



City of Burlington

COUNCIL MEETING AGENDA

October 15, 2024
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	_____ Councilman Richard Spaulding
_____ Vice President Dawn Bergner-Thompson	_____ Councilwoman Suzanne Woodard
_____ Councilman Timothy Hutton	_____ President George Chachis
_____ Councilwoman Geneva Rijs	

ALSO PRESENT:

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

Others: _____

SALUTE TO FLAG

EXPLANATION OF RESOLUTIONS

Johanna Conyer, Administrator 220-2024, 221-2024, 222-2024

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 INVOICES*

APPROVAL OF MINUTES*

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 220-2024 Authorizing a Change Order No. 1 with Asphalt Paving Services, Inc. for a decrease in the amount of \$6,712.49, in connection with the NJDOT 2023 Road Grant – Belmont, Woodland, and Belgrade project for a revised total contract amount of \$382,087.52.

Resolution No. 221-2024 Certifying that the City of Burlington 2023 Annual Audit Report has been reviewed and requirements of the Local Finance Board of the State of NJ have been met.

Resolution No. 222-2024 Authorizing participation in the New Jersey Department of Law and Public Safety 2025 Safe and Secure Communities Grant Program and acceptance of Federal grant funds in the amount of \$45,150.00 with a City of Burlington match of \$144,350.00 for a total amount of \$189,500.00.

COUNCIL COMMENTS

REPORTS

2023 Audit – Mercadien

ADJOURNMENT 1. _____ 2. _____

RESOLUTION NO. 220-2024 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING CHANGE ORDER NO. 1 WITH ASPHALT PAVING SERVICES, INC. FOR THE NJDOT 2023 ROAD GRANT – BELMONT, WOODLAND AND BELGRADE

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, it is the recommendation of City Engineer Environmental Resolutions, Inc., as per their correspondence dated September 24, 2024, that the Common Council of the City of Burlington authorize an amended agreement with Asphalt Paving Services, Inc. in the form of Change Order No. 1, in connection with the NJDOT 2023 Road Grant – Belmont, Woodland, and Belgrade project; and

WHEREAS, this Change Order No. 1 is a decrease in the amount of \$6,712.49, making a revised total contract amount of \$382,087.51.

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Burlington that the Mayor and Municipal Clerk are hereby authorized to execute a change order in a form acceptable to the City Solicitor, with Asphalt Paving Services, Inc. for a decrease in the amount of \$6,712.49, to a contract total of \$382,087.52, in connection with the NJDOT 2023 Road Grant – Belmont, Woodland, and Belgrade project.

George Chachis, President
Common Council

Attest:

Cindy A. Crivaro, RMC
City Clerk

October 15, 2024

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

Christopher J. Noll, PE, CME, PP
President & CEO

William H. Kirchner, PE, CME, N-2
Vice President

Rakesh R. Darji, PE, PP, CME, CFM
Vice President/Treasurer

Benjamin R. Weller, PE, CME, CPWM, S-3, C-3
Secretary



**ENVIRONMENTAL
RESOLUTIONS, INC.**

Engineers • Planners • Scientists • Surveyors

Joseph P. Orsino, Jr. CET, *Vice President*

Harry R. Fox, NICET III

G. Jeffrey Hanson, PE, CME

Joseph R. Hirsh, PE, CME, CPWM

C. Jeremy Noll, PE, CME, CPWM

Marc H. Selover, LSRP, PG

October 8, 2024
40614 00

Re: **Change Order #1 – Final Revised**
2023 NJDOT Road Program
City of Burlington

Mr. Bill Curry, Director of Public Works
City of Burlington
525 High Street
Burlington, NJ 08016

Dear Bill:

Enclosed please find Change Order #1 - Final for the above referenced project. This change order is for as-built quantities of the work completed as of September 23, 2024. The as-built quantities and additional work have a net decrease of \$6,712.49 to the base contract price of \$388,800.00 for an adjusted contract price of \$382,087.51. The adjusted contract price is a 1.70% decrease on the original contract. Therefore, our office recommends that the City of Burlington proceed with this Change Order.

If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

William H. Kirchner, PE, CME
City Engineer

WHK/ejp

Encl.

cc: Dean Ciminera, CFO (via email: CFO@burlingtonnj.us)
/ Yuri Bishop (via email: accountspayable@burlingtonnj.us)
John Constantine, Asphalt Paving Systems, Inc. (via email: john@asphaltpavingsystems.com)

File: G:\40000 - Burlington City\40600 - 40650\40614 00 - 2023 NJDOT Road Program\11 Payment\PE 3, & CO 1 - FINAL\working files\40614 00 2024-10-08 change order #1 - final letter revised.docx

2023 NJDOT ROAD PROGRAM
CITY OF BURLINGTON
BURLINGTON COUNTY, NEW JERSEY
40614 00
10/08/24
CHANGE ORDER #1 - FINAL REVISED

CONTRACTOR:

Asphalt Paving Systems, Inc.
P.O. Box 530
Hammonton, NJ 08037

IT IS HEREBY AGREED THIS 8TH DAY OF OCTOBER 2024 SUBJECT TO THE PROVISIONS OF THE CONTRACT AND SPECIFICATIONS TO MAKE THE FOLLOWING CHANGES:

Item	DESCRIPTION	UNIT PRICE	QUANTITY CHANGE		ADDITIONS	REDUCTIONS
1a	Full Depth Reclamation with Cement, 6" Depth	\$29.90	13.00	SY	\$ 388.70	
2r	Hot Mix Asphalt 9.5 M 64 Surface Course, 3" Thick	\$100.00	-50.56	TON		\$ (5,056.00)
3r	Hot Mix Asphalt Driveway, 2" Thick	\$70.00	11.90	SY	\$ 833.00	
4r	Concrete Driveway, 6" Thick	\$110.00	-22.50	SY		\$ (2,475.00)
5r	Concrete Sidewalk, 4" Thick	\$100.00	-3.69	SY		\$ (369.00)
6r	Concrete Vertical Curb, 6"x8"x18"	\$45.00	-42.00	LF		\$ (1,890.00)
7a	Header Curb, 6"x10" (If & Where Directed)	\$40.00	7.00	LF	\$ 280.00	
8r	Concrete Swale, 8" Thick	\$240.00	-8.00	SY		\$ (1,920.00)
11r	Bicycle Safe Grate	\$500.00	-1.00	UNIT		\$ (500.00)
12r	Curb Piece	\$500.00	-1.00	UNIT		\$ (500.00)
14r	Traffic Stripes, 6"	\$6.00	-37.00	LF		\$ (222.00)
15r	Traffic Stripes, 24"	\$12.00	-14.00	LF		\$ (168.00)
16r	Regulatory and Warning Sign	\$330.00	-3.00	UNIT		\$ (990.00)
17r	Cleanout Monument Box (If & Where Directed)	\$299.00	-3.00	UNIT		\$ (897.00)
18r	Repair Sewer Lateral Cleanout Riser (If & Where Directed)	\$150.00	-3.00	UNIT		\$ (450.00)
19r	Repair Sewer Lateral Cleanout Riser and Tee (If & Where Directed)	\$300.00	-3.00	UNIT		\$ (900.00)
20a	Asphalt Price Adjustment	\$200.00	12 61445	DOL	\$ 2,522.89	
21r	Fuel Price Adjustment	\$100.00	-2.38080	DOL		\$ (238.08)
A1	Sump Pump Discharge Pipe Repair at 1330 Belgrade Avenue	\$5,838.00	1.00	LS	\$ 5,838.00	
					\$ 9,862.59	\$ (16,575.08)



ADJUSTMENT TOTAL: \$ (6,712.49)

BASE CONTRACT PRICE: \$ 388,800.00

ADDITIONS: \$ 9,862.59

REDUCTIONS: \$ (16,575.08)

ADJUSTED CONTRACT PRICE: \$ 382,087.51


 ASPHALT PAVING SYSTEMS, INC.

 WILLIAM H. KIRCHNER, PE, CME

APPROVED BY OWNER

NEW JERSEY DEPARTMENT OF TRANSPORTATION
DIVISION OF LOCAL GOVERNMENT SERVICES AND ECONOMIC DEVELOPMENT
CHANGE ORDER NUMBER - 1
STATE AID PROJECT

Project: 2023 NJDOT ROAD PROGRAM
Municipality: CITY OF BURLINGTON
County: BURLINGTON COUNTY
Contractor: ASPHALT PAVING SYSTEMS, INC.

In accordance with the project Supplementary Specification, the following are changes in the contract.
Location and Reason for Change (Attach additional sheets if required):
 Additional quantities of items 1, 3, 7, and 20 were needed.

Item No.	Description	Quantity +/-	Unit Price	Amount
1a	Full Depth Reclamation with Cement, 6" Depth	13.00	SY \$ 29.90	\$388.70
2r	Hot Mix Asphalt 9.5 M 64 Surface Course, 3" Thick	-50.56	TON \$ 100.00	(\$5,056.00)
3r	Hot Mix Asphalt Driveway, 2" Thick	11.90	SY \$ 70.00	\$833.00
4r	Concrete Driveway, 6" Thick	-22.50	SY \$ 110.00	(\$2,475.00)
5r	Concrete Sidewalk, 4" Thick	-3.69	SY \$ 100.00	(\$369.00)
6r	Concrete Vertical Curb, 6"x8"x18"	-42.00	LF \$ 45.00	(\$1,890.00)
7a	Header Curb, 6"x10" (If & Where Directed)	7.00	LF \$ 40.00	\$280.00
8r	Concrete Swale, 8" Thick	-8.00	SY \$ 240.00	(\$1,920.00)
11r	Bicycle Safe Grate	-1.00	UNIT \$ 500.00	(\$500.00)
12r	Curb Piece	-1.00	UNIT \$ 500.00	(\$500.00)
14r	Traffic Stripes, 6"	-37.00	LF \$ 6.00	(\$222.00)
15r	Traffic Stripes, 24"	-14.00	LF \$ 12.00	(\$168.00)
16r	Regulatory and Warning Sign	-3.00	UNIT \$ 330.00	(\$990.00)
17r*	Cleanout Monument Box (If & Where Directed)	-3.00	UNIT \$ 299.00	(\$897.00)
18r*	Repair Sewer Lateral Cleanout Riser (If & Where Directed)	-3.00	UNIT \$ 150.00	(\$450.00)
19r*	Repair Sewer Lateral Cleanout Riser and Tee (If & Where Directed)	-3.00	UNIT \$ 300.00	(\$900.00)
20a	Asphalt Price Adjustment	12.61445	DOL \$ 200.00	\$2,522.89
21r	Fuel Price Adjustment	-2.38080	DOL \$ 100.00	(\$238.08)
A1*	Sump Pump Discharge Pipe Repair at 1330 Belgrade Avenue	1.00	LS \$ 5,838.00	\$5,838.00

* Non-State Participating Item

Amount of Original Contract	\$388,800.00	Extra	\$5,838.00
		Supplemental	\$4,024.59
Adjusted Amount Based on Change Orders	\$382,087.51	Reduction	-\$16,575.08

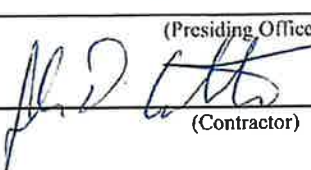
% Change in Contract [(+) Increase or (-) Decrease]	-1.73%	Total Change	-\$6,712.49



 (Engineer) 10/9/24
(Date)

Approved:

 (District Engineer) (Date)



 (Contractor) 10/9/24
(Date)

(Bureau of Local Aid)

RESOLUTION NO. 221-2024 CERTIFYING THAT THE ANNUAL AUDIT REPORT HAS BEEN REVIEWED AND REQUIREMENTS OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY HAVE BEEN MET

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the City Clerk pursuant to N.J.S.A.40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, per R.S. 52:27BB-34; and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all member of the governing body have reviewed, at a minimum, the sections of the annual audit entitled "Findings and Recommendations"; and

WHEREAS, the members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled; "Findings and Recommendations", as evidence by the group affidavit form of the governing body; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, per the regulations of the Local Finance Board; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the governing body to the penalty provisions of R.S. 52:27BB-52

- to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his/her office."

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City to Burlington hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968, and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

RESOLUTION NO. 221-2024

George Chachis, President
Common Council

Attest:

Cindy A. Crivaro, RMC
City Clerk

October 15, 2024

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

CITY OF BURLINGTON
RESOLUTION NO. 221-2024

GROUP AFFIDAVIT FORM CERTIFICATION OF GOVERNING BODY

STATE OF NEW JERSEY)
)SS
COUNTY OF BURLINGTON)

We, members of the governing body of the City of Burlington, the County of Burlington, of full age, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Common Council of the City of Burlington in the County of Burlington;
2. In the performance of our duties, and pursuant to the Local Finance Board Regulation, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2023.
3. We certify that we have personally reviewed and are familiar with, at a minimum, the sections of the Annual Report of Audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)
(L.S.)	(L.S.)

Sworn to and subscribed before me this 15th day of October, 2024.

Notary Public of New Jersey

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certification must be sent to the Bureau of Financial Regulation and Assistance, Division of Local Government Services, P.O. Box 803, Trenton, New Jersey 08625

RESOLUTION NO. 222-2024 OF THE COMMON COUNCIL AUTHORIZING THE CITY OF BURLINGTON TO APPLY FOR AND ACCEPT FEDERAL GRANT FUNDS AS ADMINISTERED BY THE STATE OF NEW JERSEY FOR THE 2025 SAFE AND SECURE COMMUNITIES GRANT PROGRAM

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 ("the City") desires to further the public interest by applying and accepting a grant from the New Jersey Department of Law and Public Safety for the 2025 Safe and Secure Communities Grant Program in the amount of \$45,150; and

WHEREAS, a resolution by the Governing Body is required, approving acceptance of federal funds and participation in the federal grant program as administered by the State of New Jersey, Department of Law and Public Safety; and

WHEREAS, the following information must be provided as part of the acceptance Resolution:

- Name of Subrecipient's Unit of Government - City of Burlington, New Jersey
- Name of the Federal Grant Program - 2025 Safe and Secure Communities Grant Program
- Subaward Number - 25-0305
- Subaward Period - August 1, 2024, to July 31, 2025
- Total amount of the award and match:
 - State: \$45,150.00
 - City of Burlington Match: \$144,350.00
 - Total: \$189,500.00

WHEREAS, the City wishes to accept the aforementioned grant.

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Burlington formally does hereby accept the subaward grant in the amount of \$45,150.00.

BE IT FURTHER RESOLVED that the City of Burlington is accepting these grant funds for the purpose as described in the State of New Jersey Department of Law and Public Safety Safe and Secure Communities Grant Program's Administration and Funding Guidelines.

BE IT FURTHER RESOLVED that the Mayor, Municipal Clerk, CFO, and Chief of Police are hereby authorized to sign the grant agreement and documents, where applicable, and that their signature(s) constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

RESOLUTION NO. 222-2024

George Chachis, President
Common Council

Attest:

Cindy A. Crivaro, RMC
City Clerk

October 15, 2024

CERTIFICATION

I, Cindy A. Crivaro, do hereby certify that the foregoing is a true and complete copy of a Resolution that was adopted by the Common Council of the City of Burlington at the meeting held on the 15th day of October 2024.

Cindy A. Crivaro, RMC
City Clerk

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



NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF ADMINISTRATION
SUBAWARD

PROJECT TITLE 2025 Safe and Secure Communities Grant Program	SUBAWARD AMOUNT STATE \$ 45,150.00 MATCH \$ <u>Fringe Benefits</u> TOTAL \$ 45,150.00
IMPLEMENTING AGENCY Burlington City Police Department	DATE OF AWARD August 28, 2024
SUBRECIPIENT Burlington City	STATE ACCOUNT NO. 25-100-066-1020-232 25-495-066-1020-497

In accordance with the provisions of the Safe and Secure Communities Act of 1993,P.L. 1993, c. 220 (N.J.S.A. 52:17B-159, et seq.) and based upon the project application, the Department of Law and Public Safety hereby awards to the above named Subrecipient, a subaward in the amount specified for the purposes set forth in the approved application.

This subaward is subject to all applicable federal and state statutes, as well as the requirements set forth in the application authorization, the approved project budget, required certifications, and any general conditions, assurances, and special conditions attached to the grant program. This subaward is also subject to all applicable statutes of the State of New Jersey and all Federal, State, and Local financial accounting requirements, including the filing of single audits, as required under 2 C.F.R. Part 200, Subpart F, Audit Requirements (2 C.F.R. §200.500, et seq.) and State Circular Letters 15-08-OMB and 07-05-OMB (if applicable).

This subaward incorporates all conditions and representations contained or made in the application and notice of availability of funds (if applicable).

FOR THE SUBRECIPIENT:

**FOR THE STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY:**

Signature of Authorizing Official

Attorney General or Designee

Typed Name of Authorizing Official and Title

Date

Barry W. Conaway, Mayor

Date

Subaward Number: 25-0305

Contact:
Erin Zippel, Chief Administrative Officer
Division of Administration
Department of Law and Public Safety
(609) 376-2445
grants@njoag.gov

Subaward Period: 8/1/24-7/31/25

Subrecipient Fiscal Year Start Date: January 1