

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, DECEMBER 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 December 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 Justin Strausser, Director of Public Works Bill Curry, Finance Consultant Dean Ciminera, Police Chief Ryan Elbertson.

SALUTE TO FLAG

INVOCATION

Timothy Hutton, Pastor, Councilman

Holiday Performance - City of Burlington High School Choir Directed by Steven Bishop

EXPLANATION OF ORDINANCES ON FIRST READING

Johanna Conyer, Administrator (1)

EXPLANATION OF ORDINANCES ON SECOND READING

Johanna Conyer, Administrator 15-2025

EXPLANATION OF RESOLUTIONS

Johanna Conyer, Administrator 247, 248, 249, 251, 252, 254, 255, 256

PUBLIC COMMENTS

Phil Augustyn, 307 High Street – thanked everyone involved in the Veteran’s Day Parade and Ceremony; reminded everyone of the upcoming Holiday Parade and Village; announced the Revell Hall Restaurant has opened; spoke of an article in the December issue of the Beverly Bee, a farewell letter from Councilwoman Genva Rijs.

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR NOVEMBER 2025

REPORTS - VARIOUS CITY DEPARTMENTS

11-10 Monies collected by the Municipal Clerk's Office for the month October 2025

AGENDAS - VARIOUS BOARDS

11-20 LUB, Notice, Public Hearing – Ratan Properties, LLC

11-21 HPC, Agenda, Meeting 12/3/25

CORRESPONDENCE FROM VARIOUS CITY DEPARTMENTS

11-30 Clerk, Notice, Special Meeting on 12/18/25

11-31 Clerk, Notice, Special Meeting on 12/2/25

CORRESPONDENCE FROM CITY ORGANIZATIONS

11-70 Endeavor Emergency Squad, Inc., Statistics, October 2025

CORRESPONDENCE FROM BURLINGTON COUNTY - VARIOUS DEPARTMENTS

11-80 BurlCo, Public Health Advisory, Recall: ByHeart Infant Formula

CORRESPONDENCE FROM STATE OF NEW JERSEY - VARIOUS DEPARTMENTS

11-90 NJ DOH, Report, Respiratory Illness 11/1/25

11-91 Office of the Governor, Updates, SNAP Benefits

11-92 Office of the Governor, Announcement, State of Emergency

11-91 NJ DOH, Report, Respiratory Illness 11/8/25

MISCELLANEOUS CORRESPONDENCE

11-200 NJLM, Alert, SNAP Benefits

11-201 The Beloved Project, Schedule, Code Blue Transportation Service

11-202 PSE&G, Notice, Approval of Next Phase in Gas System Modernization

11-203 Verizon and VZ affiliates, Notice, Mass Layoff

NOTICES OF FORECLOSURES

11-300 Block 34, Lot 47.01, 536 Wood Street
11-301 Block 145, Lot 12, 326 E. Broad Street
11-302 Block 79, Lot 28, 27 W. Fourth Street
11-303 Block 17, Lot 31, 229 W. Broad Street

FLYERS

11-400 Public Works, Flyer, Annual In-service Recognition & Training Event 12/19
11-401 City of Burl & Columbus Park, Flyer, Kids Coat Drive
11-402 Virtua Health, Flyer, Free Cancer Screening Event 12/2/25
11-403 Congressman Herb Conaway, Flyer, Mobile Office Hours 12/2/25
11-404 BurlCo Historical Society, Flyer, Turkey Tales Event 11/22/25
11-405 Virtua Health, Flyer, 2025 Turkey & Produce Giveaway 11/20/25
11-406 City of Burl, Flyer, Cruise for Kids Holiday Toy Drive 11/22/25
11-407 Senator Singleton, Flyer, 3rd Annual Community Turkey Distro 11/21/25
11-408 Senator Singleton, Flyer, River Line Public Meeting 11/13/25
11-409 Congressman Herb Conaway, Flyer, Town Hall 11/13/25
11-410 Senator Singleton, Flyer, Expungement Clinic 11/12/25
11-411 City of Burl, Flyer, Cruise for Kids Holiday Toy Drive 11/22/25
11-412 Revell Hall, Flyer, Hiring Info
11-413 Dime Art Studio + SJ Food Bank, Flyer, Giving Tree
11-414 Rev War Alliance of BurlCo, Flyer, 249th Anniversary Battle of Petticoat Bridge
11-415 Burlington City HS, Flyer, Senior Citizen Holiday Dinner & Bingo
11-416 American Legion Aux Unit 336-Burlington, Flyer, Spaghetti Dinner
11-417 Various, Flyer, School Zone Safety Informational 12/1/25

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) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 146 OF THE CITY CODE, ENTITLED "FEE SCHEDULE"

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

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 15-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO VACATE THREE PUBLIC PARKING SPACES LOCATED ON WEST PEARL STREET

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, N.J.S.A. 40:67-21 authorizes municipalities to vacate any street, highway or other place by ordinance; and

WHEREAS, Doane Academy (the “applicant”) has obtained Preliminary and Final Site Plan approval from City of Burlington Joint Land Use Board for the construction of a new 19,667 square foot athletic fieldhouse for the Doane Academy as it relates to the property designated as Block 6, Lot 12 on the City Tax Map and a 40-space parking lot at the property designated as Block 4, Lots 1 and 2 on the City Tax Map, located at 213 Ellis Street and 328 W Pearl Street, respectively; and

WHEREAS, approval was conditioned upon the removal of existing on street parking spaces on West Pearl Street in front of the proposed parking lot; and

WHEREAS, the Applicant has requested that the City vacate the portion of West Pearl Street right-of-way containing three (3) public parking spaces; and

WHEREAS, the City Common Council has determined that it is in the public interest to grant the request by the Applicant to vacate three (3) public parking spaces located at West Pearl Street.

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 three (3) public parking spaces located in the right-of-way on West Pearl Street, adjacent to 328 W Pearl Street, more particularly shown in the map attached hereto as Exhibit “A,” shall be vacated.

BE IT FURTHER ORDAINED that the City Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof, and shall provide a copy of such ordinance and proof of publication to the applicant.

BE IT FURTHER ORDAINED 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 Councilman Chachis, seconded by Councilman Ballard, the foregoing ordinance was introduced.

Public Comments

David Frank, Esq. spoke on behalf of Doane Academy; thanked the Council for considering the ordinance; available for any questions.

Council Comments

None.

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

RESOLUTION NO. 243-2025* OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH HABITECH ARCHITECTURE, LLC, FOR ARCHITECTURAL SERVICES RELATED TO THE REHABILITATION OF A CITY-OWNED PROPERTY AT 521 LAWRENCE STREET FOR THE SUM OF \$3,500.00

WHEREAS, the City of Burlington is in need of a Registered Architect to prepare the construction documents to complete the rehabilitation of a City-owned property at 521 Lawrence Street as part of the City's Affordable Housing Program; and

WHEREAS, the Director of Industrial and Economic Development has reviewed the proposal submitted by Habitech Architecture, LLC, of 12 Pinecrest Drive, Medford, New Jersey in the amount of \$3,500.00; and

WHEREAS, the services being retained are for Professional Services otherwise exempt from public bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has certified as to the availability of funds for this project from the following account: #T-13-56-850-853; and

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 authorizes the Mayor to execute a contract on behalf of the City of Burlington with Habitech Architecture, LLC for the sum of \$3,500.00 to perform the above-listed architectural services.
2. The compensation of Habitech Architecture, LLC for these services shall be in accordance with the professional services contract to be entered into between the City and Habitech Architecture, LLC, which shall be consistent with the proposal submitted by the firm.

Approved by Consent Agenda. All were in favor.

RESOLUTION NO. 244-2025* 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, Kenneth B. Bass (“claimant”), owner and resident of 12 Wellington Place (Block 185, Lot 50) 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 January 1, 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 \$4,152.47 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. 245-2025* OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING RESOLUTION 170-2025 AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSES, PLENARY DISTRIBUTION ALCOHOLIC BEVERAGE LICENSES AND ALCOHOLIC BEVERAGE CLUB LICENSES

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 adopted Resolution 170-2025 renewing various alcoholic beverage licenses; and

WHEREAS, the Division of Alcoholic Beverage Control has requested the Resolution be amended regarding 12.39 relief; and

WHEREAS, all of the following applicants have applied for renewal of existing licenses for the year 2025-2026:

Italian American Roma Club
739 Lincoln Avenue (0305-31-029-001)

Keim Boulevard Beverage Co. LLC
3 Keim Boulevard (0305-33-023-004)

Peak & Peak, LLC
148 W. Broad Street (0305-33-006-005)

G & G Business, Inc.
240 Rte 130 S @ Jacksonville Road (0305-44-018-008)

AP Liquor Inc.
653 High Street (0305-44-014-005)

Slade Valentine American Legion Post 336
449 Linden Avenue (0305-31-025-002)

Jai Maharaj Beverage, LLC
703 Route 130 North (0305-44-017-006)

273 Route 130 Enterprise LLC
273 Route 130 South (0305-33-11-006)

River City Spirits, LLC
318 High Street (0305-33-020-009)

Doc's Pub, LLC
100-104 Jones Street (0305-33-016-003)

Tadeuz Kosciuzko Club
York Street & Route 130 (0305-31-035-001)

RW Burlington, LLC
811 Route 130 North, Suite 2 (0305-44-007-007)

Grand Slam Restaurant Group, LLC
219 High Street (0305-33-024-006)

A Splash of Colby, LLC
Pocket License (0305-33-012-005)

Oneida Boat Club
3 York Street (0305-31-031-001)

Union Street Hospitality, LLC
19 East Union Street (0305-33-019-008)

Pearl Pointe Licensee, LLC
Pocket License (0305-33-001-009)

Pearl Liquors, LLC
Pocket License (0305-44-009-011)

Curtins Wharf Inc.
501 East Pearl Street (0305-33-005-003)

Harshiv, Inc.
1104 East Route 130 North (0305-32-022-009)

Sun Island Bar-BQ & Jerk Jamaican Restaurant, LLC
34B W. Route 130 South (0305-33-008-009)

WHEREAS, all applicants for Plenary Retail Consumption Alcoholic Beverage Licenses, applicants for Plenary Retail Distribution Alcoholic Beverage Licenses and Club Alcoholic Beverage Licenses have submitted renewal application forms, which forms are complete in all respects; and

WHEREAS, all applicants for Plenary Retail Consumption Alcoholic Beverage Licenses, applicants for Plenary Retail Distribution Alcoholic Beverage Licenses and Club Alcoholic Beverage Licenses have paid all fees and have obtained tax clearance through the State of New Jersey, Division of Taxation; and

WHEREAS, these applicants are qualified to be licensed and eligible for renewal of the 2025-2026 License Term according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws; and

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that Resolution 170-2025 is hereby amended as set forth above.

BE IT FURTHER RESOLVED that each of the aforesaid applications are hereby approved and the Municipal Clerk is authorized and directed to issue the appropriate licenses applied for by each of said applicants.

Approved by Consent Agenda. All were in favor.

RESOLUTION NO. 246-2025* OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN AGREEMENT WITH NEW JERSEY ANIMAL CONTROL, LLC FOR ANIMAL CONTROL SERVICES IN THE AMOUNT OF \$13,908.00

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 had previously entered into an agreement with New Jersey Animal Control, LLC ("NJAC") for the provision of animal control services within the City; and

WHEREAS, NJAC has competently provided the City with the required services and the City has therefore determined it will renew the proposal for animal control services submitted by NJAC for one (1) year through December 31, 2026 in an amount not to exceed \$13,908.00.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby authorizes and approves an extension to the agreement for the provision of animal control services with New Jersey Animal Control, LLC through December 31, 2026 in an amount not to exceed \$13,908.00.

BE IT FURTHER RESOLVED that 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, an Amended Agreement with New Jersey Animal Control, LLC.

Approved by Consent Agenda. All were in favor.

RESOLUTION NO. 247-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF AN INTER-GOVERNMENTAL SERVICES AGREEMENT WITH THE COUNTY OF BURLINGTON TO ACCEPT STORMWATER GENERATED AT THE BURLINGTON COUNTY RESOURCE RECOVERY COMPLEX

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 owns and operates a wastewater treatment facility located at 900 West Broad Street, Burlington City, New Jersey, generally referred to as the City of Burlington Sewerage Treatment Plant (the "STP"); and

WHEREAS, the STP has waste disposal facilities and capabilities; and

WHEREAS, the Burlington County Resource Recovery Complex (the "Complex"), owned by the County, generates storm water (the "waste"); and

WHEREAS, the County desires to have certain Complex waste treated and disposed of by the City at its STP; and

WHEREAS, the City and the County (the "parties") previously had an Agreement in effect for the acceptance of the stormwater waste generated by the County; and

WHEREAS, the Agreement between the parties currently in effect for the treatment and disposal of the waste received by the City from the County has been in effect from January 1, 2021 for a term of five years and is scheduled to expire on December 31, 2025; and

WHEREAS, the parties are mutually agreeable to extending the arrangement in which the City would continue treating and disposing of the County's waste in accordance with the updated terms and conditions for a five-year term starting on January 1, 2026 and expiring on December 31, 2030; and

WHEREAS, the City desires to renew its existing Agreement with the County to enable the County to continue to have certain waste generated by the County, treated and disposed of by the City at its STP; and

WHEREAS, the cost of disposal shall increase from \$0.011 to \$0.013 per gallon, not to increase during the five-year term; and

WHEREAS, the term of the Agreement is for a new five-year term starting from January 1, 2026 through December 31, 2030, consistent with the Agreement adopted via Burlington County Board of Commissioners Resolution 2025-00731 adopted by the County on or about November 12, 2025.

NOW THEREFORE BE IT RESOLVED, be it resolved by the Common Council of the City of Burlington, in the County of Burlington and the State of New Jersey that the Mayor is hereby authorized to execute an Agreement with the County of Burlington, in a form substantially similar as attached hereto upon approval of the City Solicitor, for the purpose of extending the arrangements in which the City would continue treating and disposing of the County's waste in accordance with the updated terms and conditions for a new five-year term starting on January 1, 2026 and which expires on December 31, 2030.

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. 248-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AWARDED A CONTRACT TO PENNONI ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO ENGINEERING AND PLANNING SERVICES FOR THE WASTEWATER TREATMENT PLANT SLUDGE PRESS REPLACEMENT PROJECT IN THE AMOUNT OF \$157,000.00

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 did appoint and award a contract to Pennoni Associates, Inc., Inc. (“Pennoni”) as the City Sewer Engineer for 2025 pursuant to Resolution 14-2025; and

WHEREAS, the City did also appoint Pennoni to the pool of engineers for special projects for 2025 pursuant to Resolution 15-2025; and

WHEREAS, Pennoni submitted a proposal for professional engineering services related to preparing engineering and planning for the replacement of the Wastewater Treatment Plant sludge press in an amount not to exceed \$157,000.00; and

WHEREAS, the Common Council wishes to award said contract to Pennoni.

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

1. The contract for professional engineering services related to preparing engineering and planning for the replacement of the Wastewater Treatment Plant sludge press is hereby awarded to Pennoni Associates, Inc. in an amount not to exceed \$157,000.00.
2. The Mayor and City Clerk are hereby authorized to execute any and all documents necessary to facilitate this award of contract in a form to be approved by the City Solicitor.

Upon the motion of Councilwoman 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, Mr. Spaulding, Ms. Woodard, Ms. Bergner-Thompson. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

RESOLUTION NO. 249-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CANCELLATION OF GENERAL AND SEWER CAPITAL IMPROVEMENT AUTHORIZATIONS

WHEREAS, certain General and Sewer Capital Improvement Authorization balances remain dedicated to projects that are completed; and

WHEREAS, it is necessary to formally cancel these authorizations so that the unexpended balances may be credited to the proper accounts, and unused debt authorizations may be cancelled;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the following unexpended and dedicated General and Sewer Capital Improvement Authorizations be cancelled:

Gen. Capital Ordinance	Date Authorized	Project Description	Amount
#2010-23	12/21/10	Memorial Hall Parking Lot	\$ 43,525.00
#2012-1	03/06/12	Various Improvements	41,086.36
#2013-2	07/16/13	Roundabout,Sidewalks,Farner Ave.	27,600.00
#2015-1 449.94	07/07/15	Repave Various Roads	
#2017-2 32,524.86	05/02/17	Acquire/Demo Riverbank & High St.	
#2017-3 60,274.74	07/11/17	Various Improvements	
#2021-1 <u>3,000.00</u>	02/02/21	Fernwood, Talbot & Linden St.	_____
Total to General Reserve for Payment of Bonds			\$208,460.90

Sewer Capital Ordinance	Date Authorized	Project Description	Amount
#2022-2	03/01/22	Ellis St. Drainage Impr.	<u>\$ 43,268.35</u>
Total to Sewer Reserve for Payment of Bonds			\$ 43,268.35

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

On the question, President Bergner-Thompson asked for a total number of charges going into the general fund.

Mr. Ciminera indicated about \$280,000.

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

RESOLUTION NO. 250-2025* OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT

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

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

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

Redevelopment Negotiations – U.S. Pipe Redevelopment Project – Cristal M. Holmes-Bowie, Esquire - Michael A. Armstrong & Associates, LLC

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 December 2, 2025, for discussions concerning the above-referenced items.

Approved by Consent Agenda. All were in favor.

RESOLUTION NO. 251-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE JONES STREET IMPROVEMENT PROJECT CONSISTING OF JONES STREET FROM EAST BROAD STREET TO U.S. ROUTE 130

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 Fiscal Year 2026 NJDOT Local Freight Impact Fund Grant Application consists of work on Jones Street from East Broad Street to U.S. Route 130; and

WHEREAS, the primary elements of the project are resurfacing the roadway, removal and replacement of the failing concrete curb, driveway aprons, sidewalk, and the construction of handicap ramps in compliance with the latest ADA standards. Additional miscellaneous upgrades are planned to enhance the overall functionality and safety of both the roadways and pedestrian facilities; and

WHEREAS, the City Common Council wishes to authorize and approve the submission of a grant application and execution of a grant contract with the New Jersey Department of Transportation for the above-referenced project.

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

BE IT FURTHER RESOLVED that the Mayor and City Clerk are hereby authorized to submit an electronic grant application identified as “LFIF-2026-Jones Street Improvements-00016” 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.

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

On the question, Councilwoman Woodard asked about competition with other municipalities.

BA Conyer indicated there are others applying; we have a good chance.

Councilwoman Rijs asked if the grants are completed inhouse.

BA Conyer said these types of grants are done by the engineers.

President Bergener-Thompson spoke of Bordentown Road as a County Road, heavily used by Amazon; spoke of tractor trailers turning at Route 130 and Jones Street hitting the light on the lefthand side; asked if anything could be put there to avoid that as apart of this application.

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

RESOLUTION NO. 252-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING 2025 BUDGET TRANSFER #1

WHEREAS, N.J.S.A. 40A:4-58 provides that a municipal governing body may make budget transfers during the last two months of the fiscal year;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, that the following **2025 Budget Transfers (#1)** be approved:

GENERAL FUND

<u>ACCOUNT #</u>	<u>FROM</u>	<u>TO</u>
1-20-100-011 Administration – SW		\$ 26,000.00
1-20-120-011 City Clerk – SW		5,000.00
1-20-120-029 City Clerk – OE	\$ 10,000.00	
1-20-130-028 Finance Department – OE	15,000.00	
1-20-135-028 Audit Services – OE		5,000.00
1-20-145-011 Tax Collection – SW	10,000.00	
1-20-155-104 Legal Services – OE		15,000.00
1-20-170-027 Economic Development – OE	10,000.00	
1-20-171-011 Community Development – SW	5,000.00	
1-21-180-027 Planning Board – OE		20,000.00
1-21-185-011 Code Enforcement – SW	50,000.00	
1-22-195-012 Construction Department – SW	6,000.00	

1-22-195-037	Construction Department – OE		6,000.00
1-23-220-029	Employee Group Insurance – OE	46,000.00	
1-25-267-012	Uniform Fire Safety – SW		62,000.00
1-25-267-051	Uniform Fire Safety – OE		45,000.00
1-26-290-011	Streets & Roads – SW		26,000.00
1-26-290-054	Streets & Roads – OE	5,000.00	
1-26-300-011	Other DPW Functions – SW		5,000.00
1-26-300-042	Other DPW Functions – OE	5,000.00	
1-26-305-012	Sanitation – SW	8,000.00	
1-26-305-058	Sanitation – OE	10,000.00	
1-26-310-011	Buildings & Grounds – SW		25,000.00
1-26-310-024	Buildings & Grounds – OE	10,000.00	
1-26-315-034	Vehicle Maintenance – OE	50,000.00	
1-28-370-011	Recreation Programs – SW	5,000.00	
1-28-370-036	Recreation Programs – OE		10,000.00
1-28-375-016	Parks Department – SW		5,000.00
1-28-375-024	Parks Department – OE	15,000.00	
1-30-420-040	Celeb. of Public Events – OE		25,000.00
1-36-472-000	Social Security Taxes – OE	20,000.00	
TOTAL GENERAL FUND		\$280,000.00	\$280,000.00

RESOLUTION NO. 252-2025

WATER OPERATING

<u>ACCOUNT #</u>		<u>FROM</u>	<u>TO</u>
5-55-502-058	Water Utility - OE	\$ 10,000.00	
5-55-508-000	Social Security Taxes - OE	8,000.00	
5-55-524-000	NJ EIT Loan Principal - OE		\$ 15,500.00
5-55-522-000	NJ EIT Loan Interest – OE		2,500.00
TOTAL WATER OPERATING		\$ 18,000.00	\$ 18,000.00

SEWER OPERATING

<u>ACCOUNT #</u>		<u>FROM</u>	<u>TO</u>
	N/A		
TOTAL SEWER OPERATING		\$.00	\$.00

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

RESOLUTION NO. 253-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING A FLOODPLAIN VARIANCE FOR PROPERTY LOCATED AT 574 WASHINGTON AVENUE

WHEREAS, Maria Marchand (“Applicant”) is the owner of property located at 574 Washington Avenue in the City of Burlington (“Property”); and

WHEREAS, the Applicant applied for a construction permit to rehabilitate the Property which is a duplex; and

WHEREAS, the Property is located in a FEMA-designated 100-year Special Flood Hazard area; and

WHEREAS, the \$145,500.00 cost of the construction exceeds 50% of the assessed improved value of the Property (\$99,973.00) and as such, the work is defined as a Substantial Improvement as per the City’s Flood Damage Prevention Ordinance; and

WHEREAS, the Applicant has applied for a floodplain variance pursuant to City Code Section 170-04 (“Application”); and

WHEREAS, the Applicant requests a floodplain variance due to the stated hardships contained therein; and

WHEREAS, pursuant to City Code Section 170-04, a public hearing was held on July 15, 2025 with the sworn testimony of Allison Iannacone the City Certified Floodplain Administrator and the Applicant, Maria Marchand; and

WHEREAS, the Applicant was sworn and testified she has provided construction plans and an elevation certificate to demonstrate how the proposed work will attempt to minimize flood damage to the property, but still falls short of the minimum Federal and State elevation requirements; and

WHEREAS, it was noted that a floodplain variance is required for the proposed scope of work; and

WHEREAS, the Applicant indicated the mitigation measures she will implement will include filling the basement with clean fill to create a crawlspace area, install engineered flood vents in the new crawlspace area, and relocate the mechanical equipment from the basement to the first floor in a new mechanical room. However, she still needs a floodplain variance for the proposed first floor elevation where 11 feet is required and only 8.73 feet will be provided; and

WHEREAS, Allison Iannacone the City Certified Floodplain Administrator was sworn and qualified. She summarized her report dated May 9, 2025, marked as Exhibit A-1 at the time of the hearing. She indicated it is impossible to raise the structure because it was built in 1929 and may not survive an elevation change and the duplex is not in common ownership. It is also her opinion that with the flood mitigation measures, while there will be some risk of flooding, the

risk will be minimal and there will not be any additional public expense. She also indicated the proposed rehabilitation supports the City’s Housing and Redevelopment Plan. It is her recommendation to approve the variance; and

WHEREAS, the Applicant confirmed she will comply with all the conditions in the May 9, 2025 report of Ms. Iannacone; and

WHEREAS, City Council opened the hearing to the public and no members of the public made any comments; and

WHEREAS, upon motion duly made and seconded, City Council determined that there was substantial credible evidence in the record to grant the floodplain variance application based upon the hardships set forth in the Application as well as the testimony provided at the hearing.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby grants the floodplain variance application for the property located at 574 Washington Avenue, Burlington City, New Jersey pursuant to City Code Section 170-04 subject to all the representations set forth in the Application and which the Applicant made on the record and further subject to the Applicant’s acknowledgment that she will comply with all conditions set forth in the May 9, 2025 report of Allison Iannacone, the City Certified Floodplain Administrator.

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. 254-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REQUESTING PERMISSION FOR A DEDICATION BY RIDER FOR STORM RECOVERY EXPENSES AUTHORIZED BY P.L. 2013, C. 271

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, permission is required of the Director of the Division of Local Government Services for approval as a Dedication by Rider of revenues received by a municipality, when the revenue is not subject to reasonably accurate estimates in advance; and

WHEREAS, P.L. 2013, c. 271 provides for receipt of Storm Recovery funds by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides that dedicated revenues anticipated from the Storm Recovery fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by said statute or other legal requirement;

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

1. The Common Council does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Storm Recovery fund.
2. The Burlington City Clerk is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

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

RESOLUTION NO. 255-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO AMEND ADOPTED BUDGET FOR A NJ GREEN ACRES GRANT IN THE AMOUNT OF \$750,000.00 FOR KENNEDY PARK

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 a **Green Acres Grant** in the amount of \$750,000.00 from the State of New Jersey Dept. of Environmental Protection.

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 \$750,000.00 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 Green Acres Grant	\$750,000.00
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SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$750,000.00 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 Green Acres Grant Kennedy Park – OE	\$750,000.00
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Upon the motion of Councilman Ballard, seconded by Councilwoman Woodard, the foregoing resolution was introduced.

On the question, Mayor Conaway explained that in early 2026, January, this will go out for bid, awarded and begin construction approximately May or June.

BA Conyer explained that this round has taken longer for the City than the Township due to the City's need for approvals of permits from NJDEP because the city is in a floodplain.

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

RESOLUTION NO. 256-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AND APPROVING A CONTRACT WITH WATER RESOURCE MANAGEMENT, INC. FOR LICENSED OPERATOR SERVICES FOR THE WATER TREATMENT PLANT IN THE AMOUNT OF \$390,000.00

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 is in need of Licensed Operator services for the Water Treatment Plant; and

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

WHEREAS, the City's wishes to award said contract to Water Resource Management, Inc. in an amount not to exceed \$390,000.00.

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

1. The Common Council of the City of Burlington hereby awards and authorizes a contract with Water Resource Management, Inc. for Licensed Operator services for the Water Treatment Plant in an amount not to exceed \$390,000.00; and
2. The City of Burlington is hereby authorized to enter and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a contract with Water Resource Management, Inc. to effectuate the foregoing in a form to be approved to the City Solicitor.

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

On the question, Mayor Conaway spoke of the city's water and sewer utilities and the city not privatizing; used Water Resource Management in the past; two individuals will assist the employees with the plants.

Councilman Spaulding asked how the \$390,000 compared to two employee salaries.

BA Conyer suggested the salaries, health benefits, and pension payments would be approximately \$302,000. for two employees; it is more expensive to contract but there is some value added; they are licensed and professionals; we are very manual; spoke concerns of operators currently being in the plant by themselves; the company brings a lot of information, knowledge and opportunities; spoke of an updated automated system; the current employees have come to Administration and spoke in support of the hired professionals.

Councilwoman Woodard spoke of Council previously considering privatization but decided against it; spoke of difficulties with getting current employees to step up to the plate; suggested the City is not the only one having their own utilities, it is a struggle throughout the State.

Mayor Conaway spoke of many employees taking tests for licensing over the past few years.

BA Conyer said she will send an article to Council regarding a City in NJ requesting a retroactive rate increase on water and sewer which would cost the average household \$600 a year.

President Bergener-Thompson asked at any point, can any company representatives apply for the job or is there a contract stipulation.

BA Conyer suggested they will make more working for the company; suggested to the current staff, that working at a water and sewer utility is a career.

Mayor Conaway spoke of the value to the license.

President Bergner-Thompson suggested the professionals will bring better ideas.

Councilman Chachis the 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).

COUNCIL COMMENTS

Councilman Spaulding reminded everyone of the time change for the parade on Saturday, help spread the word.

Councilman Chachis spoke of the last meeting there was an update that NJDEP offered 4 choices to the NYS Senior Development; asked which one was chosen.

BA Conyer suggested NJDEP is coordinating a meeting and the City will also be at that meeting with Micheal's and meet with the Land Use gentleman; spoke of further questions and clarification.

Councilman Chachis suggested this has been an unexpected delay; asked if the project is grandfathered; are they anymore hurdles.

BA Conyer provided an update; suggested the NJDEP is understaffed; unsure of any more hurdles.

VP Rijs thanked the City for allowing the City of Burlington High School Choir perform Directed by Steven Bishop; thanked Mr. Augustyn for his kind words.

President Bergner-Thompson spoke of Virtua at City Hall giving mammograms, colon screenings and pap smears in a van at City Hall to individuals with or without insurance; more information is on the City FB page; spoke in support of Burlington & Beyond Photography; reminded everyone of the Mayor's Giving Tree and Holiday House Tours.

Mayor Conaway spoke of the upcoming Holiday Parade, Tree Lighting and Village; spoke of the time change.

PRESENTATION

Brownfield Redevelopment Solutions – Economic Development Strategy and Implementation Plan

Leah Yasenchak, BRS Principal and Co-Owner gave a PowerPoint Presentation of the company's mission and a proposed Economic Development Strategy and Implementation Plan for the City including Outreach, a Demographic & Marketing Analysis, an Economic Impact Analysis, a Commercial Real Estate Analysis, the Implementation Plan, Implementation Plan recommendations. Discussion ensued regarding the proposal.

EXECUTIVE CONFERENCE

- US Pipe Site Project

RESOLUTIONS – Continued

RESOLUTION NO. 257-2025 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON DESIGNATING PD BURLINGTON REDEVELOPER LLC AS CONDITIONAL REDEVELOPER AND EXTENDING THE FEASIBILITY PERIOD AND RELATED AGREEMENTS (**REMOVED**)

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilman Ballard, this meeting of December 2, 2025, was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

Dawn Bergner-Thompson, President
Common Council