

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 5, 2021, AT 7:00 PM, VIA ZOOM PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The following notice of the meeting was sent:

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq., as amended by A-3850, and in consideration of Executive Orders No. 103 and 107, issued by Governor Murphy on March 9 and 21, 2020 respectively, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the City of Burlington does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, the Regular meeting of the Common Council scheduled for January 5, 2021 will be held electronically only. Members of the public who wish to participate in the meeting may do so by calling in or joining at 7:00p.m. Individuals calling in or joining will be able to fully participate in the meeting, including providing public comment.

Join Zoom Meeting:

<https://us02web.zoom.us/j/2993296844?pwd=UURxMXhYMyxYXIUNUJZTHZwemxqQT09>

Dial: 1-646-558-8656

Meeting ID: 299 329 6844

Password: 863459

Cindy A. Crivaro, RMC
Municipal Clerk

Members present: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7) Absent: (0)

Also present: Mayor Conaway, Administrator- David Ballard, Chief Financial Officer- Ken Mac Millan, Director of Housing- Bill Harris, Municipal Attorney- Lou Garty, Chief Fine, Director of Public Affairs- John Alexander, Director of Public Works -Bill Curry .

CONSENT AGENDA

Councilwoman Hatala, moved that all Consent Agenda items be approved. It was seconded by Councilman Babula. All were in favor.

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR DECEMBER 2020

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of October 2020 \$620.00

Monies collected by the Municipal Clerk's Office for the month of November 2020 \$690.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

12-01 Land Use Board for December 16, 2020

12-02 Historic Preservation Commission Re-Organization for January 6, 2021

12-03 Historic Preservation Commission for January 6, 2021

CORRESPONDENCE TO AND FROM OF HOUSING AND COMMUNITY DEVELOPMENT:

12-400 Notice of Annual Schedule Meeting for the Housing Authority

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

12-500 Public Health Department, re: Covid Testing

12-501 Department of Solid Waste, re: Recycling Schedule

12-502 NJDEP, dated December 11, 2020, re: Weekly Update

12-503 Public Health Department, re: Covid Testing

CORRESPONDENCE TO AND FROM THE NJLM

12-600 NJLM, dated December 1, 2020, re: Daily Updates

12-601 The Town Crier, re: Committee Advances Small Cell Wireless Bill

12-602 NJLM, dated December 18, 2020, re: Weekly Round Up

12-603 NJLM, dated December 17, 2020, re: Education Opportunities for Newly Elected Officials

12-604 NJLM, dated December 30, 2020, re: COVID 19 Relief, CEU's certificates on line, Opportunity for Education

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

12-700 NJDCA, NJ Division of Local Government Services, re: recent local finance notices dated December 2020

12-701 NJDEP, NJ Department of Environmental Protection re: Compliance Advisory - Christmas Tree burning and disposal issued November 6, 2020

MISCELLANEOUS CORRESPONDENCE

12-800 Senior Freeze Social Information

12-801 Township of Long Hill, NJ., Resolution 20-313, re: Affordable Housing Act

12-802 Historic Yorkshire News, December 2020

12-803 NJEDA, re: expands discounts, extends deadline for PPE Access program

12-804 Delaware River Basin Commission, dated December 4, 2020, re: DRBC Docket D-2017-009-2 for Gibbstown Logistics Center Dock 2

12-805 NJJIF, re: 2020-2021 Elected Official Risk Management Seminar: Employee Practices Liability

12-806 Comcast, dated December 9, 2020, re: Comcast COVID Support Updates

12-807 Team Endeavor, Annual Awards Event

- 12-808 NJ Health CDS COVED -19 Activity Level report week ending December 12, 2020
- 12-809 Comcast, re: 2 month of free High Speed internet
- 12-810 Pam Bass, re: Thank you for fruit basket
- 12-811 Endeavor Emergency Squad, Inc., re: statistics for November 2020

NOTICES OF FORECLOSURES

- 12-900 Block 81, Lot 11
- 12-901 Block 32, Lot 35

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

LIMITING CITIZENS TO SPEAK NO MORE THAN TWO (2) MINUTES, ONLY ONE TIME EACH, DURING THIS MEETING OF JANUARY 5, 2021*

ORDINANCE(S) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 207 OF THE CODE OF THE CITY OF BURLINGTON (LAND DEVELOPMENT) Site Plan Waiver

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 207 OF THE CODE OF THE CITY OF BURLINGTON (LAND DEVELOPMENT) Marijuana

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Chachis, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (5); NAYS: Ms. Hatala. (1); ABSTAIN: Mr. Babula. (1); ABSENT: (0).

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 195 OF THE CODE OF THE CITY OF BURLINGTON (HOUSING STANDARDS AND LANDLORD REGISTRATION) AND CHAPTER 1 (VIOLATIONS AND PENALTIES)

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 251 OF THE CODE OF THE CITY OF BURLINGTON (PARKS AND RECREATION AREAS), CHAPTER 1(VIOLATIONS AND PENALTIES)AND CHAPTER 84 (ANIMALS)

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hatala, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 162 OF THE CODE OF THE CITY OF BURLINGTON (FIRE PREVENTION)

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING GENERAL REVISED ORDINANCE CHAPTER 54-28 SETTING FORTH TITLES AND SALARY RANGES FOR VARIOUS POSITIONS WITHIN THE CITY OF BURLINGTON

Upon the motion of Councilwoman Chachis, seconded by Councilwoman Woodard, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 281 OF THE CODE OF THE CITY OF BURLINGTON (SHOPPING CARTS)

Upon the motion of Councilwoman Hatala, seconded by Councilman Babula, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

A BOND ORDINANCE AUTHORIZING REPAIRS AND IMPROVEMENTS TO VARIOUS ROADWAYS IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$325,000 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 \$42,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

Upon the motion of Councilman Chachis, seconded by Councilman Babula, the foregoing ordinance was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 01-2021*

Common Council of the City of Burlington, hereby approves the following appointments for the year 2021:

Councilman Chachis and Councilwoman Hollingsworth as Council's representatives to the Tourism Council;

Councilwoman Lollar as Council's representative to the City of Burlington Municipal Alliance;

Councilman Swan as Council's representative as a Member to Main Street Burlington;

Councilwoman Hatala as Council's representative as a Member to the Land Use Board;

Councilwoman Hollingsworth as Council's liaison to the Board of Education;

Councilman Babula as Council's liaison to the Board of Island Managers;

Councilwoman Woodard and Councilwoman Hollingsworth as Council's representatives to the Local Emergency Planning Committee;

Councilwoman Hatala as liaison to the Greater Burlington Chamber of Commerce;

1st Ward Councilman Chachis, Councilwoman Woodard and Councilman Swan; 2nd Ward Councilwoman Woodard, Councilwoman Hollingsworth and Councilman Swan; 3rd Ward Councilwoman Hatala, Councilwoman Hollingsworth and Councilman Babula; 4th Ward Councilwoman Lollar, Councilman Babula and Councilwoman Hatala to serve as Council's representatives to the Ward Redevelopment sub-committee.

Approved by Consent Agenda. All were in favor.

Resolution No. 02-2021*

NOTICE is hereby given that the following is the schedule of the Regular Meeting Dates and Work Session Meeting Dates of the Common Council of the City of Burlington (which may include executive sessions) for 2021 to be held in the Council Meeting Room, located at 525 High Street, Burlington, N.J., beginning at 7:00 p.m. except where specifically set forth otherwise:

REGULAR MEETINGS

(Formal action will be taken- work session may follow)

January 5, 2021
January 19, 2021
February 2, 2021
February 16, 2021
March 2, 2021
March 30, 2021
April 13, 2021
April 27, 2021
May 11, 2021
May 25, 2021
June 15, 2021

June 29, 2021
July 13, 2021
July 27, 2021
August 3, 2021
September 7, 2021
September 21, 2021
October 5, 2021
October 19, 2021
November 9, 2021
December 7, 2021
December 14, 2021

WORK SESSIONS
(No formal action taken)

January 12, 2021
February 9, 2021
March 9, 2021
April 17, 2021 (Budget)

May 18, 2021
June 22, 2021
July 20, 2021
September 14, 2021
October 12, 2021

Approved by Consent Agenda. All were in favor.

Resolution No. 03-2021*

WHEREAS, should the occasion arise whereby the Mayor is prevented by absence from the municipality, due to disability, or other just cause from attending to the duties of his office, and in accordance with N.J.S.A. 40:69A-42, Mayor Barry W. Conaway hereby selects David H. Ballard, Kenneth R. MacMillan and William T. Curry as Acting Mayor; and

WHEREAS, if the Mayor is ever unable to attend to the duties of his office for a period of sixty (60) consecutive days, for any of the above stated reasons, an acting mayor will then be appointed by the Common Council who shall succeed to all the rights, powers, duties of the mayor, or the then acting mayor.

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington does hereby confirm the Mayor's appointments for Acting Mayor.

Approved by Consent Agenda. All were in favor.

Resolution No. 04-2021*

RESOLUTION NO. 04-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF MUNICIPAL ATTORNEY/SOLICITOR

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

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the municipal attorney/solicitor will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposal for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor as appointed and selected M. Lou Garty of The Garty Law Firm to serve as the Municipal Attorney/Solicitor based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2021.

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 approves of Mayor Barry W. Conaway's appointment of M. Lou Garty of The Garty Law Firm to serve as Municipal Attorney/Solicitor for the term of January 1, 2021 through December 31, 2021.
2. The compensation of the Solicitor and services of the Solicitor for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and M. Lou Garty of The Garty Law Firm.
3. The City of Burlington is hereby authorized to enter into the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for M. Lou Garty of The Garty Law Firm to provide legal services and serve as Municipal Attorney/Solicitor setting forth the following terms:
 - a. A term of January 1, 2021 through December 31, 2021
 - b. Hourly rates and compensation not in excess of that set forth in The Garty Law Firm's

proposal; and

c. The following not to exceed amounts:

	<u>2021</u>
General Solicitor Services	\$156,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 05-2021*

RESOLUTION NO. 05-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF THE ALAIMO GROUP AS CITY ENGINEER

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

WHEREAS, pursuant to that form of government, the administrative functions, powers and duties are to be performed by and distributed amongst established departments; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the Engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected the Alaimo Group to serve as the City Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2021.

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 approves of Mayor Barry W. Conaway's appointment of the Alaimo Group to serve as the City Engineer for the term of January 1, 2021 through December 31, 2021.

2. The compensation of the Engineer and services of the Engineer for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Alaimo Group.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for the Alaimo Group to provide engineering services and serve as City Engineer setting forth the following terms:

a. A term of January 1, 2021 through December 31, 2021

b. Hourly rates and compensation not in excess of that set forth in Alaimo Group's proposals; and

c. The following not to exceed amounts:

2021

General Engineering Services \$77,500.00

Approved by Consent Agenda. All were in favor.

Resolution No. 06-2021*

RESOLUTION NO. 06-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF PENNONI ASSOCIATES, INC. AS SEWER ENGINEER

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Sewer Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the sewer engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Penmoni Associates, Inc. to serve as the Municipal Sewer Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2021.

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 approves of Mayor Barry W. Conaway's appointment of Penmoni Associates, Inc. to serve as the Sewer Engineer for the term of January 1, 2021 through December 31, 2021.
2. The compensation of the Sewer Engineer for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and Penmoni Associates, Inc..
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Penmoni Associates, Inc. to provide sewer engineering services setting forth the following terms:
 - a. A term of January 1, 2021 through December 31, 2021
 - b. Hourly rates and compensation not in excess of that set forth in Penmoni Associates, Inc.'s proposal; and

c. The following not to exceed amounts:

2021

Sewer Engineering Services \$135,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 07-2021*

RESOLUTION NO. 07-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF ENVIRONMENTAL RESOLUTIONS, INC. AS WATER ENGINEER

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for Water Engineer whereby proposals were solicited and evaluated by the Mayor based upon criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into retain the water engineer will exceed the threshold of \$17,500.00 established by N.J.S.A.:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19-44A-20.5 et seq.

WHEREAS, the Mayor has appointed and selected Environmental Resolutions, Inc. to serve as the Municipal Water Engineer based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2021.

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 approves of Mayor Barry W. Conaway's appointment of Environmental Resolutions, Inc. to serve as the Water Engineer for the term of January 1, 2021 through December 31, 2021.

2. The compensation of the Water Engineer for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and Environmental Resolutions, Inc..

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Environmental Resolutions, Inc. to provide water engineering services setting forth the following terms:

a. A term of January 1, 2021 through December 31, 2021

b. Hourly rates and compensation not in excess of that set forth in Environmental Resolutions, Inc. proposals; and

c. The following not to exceed amounts:

	<u>2021</u>
Water Engineering Services	\$100,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 08-2021*

RESOLUTION NO. 08-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF QUAL-LYNX AS THE THIRD PARTY INSURANCE CLAIMS ADMINISTRATOR

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for an Insurance - Third Party Claims Administrator whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain an Insurance - Third Party Administrator will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and

announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed Qual-Lynx to serve as the municipal Insurance - Third Party Claims Administrator based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2021.

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 approves of Mayor Barry W. Conaway's appointment of Qual-Lynx to serve as the Third Party Claims Administrator for the term of January 1, 2021 through December 31, 2021.
2. The compensation of the Insurance - Third Party Administrator for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and Qual-Lynx.
1. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract for Qual-Lynx to provide Third Party Claims Administration setting forth the following terms:

1. A term of January 1, 2021 through December 31, 2021
2. Compensation amount not to exceed \$25,750.00.

Approved by Consent Agenda. All were in favor.

Resolution No. 09-2021*

RESOLUTION NO. 09-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED ATTORNEYS AS POOL COUNSEL FOR SPECIAL SELF-INSURANCE TORT & CIVIL LITIGATION MATTERS

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Self-Insurance Tort & Civil Litigation Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as “Special Projects Counsel” for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected several law firms to be assigned projects or matters from the pool of attorneys for Special Projects Counsel based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Special Projects Counsel; 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 the year 2021.

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 approves of Mayor Barry W. Conaway’s appointment of the following law firms or attorneys to serve as Special Self-Insurance Tort & Civil Litigation Counsel for various projects and/or legal matters based upon a determination of the best needs of the City (hereafter “Special Projects Counsel Pool”) for the term of January 1, 2021 through December 31, 2021:

Rainone Coughlin Minchello
The Walker Firm, LLC
Siciliano & Associates, LLC
Lenox Law Firm
Zeller & Wieliczko, LLP
Swati M. Kothari, Esq.
Platt & Riso, PC
Parker McCay, P.A.
The Garty law Firm

2. The compensation of the Attorneys for these services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Special Projects Counsel Pool, which shall be consistent with the RFP proposals submitted by the attorneys and firms.

Approved by Consent Agenda. All were in favor.

Resolution No. 10-2021*

RESOLUTION NO.10-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A CONTRACT WITH OWEN, LITTLE & ASSOCIATES, INC. PURSUANT TO AN RFP/RFQ ISSUED FOR PROPOSALS TO PROVIDE CERTIFIED FLOOD PLAIN MANAGEMENT SERVICES TO THE CITY OF BURLINGTON FOR THE YEAR 2021

WHEREAS, the City of Burlington 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, in order to comply with FEMA's Community Rating System regulations and in interpreting Flood Elevation Certificates (FECs), the City of Burlington needs to retain the services of a Certified Flood Plain Manager; and

WHEREAS, FEMA regulations require that such services be performed by an independent contractor; and

WHEREAS, the City of Burlington currently has in place a contract with a Certified Flood Plain Manager for the provision of these services in which the term of the Agreement is scheduled to expire shortly; and

WHEREAS, in order to comply with FEMA's regulations and in anticipation of the need to retain a Certified Flood Plain Manager for the provision of these services in the year 2021, the Common Council authorized the Mayor's administrative staff to explore options for providing such services by an experienced, reputable and dependable Certified Flood Plain Manager Services; and

WHEREAS, by Resolution adopted, the Common Council previously authorized the issuance of a Request for Proposals and/or Request for Qualifications (RFP/RFQ) through an open, competitive contracting process, as permitted pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1 *et seq.*, in order to solicit bids from qualified consultants to provide such services; and

WHEREAS, the City received two proposals from qualified firms to provide the required services; and

WHEREAS, the proposal from Owen, Little & Associates, Inc. was deemed to be qualified and proposed to provide the requested services at the lowest rate of \$140 per hour; and

WHEREAS, the proposal from Owen, Little & Associates, Inc. currently has a contract with the City of Burlington to perform the requested services which services are being provided in a timely, professional and competent fashion such that the Director of Housing and Community Development recommends the award of the subject contract to Owen, Little & Associates, Inc. for 2021, consistent with the RFP/RFQ issue and the proposal provided by Owen, Little & Associates, Inc.

NOW THEREFORE, BE IT RESOLVED that the Common Council for 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 Owen, Little & Associates, Inc. to perform the scope of services as described in the RFP/RFQ issued and consistent with the proposal submitted by Owen, Little & Associates, Inc. dated December 1, 2020 at rates consistent with the proposal submitted in an amount not to exceed \$12,000, subject to the adoption of the 2021 temporary budget.

2. The Mayor, City Clerk, and such other City Professionals and Administrative Staff as may be necessary are authorized to carry out and/or execute such other tasks, documents, and/or notices as may be necessary to effect this contract.

Approved by Consent Agenda. All were in favor.

Resolution No. 11-2021*

RISK MANAGEMENT CONSULTANT

WHEREAS, the City of Burlington has resolved to join the New Jersey Municipal Self Insurers' Joint Insurance Fund ("NJMSIJIF") following a detailed analysis; and

WHEREAS, the Bylaws of NJMSIJIF require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

WHEREAS, the Bylaws indicate that NJMSIJIF shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee;

NOW THEREFORE, BE IT RESOLVED that the City of Burlington does hereby appoint Hardenberg Insurance Group as its Risk Management Consultant in accordance with the Fund's Bylaws.

Approved by Consent Agenda. All were in favor.

Resolution No. 12-2021*

Appointment of the Walker Law Firm as Workers' Compensation Special Counsel

WHEREAS, there exists a need in the City of Burlington, for a Workers' Compensation Special Counsel, and funds are available and have been certified by the local finance officer, and certification being attached to this resolution; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into will not exceed the \$17,500.00 threshold established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40a:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised:

NOW, THEREFORE, BE IT RESOLVED, that the Common Council, of the City of Burlington hereby approves Mayor Barry W. Conaway's appointment of the Walker Law Firm as Workers' Compensation Special Counsel, for the period January 1, 2021 to December 31, 2021, at an amount not to exceed \$20,000.00.

1. The compensation of the Workers' Compensation Special Counsel for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City of Burlington and the Walker Law Firm; and
2. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, the attached Professional Services Contract for the Workers' Compensation Special Counsel services with the Walker Law Firm; and
3. This contract is awarded without competitive bidding as a Professional Service in accordance with 40A:11-5(1) (a) of the local public contracts law.
4. This resolution shall be printed once in the City's official newspaper.

Approved by Consent Agenda. All were in favor.

Resolution No. 13-2021*

RESOLUTION NO. 13-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF A MUNICIPAL AUDITOR

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process for a Municipal Auditor whereby proposals were solicited and evaluated by the Common Council based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain a Municipal Auditor will exceed the threshold of \$17,500 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et. Seq., and

WHEREAS, the Mayor has appointed Mercadien, P.C. to serve as the Municipal Auditor based upon the Council's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2021.

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 approves the appointment of Mercadien, P.C. to serve as the Municipal Auditor for the term of January 1, 2021 through December 31, 2021.
2. The compensation of the Municipal Auditor for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and Mercadien, P.C..
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of

Burlington, a Professional Services Contract for Mercadien, P.C. to provide auditing services setting forth the following terms:

- a. A term of January 1, 2021 through December 31, 2021
- b. Compensation of \$39,500.00 as set forth in Mercadien, P.C. proposal.

Approved by Consent Agenda. All were in favor.

Resolution No. 14-2021*

RESOLUTION NO. 14-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF BOND COUNSEL

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Bond Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the Bond Counsel will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has and selected the law firm of Parker McCay, P.A. to serve as Bond Counsel based upon the Mayor's determination of the "most advantageous, price and other factors" based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2021;

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 approves of Mayor Barry W. Conaway's appointment of the law firm of Parker McCay, P.A. to serve as Bond Counsel for the term of January 1, 2021 through December 31, 2021.

2. The compensation and services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and the law firm of Parker McCay, P.A.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with the law firm of Parker McCay, P.A. to provide Bond Counsel services setting forth the following terms:

a. The term of January 1, 2021 through December 31, 2021

b. the following not to exceed amount:

	<u>2021</u>
Bond Counsel	\$15,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 15- 2021*

RESOLUTION NO. 15-2021 OF THE COMMON COUNCIL FO THE CITY OF BURLINGTON AUTHORIZING THE CITY OF BURLINGTON TO ENTER INTO A COOPERATIVE PRICING AGREEMENT

WHEREAS, N.J.S.A 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing Agreement for its administration; and

WHEREAS, the County of Burlington, hereinafter referred to as the "Lead Agency," has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on January 5, 2021, the Governing Body of the City of Burlington, County of Burlington, State of New Jersey, duly considered participation in said Cooperative Pricing System for the provision and performance of goods and services;

Now, Therefore, Be It Resolved as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the City of Burlington.

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), Barry W. Conaway is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with provisions of the *Local Public Contracts Law* (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

CERTIFICATION

I hereby certify that the foregoing is a true, full and correct copy of Resolution No. 15-2021 adopted by the City of Burlington Common Council at its meeting on January 5, 2021.

Approved by Consent Agenda. All were in favor.

Resolution No. 16-2021*

RESOLUTION NO. 16-2021 OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR ALCOHOLIC BEVERAGE CONTROL SPECIAL COUNSEL SERVICES

WHEREAS, there exists a need for Alcoholic Beverage Control Special Counsel, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute the attached agreement with Rainone Coughlin Minchello, in an amount not to exceed \$10,000.00 for the term of January 1, 2021 through December 31, 2021.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.

3. A notice of this action shall be printed once in the Burlington County Times.

Approved by Consent Agenda. All were in favor.

Resolution No. 17-2021*

Common Council of the City of Burlington, hereby consents to the following appointments by the Mayor to the City of Burlington Historic Preservation Commission:

Chancellor VanSciver, as a Class “C” Member, for a 4-year term 01/01/21 to 12/31/24

Judith Barclay, as Alternate No. 1, Class “C” Member, for a 2-year term 01/01/21 to 12/31/22

John Krimmel, as a Class “C” Member, for a 4-year term 01/01/21 to 12/31/24

Milton Smith, as a Class “A” Member, for a 4-year term 01/01/21 to 12/31/24

Approved by Consent Agenda. All were in favor.

Resolution No. 18-2021*

RESOLUTION NO. 18-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF COAH / FAIR SHARE HOUSING COUNSEL

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of COAH/Fair Share Housing Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the COAH/Fair Share Housing Counsel will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has and selected Surenian, Edwards & Nolan, LLC to serve as COAH/Fair Share Housing Counsel based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2021.

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 approves of Mayor Barry W. Conaway's appointment of Surenian, Edwards & Nolan, LLC to serve as COAH/Fair Share Housing Counsel for the term of January 1, 2021 through December 31, 2021.

2. The compensation and services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and Surenian, Edwards & Nolan, LLC.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Surenian, Edwards & Nolan, LLC to provide COAH/Fair Share Housing Counsel services setting forth the following terms:

- a. The term of January 1, 2021 through December 31, 2021
- b. the following not to exceed amount:

	<u>2021</u>
COAH/Fair Share Housing Counsel	\$10,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 19-2021*

RESOLUTION NO. 19-2021 OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR FINANCIAL CONSULTING SERVICES

WHEREAS, there exists a need for Financial Consulting Services, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute the attached agreement with Phoenix Advisors, LLC, in an amount not to exceed \$10,000.00 for the term of January 1, 2021 through December 31, 2021.
2. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the Burlington County Times.

Approved by Consent Agenda. All were in favor.

Resolution No. 20-2021*

RESOLUTION NO. 20-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED LAW FIRMS AS POOL COUNSEL FOR LABOR MATTERS

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Labor Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as “Special Projects Counsel” for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected several law firms to be assigned projects or matters from the pool of attorneys for Special Projects Counsel based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Special Projects Counsel; 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 the year 2021.

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 approves of Mayor Barry W. Conaway's appointment of the following law firms or attorneys to serve as Special Projects Labor Counsel for various projects and/or legal matters based upon a determination of the best needs of the City (hereafter "Special Projects Counsel Pool") for the term of January 1, 2021 through December 31, 2021:

Lennox Law Firm
Parker McCay, P.A.
Siciliano & Associates, LLC
Swati M. Kothari, Esq.

2. The compensation of the Attorneys for these services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Special Projects Counsel Pool, which shall be consistent with the RFP proposals submitted by the attorneys and firms.

Approved by Consent Agenda. All were in favor.

Resolution No. 21-2021*

RESOLUTION NO. 21-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF TAX APPEALS COUNSEL

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Tax Appeals Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the Tax Appeals Counsel attorney will exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, the Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has and selected Kathleen McGill Gaskill, Esq. to serve as Tax Appeals Counsel based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the Request for Proposals; 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 the year 2021.

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 approves of Mayor Barry W. Conaway’s appointment of Kathleen McGill Gaskill, Esq. to serve as Tax Appeals Counsel for the term of January 1, 2021 through December 31, 2021.
2. The compensation and services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and Kathleen McGill Gaskill, Esq.
3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with Kathleen McGill Gaskill, Esq. to provide Tax Appeals Counsel services setting forth the following terms:
 - a. The term of January 1, 2021 through December 31, 2021
 - b. the following not to exceed amount:

	<u>2021</u>
Tax Appeals Counsel	\$10,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 22-2021*

RESOLUTION NO. 22-2021 OF THE CITY OF BURLINGTON AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR TAX FORECLOSURE AND BANKRUPTCY SPECIAL COUNSEL SERVICES

WHEREAS, there exists a need for Tax Foreclosure and Bankruptcy Special Counsel, and funds are available and have been certified by the Chief Financial Officer's Certification attached; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40:11-1 et. seq. requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

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

1. The Mayor and the Municipal Clerk are hereby authorized and directed to execute an agreement with Goldenberg, Mackler, Sayegh, Mintz, Pfeffer, Bonchi, Guild, in an amount not to exceed \$15,000.00 for the term of January 1, 2021 through December 31, 2021.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the Burlington County Times.

Approved by Consent Agenda. All were in favor.

Resolution No. 23-2021*

GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964"

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Common Council of the City of Burlington, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Approved by Consent Agenda. All were in favor.

Resolution No. 24-2021*

RESOLUTION NO. 24-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON TO APPROVE THE CITY'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of the City of Burlington ("City") to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act; and

WHEREAS, the Common Council for the City of Burlington has determined that certain procedures need to be established to accomplish this policy.

NOW, THEREFORE BE IT ADOPTED AND RESOLVED by the Common Council for the City of Burlington that:

Section 1: No official, employee, appointee or volunteer of the City of Burlington by whatever title known, or any entity that is in any way a part of the City of Burlington shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the City of Burlington's business or using the facilities or property of the City of Burlington.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the City of Burlington to provide services that otherwise could be performed by the City of Burlington.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Business Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Business Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the City of Burlington as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Business Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Business Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the City of Burlington. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the City of Burlington's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the City of Burlington in order for the public to be made aware of this policy and the City of Burlington's commitment to the implementation and enforcement of this policy.

Approved by Consent Agenda. All were in favor.

Resolution No. 25-2021*

RESOLUTION NO. 25-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED ENGINEERS AS POOL ENGINEERS FOR CONSTRUCTION INSPECTIONS

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Construction Inspection Engineer, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of engineers as “Construction Inspection Engineers” for various special projects involving unique or specialized engineering knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected several engineering firms to be assigned projects or matters from the pool of engineers for Construction Inspection Engineer based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Construction Inspection Engineer ; 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 the year 2021.

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 approves of Mayor Barry W. Conaway’s appointment of the following engineering firms or engineers to serve as Construction Inspection Engineer for various projects and/or

engineering matters based upon a determination of the best needs of the City (hereafter “Construction Inspection Engineers”) for the term of January 1, 2021 through December 31, 2021:

Alaimo Group
Remington & Vernick

2. The compensation of the Engineers for these services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Construction Inspection Engineers, which shall be consistent with the RFP proposals submitted by the engineers and firms.

Approved by Consent Agenda. All were in favor.

Resolution No. 26-2021*

RESOLUTION NO. 26-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED ENGINEERS AS POOL ENGINEERS FOR SPECIAL PROJECTS AND ENGINEERING MATTERS

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Projects Engineers, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of engineers as “Special Projects Engineers” for various special projects involving unique or specialized engineering knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected several engineering firms to be assigned projects or matters from the pool of engineers for Special Projects Engineers based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Special Projects Engineers; 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 the year 2021.

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

- 2 The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway's appointment of the following engineering firms or engineers to serve as Special Projects Engineers for various projects and/or engineering matters based upon a determination of the best needs of the City (hereafter "Special Projects Pool Engineers") for the term of January 1, 2021 through December 31, 2021:

Bach & Associates
Environmental Resolutions, Inc.
CME Associates
Remington & Vernick
Alaimo Group
Pennoni Associates, Inc.

2. The compensation of the Engineers for these services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Special Projects Pool Engineers, which shall be consistent with the RFP proposals submitted by the engineers and firms.

Approved by Consent Agenda. All were in favor.

Resolution No. 27-2021*

RESOLUTION NO. 27-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF CERTAIN DESIGNATED ATTORNEYS AS POOL COUNSEL FOR SPECIAL PROJECTS AND LEGAL MATTERS

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Special Projects Counsel, whereby

proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as “Special Projects Counsel” for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has selected several law firms to be assigned projects or matters from the pool of attorneys for Special Projects Counsel based upon the Mayor’s determination of the “most advantageous, price and other factors” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Special Projects Counsel; 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 the year 2021.

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

- 3 The Common Council of the City of Burlington hereby approves of Mayor Barry W. Conaway’s appointment of the following law firms or attorneys to serve as Special Projects Counsel for various projects and/or legal matters based upon a determination of the best needs of the City (hereafter “Special Projects Pool Attorneys”) for the term of January 1, 2021 through December 31, 2021:

Lennox Law Firm
The Walker Firm, LLC
Siciliano & Associates, LLC
James K. Grace, Esq.
Zeller & Wieliczko, LLP
Rainone, Coughlin Minchello
Swati M. Kothari, Esq.
Platt & Riso, PC

2. The compensation of the Attorneys for these services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and the Special Projects Pool Attorneys, which shall be consistent with the RFP proposals submitted by the attorneys and firms.

Approved by Consent Agenda. All were in favor.

Resolution No. 28-2021*

RESOLUTION NO. 28-2021 IDENTIFYING CDBG FAIR HOUSING OFFICER

WHEREAS, City of Burlington must make efforts to affirmatively further fair housing; and

WHEREAS, City of Burlington has reviewed various actions that would be acceptable to the New Jersey State Department of Community Affairs and the U.S. Department of Housing and Urban Development; and

WHEREAS, City of Burlington will comply with:

the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and

the Civil Rights Act of 1964, and the regulations issued thereto it; and

the Fair Housing Act of 1968 and will affirmatively further fair housing; and

the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that, Bill Harris shall be designated as the Fair Housing Officer for City of Burlington; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from City of Burlington; and

BE IT FURTHER RESOLVED that Bill Harris will conduct a public information and outreach campaign to publicize the City of Burlington's fair housing services.

BE IT FURTHER RESOLVED that the City of Burlington will publish in the local newspaper of record and post at the municipal building a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing services.

Approved by Consent Agenda. All were in favor.

Resolution No. 29-2021*

WHEREAS, pursuant to N.J.A.C. 17:27-3.5, each public agency is annually required to designate an employee to serve as its Public Agency Compliance Officer with respect to public contracts, including procurement contracts, service contracts, and construction contracts that exceed that agency's public bidding threshold; and

WHEREAS, the Public Agency Compliance Officer ensures that no public contracts exceed the agency's public bidding threshold is awarded and moneys paid until the prospective vendor has agreed to contract performance which complies with current Affirmative Action Regulations and State Laws; and

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, that David H. Ballard be designated the City of Burlington's Public Agency Compliance Officer for the year 2021.

Approved by Consent Agenda. All were in favor.

Resolution No. 30-2021*

Common Council of the City of Burlington hereby confirms the Mayor's appointment of John Alexander and Colin Smith to the Burlington County River Route Advisory Committee for the period of January 1, 2021 to December 31, 2021.

Approved by Consent Agenda. All were in favor.

Resolution No. 31-2021*

RESOLUTION NO. 31-2021 APPOINTING A MUNICIPAL HOUSING LIAISON (MHL) / RCA ADMINISTRATOR FOR THE CITY OF BURLINGTON IN THE COUNTY OF BURLINGTON

WHEREAS, the Governing Body of the City of Burlington petitioned the Council on Affordable Housing (COAH) for substantive certification of its Housing Element and Fair Share Plan which was filed with COAH on December 19, 2005; and

WHEREAS, the City of Burlington's Fair Share Plan and Project Plan promote an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27d-301, et seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et seq.); and

WHEREAS, the Governing Body of the City of Burlington adopted resolutions entering into Regional Contribution Agreements ("RCA") with the Townships of Delran, Burlington and

Evesham for the transfer of 43, 52 and 10 units respectively pursuant to the Fair Housing Act, (N.J.S.A. 52:27d-301 et seq.), N.J.A.C. 5:94-1, et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 5:94-7 and N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint a Municipal Housing Liaison for the administration of the City of Burlington's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, pursuant to N.J.A.C. 5:80-26.1 et seq. the City of Burlington is required to appoint an administrator for the administration of the City of Burlington's RCA Housing Program to enforce the requirements of N.J.A.C. 5:94-1 et seq., N.J.A.C. 5:95-1 et seq. and N.J.A.C. 5:80-26.1 et seq.; and

WHEREAS, the City of Burlington has amended Chapter 70, Article III of the Municipal Code to provide for the appointment of an MHL to administer the City of Burlington's affordable housing program and to provide for the appointment of an RCA Administrator to administer the City of Burlington's RCA affordable housing program; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington in the County of Burlington and the State of New Jersey that Bill Harris is hereby appointed by the Governing Body of the City of Burlington as the Municipal Housing Liaison for the administration of the affordable housing program and as the RCA Administrator for the administration of the RCA affordable housing program, pursuant to and in accordance with Chapter 70, Article III of the City of Burlington's Municipal Code.

Approved by Consent Agenda. All were in favor.

Resolution No. 32-2021*

Common Council of the City of Burlington, hereby approves the following Emergency Driver's for the year 2021:

Mitchell Sta. 903

Michael Adams
Zachary Adams
Roy Barkewich
Shawn Meredith
Brian Curiale
Christopher Curiale
Bruce Dowdy
Andrew Grandin

Neptune Sta. 905

David Fugh
Douglas Ghaul
Mark Lawshe
Robert Maronski
Ryan Phillips
Jamie Sabo
Keith Spencer
Christopher Thill

Niagara Sta. 906

Jeff Iwanicki
Rusty Caruso
Howard Caruso
Timothy Fitch
Colin Zimmerman
Matthew Field
Shane Furani
Jennifer Lambing

Matthew Kaplan
Brandon Brelsford
Kevin Sexton
John Warren
Duane Stevenson
Joseph Stevenson
Brent Tomer
Robert Viereck
Jeff Steere, Jr.
Pedro Torres
Howard Nixon
Dawn Brelsford
David Kampe, Sr.
David Kampe, Jr.
Howard Wilkins
Jeremy Lamont
Richard Spotts
Justin Steer
Brian Wood, Jr.
Cindy Sexton
Jennifer Diamond
Ross Kownatsky
Dylan Kleiner
William Warren
Alyssa Goldberg

Jeffery Tinnick
John Tinnick
Michael Tomaszewski
Joshua Maugeri
John Fillippine, Sr.
Richard Edge
Edward Ator, Jr.
Christopher Perlingiero
William Blackwell
John Fillippine, Jr.

Jamie Lambing
Kathy Caruso
Kenneth Brown
Nicolas Wirth
William Naprawa
Kenneth Naprawa
Christopher Reeves
Helen Cucinotta
Timothy Viereck, Sr.
Timothy Viereck, Jr.
Eric Willitts
George Willitts
Ryan Caruso
Hayley Hunter
Joe Murr
John Lambing, III
Dominic Mancuso
Jennifer Stark
Gary Schroeder
Donna Caruso
Brandon Dunn
Eugene Stark
Daniel Sterre

Approved by Consent Agenda. All were in favor.

Resolution No. 33-2021*

Common Council of the City of Burlington hereby appoints the following Pedestrian Traffic Control Officers, as per recommendation of the Administration for the year 2021:

Patricia Kennedy	Andrew G. Cross	Jean Sills
Winston Forbes	John Lipscomb	Mary Peebles
William Hood	Sharon Sallie	Roselynn Thurston
Claude Sivels	Christine Dragon	Robert Brown
Aldo Bucci	Betty Jo Swart	Patricia Shaw
James Ogburn	Kathleen O'Connor	Carolyn Lilley
Bruce Morlack	Kathy Griffith	Betty Searls
Teresa Nykala	Delson Rivera	Mattie Banks
Juliana Merluse	Mary Marinella	

Approved by Consent Agenda. All were in favor.

Resolution No. 34-2021*

Common Council of the City of Burlington hereby appoints the following Special Law Enforcement Officers, as per recommendation of the Administration for the year 2021:

Class II- Special Law Enforcement Officers

Christopher Snyder	Christopher Hubbs
Christopher Rivell	Kyle Ruskowski
Sean Fitzpatrick	Alton Ozgurel

Class I- Special Law Enforcement Officers

Justin Pires	Yunus Boduroglu
Jeffrey Green	Aaron Taylor

Approved by Consent Agenda. All were in favor.

Resolution No. 35-2021*

Common Council of the City of Burlington hereby confirms the appointment of Councilman Chachis and Councilwoman Woodard as representatives, Councilwoman Lollar as an Alternate, to the Burlington County Route 541 Steering Committee for the year 2021.

Approved by Consent Agenda. All were in favor.

Resolution No. 36-2021*

A RESOLUTION NAMING OFFICIAL DEPOSITORIES FOR THE CITY OF BURLINGTON FOR THE YEAR 2021 AND AUTHORIZING INVESTMENT OF FUNDS

WHEREAS, N.J.S.A. 40A:5-14 mandates that the governing body of a municipal corporation shall, by resolution passed by a majority vote of the full membership thereof, designate as a depository for its monies a bank or trust company having its place of business in the state and organized under the laws of the United States or this state; and

WHEREAS, it is occasionally necessary to transfer funds for the purpose of effecting investments,

NOW, THEREFORE, BE IT RESOLVED on the 5th day of January, 2021, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that:

1. New Jersey Cash Management Fund
 - Bank of New York Mellon (Debt Service Payments)
 - Wells Fargo (Debt Service Payments)
 - TD Bank (Debt Service Payments)
 - Investors Bank

be and are hereby designated as depositories for the City of Burlington for the year 2021.

2. Prior to the deposit of any municipal funds in the above-mentioned depositories, said bank shall file with the Chief Financial Officer a statement indicating that the bank is covered under the Government Units Deposit Protection Act (R.S. 17:9-41).

BE IT FURTHER RESOLVED, by the Common Council of the City of Burlington, County of Burlington, State of New Jersey, that it does hereby authorize the Chief Financial Officer to request bids and to place orders for the investment of idle funds solely in legally authorized investment vehicles, such investments to the investing institution, and that the Chief Financial Officer is hereby authorized to transfer funds by wire solely for the following purposes and subject to all pertinent regulations:

1. To or from the City of Burlington's checking or savings accounts to other City accounts.
2. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of investing for the account of the City of Burlington.
3. To or from City of Burlington's checking or savings accounts to or from accounts specified by banks solely for the purpose of making debt service payments of the City of Burlington.

Approved by Consent Agenda. All were in favor.

Resolution No. 37-2021*

Common Council of the City of Burlington hereby designates the Burlington County Times as the official newspaper and the Trenton Times as the secondary newspaper for the year 2021.

Approved by Consent Agenda. All were in favor.

Resolution No. 38-2021*

2020 Tonnage Grant Application Resolution

Whereas, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established

a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

Whereas, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

Whereas, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

Whereas, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

Whereas, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the City of Burlington, NJ to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

Whereas, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

Now, therefore be it resolved, by the Mayor and Common Council of the City of Burlington that City of Burlington hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Craig Leshner, Recycling Coordinator to ensure that the application is properly filed.

Be it further resolved, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Approved by Consent Agenda. All were in favor.

Resolution No. 39-2021*

RESOLUTION RE-ESTABLISHING PETTY CASH FUNDS FOR THE YEAR 2021

BE IT RESOLVED by the Common Council of the City of Burlington that the Chief Financial Officer be and is hereby authorized to re-establish the following petty cash accounts for the year 2021:

Petty Cash Accounts - Checking Accounts

- 1. Chief of Police \$ 200.00
- 2. City Clerk \$ 400.00
- 3. Fire Department \$ 200.00

Petty Cash Accounts - Restricted Cash Accounts (1)

- 1. Water Department \$ 200.00
- 2. Public Works \$ 100.00
- 3. Sewer Department \$ 100.00

(1) Restricted to use in accordance with the meal allowance provision of the union contract during the year.

Approved by Consent Agenda. All were in favor.

Resolution No. 40-2021*

RESOLUTION AUTHORIZING SIGNATURES ON CITY CHECKS

BE IT RESOLVED, by the Common Council of the City of Burlington that the following City Officials are hereby authorized to sign checks or withdrawal slips where a combination of three principal signatures are required:

- MAYOR
- AND CITY CLERK OR DEPUTY CLERK
- AND CHIEF FINANCIAL OFFICER OR TAX COLLECTOR

BE IT FURTHER RESOLVED, that signature cards with the signatures of the persons authorized to sign be forwarded to the appropriate City Depositories when required.

Approved by Consent Agenda. All were in favor.

Resolution No. 41-2021*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Nadia Bangura, 15 Homestead Drive, Pemberton, N.J. to operate a business at 454 High Street t/a “The Bang Studios.”

Approved by Consent Agenda. All were in favor.

Resolution No. 42-2021*

RESOLUTION NO. 42-2021 AUTHORIZING THE APPLICATION AND ACCEPTANCE OF A SUBGRANT AWARD OF THE FEDERAL FISCAL YEAR 2020 DEPARTMENT OF LAW AND PUBLIC SAFETY EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM FUNDING

WHEREAS, the City of Burlington, Office of Emergency Management has been notified of its eligibility to apply for a Emergency Management Performance Grant - EMPG/Emergency Management Agency Assistance - EMAA Program Subaward #FY20-EMPG-EMAA-0305 from the New Jersey State Police Office of Emergency Management consisting of a total amount of \$10,000.00 Federal Award to be used for the purpose of enhancing the City of Burlington's ability to prevent, protect against, respond to and recover from acts of terrorism, natural disasters and other catastrophic events and emergencies; and

WHEREAS, the City of Burlington Office of Emergency Management wishes to submit an Application for Subgrant Award that has been required by the New Jersey State Police Office of Emergency Management; and

NOW, THEREFORE, BE IT RESOLVED that the appropriate City officials are hereby authorized to apply for the FFY19 Emergency Management Performance Grant - EMPG/Emergency Management Agency Assistance - EMAA Program Subgrant and that the City of Burlington of the County of Burlington does accept the award of the FFY20 Emergency Management Performance Grant - EMPG/Emergency Management Agency Assistance - EMAA Program Subgrant as well as amend the City's budget once the Subgrant is awarded in the amount of \$10,000.00 Federal Funds from the New Jersey State Police, Office of Emergency Management for the period of July 1, 2020 to June 30, 2021, with the funds to be used for Emergency Management purposes to enhance the City's Emergency Management Program; and

BE IT FURTHER RESOLVED that the City Administrator, the Chief Financial Officer and the City Emergency Management Coordinator are authorized to sign the appropriate subgrant award documents; and

BE IT FURTHER RESOLVED that copies of this Resolution shall be forwarded to the New Jersey State Police, Office of Emergency Management; the City Administrator; the Chief Financial Officer; and the City of Burlington Division of Emergency Management.

Approved by Consent Agenda. All were in favor.

Resolution No. 43-2021*

RESOLUTION NO. 43-2021 AUTHORIZING THE PROPER CITY OFFICIALS AND DEPARTMENTS TO COORDINATE THE EFFORTS WITH THE COLONIAL BURLINGTON FOUNDATION, INC. TO PROVIDE NEEDED SERVICES FOR THE ANNUAL WOOD STREET FAIR, AND UNAUTHORIZED VENDORS BE RESTRICTED FROM SELLING THEIR WARES, AND NO POLITICAL CAMPAIGN MATERIALS BE DISPLAYED.

RESOLVED: That the Common Council of the City of Burlington hereby authorizes the proper City Officials and Departments to coordinate the efforts with the Colonial Burlington Foundation, Inc. to provide needed services for the Annual Wood Street Fair.

BE IT FURTHER RESOLVED: That unauthorized vendors be restricted from selling their wares and that yard sale permits not be issued within the Fair and Art Show areas, as defined by the Colonial Burlington Foundation and City Historical Society; and

BE IT FURTHER RESOLVED: That the City of Burlington Fire Official strictly enforces the Fire Ordinance in accordance with the Uniform Safety Code, in reference to open fires in or near art exhibits.

Approved by Consent Agenda. All were in favor.

Resolution No. 44-2021*

RESOLUTION NO. 44-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE MAYOR TO INCREASE DEFENSE RESERVES FOR PENDING LITIGATION UP TO THE AMOUNT OF \$30,000.00 AND FOR LIMITED SETTLEMENT AUTHORITY IN 2021 FOR TORT CLAIM MATTERS AND LITIGATION

WHEREAS, from time to time, lawsuits are filed and tort claims are made against the City of Burlington for Tort Claims, Auto Accidents, Civil Rights and Personal Injury matters; and

WHEREAS, the City must defend its interests in these cases and assigns attorneys to represent the interests of the City in these matters; and

WHEREAS, in certain instances, the representation of the City in litigation requires the City to expend funds for its defense which necessitates the expenditure of certain fees and costs for continuing to defend the City in litigation matters; and

WHEREAS, the City of Burlington has a Self-Insured Retention Plan as authorized by state statute, which provides for the management of these litigation matters, including setting the reserves for the costs of defending matters utilizing a Third-Party Administrator; and

WHEREAS, consistent with the requirements of state law, the City of Burlington has appointed a Third Party Administrator (Qual-Lynx) in 2021 to oversee and coordinate the defense of the City's Special Self-Insured Litigation and Worker's Compensation matters, which includes setting the limits for reserves for defense costs of such litigation; and

WHEREAS, from time to time, the Third Party Administrator recommends that the City raise its basic defense reserves above \$7,500.00 in order to vigorously defend claims and seeks the approval of the City to do so, which has been authorized by Council in the past by formal Resolution after a review process; and

WHEREAS, in view of the need to promptly approve certain costs to ensure continuity in the defense of the City's interests in ongoing litigation, the Common Council has determined that it is appropriate for the Mayor to be authorized to approve increases in defense reserves of Self-Insured Litigation and Worker's Compensation matters up to the amount of \$30,000.00 for the year 2021, with the proviso that the Mayor will direct that the Solicitor provide Council with an appropriate timely update of the changes in the level of reserves for any matter within thirty (30) days of the revision; and

WHEREAS, from time to time, the Third Party Administrator and/or the Solicitor is able to negotiate a nominal or modest settlement of a matter and recommends that the City authorize the settlement of claims or litigation matters, in order to avoid certain risks and costs of defending matters. On behalf of the Mayor, the Solicitor and/or City Administrator has sought the approval of City Council to do so for various matters, which has previously been accomplished by Council by formal Resolution; and

WHEREAS, in view of the need to promptly approve certain nominal settlements and tactical offers which will assist the City in reducing defense costs and avoiding risks in pending litigation or claims made, the Common Council has determined that it is appropriate for the Mayor to be authorized to approve nominal settlements of Self-Insured Litigation and Worker's Compensation matters limited to the year 2021 and in an amount not to exceed \$20,000.00, with the proviso that the Mayor will direct that the Solicitor provide Council with an appropriate timely memo summarizing the events and the terms for the settlement of any matter so authorized under this procedure within thirty (30) days of the proposed settlement; and

WHEREAS, the settlement of any such matters under this process is for the purpose of reducing costs of certain litigation and does not affect that the expenditure of such public funds shall remain open to the public as otherwise provided for by law, subject to the protection of attorney-client communications; and

WHEREAS, the within enabling Resolution does not affect the requirement of Council approval by Resolution for the proposed settlement of tort, litigation or Worker's Compensation matters for amounts greater than set forth in this Resolution and to increase defense reserves in an amount greater than as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Burlington that the Mayor is authorized to approve increases in defense reserves of Self-Insured Litigation and Worker's Compensation matters up to the amount of \$30,000.00 and limited to the year 2021, with the proviso that upon the direction by the Mayor, the Solicitor will provide Council with an appropriate timely update by memo of the changes in the level of reserves for any matter within thirty (30) days of the revision; and

BE IT FURTHER RESOLVED by the Council of the City of Burlington that the Mayor is authorized to approve nominal settlements of Self-Insured Litigation and Worker's Compensation matters for the year 2021 in an amount not to exceed \$20,000.00, with the proviso that upon the direction by the Mayor, the Solicitor will provide Council with an appropriate timely update by memo summarizing the events and the terms for the settlement of any matter so authorized under this procedure within thirty (30) days of the proposed settlement.

Approved by Consent Agenda. All were in favor.

Resolution No. 45-2021*

Common Council of the City of Burlington hereby consents to the Mayor's appointment of Ezell Jackson, Jr., 18 Bisbee Drive to the Housing Authority for a five-year term, January 1, 2021 to December 31, 2025.

Approved by Consent Agenda. All were in favor.

Resolution No. 46-2021 - FAILED

RESOLUTION NO. 46-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF DESIGNATED ATTORNEYS AS REDEVELOPMENT COUNSEL

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Redevelopment Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as "Redevelopment Counsel" for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5 et seq.; and

WHEREAS, the Mayor has selected two law firms to be assigned projects or matters based upon the Mayor's determination of the "most advantageous, price and other factors," based upon the evaluation criteria set forth in the responses provided by the law firms to the City's Request for Proposals for Redevelopment Counsel and based upon the needs of the City of Burlington for various Redevelopment projects; 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 the year 2021.

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 approves of Mayor Barry W. Conaway's appointment of the following law firm to serve as Redevelopment Counsel for various projects and/or legal matters based upon a determination of the best needs of the City (hereafter "Redevelopment Counsel") for the term of January 1, 2021 through December 31, 2021:

Platt & Riso, P.C.

2. The compensation of the Attorneys for these services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and the law firms appointed as Redevelopment Counsel, which shall be consistent with the RFP proposals submitted by the firm.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with designated firms to provide legal services and serve as Redevelopment Counsel for the City of Burlington setting forth the following terms:

- a. The term of January 1, 2021 through December 31, 2021
- b. The following not to exceed amount:

	<u>2021</u>
Redevelopment Counsel	\$15,000.00

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hollingsworth, the foregoing resolution **FAILED** by the following roll call vote: AYES: Mr. Chachis, Ms. Hollingsworth, Ms. Woodard,. (3); NAYS: Mr. Babula, Ms. Hatala, Mr. Swan, Ms. Lollar. (4); ABSTAIN: (0); ABSENT: (0).

Resolution No. 47-2021 - REMOVED

RESOLUTION NO. 47-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON APPROVING APPOINTMENT OF DESIGNATED ATTORNEYS AS ALTERNATE REDEVELOPMENT COUNSEL

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

WHEREAS, pursuant to N.J.S.A. 19:44A-20.5 et seq., proposals were solicited by the administration pursuant to a fair and open process of Alternate Redevelopment Counsel, whereby proposals were solicited and evaluated by the Mayor based upon the criteria set forth in the publicly advertised Request for Proposals for such services; and

WHEREAS, the Chief Financial Officer has determined that the value of the anticipated professional services contract to be entered into to retain the services of attorneys as “Alternate Redevelopment Counsel” for various special projects involving unique or specialized legal knowledge, which services may exceed the threshold of \$17,500.00 established by N.J.S.A. 19:44A-20.5; and

WHEREAS, a Request for Proposals was publicly advertised and proposals opened and announced in accordance with N.J.S.A. 19:44A-20.5et seq.; and

WHEREAS, the Mayor has selected two law firms to be assigned projects or matters based upon the Mayor’s determination of the “most advantageous, price and other factors,” based upon the evaluation criteria set forth in the responses provided by the law firms to the City’s Request for Proposals for Alternate Redevelopment Counsel and based upon the needs of the City of Burlington for various Redevelopment projects; 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 the year 2021.

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 approves of Mayor Barry W. Conaway’s appointment of the law firm Parker McCay, P.A. to serve as Alternate Redevelopment Counsel for various projects based upon a determination of the best needs of the City (hereafter “Alternate Redevelopment Counsel”) for the term of January 1, 2021 through December 31, 2021.

2. The compensation of the Attorneys for these services for the 2021 calendar year shall be in accordance with the professional services contract to be entered into between the City and the law firm appointed as Alternate Redevelopment Counsel, which shall be consistent with the RFP proposals submitted by the attorneys and firms.

3. The City of Burlington is hereby authorized to enter into and the Mayor and Municipal Clerk authorized and directed to execute, on behalf of the City of Burlington, a Professional Services Contract with designated firms to provide legal services and serve as the Alternate Redevelopment Counsel for the City of Burlington setting forth the following terms:

- a. The term of January 1, 2021 through December 31, 2021
- b. The following not to exceed amount:

	<u>2021</u>
Alternate Redevelopment Counsel	\$10,000.00

Councilman Swan made a motion to Table Resolution No. 47-2021.

Solicitor Garty called a point of reference; the firm declined the hourly rate.

Mayor Conaway requested that the Resolution be removed from the Agenda; suggested Administration would issue a new RFP for this professional service.

Councilman Swan rescinded his motion to Table and made a motion to Remove this resolution from the Agenda. It was seconded by Councilwoman Hatala. The foregoing resolution was then **REMOVED** by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Lollar. (5); NAYS: Mr. Chachis, Ms. Woodard. (2); ABSTAIN: (0); ABSENT: (0).

Resolution No. 48-2021

RESOLUTION NO. 48-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 3 TO THE CONTRACT WITH R&S CONSTRUCTION OF BRIDGETON, LLC, IN THE AMOUNT OF \$4,965.00 FOR THE COMPLETION OF THE REHABILITATION OF RESOLUTION NO. 283-2018 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A CONTRACT WITH NEIGHBORHOOD REDEVELOPMENT COOPERATIVE SOLUTIONS THE PROPERTY LOCATED AT 323 JONES AVENUE IN THE CITY OF BURLINGTON

WHEREAS, the City of Burlington obtained bids from general contractors for the rehabilitation of the City-owned property at 323 Jones Avenue as part of the City's Market-to-Affordable Housing Program; and

WHEREAS, the estimated cost of rehabilitating this property was in excess of the State bidding threshold of \$17,500.00 and requires ah such work be publicly bid as per N.J.S.A.40A:11-3; and

WHEREAS pursuant to N.J.S.A.40A:11-3, the City advertised for bids for the solicited rehabilitation of the subject property in the January 5, 2020, edition of the *Burlington County Times* with a return date of January 28, 2020; and

WHEREAS, R&S Construction of Bridgeton, LLC (the “Contractor”), submitted a complete bid package as determined by the City Attorney and Director of Housing & Community Development with the lowest bid and by Resolution No. 101-2020, the Contractor was awarded a contract in the amount of Ninety-Three Thousand Five Hundred Dollars (\$93,500.00) to perform the required rehabilitation; and

WHEREAS, the Contractor commenced work on the rehabilitation project and met the interim contract deadlines for completion of the work; and

WHEREAS, by Resolution No. 131-2020, the City of Burlington previously approved a change order to address certain issues with the condition of the roof, necessary additional waterproofing in the basement which were inadvertently not noted in the bid specifications such that a change order in the amount of \$14,320.00; and

WHEREAS, the Contractor has continued to perform the required work and has advised the City of Burlington that additional labor is necessary because the sewer line in the rear crawl space was broken and that a complete review of the line required that the contractor utilize a camera to perform an examination of the sewer line. As a result, it was determined that a section of broken pipe had to be replaced in the crawl space at an additional cost; and

WHEREAS, the cost to utilize a camera through the line and to determine the location of the break in the sewer line was \$2,515.00 and the cost of the actual repair to the sewer line was \$2,550.00, for a total cost of a change order of \$4,965.00; and

WHEREAS, the determination that there was a break in the sewer line in the crawl space and the diagnostic efforts required to determine the extent of the required repair are latent defects which could not have been foreseen or revealed during an inspection; and

WHEREAS, the additional labor is necessary to complete the rehabilitation in conformance with the standards set forth in the bid specifications for the rehabilitation of this property under the City’s Market-To-Affordable housing program; and

WHEREAS, the Director of Housing and Community Development has recommended that the change order be approved in order to complete the additional work to be performed; and

WHEREAS, the Contractor indicated that the cost of performing the work to review the sewer line with camera equipment and to perform additional work to ensure that the sewer line is fully connected costs a total of \$4,965.00 to perform and complete the required rehabilitation; and

WHEREAS, the cost of the additional labor necessary to complete the project in conformance with the standards set forth in the bid specifications for the rehabilitation of this property under the City's Market-To-Affordable housing program is reasonable and fair; and

WHEREAS, the Director of Housing and Community Development has reviewed the request for the change order, has determined that it is reasonable and necessary to address latent defects in wood which were not visible upon inspection and has recommended that the amendment be approved; and

WHEREAS, the request from the contractor to perform the additional diagnostic services utilizing a camera and to perform the additional work and has determined that the request is reasonable and necessary for the rehabilitation of the property and recommends the authorization is \$4,965.00 perform the additional work for the total contract amount of ONE HUNDRED EIGHTEEN THOUSAND THREE HUNDRED EIGHTY-FIVE DOLLARS (\$118,385.00); and

WHEREAS, the next lowest responsible bid for this project was approximately \$125,000.00 more than the amount of this contract with the change order requested; and

WHEREAS, the completion of the rehabilitation project of this structure is nearly complete such that it is in the best interests of the City that the rehabilitated unit be finished so that it is able to be used for an Affordable Housing unit as part of the City's Affordable Housing initiative; and

WHEREAS, funding in this increased amount is available for the proposed rehabilitation services from the City's Affordable Housing Trust Fund; and

WHEREAS, the contract amendment incorporating the terms of the additional materials to be supplied and scope of the additional work to be performed for the adjusted sum.

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 an amendment to the contract on behalf of the City of Burlington, in order to amend the existing contract with R&S Construction of Bridgeton, LLC for the additional sum of \$4,965.00 with the adjusted total contract in the amount of \$118,385.00, which funds are to be paid from the Affordable Housing Trust Fund, to perform the services as described in the contract documents prepared by Habitech Architecture, dated November 6, 2019 and with the additional materials and work to be performed as set forth in the Contractor's proposal for an amendment to the contract, dated December 13, 2020.

2. The Mayor, City Clerk, and such other City Professionals and Administrative Staff as may be necessary are authorized to carry out and/or execute such other tasks, documents, and/or notices as may be necessary to effect the amendment to this contract.

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 49- 2021

RESOLUTION NO. 49-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AWARDING A CONTRACT FOR THE MAINTENANCE OF THE INSTRUMENTATION AND CHLORINATION EQUIPMENT AT THE WATER AND WASTEWATER TREATMENT PLANTS FOR THE YEARS 2021 AND 2022

Whereas, Environmental Resolutions, Inc.(ERI), the City's Water Plant Engineer, received bids on December 15, 2020 for Maintenance of the City of Burlington's Water and Wastewater Plants' Instrumentation and Chlorination Equipment; and

Whereas, one acceptable bid was received that was from our current provider: Allied Control Services, Inc.; and

Whereas, ERI has reviewed the submitted bid and finds the qualifications of the bidder to be in order and the proposed pricing to be acceptable within the engineer's estimates; and

Whereas, the City of Burlington may award a contract for the Maintenance of Water and Wastewater Instrumentation and Chlorination Equipment for a period of up to two (2) years with an additional two (2) year Option to Renew; and

Whereas, ERI did submit a letter dated December 21, 2020 recommending that the Mayor and Common Council of the City of Burlington award a contract to Allied Control Services, Inc. for a two (2) year period for the Maintenance of the City’s Water and Wastewater Instrumentation and Chlorination Equipment;

Now therefore be it resolved by the Common Council of the City of Burlington, County of Burlington, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to enter into a two (2) year contract with Allied Control Services, Inc., 611 Garfield Avenue, P.O. Box 234, West Point, PA 19486 for the total amount of \$168,854.00 for the years 2021 and 2022.

Be it further resolved that the City of Burlington reserves the right to enter into an Optional two (2) year renewal of said agreement for the years 2023 and 2024.

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 50-2021

RESOLUTION ESTABLISHING 2021 TEMPORARY CAPITAL BUDGET

WHEREAS, the City of Burlington desires to constitute the 2021 Temporary Capital Budget of the City of Burlington by inserting the **Paving of Various Streets**,

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

Section 1. The 2021 Temporary Capital Budget of the City of Burlington is hereby constituted by the adoption of a schedule to read as follows:

TEMPORARY CAPITAL BUDGET OF THE
CITY OF BURLINGTON, NEW JERSEY
Projects Scheduled for 2021
Method of Financing

<u>Project</u>	<u>Total</u>	<u>Estimated</u>	<u>Grants</u>	<u>Capital</u>
	<u>Costs</u>	<u>In</u>	<u>Improvement</u>	<u>Debt</u>
		<u>Aid</u>	<u>Fund</u>	<u>Authorized</u>

Paving of Various Streets \$325,000.00 \$280,000.00 \$3,000.00 \$42,000.00
(Fernwood Avenue, Talbot Street, Linden Avenue)

BE IT FURTHER RESOLVED that one certified copy of this resolution authorizing the projects be filed forthwith in the Office of the Director of Local Government within three days after adoption, to be included in the 2021 Permanent Capital Budget as adopted.

Upon the motion of Councilwoman Chachis, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 51-2021

RESOLUTION NO. 51-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A SECOND EXTENSION OF THE REAL ESTATE LISTING AGREEMENT WITH MARCUS MILLICHAP WITH RESPECT TO THE SALE OF CITY OWNED PROPERTY IDENTIFIED AS 302 COMMERCE SQUARE BOULEVARD, DESIGNATED AS BLOCK 1, LOT 3 ON THE TAX MAP OF THE CITY OF BURLINGTON

WHEREAS, the City of Burlington previously determined that certain City-owned property, identified on the Tax Map as Block 1, Lot 3 and otherwise known as 302 Commerce Square Boulevard (“the Property”), is no longer needed for public purposes as contemplated by N.J.S.A. 40A:12-13; and

WHEREAS, the Property is located within the Commerce Square Redevelopment Area, established by the City in May of 2004 and governed by a Redevelopment Plan, as evidenced via Ordinance No. 11-2004; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-8g and N.J.S.A. 40A:12A-22j, the City may, among other things, authorize the sale of property located within redevelopment areas without the necessity for public bidding; and

WHEREAS, the City sought to engage the services of a Licensed Realtor to list and sell the Property, and to assist with negotiating terms of sale deemed favorable to the City, for a period of six months with no provisions for automatic renewal; and

WHEREAS, such an agreement is exempt from the public bidding requirements of the Local Public Contracts Law, N.J.S.A. 40A:11-1, *et seq.*; and

WHEREAS, by Resolution No. 281-2019, the Common Council authorized the Mayor to execute a Listing Agreement to engage the services of Chad Thomason of Marcus & Millichap, a NJ Licensed Real Estate Broker, for the purpose of listing the Property, marking the property to suitable prospective purchasers and to assist the City in negotiating terms of sale deemed favorable to the City; and

WHEREAS, the aforementioned Listing Agreement was for a term of six (6) months and was going to expire on June 3, 2020 but was extended by Resolution No. 148-2020 of the Common Council for a period of six months until January 6, 2021; and

WHEREAS, the aforementioned Listing Agreement was for a term of six (6) months and is going to expire on January 6, 2021; and

WHEREAS, the Common Council wishes to continue the present contractual relationship with Chad Thomason of Marcus & Millichap, for the continued listing and marketing of the Property to suitable prospective purchasers and to assist with negotiating terms of sale deemed favorable to the City by extending the current Listing Agreement contract for a period of six (6) months until July 6, 2021; and

WHEREAS, the proposed extension of the aforementioned Listing Agreement was provided and is attached hereto. The extension of the Listing Agreement presented by Marcus & Millichap would extend the term of the Listing Agreement for this property with Marcus & Millichap until July 6, 2021, with all other terms and conditions of the original Listing Agreement contract to remain in full force and effect.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council for the City of Burlington hereby authorizes the Mayor to execute the extension of the current Listing Agreement for the property identified on the Tax Map as Block 1, Lot 3, more commonly known as 302 Commerce Square Boulevard with Marcus & Millichap Real Estate Investment Services, for an additional term which would expire July 6, 2021.

Upon the motion of Councilwoman Hatala, seconded by Councilman Babula, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 52-2021

RESOLUTION NO. 52-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A CONTRACT WITH KIJ CONSTRUCTION, LLC, FOR THE REHABILITATION OF RESOLUTION NO. 283-2018 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE EXECUTION OF A CONTRACT WITH NEIGHBORHOOD REDEVELOPMENT COOPERATIVE SOLUTIONS THE PROPERTY LOCATED AT 202 BARCLAY STREET IN THE CITY OF BURLINGTON

WHEREAS, the City of Burlington is desirous of obtaining bids from general contractors for the rehabilitation of the City-owned property at 202 Barclay Street as part of the City's Market-to-Affordable Housing Program; and

WHEREAS, the estimated cost of rehabilitating this property is in excess of the State bidding threshold of \$17,500 and requires ah such work be publicly bid as per N.J.S.A.40A:11-3; and

WHEREAS pursuant to N.J.S.A.40A:11-3, the City advertised for bids for the solicited rehabilitation of the subject property in the November 20, 2020, edition of the *Burlington County Times* with a return date of December 4, 2020; and

WHEREAS, KIJ Construction, LLC, of Mt. Holly, NJ has submitted a complete bid package as determined by the City's Director of Housing & Community Development and the City's Architectural design consultant, with the lowest bid in the amount of TWENTY-THREE THOUSAND DOLLARS (\$23,000.00); and

WHEREAS, funding is available for the proposed rehabilitation services from the City's Affordable Housing Trust Fund; 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 KIJ Construction, LLC, for the sum of \$23,000.00, to be paid from the Affordable Housing Trust Fund, to perform the services as described in the contract documents prepared by Habitech Architecture, dated November 2, 2020.

2. The Mayor, City Clerk, and such other City Professionals and Administrative

Staff as may be necessary are authorized to carry out and/or execute such other tasks, documents, and/or notices as may be necessary to effect this contract.

Upon the motion of Councilman Chachis, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 53-2021

RESOLUTION - TEMPORARY BUDGETS

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2021 budgets, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2021; and

WHEREAS, the total appropriations in the 2020 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2020 budgets is the sum of \$17,339,802.42 for the Current Fund, \$2,354,360.78 for the Water Fund, and \$2,823,723.98 for the Sewer Fund;

WHEREAS, 26.25% of the total appropriations in the 2020 budgets, exclusive of any appropriations made for interest and debt redemption charges, capital improvement fund and public assistance in said 2020 budgets is the sum of \$4,551,698.14 for the Current Fund, \$618,019.70 for the Water Fund, and \$741,227.54 for the Sewer Fund;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

CURRENT FUND - TEMPORARY APPROPRIATIONS – 2021

	SALARIES	OTHER EXPENSES
General Administration	\$ 85,000	\$ 8,000
City Clerk	41,000	15,000
Mayor and Council	11,000	3,000
Financial Administration	65,000	15,000

Audit Services		30,000
Assessment of Taxes	25,000	15,000
Collection of Taxes	75,000	10,000
Legal Services & Costs		60,000
Municipal Court		120,000
Engineering Services & Costs		35,000
Economic Development		35,000
Office of Programs Coordinator	35,000	20,000
Planning Board	8,000	10,000
Historic Preservation Commission	3,000	6,000
Group Insurance Plan for Employees		700,000
Liability Insurance		200,000
Workers Compensation Insurance		50,000
Fire	9,000	50,000
Police	1,325,000	75,000
Animal Control Officer		10,000
Emergency Management Service	3,000	3,000
Public Buildings and Grounds	36,000	30,000
Public Works Road Repair & Maintenance	105,000	30,000
Public Works Department	52,000	7,000
Vehicle Maintenance	36,000	30,000
Parks and Playgrounds	15,000	10,000
Sanitation		85,000
Board of Health	10,000	1,000
Recreation Programs	37,000	20,000
Celebration of Public Events	65,000	25,000
Operations of Boat Ramp		1,500
Public Defender		3,000
Electricity and Natural Gas		140,000
Telecommunications		25,000
Petroleum Products		35,000
Landfill Solid Waste Disposal Costs		110,000
Building Inspections		50,000
Housing Code Inspections		5,000
Rental Unit Inspections	65,000	13,000
Uniform Fire Safety Act	15,000	4,000
Contingent		500
P.E.R.S.		10,000
O.A.S.I.		90,000

Police & Firemens' Retirement System		10,000
Defined Contribution Retirement Program		5,000
NJ Unemployment Compensation Fund		15,000
Recycling Tax		7,000
	\$ 2,121,000	\$2,232,000

WATER FUND - TEMPORARY APPROPRIATIONS -2021

	SALARIES	OTHER EXPENSES
Water	\$ 250,000	\$ 250,000
Water P.E.R.S.		5,000
Water O.A.S.I.		20,000
Water NJ Unemployment Compensation Fund		1,000
	\$ 250,000	\$ 275,000

SEWER FUND - TEMPORARY APPROPRIATIONS - 2021

	SALARIES	OTHER EXPENSES
Sewer	\$ 250,000	\$ 425,000
Sewer P.E.R.S.		5,000
Sewer O.A.S.I.		25,000
Sewer NJ Unemployment Compensation Fund		1,000
	\$ 250,000	\$ 456,000

Upon the motion of Councilman Woodard, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 54-2021

RESOLUTION – 2021 DEBT SERVICE REQUIREMENTS

WHEREAS, N.J.S. 40A:4-19 provides authority for appropriating in a temporary resolution the permanent debt service requirements for the coming fiscal year providing that such resolution is not made earlier than December 20 of the year preceding the beginning of the fiscal year; and

WHEREAS, the date of this resolution is subsequent to December 19, 2020; and

WHEREAS, principal and interest will be due on various dates from January 1, 2021 to December 31, 2021, inclusive, on sundry bonds issued and outstanding:

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made to cover the period from January 1, 2021 to December 31, 2021 inclusive:

DEBT SERVICE - CURRENT FUND

Payment of bonds	\$ 791,000.00
Interest on bonds	115,853.13

DEBT SERVICE - WATER UTILITY

Payment of bonds	\$ 55,000.00
Interest on bonds	8,571.88

DEBT SERVICE - SEWER UTILITY

Payment of bonds	\$ 69,000.00
Interest on bonds	5,955.00

N.J. Environmental Infrastructure Trust:

State of New Jersey Fund Loan

Payment of Principal	\$227,607.20
----------------------	--------------

State of New Jersey Trust Loan

Payment of Principal	\$210,000.00
Payment of Interest	\$ 84,290.00

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 55-2021

RESOLUTION NO. 55-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE REFUND OF OVERPAYMENT OF 2020 WATER CHARGES ON BLOCK 129, LOT 27

Whereas, an overpayment of 2020 water charges has occurred on the property identified AS Block 129, Lot 27; and

WHEREAS, the property was sold in November 2020.

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 2020 water charges as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>
129	27	Chachis, George & Elizabeth (346 E. Union Street)	\$ 149.60 Water

Make Check Payable to:
George & Elizabeth Chachis
346 E. Union Street
Burlington, NJ 08016

Upon the motion of Councilman Babula, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (6); NAYS: (0); ABSTAIN: Mr. Chachis. (1); ABSENT: (0).

Resolution No. 56-2021

RESOLUTION NO. 56-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON RATIFYING A ONE-YEAR AGREEMENT WITH F.O.P./LODGE #63 REPRESENTING CITY OF BURLINGTON POLICE OFFICERS

WHEREAS, the City of Burlington has a contract for the employment of its Police Officers (Patrol) through the FOP/Lodge #63 Union (hereinafter “the Union”) which contract is scheduled to expire on December 31, 2020; and

WHEREAS, the City of Burlington engaged in negotiations with the Union with respect to terms for a one year extension of the terms and conditions of the current contract with an adjustment to the salaries of the patrol officers of 1.70% which increase would be effective on January 1, 2021 with the term of the MOU contract extension expiring on December 31, 2021; and

WHEREAS, the City and the Union have agreed upon a form of Memorandum of Understanding (“MOU”) which memorializes the terms of the extension of the current contract and which does not revise all of the other rights and responsibilities of the parties under the existing contract; and

WHEREAS, the MOU has been negotiated, reviewed and prepared with the input and legal advice of the City Solicitor; and

WHEREAS, the proposed MOU between the City and the Union is attached hereto along with the current contract; and

WHEREAS, the proposed terms for the extension of the contract pursuant to this MOU have been reviewed and recommended the Business Administrator and the Chief Finance Officer; and

WHEREAS, the Common Council for the City of Burlington has reviewed the same and found it to be fair, reasonable, and in the best interests of the citizens in the City of Burlington to authorize the Mayor to execute this contract for a one year extension of the current contract with the agreed upon increase in the salaries of the patrol officers.

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

1. The Common Council for the City of Burlington hereby accepts and ratifies the MOU with the FOP/Lodge #63 Union, representing the City’s patrol officers, for a one-year extension of the current terms and conditions of the current contract in which the current terms remain in place and the agreed upon adjustment to the salary is effective as of January 1, 2021; and

2. The Mayor and Municipal Clerk are hereby authorized to execute the MOU and the Mayor, his Administration and the City Solicitor are authorized to take such other action as is necessary and appropriate to effectuate the terms of this MOU consistent with the contract and the intent of this Resolution.

Upon the motion of Councilman Babula, seconded by Councilwoman Hatala, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 57-2021

RESOLUTION NO. 57-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON RATIFYING A ONE-YEAR AGREEMENT WITH F.O.P./SOA LODGE #63 REPRESENTING CITY OF BURLINGTON SUPERIOR OFFICERS' UNIT

WHEREAS, the City of Burlington has a contract for the employment of its Superior Police Officers through the FOP/SOA Lodge #63 Union (hereinafter "the Union") which contract is scheduled to expire on December 31, 2020; and

WHEREAS, the City of Burlington engaged in negotiations with the Union with respect to terms for a one year extension of the terms and conditions of the current contract with an adjustment to the salaries of the Superior Officers of 1.70% which increase would be effective on January 1, 2021 with the term of the MOU contract extension expiring on December 31, 2021; and

WHEREAS, the City and the Union have agreed upon a form of Memorandum of Understanding ("MOU") which memorializes the terms of the extension of the current contract and which does not revise all of the other rights and responsibilities of the parties under the existing contract; and

WHEREAS, the MOU has been negotiated, reviewed and prepared with the input and legal advice of the City Solicitor; and

WHEREAS, the proposed MOU between the City and the Union is attached hereto along with the current contract; and

WHEREAS, the proposed terms for the extension of the contract pursuant to this MOU have been reviewed and recommended the Business Administrator and the Chief Finance Officer; and

WHEREAS, the Common Council for the City of Burlington has reviewed the same and found it to be fair, reasonable, and in the best interests of the citizens in the City of Burlington to authorize the Mayor to execute this contract for a one year extension of the current contract with the agreed upon increase in the salaries of the Superior officers.

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

1. The Common Council for the City of Burlington hereby accepts and ratifies the MOU with the FOP/SOA Lodge #63 Union, representing the City's Superior officers, for a one-year extension of the current terms and conditions of the current contract in which the current terms remain in place and the agreed upon adjustment to the salary is effective as of January 1, 2021; and

2. The Mayor and Municipal Clerk are hereby authorized to execute the MOU and the Mayor, his Administration and the City Solicitor are authorized to take such other action as is necessary and appropriate to effectuate the terms of this MOU consistent with the contract and the intent of this Resolution.

Upon the motion of Councilman Babula, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 58-2021

Appreciation for our Volunteer Firefighters In Recognition of New Jersey's Volunteer Firemen's Day, January 10, 2021

Whereas, NJ Statute 36:1-8 establishes the second Sunday of January in each year for the purpose of paying special tribute to volunteer firefighters and for the general observance of that purpose and shall be known as "Volunteer Fireman's Day"; and

Whereas, the Mayor and the Common Council of the City of Burlington are greatly appreciative of our volunteer firefighters who serve as members of the City of Burlington Fire Division, under the command of Chief Rusty Caruso; and

Whereas, we cannot thank enough our volunteer firefighters who are thrown into dangerous situations, often leave family dinners, get up in the middle of the night, and disrupt their daily lives, in order to protect our residents and businesses;

Now, Therefore Be It Resolved, by the Mayor and Common Council of the City of Burlington that on the occasion of Volunteer Firemen's Day, we do hereby recognize and commend all of our volunteer firefighters for their tireless and dedicated service to our City; and

Be It Further Resolved, that on behalf of all of our residents and businesses, we do hereby extend our gratitude and appreciation on this day, and every day.

Be It Further Resolved, that the Municipal Clerk is to provide copies of this resolution to the Fire Chief for his distribution to the fire houses.

Upon the motion of Councilwoman Hatala, seconded by Councilman Babula, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 59-2021

Common Council, of The City of Burlington, hereby acknowledges and celebrates Reverend Dr. Martin Luther King, Jr.

Whereas, the City of Burlington Common Council resolved to celebrate Monday, January 18, 2021, as the Reverend Dr. Martin Luther King, Jr., Day; and

Whereas, Dr. King, of the Southern Christian Leadership Conference, led the struggle for equal opportunities for all Americans regardless of race or creed; and

Whereas, Dr. King was taken from us on April 4, 1968, his legacy and deeds have not been forgotten:

Now, Therefore, Be It Resolved, that as the Oliver Cromwell Black History Society, triumphs African-American heritage in the City of Burlington, we join them in remembering Dr. Martin Luther King Jr., on this day.

Upon the motion of Councilwoman Hatala, seconded by Councilman Babula, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

PUBLIC COMMENTS

Dan Kiple, 35 Jefferson Drive, Maple Shade, NJ- spoke in favor of the Pearl Pointe Redevelopment; expressed concerns with parking.

COUNCIL COMMENTS

Councilman Babula said he is ready to start the new year.

Councilman Chachis congratulated Ms. Crivaro on her 20 years of service with the City of Burlington; spoke of the 200 E. Federal Street redevelopment subcommittee; asked for an update.

President Lollar said she will put it on an upcoming agenda.

Councilwoman Hatala congratulated all the professionals and vendors appointed for 2021; January 6th is former Councilman Doug Ghaul's birthday; wished him many years of good health and fortune.

Councilwoman Hollingsworth made reference to Roberts Rules; feels that the Re-Organization Meeting was not done properly.

Councilwoman Hollingsworth then made a motion to repeat the Re-Organization meeting, it was seconded by Councilman Swan. All were in favor, with the exception of Councilman Babula, Councilwoman Hatala and President Lollar.

See Re-Organization Repeated minutes.

Councilman Swan asked Mr. Ballard about concerns with an improper sewer repair at 514 Chelton Avenue.

Councilwoman Woodard spoke of a "coffee clutch leadership"; stated "we need to deal with the issues, and not let them slip, when people are wrong we need to put them out from, too much going on in the back, even thou most in same party, we are not in the same party".

President Lollar thanked the professionals and thanks Rev. Pollard for the invocation.

ADJOURNMENT

Upon the motion of Councilman Woodard, seconded by Councilman Hatala, this meeting of January 5, 2021 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk

