



# City of Burlington

## COUNCIL MEETING AGENDA

April 21, 2026  
7:00 pm

NOTICE OF THIS MEETING WAS ADVERTISED IN ACCORDANCE WITH THE OPEN PUBLIC MEETINGS ACT.

FIRE EXITS: TURN LEFT UPON EXITING COUNCIL CHAMBERS AND THE ENTRANCE TO THE BUILDING.

Cindy A. Crivaro, RMC  
Municipal Clerk

Please silence all electronics during this meeting. Thank you.

### GOVERNING BODY ROLL CALL:

_____ Councilman Dave Ballard	_____ Councilwoman Mary Wirth
_____ Councilman George Chachis	_____ Vice President Suzanne Woodard
_____ Councilman Clayton Long	_____ President Bergner-Thompson
_____ Councilman Richard Spaulding	

### ALSO PRESENT:

\_\_\_\_\_ Mayor Barry Conaway  
 \_\_\_\_\_ Administrator Johanna Conyer  
 \_\_\_\_\_ Municipal Attorney Stuart Platt, Esq. / Justin Strausser, Esq.  
 \_\_\_\_\_ Financial Consultant Dean Ciminera / \_\_\_\_\_  
 \_\_\_\_\_ Director of Public Works Bill Curry / \_\_\_\_\_  
 \_\_\_\_\_ Police Chief Ryan Elbertson / \_\_\_\_\_

Others: \_\_\_\_\_

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**SALUTE TO FLAG**

**EXPLANATION OF ORDINANCE(S) ON FIRST READING**

Johanna Conyer, Administrator (1)

**EXPLANATION OF ORDINANCE(S) ON SECOND READING**

Johanna Conyer, Administrator 08-2026

**EXPLANATION OF RESOLUTION(S)**

Johanna Conyer, Administrator 121-2026, 122-2026, 124-2026, 125-2026

**PUBLIC COMMENTS**

Each Citizen will be allotted up to five (5) minutes to speak, to allow everyone an opportunity to express their concerns.

MOTION TO OPEN PUBLIC COMMENTS: 1. \_\_\_\_\_ 2. \_\_\_\_\_

MOTION TO CLOSE PUBLIC COMMENTS: 1. \_\_\_\_\_ 2. \_\_\_\_\_

**CONSENT AGENDA**

All items listed with an asterisk (\*) are routine and will be enacted by one motion. Should a Council Member wish to discuss a consent agenda item separately, that item can be removed from the consent agenda and considered in its normal sequence on the regular agenda.

\_\_\_\_\_ Moved that all Consent Agenda items (\*) be approved Seconded by \_\_\_\_\_.

**APPROVAL OF PAYMENT OF BILLS\***

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

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

AN ORDINANCE AMENDING BOND ORDINANCE 04-2025 OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY"

**ORDINANCE(S) - SECOND READING, FINAL DISPOSITION & PUBLIC HEARING**

ORDINANCE NO. 08-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 148 OF THE CODE OF THE CITY OF BURLINGTON ENTITLED, "FILMS AND MOTION PICTURES"

**RESOLUTION(S) / CONSENT AGENDA RESOLUTIONS\***

RESOLUTION NO. 121-2026 OF THE CITY OF BURLINGTON CERTIFYING THE 2026 BUDGET IS IN COMPLIANCE WITH LAWS AND REGULATIONS

RESOLUTION NO. 122-2026 OF THE CITY OF BURLINGTON REJECTING ALL BIDS FOR 521 LAWRENCE STREET REPAIR

RESOLUTION NO. 123-2026 OF THE CITY OF BURLINGTON APPROVING A FLOODPLAIN VARIANCE FOR PROPERTY LOCATED AT 929 RIGG ROAD, BLOCK 251, LOT 6

RESOLUTION NO. 124-2026 OF THE CITY OF BURLINGTON SUPPORTING THE APPLICATION OF THE HASHERY LLC TO OPERATE A CLASS 5 DISPENSARY IN THE HC 2 ZONING DISTRICT OF THE CITY OF BURLINGTON

RESOLUTION NO. 125-2026 OF THE CITY OF BURLINGTON AUTHORIZING CHANGE ORDER NO. 1 WITH DELL-TECH, INC. FOR THE ALLEN SCHOOL REHAB PROJECT

RESOLUTION NO. 126-2026\* OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ENVIRONMENTAL RESOLUTIONS, INC. FOR ENGINEERING SERVICES FOR THE LEAD SERVICE LINE REPLACEMENT PROJECT

**COUNCIL COMMENTS**

**ADJOURNMENT** 1. \_\_\_\_\_ 2. \_\_\_\_\_

**ORDINANCE NO. \_\_-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 76 OF THE CODE OF THE CITY OF BURLINGTON ENTITLED, “OPEN CONTAINERS”**

**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**, the New Jersey State Legislature has adopted legislation amending N.J.S.A. 33:1-24.4 to permit municipalities to establish “open container areas” within the municipality where persons are permitted to carry and consume open containers of alcoholic beverages outdoors; and

**WHEREAS**, the City previously established an open container area within the City located at the Burlington City Promenade, subject to restrictions; and

**WHEREAS**, the City seeks to renew the provisions of Chapter 76 to allow an open container area to operate in the year 2026; 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 76 of the Code of the City of Burlington, “Open Containers” is hereby amended, supplemented, and revised as follows:

§ 76-8 **Consumption in public places.**

No person shall consume or carry open containers of alcoholic beverages:

- A. While in or on a public street, lane, sidewalk, public parking lot, public or quasi-public place or in any public conveyance;
- B. In a private motor vehicle while it is in motion or parked in any public street, lane, or public parking lot;
- C. While upon any private property not his/her own without the express permission of the owner or other person having authority to grant such permission.

§ 76-8.1 **Open container areas established.**

Notwithstanding the provisions of § 76-8, an open container area is hereby established on a portion of the Burlington City Promenade as set forth in Map A attached hereto and made a part hereof (“BCP Area”) and various portions of High Street as may be so designated during the “Main Street Food Truck Tuesday” event pursuant to the following provisions:

- A. The BCP Area shall only be considered an “open container area” subject to N.J.S.A. 33:1-24.4.
- B. The BCP Area during Main Street Food Truck Tuesday events will be limited to operate as an open container area between the hours of 4:00 P.M. and 9:00 P.M. on the following dates only:
  - 1. May 26, 2026
  - 2. June 9, 2026
  - 3. June 23, 2026
  - 4. July 14, 2026
  - 5. July 28, 2026
  - 6. August 11, 2026
  - 7. August 25, 2026
  - 8. September 1, 2026
- C. The carrying and consumption of alcoholic beverages within the open container area created and established hereunder is subject to the following conditions:
  - 1. This Section only authorizes the consumption of alcoholic beverages within the open container area by persons who are at least 21 years of age.
- D. The sale of alcoholic beverages for consumption in the Burlington City open container area is expressly subject to the provisions of Title 33 of the Revised Statutes, the rules and regulations promulgated by the Director of the Division of Alcoholic Beverages and all municipal ordinances.
- E. The provisions of this Section shall begin on May 26, 2026 and expire on September 1, 2026 at 9:00 P.M.

**§ 76-8.2      Violations and penalties.**

Any person convicted of a first offense under this section shall be subject to a minimum fine of \$224 payable through the City Violations Bureau.

**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 5:** This Ordinance shall take effect twenty (20) days after final passage by Council and signature by the Mayor.

**ORDINANCE NO. - 2026**

Passed Common Council,

\_\_\_\_\_  
Dawn B. [unclear]-Thompson, President  
Common Council

Approved,

\_\_\_\_\_  
Barry W. Conaway, Mayor

ATTEST:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

Introduction: 04/21/26  
Publication: 00/00/26  
2nd & Final: 00/00/26  
Publication: 00/00/26  
Effective: 00/00/26

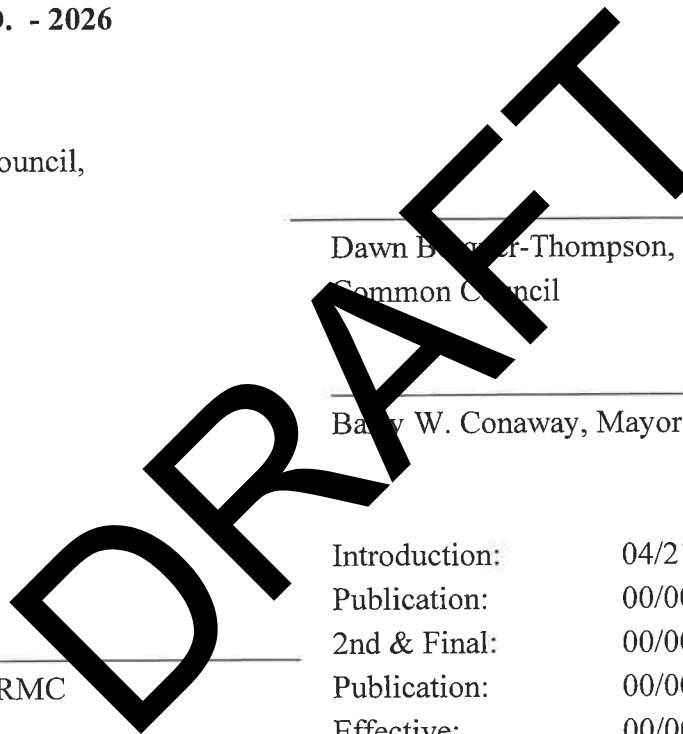




Figure 1- Proposed Open Container Area

CITY OF BURLINGTON, NEW JERSEY

ORDINANCE NO. \_\_\_\_

ORDINANCE AMENDING BOND ORDINANCE 04-2025 OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY

WHEREAS, the City of Burlington, County of Burlington, New Jersey ("City") has heretofore duly and finally adopted Bond Ordinance 04-2025, authorizing the acquisition of equipment and completion of improvements to the water utility system in and for the City ("Bond Ordinance"); and

WHEREAS, the City desires to amend certain provisions of the Bond Ordinance by amendment to Section 7(B) and Section 8 thereof.

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

Section 1. Section 7(B) of the Bond Ordinance is hereby amended to provide as follows:

<u>"Purpose/Improvement"</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
B. Various Improvements to the Water Utility System of the City including, but not limited to replacement of Lead Service Lines, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto"	\$294,800	\$14,740	\$280,060	40 years

Section 2. Section 8 of the Bond Ordinance is hereby amended and restated in its entirety to provide as follows:

"Section 8. The average period of useful life of the several purposes for the financing of which this Bond Ordinance authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 26.25 years."

Section 3. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the regulations promulgated by the Local Finance Board showing full detail the amended capital budget and capital

improvement program as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, are on file with the Clerk and available for public inspection.

**Section 4.** All other parts of the Bond Ordinance not amended hereby shall remain in full force and effect.

**Section 5.** All bonds or bond anticipation notes heretofore issued and now outstanding pursuant to the Bond Ordinance, and any moneys expended or any expenses incurred pursuant to appropriations made by the Bond Ordinance, if any, shall be accounted and deemed to have been issued, expended or incurred pursuant to this ordinance.

**Section 6.** In accordance with the Local Bond Law, this ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

**ORDINANCE NO. - 2026**

Passed Common Council,

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Approved,

\_\_\_\_\_  
Barry W. Conaway, Mayor

ATTEST:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

Introduction:	04/21/26
Publication:	00/00/26
2nd & Final:	00/00/26
Publication:	00/00/26
Effective:	00/00/26

DRAFT

**ORDINANCE NO. 08-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 148 OF THE CODE OF THE CITY OF BURLINGTON ENTITLED, "FILMS AND MOTION PICTURES"**

**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**, the City wishes to become classified as a "film-ready municipality"; and

**WHEREAS**, the New Jersey Motion Picture and Television Commission requires that to do so, municipalities enact a set of regulations and code of conduct for prospective large and small producers, including penalties for violators, within the City; and

**WHEREAS**, the New Jersey Motion Picture and Television Commission has requested revisions to Chapter 148 of the City Code for purposes of approving the City's application.

**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 148 of the Code of the City of Burlington, entitled "Films and Motion Pictures," is hereby amended, supplemented, and revised as follows:

§ 148-1        **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**Filming**

The taking of still or motion pictures either on film or videotape or similar recording medium, for commercial or education purposes intended for viewing on television, in theaters or for institutional uses. The provisions of this Chapter shall not be deemed to include the "filming" of news stories within the City.

**Major Motion Picture**

Any film which is financed and/or distributed by a major motion picture studio, including but not limited to the following:

- A. Universal Pictures.
- B. Warner Brothers, including New Line Cinema, Castle Rock Cinema, Village Road Show and BelAire.
- C. Paramount, including MTV Films and Nickelodeon Movie.
- D. 20th Century Fox, including Fox Searchlight.
- E. Sony/Columbia.
- F. Disney/Miramax.
- G. MGM/United Artists.
- H. Dreamworks.
- I. Any major streaming service, such as Netflix, Hulu, Amazon Prime Video.
- J. Any film for which the budget is at least \$20,000,000.
- K. Recurrent weekly television series programming.

**Public Lands**

Any and every public street, highway, sidewalk, square, public park or playground or any other public place within the municipality, which is within the jurisdiction and control of the municipality.

**§ 148-2 New Jersey Motion Picture and Television Commission Liaison.**

The Burlington City Business Administrator, or the Business Administrator's designee, shall be designated as the New Jersey Motion Picture and Television Commission Liaison and shall be referred to in this Chapter as the "Business Administrator".

**§ 148-3 Permit Required.**

- A. No person or organization shall film or permit filming on public or on private property where such filming involves the use of public property for the operation, placement or temporary storage of vehicles or equipment utilized in such filming, including, but not limited to, any temporary structure, barricade or device intended to restrict or block off pedestrian or vehicular traffic, without first having obtained a permit from the office of the Business Administrator, which permit shall set forth the approved location of such filming and the approved duration of such filming by specific reference to day or dates. Said permit must be readily available for inspection by City officials at all times at the site of the filming.
- B. All permits shall be applied for and obtained from the office of the Business Administrator during normal business hours. Applications for such permits shall be in a form approved

by the Business Administrator and be accompanied by a permit fee in the amount established by this chapter in § 10 herein.

- C. If a permit is issued and, due to inclement weather or other good cause, filming does not in fact take place on the dates specified, the Business Administrator may, at the request of the applicant, issue a new permit for filming on other dates subject to full compliance with all other provisions of this chapter. No additional fee shall be paid for this permit.

§ 148-4      **Issuance of permits.**

- A. No permits will be issued by the Business Administrator unless applied for at least three business days before the requested shooting date; provided, however, that the City Business Administrator may waive the three-day period if, in his or her judgment, the applicant has obtained all related approvals and adjacent property owners or tenants do not need to be notified.
- B. No permit shall be issued for filming upon public lands unless the applicant shall provide the municipality with satisfactory proof of the following:
1. Proof of insurance coverage as follows:
    - i. For bodily injury to any one person in the amount of \$500,000 and any occurrence in the aggregate amount of \$1,000,000.
    - ii. For property damage for each occurrence in the aggregate amount of \$300,000.
  2. An agreement, in writing, whereby the applicant agrees to indemnify and save harmless the municipality from any and all liability, expense, claim or damages resulting from the use of public lands.
  3. The hiring of a off-duty police officer for the times indicated on the permit according to the agreed upon Public Safety Plan.
- C. The holder of the permit shall take all reasonable steps to minimize interference with the free passage of pedestrians and traffic over public lands and shall comply with all lawful directives issued by the Police Department with respect thereto.

§ 148-5      **Interference with public activity; notice of filming.**

- A. The holder of a permit shall conduct filming in such a manner as to minimize the inconvenience or discomfort to adjoining property owners attributable to such filming and shall, to the extent practicable, abate noise and park vehicles associated with such filming off the public streets.
- B. The holder shall avoid any interference with previously scheduled activities upon public lands and limit, to the extent possible, any interference with normal public activity on such

public lands. Where the applicant's production activity, by reason of location or otherwise, will directly involve and/or affect any businesses, merchants or residents, these parties shall be given written notice of the filming at least three days prior to the requested shooting date and be informed that objections may be filed with the Business Administrator, said objections to form a part of applicant's application and be considered in the review of the same. Proof of service of notification to adjacent owners shall be submitted to the Business Administrator within two days of the requested shooting date.

§ 148-6 **Refusal to issue permit; employment of patrolmen and electrician.**

- A. The City Business Administrator may refuse to issue a permit whenever he or she determines, on the basis of objective facts and after a review of the application and a report thereon by the Police Department and by other City agencies involved with the proposed filming site, that filming at the location and/or the time set forth in the application would violate any law or ordinance or would unreasonably interfere with the use and enjoyment of adjoining properties, unreasonably impede the free flow of vehicular or pedestrian traffic or otherwise endanger the public's health, safety or welfare.
- B. Further, the City reserves the right to require one or more on-site patrolmen in situations where the proposed production may impede the proper flow of traffic, the cost of said patrolman to be borne by the applicant as a cost of production. Where existing electrical power lines are to be utilized by the production, an on-site licensed electrician may be similarly required if the production company does not have a licensed electrician on staff.

§ 148-7 **Appeals.**

- A. Any person aggrieved by a decision of the City Business Administrator denying or revoking a permit or a person requesting relief may appeal to the City Common Council. A written notice of appeal setting forth the reasons for the appeal shall be filed with the Business Administrator.
- B. An appeal from the decision of the Business Administrator shall be filed within 10 days of the Administrator's decision. The City Common Council shall set the matter down for a hearing within 30 days of the day on which the notice of appeal was filed. The decision of the City Common Council shall be in the form of a resolution supporting the decision of the City Business Administrator at the first regularly scheduled public meeting of the City Common Council after the hearing on the appeal, unless the appellant agrees in writing to a later date for the decision. If such a resolution is not adopted within the time required, the decision of the Administrator shall be deemed to be reversed, and a permit shall be issued in conformity with the application or the relief shall be deemed denied.

§ 148-8 **Waiver of requirements of chapter by Business Administrator.**

The City Business Administrator may authorize a waiver of any of the requirements, provisions or restrictions of this chapter if the Administrator determines that a waiver thereof may be granted without endangering the public health, safety and welfare. In determining whether to issue a waiver, the Administrator shall consider the following factors:

- A. Potential traffic congestion at the location.
- B. The applicant's ability to remove the applicant's vehicles and equipment from the public streets or other public property.
- C. The extent to which the applicant is requesting restrictions on the use of public streets or public parking facilities during filming.
- D. The nature of the filming, including whether filming will take place indoors or outdoors, and the proposed hours for filming.
- E. The extent to which the filming may affect adjoining and nearby property owners and occupants.
- F. The City's prior experience with the applicant, if any.

§ 148-9 **Copies of permit; inspections.**

Copies of the approved permit will be sent to the Police and Fire Departments before filming takes place and to the New Jersey Film Commission. The applicant shall permit the Fire Prevention Bureau or other City inspectors to inspect the site and the equipment to be used, if deemed necessary. The applicant shall comply with all safety instruction issued by the Fire Prevention Bureau or other City inspectors.

§ 148-10 **Reimbursement of certain costs.**

In addition to any other fees or costs mentioned in this chapter, the applicant shall reimburse the City for any lost revenue, such as parking meter revenue, repairs to public property or other revenues that the City was prevented from earning because of filming.

§ 148-11 **Fees.**

The schedule of fees for the issuance of permits authorized by this Chapter are as follows:

- A. Basic filming permit: \$150. Where an applicant requests a waiver of the provision of § 3A requiring expedited processing of a permit application within 24 hours of the filming date, the basic filming permit fee for processing the application on an expedited basis shall be \$150.
- B. Daily filming fee payable in addition to the basic filming permit when filming entirely on public property: \$150 per day.
- C. Daily filming fee payable for major motion picture when filming entirely on public property: \$500 per day.
- D. Filming permit for nonprofit applicants filming for educational purposes, including student films (no daily rate required): \$25.
- E. Filming on private property: no daily filming fee will be imposed.

§ 148-12 **Violations and penalties.**

Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding \$2,000, imprisonment in the county/municipal jail for a term not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof as determined by the Municipal Court Judge. Each day on which a violation of an ordinance exists shall be considered a separate and distinct violation and shall be subject to imposition of a separate penalty for each day of the violation as the Municipal Court Judge may determine.

**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 5:** 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.

**ORDINANCE NO. 08-2026**

Passed Common Council,

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Approved,

\_\_\_\_\_  
Barry W. Conaway, Mayor

ATTEST:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

Introduction: 04/07/26  
Publication: 04/10/26  
2nd & Final: 04/21/26  
Publication: 00/00/26  
Effective: 00/00/26

City of Burlington  
Resolution No. 121-2026

**Resolution Certifying 2026 Budget is in  
Compliance with Laws and Regulations**

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the City of Burlington has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the City meets the necessary conditions to participate in the program for the 2026 budget year, so now therefore

**BE IT RESOLVED**, by the Common Council of the City of Burlington that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification; the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as shown in the budget:
  - a. Payment of interest and debt redemption charges.
  - b. Deferred charges and statutory expenditures.
  - c. Cash deficit of preceding year.
  - d. Reserve for uncollected taxes.
  - e. Other reserves and non-disbursement items.
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitations on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the CAP law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated.
  - b. Items of appropriation are properly set forth.
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.

**Resolution No. 121-2026**

- 5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
- 6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to the Director of the Division of Local Government Services upon adoption.

\_\_\_\_\_  
 Dawn Bergner-Thompson, President  
 Common Council

Attest:

\_\_\_\_\_  
 Cindy A. Crivaro, RMC  
 Municipal Clerk

April 21, 2026

DRAFT

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL							
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	RECUSED
BALLARD							
CHACHIS							
LONG							
SPAULDING							
WIRTH							
WOODARD							
BERGNER-THOMPSON							

**CITY OF BURLINGTON**  
**Certification of Approved 2026 Budget**

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and N.J.A.C. 5:30-7.

It is further certified that the municipality has met the eligibility requirements of N.J.A.C. 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with N.J.A.C. 5:30-7.6.

Dated: 4/21/2026

By: Tara Kröger  
Tara Kröger, Chief Financial Officer

This certification form and resolution of the governing body executing such certification should be annexed to the adopted budget (N.J.A.C. 5:30-7.6(e)).

**DRAFT**

**RESOLUTION NO. 122-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REJECTING ALL BIDS FOR 521 LAWRENCE STREET REPAIR**

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

**WHEREAS**, the City requested prospective bidders to submit bids for the Repair of 521 Lawrence Street; and

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

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

**NOW THEREFORE BE IT RESOLVED**, by the Common Council of the City of Burlington that the sole bid for the Repair of 521 Lawrence Street is hereby rejected as it exceeds the professional estimates.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

April 21, 2026

**DRAFT**

REPORT OF VOTE OF PASSAGE BY THE COMMON COUNCIL							
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	RECUSED
BALLARD							
CHACHIS							
LONG							
SPAULDING							
WIRTH							
WOODARD							
BERGNER-THOMPSON							

**RESOLUTION NO. 123-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING A FLOODPLAIN VARIANCE FOR PROPERTY LOCATED AT 929 RIGG ROAD, BLOCK 251, LOT 6**

**WHEREAS**, The Salt & Light Co., Inc. (“Applicant”) is the owner of property located at 929 Rigg Road, Block 251, Lot 6, in the City of Burlington (“Property”); and

**WHEREAS**, the Applicant, applied for a construction permit to rehabilitate the Property which is a single-family detached dwelling; and

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

**WHEREAS**, the Applicant has applied for a floodplain variance pursuant to City Code Section 170-04 (“Application”), which was marked as Exhibit A-1 at the time of the hearing; 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 March 17, 2026, with the sworn testimony of Allison Iannacone the City Certified Floodplain Administrator and the President of the Applicant, Kent Pipes; and

**WHEREAS**, the Applicant was sworn and testified he 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 it will implement will include abandoning and relocating all mechanicals both inside and outside the single-family dwelling to meet current floodplain elevation requirements; and

**WHEREAS**, Allison Iannacone the City Certified Floodplain Administrator was sworn and qualified. She summarized her report dated November 26, 2025, marked as Exhibit A-2 at the time of the hearing. She testified that it is nearly impossible to raise the entire single-family dwelling to meet current floodplain elevation regulations and had concerns about the integrity of the structure in so doing and the possibility of collapse or destruction in such a case. 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. This is her recommendation to approve the variance; and

**WHEREAS**, the Applicant confirmed that he will comply with all the conditions in the November 26, 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 929 Rigg Road, Block 251, Lot 6, 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 he will comply with all conditions set

forth in the November 26, 2025 report of Allison Iannacone, the City Certified Floodplain Administrator; and

**BE IT FURTHER RESOLVED**, that as a condition of this approval, the Applicant shall be required to relocate all interior and exterior mechanicals to proper floodplain elevations, the Applicant shall supply construction elevations and final elevations to the City Certified Floodplain Administrator, all of which must be done prior to continued construction and upon completion of construction, and the Applicant shall maintain the property so not to have any adverse or negative impacts on neighboring property owners.

\_\_\_\_\_  
Lawrence Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

April 21, 2026

DRAFT

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL							
	MOTION	SECONDED	YES	NO	ABSTAIN	ABSENT	RECUSED
BALLARD							
CHACHIS							
LONG							
SPAULDING							
WIRTH							
WOODARD							
BERGNER-THOMPSON							

**RESOLUTION NO. 124-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON SUPPORTING THE APPLICATION OF THE HASHERY LLC TO OPERATE A CLASS 5 DISPENSARY IN THE HC 2 ZONING DISTRICT OF THE CITY OF BURLINGTON**

**WHEREAS**, the Common Council of the City of Burlington (“City”) adopted ordinances amending its Zoning Code to permit adult use marijuana business operations within the City, under the terms and conditions outlined within Chapter 207 of the Code of the City of Burlington; and

**WHEREAS**, The Hashery has provided sufficient information to the City to demonstrate site control over the property located at 1137 Bordentown Road (Block 212 Lots 7 through 12) , as well as a Zoning Verification Letter dated January 30, 2026 from Megan Stanley, City of Burlington Zoning Official.

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

1. The provisions of the Whereas Clauses set forth above are herein incorporated by reference and made a part hereof.

2. This Resolution applies to The Hashery and its proposed use to be located at 1137 Bordentown Road (Block 212, Lots 7 through 12) in the City of Burlington within the City’s HC 2 Zoning District.

3. The City of Burlington through the enactment of Ordinance 17-2021, as amended, has authorized cannabis business licenses to operate within its HC 2 Zoning District upon receiving the appropriate and other applicable local approvals.

4. The City of Burlington has imposed a limit of three (3) Class 5 Dispensary Licenses to be issued within the City, and the issuance of a license to The Hashery will not exceed that limit.

5. The operation of a Class 5 Dispensary within the City requires the license holder comply with any applicable site requirements, local Ordinance requirements, including but not limited to Chapter 207 of the City Code, all state law and regulations, any terms and conditions of the Class 5 Dispensary license, and the issuance of a municipal business license in accordance with the Code of the City of Burlington.

6. The Mayor, Administrators, and/or Professionals or their designees for the City of Burlington are hereby authorized to communicate with the Cannabis Regulatory Commission as necessary to confirm and/or supplement the contents of this Resolution as may be requested by the Commission.

7. The City takes no other positions apart from the aforementioned regarding the issuance of a license to the applicant.

RESOLUTION NO. 124-2026

8. This Resolution of Support shall expire within one hundred and eighty (180) days of its adoption unless the applicant or its designee has received local land use approvals or unless such period of time is extended by further resolution of the Common Council.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

April 22, 2026

**DRAFT**

RECORD OF VOTE ON PASSAGE BY THE COMMON COUNCIL							
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	RECUSED
BALLARD							
CHACHIS							
LONG							
SPAULDING							
WIRTH							
WOODARD							
BERGNER-THOMPSON							

**RESOLUTION NO. 125-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING CHANGE ORDER NO. 1 WITH DELL-TECH, INC. FOR THE ALLEN SCHOOL REHAB 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 No. 109-2025 authorized a contract with Dell-Tech, Inc. in the amount of \$3,660,100.00 for the Allen School Rehab project; and

**WHEREAS**, it is the recommendation of the City Architect, Connolly & Hickey that the Common Council of the City of Burlington authorize an amended agreement with Dell-Tech, Inc. in the form of Change Order No. 1, in connection with the Allen School Rehab project; and

**WHEREAS**, this Change Order No. 1 is an increase of \$80,383.46, making the revised total contract amount \$3,740,483.46; 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 Dell-Tech, Inc. for an increase in the amount of \$80,383.46, to a contract total of \$3,740,483.46, in connection with the Allen School Rehab project.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

April 21, 2026

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL

	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	RECUSED
BALLARD							
CHACHIS							
LONG							
SPAULDING							
WIRTH							
WOODARD							
BERGNER-THOMPSON							

RESOLUTION NO. 126-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ENVIRONMENTAL RESOLUTIONS, INC. FOR ENGINEERING SERVICES FOR THE LEAD SERVICE LINE REPLACEMENT PROJECT

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

WHEREAS, the City of Burlington did appoint and award a contract to Environmental Resolutions, Inc. ("ERI"), as the Water Engineer for 2026 pursuant to Resolution No. 11-2026; and

WHEREAS, ERI submitted a proposal for professional engineering services for construction administration and observation for the Lead Service Line Replacement Project in an amount not to exceed \$149,947.00; and

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

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

1. The contract for professional engineering services for construction administration and observation for the Lead Service Line Replacement Project in an amount not to exceed \$149,947.00.
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.

\_\_\_\_\_  
Dawn Bergner-Thompson, President  
Common Council

Attest:

\_\_\_\_\_  
Cindy A. Crivaro, RMC  
Municipal Clerk

April 21, 2026

RESOLUTION NO. 126-2026

RECORD OF VOTE OF PASSAGE BY THE COMMON COUNCIL							
	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT	RECUSED
BALLARD							
CHACHIS							
LONG							
SPAULDING							
WIRTH							
WOODARD							
BERGNER-THOMPSON							

DRAFT