from Administration on audit findings from Mercadien, specifically the topics singled out. Asked if there will be a Corrective Action Plan. Raised concerns of third-party vendor, Mr. Ciminera, being referred to as the City CFO the signing-off on appropriate documents. Requested to meet the City CFO, Tara Kruger.

BA Conyer suggested there were no findings for the audit, just suggestions/notes. Suggested that documents are signed off by the appropriate individuals.

Council President Bergner-Thompson – Promoted events mentioned by resident Phil Augustyn, including the Wood Street Fair; Hops and Rocks, the Fishing Derby and the upcoming Food Pantry; noted the oldest home in Burlington County, the Thomas Revell House.

HEARING

Suspension and/or Revocation of Landlord Registration License - Kris Kirk

21 E. Broad Street, 226, 228, 247, 350, 450 and 452 High Street, 315 Stacy Street, and 316 and 328 St. Mary Street

Pursuant to the Code, the Clerk issued the Notice of Hearing dated August 12, 2025, and scheduled a hearing for the purpose of Council determining whether to take action on the subject Landlord Registration License, which hearing was scheduled and occurred on September 2, 2025, at 7:00 p.m. at City Hall.

The Landlord did not appear.

The City presented testimony from Johanna Conyer, Business Administrator, Dennis Symons, Fire Prevention Specialist, and Jody Mazeall, Construction Code Official, indicating the nature of the Landlord's non-compliance and violations of the Code.

Johanna Conyer, the Business Administrator of Burlington City, was sworn and testified. She testified that the Notices dated July 9, 2025, and August 12, 2025 (Exhibits 1 and 3, respectively) were properly served upon the Landlord. Ms. Conyer also testified the Landlord never met with her to create a PMAP.

Dennis Symons, the Fire Official, duly sworn and testified concerning the Fire Code Violations issued by himself, Fire Official Corey Towner, and previous Fire Official Ross Kowantsky with regard to 226, 228, 450, and 452 High Street, (Exhibits 5, 6, 7, and 8). He testified the Landlord failed to abate any of the violations listed in the notices. Mr. Symons also testified on July 21, 2025, Mr. Towner issued Imminent Hazard Notices and Orders to Take Corrective Action for 226, 228, 247, 350, 450, and 452 High Street, (Exhibit 9), with orders to vacate the premises by 11:00 AM on July 22, 2025. Mr. Symons testified that some occupants vacated while others remained on the premises and Mr. Kirk continued to move in new and unregistered tenants. Mr. Symons also testified that Mr. Towner issued Orders to Vacate (Exhibit 10), on August 7, 2025, due to remaining occupants and offered relocation assistance within the Notice. Mr. Symons also testified that he returned to the properties prior to the hearing on August 29, 2025, and none of the violations were abated.

Jody Mazeall, Construction Code Official, was duly sworn and testified concerning the Notices of Unsafe Structures issues for 226, 228, and 450 High Street and 328 St. Mary Street, (Exhibit 11). Mr. Mazeall testified about the unsafe and unsanitary conditions of the properties. Mr. Mazeall also testified concerning the Notices of Violations and Orders to Terminate for 247 and 452 High Street, (Exhibit 12). Mr. Mazeall testified the Landlord never appealed or abated any violations listed in either document. Mr. Mazeall also testified that he returned to the properties prior to the hearing on August 29, 2025, and none of the violations were abated. Mr. Mazeall testified that the Landlord had been issued Inspection Reports and Order of the Commissioner by the State of New Jersey Bureau of Housing Inspections, (Exhibit 13) on October 19, 2020, November 26, 2021, November 29, 2022, September 29, 2023, and April 10, 2025, and none of the violations listed in the reports were abated.

The following Exhibits were presented:

- Notice to Kris Kirk from Business Administrator Johanna Conyer, dated July 9, 2025, and Memorandum to City Clerk Cindy Crivaro, from Business Administrator Johanna Conyer, dated August 7, 2025, marked as Exhibit 1 at the time of the hearing;
- Request for Hearing to City Clerk Cindy Crivaro from Business Administrator Johanna Conyer, dated August 7, 2025, marked as Exhibit 2 at the time of the hearing;
- Notice of Hearing and Suspension And/Or Revocation of Landlord Registration License to Kris Kirk from City Clerk Cindy Crivaro, dated August 12, 2025, marked as Exhibit 3 at the time of the hearing;
- Incident Report dated August 13, 2025, marked as Exhibit 4 at the time of the hearing;
- Uniform Fire Code Violations for 226 High Street to Kris Kirk from Fire Official Corey

Towner, dated February 19, 2025, marked as Exhibit 5 at the time of the hearing;

- Uniform Fire Code Violations for 228 High Street to Tea Leaf Investments from Fire Official Ross Kowantsky, dated November 27, 2023, marked as Exhibit 6 at the time of the hearing;
- Uniform Fire Code Violations for 450 High Street to Kris Kirk from Fire Official Dennis Symons, dated March 21, 2025, marked as Exhibit 7 at the time of the hearing;
- Uniform Fire Code Violations for 452 High Street to Kris Kirk from Fire Official Dennis Symons, dated March 21, 2025, marked as Exhibit 8 at the time of the hearing;
- Imminent Hazard Notices and Orders to Take Corrective Actions for 226, 228, 247, 350, 450, and 452 High Street from Fire Official Corey Towner High dated July 21, 2025, marked as Exhibit 9 at the time of the hearing;
- Orders to Vacate to occupants of 226, 228, 247, 350, 450, and 452 High Street from Fire Official Corey Towner dated August 7, 2025, marked as Exhibit 10 at the time of the hearing;
- Uniform Construction Code Notices of Unsafe Structures for 226 High Street dated February 19, 2025, 228 High Street dated August 22, 2023, and 450 High Street dated March 21, 2023, and 328 St. Mary Street dated September 26, 2024, from Construction Code Official Jody Mazeall, marked as Exhibit 11 at the time of the hearing;
- Uniform Construction Code Notices of Violation & Order to Terminate for 247 High Street dated April 16, 2025, and 452 High Street, dated March 21, 2025, marked as Exhibit 12 at the time of the hearing;
- NJ Department of Community Affairs Bureau of Housing Inspection Inspection Reports & Orders of the Commissioner for 226, 228, 350, and 452 High Street dated October 19, 2020, November 26, 2021, November 29, 2022, September 29, 2023, and April 10, 2025, marked as Exhibit 13 at the time of the hearing.

Determination: (1) the Landlord violated Section 195-43(A)(6) of the Code in that the Landlord failed to remediate the material statutory and Code violations regarding the Properties; (2) the Landlord violated Section 195-43(A)(12) of the Code as the Landlord did not provide a Property Management Action Plan; (3) the Landlord violated Section 195-43(A)(15) of the Code because all the Properties resulted in dangerous conditions likely to result in injuries to persons and/or property.

Upon the recommendation of Solicitor Platt, Esq., Councilwoman Woodard motioned and seconded by Councilman Ballard, Council determined that the Landlord is to be assessed a \$3,000.00 fine and the Landlord Registration Licenses with respect to the Properties, namely 21 E. Broad Street, 226, 228, 247, 350, 450, 452 High Street, 315 Stacy Street, and 316, 328 St. Mary Street and any other properties be revoked permanently and the Kris Kirk not be a landlord either

directly or indirectly such as a property manager or otherwise in the City of Burlington. It was further determined that the Kris Kirk shall not register and/or renew the registration of any properties in the City of Burlington, either directly or indirectly as such authority is hereby revoked such that no rental properties may be rented in the City of Burlington.

A formal resolution of memorialization will be placed on the next regular agenda for official vote.

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, this meeting of September 2, 2025, was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

Dawn Bergner-Thompson, President
Common Council