

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JANUARY 19, 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 19, 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, Esq., Chief of Police- John Fine, John Morelli, Esq.

### **SALUTE TO FLAG**

### **UNFINISHED BUSINESS**

None.

### **CONSENT AGENDA**

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

**APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

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

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 300 OF THE CODE OF THE CITY OF BURLINGTON (COLLECTION OF WASTE MATERIAL)

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

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING PART II OF THE CODE OF THE CITY OF BURLINGTON ADDING CHAPTER 2, ENTITLED “EXTRA DUTY ASSIGNMENTS”

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).

**ORDINANCE(S) - SECOND READING & FINAL DISPOSITION**

ORDINANCE NO. 01-2021 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

WHEREAS, the City of Burlington is desirous of amending the salary ordinance for various employees for the year 2021;

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

**SECTION I. Establishment of Salary Ranges:**

Salary Ranges are hereby established for the positions indicated on Attachment A of this ordinance for the year 2021.

**SECTION II. Effective Date:**

Amending Section II to read:

The Salary Amendments for these positions shall be effective January 1 of the respective year unless indicated otherwise.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

None.

This ordinance was then 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. 61-2021

**RESOLUTION AUTHORIZING TRANSFERS OF APPROPRIATION RESERVES**

WHEREAS, various 2020 bills have been presented for payment this year, which bills were not covered by order number and/or recorded at the time of transfers between the 2020 Budget Appropriations in the last two months of 2020; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding fiscal year, and allows transfers to be made from unexpended balances to appropriation reserves which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE, BE IT RESOLVED by the council of the City of Burlington that the transfers in the amount of \$17,000.00 be made between the 2020 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
<u>Current Fund:</u>		
Parks and Playgrounds:		
Salaries and Wages		\$ 17,000.00
Vehicle Maintenance:		
Other Expenses		\$ 17,000.00

Upon the motion of Councilwoman Hatala, seconded by Councilman Chachis, 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. 62-2021

RESOLUTION NO. 62-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A THIRTY (30) DAY EXTENSION OF A SHORT-TERM, TEMPORARY LEASE FOR OCCUPANCY OF A PORTION OF 302 COMMERCE SQUARE BOULEVARD WITH RYDE SPIN FITNESS, LLC

WHEREAS, the Common Council of the City of Burlington recognizes that there is a global pandemic, affecting operations of many businesses within the State of New Jersey and in Burlington County, and that as a result of the pandemic and health restrictions imposed; and

WHEREAS, Common Council of the City of Burlington has recognized that business operators such as the Lessee have need to lease space on a temporary basis in order to operate a business under current safety and social distancing requirements in order to be able to continue to serve an existing client base; and

WHEREAS, the City of Burlington has available space located within a portion of the building located at 302 Commerce Square Boulevard, consisting of approximately 1,080 square feet; and

WHEREAS, by Resolution No. 281- 2020, the Common Council previously authorized a short term lease with Ryde Spin and Fitness Studio, LLC, an existing business in the City of Burlington for a term of approximately two (2) months, commencing on November 23, 2020 through January 31, 2021, which term could be extended by thirty (30) days; and

WHEREAS, the Lessee has requested that the current Lease be extended for a period of thirty (30) days, which would be until March 2, 2021 and has agreed that such an extension of the Lease would be subject to all of the existing terms and conditions of the initial short term lease, which would apply and be in full force and effect during the Lease extension; and

WHEREAS, the extension of this temporary Lease will enable the Lessee to serve its customers and thus retain staff jobs and client services.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Common Council of the City of Burlington does hereby authorize the execution of an extension of the Short Term Lease with Ryde Spin Fitness Studio, LLC for a period of thirty (30) days until March 2, 2021;
2. The terms and conditions of the Lease extension are the same as the initial Lease previously authorized by the Common Council by Resolution No. 281- 2020;
3. The Common Council does hereby further authorize the Mayor's Administration to take such actions as are reasonable and necessary so as to enable the Lessor to continue and extend the term of possession of the leased premises for an additional thirty (30) days until March 2, 2021.

Upon the motion of Councilwoman Hatala, seconded by Councilman Swan, 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. 63-2021

Common Council of the City of Burlington hereby amends Resolution No. 01-2021 approving the Council appointment of Council representative to the Municipal Alliance removing Councilwoman Lollar and appointing Councilwoman Hollingsworth for the year 2021.

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

On the question, Councilwoman Hollingsworth said she was more interested in being a representative to Main Street.

President Lollar explained the purpose of the Municipal Alliance; this was the only position available.

Councilwoman Hollingsworth said that Main Street was looking for a new Council Representative.

President Lollar stated that nothing has been received by the City from Main Street with regard to a request for a replacement.

Councilwoman Hollingsworth said she would try Municipal Alliance.

The resolution was then 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. 64-2021\*

A resolution providing for a meeting not opened to the public in accordance with the provisions of the New Jersey Open Public Meetings Act. N.J.S.A. 10:4-12: Therefore be it resolved by the Common Council of the City of Burlington, assembled in public session on January 19, 2021, that an Executive Session Closed to the Public shall be held on January 12, 2021, via ZOOM for discussion of matters relating to the specific items designated in this resolution:

Contracts/Real Estate & Attorney-Client Privilege N.J.S.A. 10:4-12(7):

- 302 Commerce Square Boulevard (Former YMCA)
- 200 E. Federal Street
- Water Service Utility Bills

The nature of the discussion conducted in closed session and or the result thereof may be disclosed to the public in an open public meeting held in January of 2021 or shortly there after.

Approved by Consent Agenda. All were in favor.

### **PUBLIC COMMENTS**

Stephen Young, President of the South Jersey Chapter of the National Action Program, Rev. Sharpton Organization- spoke of a letter to the Mayor and Director of Housing, was following up on concerns with a project going on in a City neighborhood; would like to have a meeting; spoke of NCRS doing housing rehab in the City.

Mr. Harris said this is in litigation and cannot be discussed; Mr. Young is not a party to this litigation.

Mr. Ballard said he has the correspondence from Mr. Young and is well aware of the situation.

Councilman Swan spoke of the traffic light issues on E. Broad Street, going east bound at W. Broad and Washington Avenue.

### **COUNCIL COMMENTS**

Councilman Babula spoke of Martin Luther King.

Councilman Chachis asked for an update on the ROI Redevelopment Project.

President Lollar stated that Mr. Kennedy will be speaking on this the 2<sup>nd</sup> meeting in February.

Councilwoman Hatala spoke of Martin Luther King and Inauguration Day.

Councilwoman Hollingsworth spoke of Martin Luther King; suggested better communication on Council; felt caught off guard about the Municipal Alliance.

Councilman Swan spoke of issues with a traffic light at Washington Avenue and W. Broad Street; suggested there is always time to communicate with the Clerk of Council on agenda items before the meeting.

Councilwoman Woodard spoke of Roberts Rules, concerns with Redevelopment and communication; spoke of the marijuana ordinance and asked for routine updates on items from Administration.

### **CONFERENCES**

Proposed Ordinance Amendments:

- Housing Standards & Landlord Registration, Violations & Penalties
- Fire Prevention
- Parks & Recreation Areas, Violations & Penalties, Animals
- Collection of Waste Material
- Extra Duty Assignments

**EXECUTIVE CONFERENCES**

- 302 Commerce Square Boulevard (Former YMCA)
- 200 E. Federal Street
- Water Service Utility Bills

**ADJOURNMENT**

Upon the motion of Councilman Chachis, seconded by Councilwoman Hatala, this meeting of January 19, 2021 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk