

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, OCTOBER 21, 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 October 21, 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, Director of Public Works Bill Curry, Finance Consultant, Dean Ciminera, Police Chief Ryan Elbertson, City Engineer Bill Kirchner.

SALUTE TO FLAG

EXPLANATION OF ORDINANCES ON FIRST READING

Johanna Conyer, Administrator (1)

EXPLANATION OF RESOLUTIONS

Johanna Conyer, Administrator 226, 229 & 230

PUBLIC COMMENTS

Mary Benson, 150 W. Pearl Street – Expressed concerns over Council’s decision to compensate the Business Administrator for unused sick/vacation time, suggested that a “use it or lose it” policy is standard in other sectors and suggested this would a financial strain on the community; encouraged Council to reconsider.

Rebecca Spiewak, 475 Washington Avenue – Recounted a scheduled visit to her property from the Department of Community Affairs (DCA) regarding issues with the City Construction Department. Claimed the Construction Official wrongly attempted to add violations despite a FEMA checklist matter being the only outstanding item. Emphasized that the issue was not incomplete paperwork. Expressed that the issues were treated lightly and thanked Councilman Ballard for questioning the matter.

Debbie Hoffmaster, 339 Barclay Street – Highlighted homeowners’ rights and challenges with noisy renters, urged better landlord accountability. Described disruptive behavior from neighbors, for which she kept a log, over past 7 years, emphasizing the need for better communication with landlords and enforcement to address tenant-related disturbances.

Frank McDonnell, 333 W. Union Street – Criticized a stop work order issued by the Construction Official for Third State Brewery. Suggested that the DCA later found no UCC violations – but did require zoning review. Questioned the Construction Official’s actions and fines. Spoke of burdens on homeowners and businesses.

Harry Heck, 116 E. Union – Supported Ms. Benson’s concerns about the Business Administrator’s compensation. Criticized the Council election process as well as the Democrat Party’s process with filling vacant, unexpired terms, suggested citywide elections for fairer representation – versus the four seats selected by individual wards. Thanked Council Members Chachis, Spaulding and Ballard. Expressed concerns about safety, rudeness, and the high cost of engineers, proposing the program “Soldier On” to assist landlords in finding reliable tenants, such as Veterans.

Mary Wirth, 116 Locust Avenue – Suggested a city financial hardship while approving a raise for the Administrator, cited a contradiction with a N.J.S.A 11A State law.

Ernestine Brown 36 E. Federal Street – Expressed frustration with ongoing complaints about the Business Administrator and threats against Council. Noted empty buildings are due to high landlord rents, not the Administration’s actions. Suggested the Construction Official should be removed if the allegations leverage against him are true. Praised the Business Administrator for standing firm.

Sarah Donnelly, 313 Stacy Street – Shared email correspondence between her contractor and the Construction Official highlighting unrequested changes, uncited code, attempts to block legal oversight, and lying to public officials.

Evan Vonaberger, 313 Stacy Street – Spoke of the Construction Official conducting an inspection outside the scheduled time, causing delays in a home repair project post-fire. Expressed financial strain from paying both rent and mortgage.

Alex Vigh, 112 W. Broad Street – Encouraged Council to hold a public meeting with the Construction Official to address repeated complaints against the official. Noted a resolution to a paperwork issue after meeting with the Business Administrator and Mayor, but highlighted ongoing delays in another project, warning of potential DCA intervention.

Donnamarie Mazzola, 12 W. Pearl Street – Raised concerns about a proposed ordinance on EV public charging, suggesting it could add unnecessary bureaucracy. Advocated for simpler, cooperative policies to support clean transportation.

Claudine Conaway, 110 James Street – Thanked the Council and praised the Chief of Police for a positive report, noting low public attendance at meetings where there is only good news to share.

James Melton, 325 Elm Avenue – Commended Police Sergeant Tisby for her service and shared his passion for woodworking. Recognized Council Members Ballard and Spaulding for their service. Suggested better constituent engagement. Referenced “10-4-1” decisions disproportionately affecting outcomes. Announced his candidacy as Ward 4 Council this election cycle.

CONSENT AGENDA

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

APPROVAL OF PAYMENT OF BILLS*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 13-2025 OF THE CITY OF BURLINGTON AMENDING GENERAL REVISED ORDINANCE CHAPTER 54-28 SETTING FORTH TITLES AND SALARY RANGES FOR VARIOUS POSITIONS WITHIN THE CITY OF BURLINGTON FOR FISCAL YEAR ENDING 2025

WHEREAS, the City of Burlington is desirous of amending the salary ordinance for various employees for the year 2025;

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

SECTION I. Establishment of Salary Ranges:

Salary Ranges are hereby established for the positions indicated on Attachment A of this ordinance for FYE 2025.

SECTION II. Effective Date:

Amending Section II to read:

The Salary Amendments for these positions shall be effective January 1, 2025.

(SEE ATTACHMENT)

Upon the motion of Councilwoman Woodard, 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).

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

RESOLUTION NO. 226-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AWARDING A CONTRACT TO MARSHALL, LLC FOR THE CITY HALL ROOF REPLACEMENT PROJECT IN THE AMOUNT OF \$378,000.00

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

WHEREAS, the City of Burlington requires services for the replacement of the City Hall roof; and

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

WHEREAS, Marshall, LLC has submitted the lowest qualified bid in the amount of \$378,000.00; and

WHEREAS, City Engineer has recommended that the City award a contract for the aforementioned services to Marshall, LLC in an amount not to exceed \$378,000.00; and

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

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

1. The contract for services related to the replacement of the City Hall roof is hereby awarded to Marshall, LLC, as recommended by the City’s Engineer, in the amount of \$378,000.00.
2. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to facilitate this award of contract.

Upon the motion of Councilman Ballard, seconded by Councilwoman Woodard, the foregoing resolution was 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. 227-2025* OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE ISSUANCE OF A MERCANTILE LICENSE TO GIOVANNI JIMENEZ TO OPERATE A BUSINESS AT 400 HIGH STREET, STORE D

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 Giovanni Jimenez to operate Elite Image Barber Lounge at 400 High Street, Store D, 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 Giovanni Jimenez to operate a business at 400 High Street, Store D, Burlington, NJ.

Approved by Consent Agenda. All were in favor.

RESOLUTION NO. 228-2025* OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BLUE DEVIL WAY IMPROVEMENTS PROJECT CONSISTING OF IMPROVEMENTS TO BLUE DEVIL WAY FROM E. 2ND STREET TO THE END

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Burlington formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Council and Clerk are hereby authorized to submit an electronic grant application identified as “LA-2026 LAIF Burlington City Blue Devil Way Improvements 03” to the New Jersey Department of Transportation on behalf of the City of Burlington.

BE IT FURTHER RESOLVED that Mayor and City Clerk are hereby authorized to sign the grant agreement on behalf of the City of Burlington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Approved by Consent Agenda. All were in favor.

RESOLUTION NO. 229-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS IN THE AMOUNT OF \$50,000 FOR THE REPLACEMENT OF THE BOAT RAMP AT THE DELAWARE RIVER DOCK

WHEREAS, the City of Burlington desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$50,000 to carry out a project to replace the boat ramp located at the Delaware River Dock.

BE IT THEREFORE RESOLVED that the City of Burlington

- 1) does hereby authorize the application for such a grant; and
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Burlington and the New Jersey Department of Community Affairs.

BE IT FURTHER RESOLVED that Mayor and City Clerk are hereby authorized to sign the grant agreement on behalf of the City of Burlington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

RESOLUTION NO. 230-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING THE EXECUTION OF A GREEN ACRES AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES PROGRAM FOR A \$716,250 LOAN AND A \$238,750 GRANT FOR 6TH STREET PARK IMPROVEMENTS

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

WHEREAS, the City of Burlington has obtained a Green Acres loan of \$716,250 and a Green Acres grant of \$238,750 from the State to fund the following project(s):

0305-25-027 6th Street Park Improvements

NOW, THEREFORE, BE RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BURLINGTON THAT:

1. The Mayor and City Clerk are hereby authorized to execute an agreement and any amendment(s) thereto with the State known as 6th Street Park Improvements, and;

2. The applicant agrees to provide its matching share to the Green Acres funding, if a match is required, in the amount of \$0, and;

3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project, and;

4. This resolution shall take effect immediately.

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

RESOLUTION NO. 231-2025* PROVIDING FOR A MEETING NOT OPENED TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, PURSUANT TO N.J.S.A. 10:4-12(B)(7).

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

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

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

1. Matters regarding contract negotiations - Central Shore Holdings 312-314 E. Union Street; Block I20, Lots 13/14

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that an Executive Session closed to the public shall be held on October 21, 2025, for discussions concerning the above-referenced item.

Approved by Consent Agenda. All were in favor.

COUNCIL COMMENTS

Councilman Spaulding questioned the bidding process for the project in connection with Resolution 226-2025, noting that only an Excel spreadsheet with company names and bids were provided; asked who ensures the process is above board. (A: A recommendation letter from the City’s Engineer, ERI, was provided per usual process, per BA). Raised concerns about the Construction Official urging the Administration to address ongoing issues effectively without requiring a 2/3 Council vote; Suggested a vote to move forward if the matter remains unresolved.

Councilman Hutton supported Councilman Spaulding's concerns related to the Construction Official. Noted repetitive complaints. Called for a discussion between the Administration and Council to address ongoing issues.

Councilman Chachis emphasized the importance of public attendance at Work Sessions, noted the previous week's meeting with only four (4) members of the public in attendance. Encouraged residents not to ignore Council Work Sessions, as they allow for discussion without the pressure of formal meetings.

Councilman Ballard reiterated comments made by Councilman Spaulding in agreement with the concerns related to issues with the Construction Official.

Councilwoman Rijs acknowledged community events like 'Trunk or Treat,' thanking Pearl Pointe and Public Works for their efforts. Stressed the importance of listening to residents' comments as a homeowner and Councilmember, noted the Council's duty to address issues with Administration. Raised concerns about downtown business challenges, cited a hair salon owner who faced unresponsive landlords and unrealistic lease demands (e.g., requiring tenants to fix buildings exteriors). Requested information on what complaints the DCA is receiving from residents and emphasized improving customer service in City operations. (A: Solicitor noted that a request can be made to the DCA, though their response may be limited).

Councilwoman Woodard agreed with Councilwoman Rijs. Reflected on past efforts under multiple administrations to revitalize downtown. Suggested failure due to insufficient customer spending and landlords requiring tenants to fund building repairs. Noted that tenants face eviction risks if landlords find a better offer, urging a shift away from the victim mentality.

President Bergner-Thompson added to Councilwoman Woodard's comments, noting that the arrival of Walmart and competition from nearby towns like Cherry Hill and Moorestown hurt local businesses. Highlighted broader challenges faced by downtowns nationwide, not just Burlington. Promoted upcoming community events: Walk w/ Ghosts Tour, State Street City Boardwalk, Trunk or Treat at schools, and the Food Bank at Kennedy Park, highlighting how the government shut down is impacting SNAP benefits.

DISCUSSION

PROPOSED ORDINANCE NO. 11-2025 ESTABLISHING REGULATIONS AND FEES FOR ELECTRIC VEHICLE (EV) CHARGING STATIONS LOCATED ON MUNICIPAL PROPERTY – Bill Kirchner, City Engineer of ERI

Mr. Kirchner spoke about the submission of the grant application with NJDOT to reconstruct Stacy Street Parking Lot, Phase 1. EV chargers were part of that application. Spoke of the purpose of the chargers as part of the project. The project area is zoned commercial. EV chargers were added to provide convenience and get people downtown. They could charge while patronizing downtown. That is what was explained by his predecessor. It didn't end up going in Phase I because the prices came in high. Next was Stacy Street Phase II. Even then the NJDOT grant didn't cover the reconstruction of the parking lot and the EV chargers. Worked with DPW on the grant programs available and put forth what is there today. Kept the intent to support the

commercial downtown. Explained that to build the ordinance, several examples were received. Spoke of Bryan Electric, PSE&G's preferred contractor. The 3 sample ordinances were from Collinswood, Princeton & Hoboken. They were used as a starting point. Also did a lot of research on eCode360 for different ordinances around. The general premise for community parking lots for EV chargers is to make sure you get the turnover, not to use it as a designated parking spot. The intent was for people that are coming and going into town. The first 3 hours are free for parking, charge for use 3-6 hours, a minor charge of \$2/hour and over 6 hours gets high as a deterrent, so some don't use as a designated pkg spot overnight. The general theme in all the ordinances was for commercial.

Councilman Chachis questioned how Burlington's EV policies compare to other cities (Per Engineer, the rates in cities such as Princeton and Hoboken were higher). Inquired as to relocating stations from W. Pearl to Lyceum (Per Engineer, Lyceum's infrastructure needs complete replacement, and relocation could be considered but hasn't been studied).

Councilman Spaulding clarified, despite being an EV owner, that his support for charging stations is not self-serving. Highlighted the lack of charging stations in Burlington, forcing residents to travel to places like Wawa in Florence. Supported adding stations as amenity to attract visitors and boost downtown activity, noting community excitement. Criticized overnight charging restrictions as unnecessary and explained that Level 2 charger provided limited power (20-30 miles per hour), requiring longer charging times. Suggested policy adjustments to avoid fixing non-existent problems, aligning with resident DonnaMarie Mazzola's earlier comments. (Response: Solicitor emphasized that the Council must decide if the policy prioritizes residents or visitors, impacting its design and appropriateness.)

Councilwoman Woodard supported EV charging stations to encourage downtown patronage, stating that the policy decision to promote this has already been made.

Councilwoman Rijs asked how many residents own EVs and lack home charging station options, suggesting the policy should consider residential needs, especially for overnight parking. Noted the challenge of balancing residents and visitor use. (Response: Solicitor stated it's difficult to know exact residential EV ownership but suggested the policy, could be restructured to prioritize long-term resident use over visitor access.)

President Bergner-Thompson questioned the fairness of using public funds for EV charging stations, especially for non-EV owners, and asked if costs would cover maintenance and billing. (Response: Engineer explained that pricing was based on kilowatt-hour rates to address these concerns, and in-house systems have fewer restrictions.)

EXECUTIVE CONFERENCES

1. Matters regarding contract negotiations - Central Shore Holdings 312-314 E. Union Street; Block I20, Lots 13/14

ORDINANCE(S) - INTRODUCTION & FIRST READING

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO
VACATE TWO PUBLIC PARKING SPACES LOCATED ON BARCLAY STREET**

Upon the motion of Councilwoman Woodard, seconded by Councilman Ballard, the foregoing ordinance was adopted on First Reading by the following roll call vote: AYES: Mr. Ballard, Mr. Hutton, Ms. Rijs, Mr. Spaulding, Ms. Woodard, Ms. Bergner-Thompson. (6); NAYS: (0); ABSTAIN: Mr. Chachis. (1); ABSENT: (0).

ADJOURNMENT

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, this meeting of October 21, 2025, was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

Dawn Bergner-Thompson, President
Common Council