



City of Burlington

COUNCIL MEETING AGENDA

October 6, 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: _____

SALUTE TO FLAG

EXPLANATION OF ORDINANCE(S) ON FIRST READING

Johanna Conyer, Administrator

EXPLANATION OF RESOLUTION(S)

Johanna Conyer, Administrator 209-2026, 210-2026, 211-2026, 212-2026

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 _____.

PETITIONS AND COMMUNICATIONS*

APPROVAL OF PAYMENT OF BILLS*

APPROVAL OF MINUTES*

ORDINANCE(S) - INTRODUCTION & FIRST READING

A BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS PARK IMPROVEMENTS IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, EW JERSEY; APPROPRIATING THE SUM OF \$269,500 THEREFORE; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$269,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

RESOLUTION(S) / CONSENT AGENDA RESOLUTIONS*

RESOLUTION NO. 207-2026* REFUNDING OVERPAYMENT OF TAXES

RESOLUTION NO. 208-2026* AUTHORIZING THE TAX COLLECTOR TO CANCEL TAXES PURSUANT TO EXEMPTION FOR A TOTALLY DISABLED VETERAN

RESOLUTION NO. 209-2026 REJECTING ALL BIDS FOR THE 2025 NJDOT ROAD PROGRAM PROJECT AND AUTHORIZING THE PROJECT TO BE RE-BID

RESOLUTION NO. 210-2026 AMENDING THE ADOPTED BUDGET FOR A NEW JERSEY MUNICIPAL ALLIANCE GRANT IN THE AMOUNT OF \$10,271.00

RESOLUTION NO. 211-2026 AUTHORIZING CHANGE ORDER NO. 1 WITH ASPHALT PAVING SYSTEMS FOR THE BLUE DEVIL WAY ROAD IMPROVEMENTS

RESOLUTION NO. 212-2026 AUTHORIZING THE RELEASE OF THE PERFORMANCE BOND FOR WINDING CREEK DEVELOPERS, LLC/ 918, 920, 922 & 924 OLIVE STREET PROJECT ON-SITE IMPROVEMENTS

COUNCIL COMMENTS

ADJOURNMENT 1. _____ 2. _____

CITY OF BURLINGTON, NEW JERSEY

BOND ORDINANCE NO. 07-2026

BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS PARK IMPROVEMENTS IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$269,500 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$269,500; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

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

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

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$269,500; and
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$269,500.

Section 3. The sum of \$269,500, to be raised by the issuance of bonds or bond anticipation notes, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance"). All or a portion of the bonds authorized to be issued hereunder may evidence one or more loans from the New Jersey Department of Environmental Protection ("NJDEP") through the Green Acres Program ("Green Acres Program Loan"), under an Application for Financial Assistance submitted by the City to said entity.

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$269,500 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$269,500 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to

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

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$54,000.

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

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of various park and recreation improvements in the City including, but not limited to, improvements to William R. Allen School Park, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto.	\$269,500	\$0	\$269,500	15 years

Section 8. Grants or other monies received from any governmental entity including, but not limited to grant funds provided by the NJDEP by and through a Green Acres Program grant under Project No. 03-5-26-039, shall be applied to the payment of, or repayment of obligations issued to finance the cost of the purposes described in Section 7 above.

Section 9. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$269,500 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy *ad valorem* taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The Capital Budget is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 13. The City hereby covenants as follows:

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

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

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

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

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

Section 14. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances, or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

BOND ORDINANCE NO. 07-2026

Passed Common Council,

Dawn Bergner-Thompson, President
Common Council

Approved,

Barry W. Conaway, Mayor

ATTEST:

Cindy A. Crivaro, RMC
Municipal Clerk

Introduction: 10/05/26
Publication: 00/00/26
Publication (2nd): 00/00/26
Final: 00/00/26
Publication: 00/00/26
Effective: 00/00/26

DRAFT

RESOLUTION NO. 207-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REFUNDING OVERPAYMENT OF TAXES

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, an overpayment of 2026 taxes has occurred on the property identified herein.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby authorizes the Chief Financial Officer to issue a refund check for 2026 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Refunded Party</u>	<u>Amount</u>
222	149	LERETA Tax Servicing	\$2,183.16

Dana Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

October 6, 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. 208-2026 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, David Fugh ("claimant"), owner and resident of 744 Bordentown Road (Block 206, Lot 33) 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 recommends approval of the exemption; and

WHEREAS, the effective date of the exemption is September 9, 2026, 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 2026 taxes in the amount of \$2,470.45 and refund overpayment in the amount of \$397.65 accordingly to the appropriate entity. Additionally, the Tax Collector has authorization to cancel the remaining amounts that would become due and owing by claimant for 2027, in the preliminary amount of \$3,992.11. A certified copy of this resolution shall be forwarded to the Tax Collector, Business Administrator, Tax Assessor and claimant.

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

October 6, 2026

RESOLUTION NO. 208-2026

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

RESOLUTION NO. 209-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON REJECTING ALL BIDS FOR THE 2025 NJDOT ROAD PROGRAM PROJECT AND AUTHORIZING THE PROJECT TO BE RE-BID

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;

WHEREAS, the City requested prospective bidders to submit bids for the 2025 NJDOT Road Program Project;

WHEREAS, the three (3) bids 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 three (3) bids for the 2025 NJDOT Road Program Project are hereby rejected as they exceed the professional estimates.

BE IT FURTHER RESOLVED that the City Engineer is hereby authorized to re-bid the project.

Attest:

Dawn Bergner-Thompson, President
Common Council

Cindy A. Crivaro, RMC
Municipal Clerk

October 6, 2026

RESOLUTION NO. 209-2026

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. 210-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO AMEND ADOPTED BUDGET FOR A NEW JERSEY MUNICIPAL ALLIANCE GRANT IN THE AMOUNT OF \$10,271.00

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 **NJ Municipal Alliance Grant** in the amount of \$10,271.00 from the NJ Governor's Council on Substance Abuse.

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 2026 in the sum of \$10,271.00 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:

Municipal Alliance Grant	\$10,271.00
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SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$10,271.00 be and the same is hereby appropriated under the caption of:

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

Municipal Alliance Grant - OE	\$10,271.00
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Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

October 6, 2026

RESOLUTION NO. 210-2026

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. 211-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING CHANGE ORDER NO. 1 WITH ASPHALT PAVING SYSTEMS FOR THE BLUE DEVIL WAY ROAD IMPROVEMENTS

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 #148-2026 authorized a contract with Asphalt Paving Systems in the amount of \$696,600.00 for the Blue Devil Way Road improvements; and

WHEREAS, it is the recommendation of Environmental Resolutions, City Engineer, per their correspondence dated September 22, 2026, that the Common Council of the City of Burlington authorize an amended agreement with Asphalt Paving Systems in the form of Change Order No. 1, in connection with the Blue Devil Way road improvements; and

WHEREAS, this Change Order No. 1 is an increase of \$15,046.08, making the revised total contract amount \$711,646.08: and

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Burlington that the Mayor and Business Administrator be hereby authorized to execute a change order in a form acceptable to the City Solicitor with Asphalt Paving Systems for an increase in the amount of \$15,046.08, to a contract total of \$711,646.08 in connection with the Blue Devil Way road improvements.

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

October 6, 2026

RESOLUTION NO. 211-2026

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. 212-2026 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE MUNICIPAL CLERK TO RELEASE THE PERFORMANCE BOND FOR WINDING CREEK DEVELOPERS, LLC/ 918, 920, 922 & 924 OLIVE STREET PROJECT ON-SITE IMPROVEMENTS

WHEREAS, Winding Creek Developers, LLC has posted a performance guarantee with the City of Burlington for On-Site Improvements for the construction of 918, 920, 922 & 924 Olive Street, knows as Block 215, Lots 5.01-5.04; and

WHEREAS, City Engineer William H. Kirchner, PE, CME, has recommended that the performance guarantee be released as the improvements have been satisfactorily completed.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the performance guarantee in the amount of \$62,932.40 can be released by the Municipal Clerk to Winding Creek Developers, LLC conditioned upon the posting of a Maintenance Guarantee in the amount of \$12,586.48, and a maintenance inspection escrow in the amount of \$629.32, and the payment of all outstanding escrows.

Dawn Bergner-Thompson, President
Common Council

Attest:

Cindy A. Crivaro, RMC
Municipal Clerk

October 6, 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							