

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, FEBRUARY 2, 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 February 2, 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- Bill Morelli, Police Chief- John Fine.

INVOCATION

SALUTE TO FLAG

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR JANUARY 2021

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

AGENDAS RECEIVED FROM VARIOUS BOARDS

01-01 Land Use Board Agenda, dated January 27, 2021

01-02 Historic Preservation Commission Meeting, dated February 3, 2021

CORRESPONDENCE TO AND FROM WITHIN THE CITY AND CITY ORGANIZATIONS:

01-100 City of Burlington Water Department, Annual Report 2020

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

01-300 Alaimo Group, dated January 22, 2021, re: Pearl Point TCO

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

01-500 Anthony Basantis, Sheriff, dated January 4, 2021, re: Toy Drive

CORRESPONDENCE TO AND FROM THE NJLM

01-600 NJLM, dated January 6, 2021, re: Pre Registration for covid vaccine; budgeting for elected officials

01-601 NJLM, dated December 31, 2020, re: State & Federal Issues, 2020 Annual League Conference

01-602 NJLM, dated January 13, 2021, re: covid vaccine eligibility expands, League Professional Development Program

01-603 NJLM, dated January 15, 2021, re: State & Federal Issues, 2020 Annual League Conference

01-604 NJLM, dated January 8, 2021, re: State & Federal Issues, 2020 Annual League Conference

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

01-700 NJDEP, dated January 7, 2021, re: Success in NJ

01-701 NJDEP, dated December 23, 2020, re: New Circle Hook Requirement

01-702 NJDOH, re: COVID-19 Activity Level Report

01-703 NJDOH, re: COVID-19 Activity Level Report

01-704 NJDOH, re: COVID-19 Activity Level Report

MISCELLANEOUS CORRESPONDENCE

01-800 LIFE Children Center, re: Chief Fine, Thank You

01-801 Endeavor Emergency Squad, Inc., re: Statistics for December 2020

NOTICES OF FORECLOSURES

01-900 Block 222, Lot 11

01-901 Block 139, Lot 47
01-902 Block 236, Lot 5

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 FEBRUARY 2, 2021*

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

BOND ORDINANCE NO. 01-2021 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

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

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

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

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$325,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is up to \$42,000; and
- © a down payment in the amount of \$3,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of up to \$42,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$3,000, which amount represents the required down payment, and the sum of \$280,000, which amount represents a grant from the New Jersey Transportation Trust Fund, is hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$42,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$42,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$65,000.

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

<u>Purpose/Improvement</u>	<u>Estimate d Total Cost</u>	<u>Down Payment</u>	<u>Grant</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A Repairs and Improvements to Various Roadways in the City including, but not limited to Fernwood Avenue, Talbot Street and Linden Avenue, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$325,000	\$3,000	\$280,000	\$42,000	10 years

Section 8. Other than the grants set forth in Section 3 above, any grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purposes described in Section 7 above.

Section 9. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the

Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$42,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

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

Section 12. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

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

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

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

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

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

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

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

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, 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).

ORDINANCE NO. 02-2021 OF THE CITY OF BURLINGTON AMENDING CHAPTER 207 OF THE CODE OF THE CITY OF BURLINGTON (LAND DEVELOPMENT) Marijuana

SEE ATTACHED

Upon the motion of Councilman Chachis, 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. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (6); NAYS: Ms. Hatala. (1); ABSTAIN: (0); ABSENT: (0).

ORDINANCE NO. 03-2021 OF THE CITY OF BURLINGTON AMENDING CHAPTER 207 OF THE CODE OF THE CITY OF BURLINGTON (LAND DEVELOPMENT) Site Plan Waiver

WHEREAS, the City of Burlington is a Faulkner Act municipality with a Mayor-Council form of government pursuant to New Jersey Statute 40:69A-31, *et seq.*, with its organization, positions, powers, and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the Common Council for the City of Burlington wishes to clarify certain Code provisions governing the requirements in the Code as to the approval process required for a change in the use of a property and to confirm the existing provision that an expansion of a use and/or any action seeking to increase the number of units in a dwelling requires the approval of an Application brought before the Land Use Board; and

WHEREAS, the current provisions in the City Code do not permit the expansion of additional units in a dwelling without the express approval of the City of Burlington Land Use Board; and

WHEREAS, the current Code provisions for administrative approvals for the change from one permitted use to another permitted use in a zone have not been interpreted as permitted an administrative approval of such a conversion or the addition of housing units within the dwelling without such approval; and

WHEREAS, the Common Council has requested that the applicable section of the Code be reviewed by the Solicitor and Administration and that the provisions be clarified and updated where appropriate in order to ensure that such conversions are plainly prohibited unless specifically approved by an application brought before the City of Burlington Land Use Board.

NOW THEREFORE BE IT FURTHER ORDAINED by the Common Council for the City of Burlington that Section 207 of the City Code relating to Land Development shall be amended, added to or deleted as follows, with new matter being underlined thus, deletions crossed out ~~thus~~, and any and all other sections or subsections not mentioned herein shall remain as written:

§ 207-40 Site plan review; Change of Use.

...C. New or change in use. [Amended 3-21-2017 by Ord. No. 03-2017]

(1) Any change of use, establishment of a new or additional use, or expansion of the use or the number of dwelling units within the same property, establishment of a use after the prior use has been terminated within the City, will void the previously issued certificate of occupancy and require the issuance of a new certificate of occupancy. The expansion of the use or any increase in the number of dwelling units within the same property requires the formal approval of Land Use Board by an Application submitted to the Land Use Board. A new site plan review, or waiver therefrom, is required for a change of use or the establishment of a new use, so long as the use is permitted in the zone. The site plan review or a waiver from the requirement to submit a site plan will assure that the existing facilities are adequate to handle any increased demands upon the site imposed by the change of use or new use. A proposed change of use from one permitted use to another permitted use in the zone and an accompanying request to waive the requirement to submit a site plan for approval for a change of use or new use only may be administratively approved by the Zoning Officer or the Code Enforcement Official or the Business Administrator...

...C. Change of Use

...(5) It shall be unlawful to convert any single-family attached or single-family detached dwelling into a two-or-more-family dwelling.

Attachment 3 to the Land Development Ordinance, Schedule of Land Uses, is amended as follows, to delete footnote 1:

LAND DEVELOPMENT
 207 Attachment 3
City of Burlington
Schedule of Land Uses
Key to Land Use Schedule: Notes:

- P = Permitted Use ~~† Permitted in TC-2 only~~
- ~~along West Broad Street.~~
- C = Conditional Use
- I = Burlington Island Only
- A = Permitted Accessory Use
- H = Permitted as a Home Occupation
- M = Permitted as part of a Mixed-Use Development
- B = Barbers, Beauticians and Babysitting Permitted as a Home Occupation

Residential Uses	OS-1	R-1	R-2	R-3	TRN	TC-1	TC-2	NC-1	WC-1	HC-1	HC-2	IP	I-1
...Two-family detached units							P+						

WHEREAS, the proposed amendments affect the City’s Land Use Ordinances, thereby requiring the Burlington City Joint Land Use Board to review the proposed changes and recommend to the Mayor and Council the amendments be adopted, modified, or rejected, in accordance with the procedures outlined within the Municipal Land Use Law, N.J.S.A.40:55D-1, *et seq.*; and

WHEREAS, the Common Council of the City of Burlington, refers the draft Ordinance to the City of Burlington Joint Land Use Board for its review, the recommendation(s) as to changes and whether the changes proposed in the draft of this Ordinance is consistent with the Master Plan, and whether the Land Use Board recommends adoption of the revisions of the Code as stated in this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hollingsworth, 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).

ORDINANCE NO. 04-2021 OF THE CITY OF BURLINGTON AMENDING CHAPTER 281 OF THE CODE OF THE CITY OF BURLINGTON (SHOPPING CARTS)

WHEREAS, the City of Burlington is a Faulkner Act municipality with a Mayor-Council form of government pursuant to New Jersey Statute 40:69A-31, *et seq.*, with its organization, positions, powers, and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the City wishes to amend certain code provisions governing the disposal of waste material, and to provide further measures for the prevention of abandonment of shopping carts to prevent these bulky items from littering the City's streets, parks and public and private property as well as to provide stricter standards and heightened penalties for the failure to responsibly use and return shopping carts and to define and penalize prohibited actions.

NOW THEREFORE BE IT FURTHER ORDAINED by the Common Council for the City of Burlington that Section 281 of the City Code shall be amended, added to or deleted as follows, with new matter being underlined thus, deletions crossed out ~~thus~~, and any and all other sections or subsections not mentioned herein shall remain as written:

§ 281 Shopping Carts.

§ 281-3 Removal from owner's premises.

- A. No person shall move, push or carry any shopping carts belonging to and bearing the name of another person or owner upon any street, sidewalk or other public place or private property other than the premises of the owner of the shopping cart. No person shall leave or abandon any shopping cart upon the sidewalks, streets or roadways of the City of Burlington.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hollingsworth, 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).

ORDINANCE NO. 05-2021 OF THE CITY OF BURLINGTON AMENDING CHAPTER 300 OF THE CODE OF THE CITY OF BURLINGTON (COLLECTION OF WASTE MATERIAL)

WHEREAS, the City of Burlington is a Faulkner Act municipality with a Mayor-Council form of government pursuant to New Jersey Statute 40:69A-31, *et seq.*, with its organization, positions, powers, and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the City wishes to amend certain code provisions governing the collection of waste material, to provide clarity and to update the standards for the disposal of waste; and

WHEREAS, the amendments to the City Code as set forth herein will increase the City's ability to collect household yard waste in a more efficient fashion by providing clearer guidance to homeowners on the requirements for presentation of household yard waste to be collected by the City and/or its refuse haulers.

NOW THEREFORE BE IT FURTHER ORDAINED by the Common Council for the City of Burlington that Section 300 of the City Code shall be amended, added to or deleted as follows, with new matter being underlined thus, deletions crossed out ~~thus~~, and any and all other sections or subsections not mentioned herein shall remain as written:

City Code Sec. 300: Collection of Waste Material

§ 300-1 Definitions.

In the interpretation of this article, the following words and phrases shall have the following meanings:

...BRUSH

All brush and limbs up to 6 inches in diameter shall be cut in lengths not to exceed six (6) feet and shall be neatly stacked and/or if tied, secured with recyclable (not plastic) twine or similar materials for removal by the Public Works Department as a special pickup operation.

GARBAGE

Any waste material in the process of or subject to decomposition or decay incident to ordinary domestic or business use or purpose and shall include among other things kitchen refuse, animal or vegetable matter, decaying and decomposing substances. This definition includes

[F]the meat and vegetable waste solids resulting from the handling, preparation, cooking and consumption of foods as well as the containers in which such items were sold or stored.

...

SUITABLE RECEPTACLE

A receptacle, as herein defined, having a fitted cover or lid, constructed to prevent spillage or leakage of its contents and similar means of coming in contact with storm-water. Such receptacles must be of a durable construction, be kept in good condition and shall have adequate handles and shall be kept in a clean condition and of sufficient durability to secure the contents.

... TRADE WASTE

All material resulting from the prosecution operation, function or as a by-product of any business, trade or industry, conducted for profit, including construction debris, paper, rags, leather, rubber, cartons, boxes, wood, excelsior, sawdust, garbage, lawn or grass clippings, trees, brush, vegetation, and other yard waste and other combustible solids except manure, and not considered by the City to be of a highly volatile or explosive nature, metals, metal shavings, wire, tin cans, cinders, concrete, wiring, earth and other materials ~~but not the~~ including wastes resulting from building construction or alteration work.

§ 300-3 Authorized persons to collect.

No person, except an employee of the City, in the discharge of his/her duties, or an authorized waste collector, or contracted commercial service for trimming and/or removal and disposal of trees, limbs and branches, shall collect, pick up, rake in or in any way disturb the paper, garbage or other waste material of whatsoever nature deposited in any receptacle or laid or placed on any street or public place.

...§ 300-5 Time of placing of receptacles and removing receptacles. Scheduling of brush pickup and removal of brush, trees, logs and limbs.

- A. No person shall place, or cause to be placed, any receptacle for trash ~~bundle or refuse material~~ on any portion of the sidewalk or street at any time except on the day of collection and then not more than 12 hours before the collection times hereinafter fixed, nor shall any person allow or permit any empty receptacle to remain upon the sidewalk or street later than 11:00 p.m. of the day the contents have been collected. Collection shall be once weekly pursuant to the collection schedule set forth by the Director of Public Works.
- B. Each homeowner is to ensure that all brush and limbs up to 6 inches in diameter shall be cut in lengths not to exceed six (6) feet and shall be neatly stacked and/or if tied, secured with recyclable (not plastic) twine or similar materials. Brush may not be placed at the curb any sooner than forty-eight hours prior to the scheduled day for collection. Logs and limbs larger than 6 inches in diameter and stumps will not be removed by the Public Works Department, but are the responsibility of the property owner.
- C. If a home owner contracts with an individual and/or a commercial service to trim or remove trees, it will be the responsibility of the home owner to ensure proper removal, bundling and prepared for pick-up of the trees, limbs and branches. Brush pickup is scheduled by zone each month from March through October. The schedule for pickup shall be established by the

Director of Public Works and may be modified from time to time. The schedule for pickup by zone will be posted on the City's website. Home-owners are not to place items for collection near storm drains, handicapped spaces, or fire hydrants or in a manner which will obstruct view of traffic.

- D. To be scheduled for brush pickup, the property owner must either telephone or Email the Public Works Department to make arrangements for pickup.
- E. Properly sized and bundled brush piles are to be placed curbside before the day designated for pickup in your household's zone. Brush piles may not be placed at the curb any sooner than forty-eight (48) hours prior to the scheduled day/week for collection.
- F. Logs and limbs larger than six (6') in diameter and stumps will not be removed by the Public Works Department, but are the responsibility of the property owner.
- G. If a homeowner contracts with an individual and/or a commercial service to trim or remove trees, it will be the responsibility of the homeowner to ensure that either the contractor and/or commercial service properly removes and disposes of the brush, trees, limbs and/or branches or the homeowner will assume that responsibility.

§ 300-9 Handling and disposal of certain trade wastes.

When trade waste, as defined in § 300-1 ~~is produced, exceeds a total of three bushels in bulk, or 100 pounds in weight at any one collection, such trade waste will not be collected by the City but the producer thereof shall, at his/her own expense, deliver or have delivered by an authorized duly licensed commercial collector such materials to a location designated by regulation of the City. The weight and size of each individual receptacle or bundle, however, shall not exceed the limitations set forth in § 300-8.~~ ~~Whenever a permit is required for the performance of any repair or renovation, the property owner shall be required to utilize a dumpster to store and remove the trade waste and any construction debris. All such waste collected is not to be disposed of with City trash haulers and must be hauled at the expense of the property owner through a private hauler. Failure to comply with this requirement will result in a fine consistent with the violation fee schedule.~~

§ 300-11 Disposal of cut grass.

- A. Cut grass will be collected by the City's ~~trash~~ contractor at such times as may be designated by the ~~Municipal Clerk~~ Public Works Director, provided that the cut grass is properly separated from trash, properly bagged, prepared and placed for collection with trash at the nearest curb in front of the building on the scheduled day for collection by the City's trash collector in accordance with the general rules and regulations for trash collection as set forth in this article. ~~Waste material and/or trade waste shall not be placed in any bags or receptacles containing cut grass.~~ No cut grass will be collected if the grass is not properly bagged, or if it exceeds 55 pounds in weight per container.
- B. Cut grass from commercial landscapers and/or from commercial entities will not be accepted for disposal at the City's Municipal Recycling Depot.

300-12. Alternate/Temporary Post-Storm clean up schedule.

- A. Following a severe storm or other similar sudden weather event, the Director of Public Works may establish an alternate schedule to provide for the removal of brush, trees, or tree limbs and will arrange to post the revised schedule on the City's website and/or on the City's social media outlet to provide information on a temporary, alternate clean-up schedule.

Article II: Recycling

§ 300-13 Purpose.

The City of Burlington finds that reducing the amount of solid waste and conservation of recyclable materials is an important public concern and is necessary to implement the requirements of the State's Solid Waste Management Act ("SWMA") regulations and the Burlington County's Regional Recycling Program. The City of Burlington participates in the Regional Recycling Program (Program) operated by Burlington County. The Program is operated at the Robert C. Shinn, Jr. Recycling Center (the "Center") located at 130 Hancock Lane, in Mount Holly, NJ. Under this program, recycling vehicles are dispatched from the Center and collections are taken from single family homes, multifamily complexes, public schools and municipal drop-off sites. The recyclables collected are brought back to the Center, processed and shipped to a variety of markets as determined by the Occupational Training Center ("OTC") of Burlington County, Inc. The recycling of certain materials from the residential, commercial and institutional establishments in the City in conjunction with the efforts of other municipalities in the County, will conserve existing scarce landfill capacity, facilitate the implementation and operation of other forms of resource recovery, and conserve natural resources through reduced energy consumption, reduced water and air pollution as well as reduce the demand on raw material extraction.

§ 300-18 Source-separation and collection of designated recyclables for curbside program.

All recyclables placed for collection pursuant to the curbside program established within § 300-17 of this article shall be ~~source-separated and~~ prepared for collection in accordance with the following conditions:

- A. Cardboard and paper shall be placed in recycling buckets/recycling carts, ~~paper bags or tied in bundles not exceeding 35 pounds in weight nor exceeding one foot in thickness.~~
- (1) Cardboard and paper shall not be set out for recycling collection in plastic bags.
 - (2) In those locations where carts are provided for the collection of corrugated cardboard and paper, those materials shall be placed in the carts that are provided by the municipality.
 - (a) Boxes shall be flattened as to fit into the cart.
 - (b) Where cardboard boxes are too large to be placed in the cart and where there are too many boxes to fit within the cart, cardboard boxes must be flattened and placed alongside the cart for collection.

...(7) Carts are the property of the municipality and have been provided to each residence, based upon the number of units permitted for the structure. In the event that a Homeowner requests a replacement cart, the Homeowner will be required to pay the cost for replacement, based upon the with the cost charges established by the Common Council based upon the recommendation of the Director of Public

Works, which is consistent with the charge to the City by the City's recycling contractor.

§ 300-19 Establishment of Municipal Recycling Depot Program.

...C. The following source-separated recyclables will not be accepted either at the Municipal Recycling Depot or at residential curbside:

Used Motor Oil and AntiFreeze (Class D)

Consumer Electronics

Fluorescent Lights (Class D)

Ink Jet Cartridges

Lead Acid Batteries (Class D)

Metal Appliances

Rechargeable Batteries (Class D)

Flammables such as Petroleum Distillates, Paint Thinner, Oil-based Paint, Spot Remover, Adhesives and Automotive Products

Toxic Liquids (eg., Rust Remover, Paint Remover, Pool Chemicals, Weed Killer, Acids, Photographic Chemicals)

Scrap Metal

Textiles

Tires

Televisions

Toner Cartridges

Type 10 Municipal Solid Waste

Type 13 Bulky Waste

Some of these materials may be disposed by taking them to the Burlington County Hazardous Waste facility at the Burlington County Resource Recovery Complex, 22000 Columbus Rd., Mansfield, NJ. Please review the Burlington County website and information for the proper disposal of these items.

D. Non-Recyclable Materials. The following materials and items are not recyclable and will not be accepted for disposal at the Municipal Recycling Depot:

1. Plastic bags of any kind; no plastic wrap;
2. Shredded Paper. Two remaining options for recycling shredded paper are: (A) Bring shredded paper to a Burlington County Paper Shredder event; or (B) Bring shredded paper to the Blue "Shredded Paper" dumpster at the County Resource Recovery Complex in Florence, NJ. (the only shredded paper drop-off site in Burlington County)
3. Ceramics and non-recyclable Glass
4. Non-recyclable Plastics (marked as #3, # 4, #6 or #7)
5. Liquids;
6. Styrofoam, air pillows; plastic packing material from cardboard boxes;
7. Metal or plastic clothes hangers.
8. Food Soiled and/or Frozen Food Containers and other food containers (eg., Pizza boxes);
9. Plant pots, trays, cups or lids;
10. Scrap Metal;

11. Sanitary Waste such as Diapers and other sanitary products are not recyclable and should be disposed of with regular household trash;
12. Hazardous Waste
13. Bio-Hazardous Waste materials (such as syringes and needles) are not recyclable.

Article III: Yard Waste Collection

300-31 Definitions

...GARDEN REFUSE Includes small tree branches (being 6 feet in length or shorter), hedge, bush and vine trimmings, stalks of vegetables and plants, weeds and similar substances and/or materials found in residential yards, but shall not mean leaves in bulk, tree trunks or portions thereof or large tree branches (being longer than 6 feet in length).

...YARD WASTE

Refers to leaves, grass clippings, tree limbs, brush, and vegetation.

§ 300-32 Placement for collection.

Sweeping, raking, blowing or otherwise placing yard waste that is not containerized at the curb or along the street is only allowed during the seven (7) days prior to a scheduled and announced collection, and yard waste shall not be placed closer than 10 feet to any storm drain inlet. Placement of such yard waste at the curb or along the street at any other time or in any other manner is a violation of this article. If such placement of yard waste occurs, the party responsible for placement of the yard waste must remove the yard waste from the street or such party shall be deemed in violation of this article. Logs and limbs larger than six inches (6") in diameter and stumps will not be removed by the Public Works Department, but are the responsibility of the property owner. If a Homeowner contracts a commercial service to trim or remove trees, it will be the responsibility of the property owner or the commercial services for removal and disposal of the trees, limbs and branches. Commercial landscapers and/or commercial tree services are not permitted to dispose of trees, limbs or branches and/or yard waste at the Municipal Recycling Depot.

§ 146-24 Chapter 300, Solid Waste.

Fees to be charged pursuant to Chapter 300, Solid Waste, shall be as follows:

~~A. Removal of major appliances: \$15.~~

§ 1-21 Violations Bureau schedule of penalties; court appearances.

§ 300-5	Trash placed out for collection prior to 12 hours	\$50
§ 300-6	Trash containers awaiting collection	\$50
§ 300-9	<u>Trade waste</u>	<u>First offense: \$500; Second Offense: \$1000</u>
§ 300-17	Recyclables in trash	\$50
§ 300-17	Recyclables placed in improper recycling container	\$50

§ 306-1	Snow removal from sidewalks	\$84
§ 306-2	Casting snow into the roadway	\$84

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

Upon the motion of Councilwoman Woodard, seconded by Councilman Swan, 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).

ORDINANCE NO. 06-2021 OF THE CITY OF BURLINGTON AMENDING CHAPTER 162 OF THE CODE OF THE CITY OF BURLINGTON (FIRE PREVENTION)

WHEREAS, the City of Burlington presently maintains certain establishing system for the enforcement of minimum fire safety standards pursuant to City Code Chapter 162; and

WHEREAS, the legislature of the State of New Jersey has updated many of the standards, requirements and authority granted to the municipality provided for in City Code; and

WHEREAS, various portions of the City code relative to fire safety are out of date or otherwise not utilizing the most recently published and accepted standards; and

WHEREAS, the Common Council for the City of Burlington similarly believes the most recent established and accepted standards for fire safety shall be enforced within the City;

WHEREAS, the Mayor and Administration of the City of Burlington have requested that the Director of Law and Code Enforcement Officer under guidance from the City's Fire Official, conduct a review of the code for the purpose of ensuring that the Code provisions are sufficient to prohibit conduct that is detrimental to the health safety and welfare of the City residents, and further that the penalties provided for are fair, just and provide the flexibility to both provide fairness and otherwise deter such conduct to improve the life of the City residents and to also comply with the laws of the State of New Jersey and United States and interpretations of these laws; and

WHEREAS, the Director of Law and Code Enforcement Officer has conducted this review and found that certain updates and changes are required to promote the goals of this Ordinance;

NOW THEREFORE BE IT ORDAINED by the Common Council for the City of Burlington that the following Ordinance shall be amended as follows (all additions to the previous ordinance are underlined, any deletions are ~~crossed~~ out, any non-referenced sections or portions of the City Code shall remain as written):

§ 162-13. Use Group B—Business.

...B. The uses listed in Table I are indicative of, but not exclusive of, and shall be classified as Firesafety Use Group B:

Table I

... Clinic, outpatient

Colleges and universities

Dry cleaning; pickup and delivery stations

§ 162-14. Use Group E—Education.

A. All buildings and structures, or parts thereof, shall be classified in Fire safety Use Group E, which are used for gathering people together for the purpose of instructions, including, among others, schools, ~~colleges, universities~~ and academies.

B. Exceptions shall be school buildings, or parts thereof, for vocational training which shall be classified in the same use group as the vocation taught.

~~...§ 162-24 Technical Amendment: Identification of business and commercial occupancies.~~

~~Subchapter 3, Chapter 3 of the New Jersey Uniform Fire Code shall be supplemented to add as follows:~~

~~Section F3-19.2 Identification of Business and Commercial Occupancies.~~

~~All doorway entrances and/or exits for commercial establishments shall have printed thereon, in block letters, at least three inches high and approximately six inches from the top of the doorway, in conspicuously contrasting colors, the name of the commercial establishment located therein; provided, however, that there shall be exempt from this requirement such main entrance or entrances as are otherwise conspicuously and clearly marked with the identity of the commercial establishment located therein. it is the intent of this provision that emergency personnel arriving at the scene of a fire or other emergency have immediate identification of access routes to commercial occupancies located in a particular commercial building or buildings.~~

§ 162-25 Technical amendment: outdoor fires.

Subchapter 3, Chapter 4 of the 2015 New Jersey Uniform Fire Code shall be supplemented...

§ 162-26 Technical amendment: storage or parking of internal combustion engines.

Subchapter 3, Chapter 3 of the 2015 New Jersey Uniform Fire Code shall be supplemented...

§ 162-27 Technical amendment: Fire Department connections, fire hydrants and water supplies.

Subchapter 3, Chapter 5 of the 2015 New Jersey Uniform Fire Code shall be supplemented...

~~§ 162-28 Technical amendment: trash enclosures.~~

~~Subchapter 3, Chapter 21, of the New Jersey Uniform Fire Code shall be supplemented to add as follows:~~

~~Section F-2103.5 Trash enclosures, dumpsters, compactors.~~

~~Trash enclosures, dumpsters, and compactors containing combustibles shall not be placed in buildings of within 15 feet of exterior of a building wall, openings, or roof eave lines.~~

~~Exception: Area protected by an approved automatic sprinkler system in accordance with National Fire Protection Association 13.~~

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance within applicable law.

Upon the motion of Councilwoman Woodard, seconded by Councilwoman Hollingsworth, 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).

ORDINANCE NO. 07-2021 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)

WHEREAS, the City of Burlington is a Faulkner Act municipality with a Mayor-Council form of government pursuant to New Jersey Statute 40:69A-31, *et seq.*, with its organization, positions, powers, and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the Common Council of the City of Burlington wishes to amend a Code provision governing the duty of Landlords to remove and properly dispose of the household and/or personal items left in a rental unit after it is vacated by the Tenant and to clarify the standards requirements for the proper removal and disposal of these items; and

WHEREAS, in conjunction with the proposed amendment to the Code, the Common Council has also determined that it is appropriate to amend the corresponding Code provision relating to the fines and penalties for violations of this Section of the Code as set forth in Chapter 1-21.

NOW THEREFORE BE IT FURTHER ORDAINED by the Common Council for the City of Burlington that Section 195 of the City Code relating to Housing Standards and Landlord Registration requirements shall be amended and also Section 1, relating to the schedule of penalties, shall be amended, added to or deleted as follows, with new matter being underlined thus, deletions crossed out ~~thus~~, and any and all other sections or subsections not mentioned herein shall remain as written:

§ 195 Housing Standards

§ 195-26 Maintenance of commercial property. [Amended 4-9-2019 by Ord. No. 03-2019]

...D. Consistent with the rights of any such tenant under the Lease and applicable New Jersey law for removal of items, when any tenant voluntarily moves out of the property, is evicted, abandons the property, terminates the lease or otherwise vacates the rental unit, the Landlord is solely responsible for the removal and safe disposal of any household items abandoned or remaining in the unit by the Tenant(s)/Occupant(s), including but not limited to personal items, furniture, and appliances. The Landlord is prohibited from disposing of such items through the City's waste hauling contractor, or by placing such items on any City curbside for removal by the City or its contractors. The Landlord is prohibited from placing such items in the yard or other outdoor areas of the unit so as to cause clutter to accumulate and/or attract unauthorized activity. The Landlord is required to either engage a private hauler for the removal and safe disposal of all of such abandoned items or to cause the abandoned items to be removed for disposal at an authorized facility outside of the City, and are not permitted to be disposed of ~~excluding~~ at the City recycling depot (which may commonly be referred to as the or "City dump.") A violation of this section shall be subject to a fine/penalty consistent with the schedule of penalties as set forth in § 1-21, Violations Bureau schedule of penalties; court appearances.

§ 1-21 **Violations Bureau schedule of penalties; court appearances.**

...§ 195-26 D Maintenance of commercial
property (improper disposal of items)
\$1000

First offense: \$500; Second Offense:

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

Upon the motion of Councilman Chachis, 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).

ORDINANCE NO. 08-2021 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)

WHEREAS, the City of Burlington is a Faulkner Act municipality with a Mayor-Council form of government pursuant to New Jersey Statute 40:69A-31, *et seq.*, with its organization, positions, powers, and duties outlined within the Code of the City of Burlington as set forth pursuant to the Faulkner Act; and

WHEREAS, the Common Council of the City of Burlington wishes to amend the City to include a provision for the use of dog parks within the City and to establish the standards and requirements for the proper use of such public facilities; and

WHEREAS, in conjunction with the proposed amendment to the City Code, the Common Council has also determined that it is appropriate to amend the corresponding Code provision relating to the fines and penalties for violations of this Section of the Code as set forth in Chapter 1-21 and in Chapter 84.

NOW THEREFORE BE IT FURTHER ORDAINED by the Common Council for the City of Burlington that Section 251 of the City Code relating to Parks shall be amended and also Section 1, relating to the schedule of penalties, shall be amended, added to or deleted as follows, with new matter being underlined thus, deletions crossed out ~~thus~~, and any and all other sections or subsections not mentioned herein shall remain as written:

§ 251-1 Definition.

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

...PARK

Any park, playground, dog park, or playing facility within the City limits which is open to the public.

§ 251-9 Rules Applicable for use of dog parks.

A. General Rules.

1. Use of the Park is at the user's own risk. Use of a dog park is restricted to the hours between dawn and dusk or such other hours as may be designated by the City.

2. Owners and handlers are legally responsible for the actions and behavior of their dogs at all times.
 3. All dogs entering the area must have a current dog license, have up to date vaccinations and be otherwise healthy.
 4. All dogs must wear a collar, I.D. and permit tags at all times and must be on a leash when entering and exiting the park.
 5. All dog handlers must be 18 years of age or older. Each handler is permitted to bring no more than 2 dogs to the park at any given time.
 6. Dog waste must be cleaned up by the dog's owner or handler immediately and must be properly disposed of in the receptacles provided.
 7. Owners and handlers are required to prevent their dogs from digging, scratching or causing damage of any kind to the grounds, fencing or signs. In the event that a dog digs a hole, the owner or handler is required to immediately fill any holes created.
 8. There is a limit of 20 dogs and 25 handlers inside each fenced area at any one time.
 9. The weight limit for the small dog section is 35 lbs.
- B. Prohibited Items and Activities. The following items and activities are not permitted at the park:
1. Food for human consumption is not permitted. Dog food and/or dog treats are not permitted within the park.
 2. Aggressive dogs, dogs that are in heat, or sick dogs are not permitted to enter the park. Puppies, younger than four (4) months are not permitted.
 3. The park is limited to use only by dogs and their handlers. No animals other than dogs are permitted on site.
 4. Spike, pinch or prong collars are not permitted to be worn in the dog park.
 5. Glass containers are prohibited.
 6. Children under 8 years of age are not permitted to enter the dog park at any time. Children over 8 years of age are not permitted without adult supervision.

§ 1-21 **Violations Bureau schedule of penalties; court appearances.**

...§ 251-9 Rules for use of dog parks \$84

§ 84-4 (A-G) Regulations (Dogs) \$56-\$100

§ 84-10 Violations and penalties.

Any person who violates or fails or refuses to comply with § 84-3 shall pay a penalty of ~~\$15~~ \$100 in addition to the applicable license fee. For any other violation of this article, the general penalty clause [1] shall apply.

§ 84-4 and § 85-51 Nuisance by dog (owner supervision); failure to clean up dog waste from any public property \$150

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

Upon the motion of Councilwoman Woodard, seconded by Councilman Chachis, 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).

ORDINANCE NO. 09-2021 OF THE CITY OF BURLINGTON AMENDING PART II OF THE CODE OF THE CITY OF BURLINGTON ADDING CHAPTER 2, ENTITLED "EXTRA DUTY ASSIGNMENTS"

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, the Common Council of the City of Burlington wishes to amend a Code provision governing the current provisions in the City's Extra Duty Assignment Ordinance, Section 2-24.1, which relates to the payment of Police Officers performing additional off-duty assignments for required police traffic control and related services which are paid for by private entities; and

WHEREAS, the Chief of Police has recommended exploring utilizing a secondary service vendor, which is connected to the City's Police Officer Scheduling System (POSS) in order to schedule and handle extra duty employment assignments. This arrangement will limit the number of escrow accounts which the City has to open, track and audit, which will result in an increased efficiency and ensure equity in the rotation of such extra duty assignments; and

WHEREAS, the service is free to the City, in that there is no "annual contract" and there is no time limit or obligation to continue the arrangement in the event that the City desires to end the program; and

WHEREAS, in order to utilize this method for payment and tracking of such assignments, the current Code provision needs to be amended; and

WHEREAS, the Common Council of the City of Burlington wishes to amend the applicable provision in the City Code so as to allow the City Police and Administration the option to use a secondary service to arrange for payment for these services.

NOW THEREFORE BE IT FURTHER ORDAINED by the Common Council for the City of Burlington that Section 2-24.1 of the City Code relating to Extra Duty Assignments shall be amended, such that text which is added or deleted shall be distinguished as follows, with new matter being

underlined thus, and deletions crossed out ~~thus~~, and any and all other sections or subsections not mentioned herein shall remain as written:

§ 2-24.1 Extra-duty assignments.

(B)

...(7) (I) The City may choose to utilize a secondary service to administrate and perform the above actions related to the off-duty employment process. These actions include but are not limited to: communicating with a person or company which has requested the services of an off-duty officer to schedule off-duty “jobs;” scheduling the Officers for the said jobs; invoicing the person or company receiving the service; receiving the escrow and/or payments from the person or company in a manner set forth by the secondary service provider and other administrative functions necessary and attendant to providing such services. The secondary service provider may charge an additional fee to the person or company requesting the services of an off-duty officer for the services which is in addition to the fee structure stated above and may utilize business-type collection rules as set forth in the contract between the City and the secondary service provider.

(ii) The secondary service provider will reimburse the City via ACH or other funds transfer methods, according to the fees set forth above, due to the City and Officer, in a timely manner, usually coinciding with payroll periods for “jobs” that the officers have performed or were scheduled for, in accordance with the above listed rules of employment between the City and person(s) or company seeking services.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

Upon the motion of Councilman Chachis, seconded by Councilman Babula, 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. 65-2021*

Common Council of the City of Burlington hereby authorizes the Burlington County Highway Department, Division of Mosquito Control, to perform aerial applications of larvicides and insecticides for mosquito control over City of Burlington during the year 2021.

Approved by Consent Agenda. All were in favor.

Resolution No. 66-2021*

RESOLUTION NO. 66-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE A LIEN AGAINST PROPERTIES FOR EMERGENCY BOARD UP

WHEREAS, the City of Burlington Code Enforcement Officer has certified that the following properties must be boarded up to secure public safety; and

WHEREAS, the Code Enforcement Officer has certified that the City expended labor and material costs for boarding up of these properties; and

WHEREAS, the Code Enforcement Officer has certified that the owners of these properties are responsible for maintaining said properties and is liable for the costs incurred by the City of Burlington on behalf of the property owners for securing and boarding; and

WHEREAS, the costs incurred by the City shall become a lien upon the properties and shall become collected and enforced in the same manner as taxes.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Burlington, that the City is hereby authorizes to cause a lien for said costs to be placed against the following properties for the boarding up process to maintain public safety.

<u>Block & Lot</u>	<u>Address</u>	<u>Amount</u>
Block 138, Lot 29	432 York Street	\$ 861.84
Block 154, Lot 34	125 Belmont Street	\$1,618.98
Block 145, Lot 21	404 Earl Street	\$1,125.00
Block 137, Lot 51	465 High Street	\$ 651.60
Block 139, Lot 11	520 York Street	\$ 895.25

Approved by Consent Agenda. All were in favor.

Resolution No. 67-2021*

Common Council of the City of Burlington hereby authorizes Niagara Hose Co. #6 to conduct a "Pass the Boot" fundraiser at 656 High Street they having filed the necessary papers and pending the proper permits from the County of Burlington, on the following dates:

<u>Date</u>	<u>Rain Date</u>	<u>Time</u>
March 6, 2021	March 7, 2021	9:00am - 3:00pm
June 19, 2021	June 20, 2021	9:00am - 3:00pm
September 11, 2021	September 12, 2021	9:00am - 3:00pm
October 23, 2021	October 24, 2021	9:00am - 3:00pm

Approved by Consent Agenda. All were in favor.

Resolution No. 68-2021*

RESOLUTION NO. 68-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
AUTHORIZING THE CANCELLATION OF 2019 AND 2020 WATER AND SEWER CHARGES

WHEREAS, the following parcel was acquired by the City of Burlington; and

WHEREAS, as a political subdivision of the State of New Jersey, the City of Burlington is not subject to water and sewer charges.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the following 2019/2020 water and sewer charges and any interest thereon are hereby cancelled as follows:

BLOCK 33
LOT 6

LOCATION 526 HIGH ST

WATER 140.25 plus Interest
SEWER 96.75 plus Interest
\$237.00

BLOCK 156
LOT 11

LOCATION 559 HIGH ST

SEWER 290.25 plus Interest

Approved by Consent Agenda. All were in favor.

Resolution No. 69-2021*

RESOLUTION NO. 69-2021 OF THE COMMON COUNCIL FO THE CITY OF BURLINGTON
AUTHORIZING THE REFUND OF THE OVERPAYMENT OF 2020 TAXES

WHEREAS, an overpayment of 2020 taxes, has occurred on the property identified herein, due to a demolition which resulted in a reduction in the assessment;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington authorizes the Chief Financial Officer to issue a refund check for 2020 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amt.</u>
137 (424 Lawrence St)	14	Seth Daniels 424 Lawrence St Burlington, NJ 08016	\$ 111.07

Approved by Consent Agenda. All were in favor.

Resolution No. 70-2021*

RESOLUTION NO. 70-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
AUTHORIZING THE REFUND OVERPAYMENT OF 2020 TAXES

Whereas, a property tax veteran deduction was granted for the 2020 tax year;

Resolved, that the Common Council of the City of Burlington hereby authorizes the Chief Financial Officer to issue a refund check for qualified property tax veteran deduction, for the 2020 tax year as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Property Location</u>	<u>Amount</u>
69	8	Bradley C. Faul	221 Elm Avenue	\$ 250.00

Approved by Consent Agenda. All were in favor.

Resolution No. 71-2021*

RESOLUTION NO. 71-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON
AUTHORIZING THE REFUND OF OVERPAYMENT OF 2020 TAXES

WHEREAS, an overpayment of 2020 taxes, has occurred on the property identified herein due to a duplicate payment;

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington authorizes the Chief Financial Officer to issue a refund check for 2020 taxes as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Amount</u>
124 (309 Penn St)	34	Kramer & King LLP 25 Ann Street Colts Neck, NJ 07722	\$1,130.45
146 (341 Clarkson St)	10	Barbara Harry & Gio Colin 341 Clarkson Street Burlington, NJ 08016	\$ 800.00

Approved by Consent Agenda. All were in favor.

Resolution No. 72-2021

Upon the recommendation of City Engineer, Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order No. 2, with Earle Asphalt Company for an increase, in the amount of \$22,647.55 providing

for additional items and quantity adjustments in connection with the 2018 NJDOT Municipal Aid Program - Moorland Avenue, Dickenson Road & Hulme Street Improvement Project, making a revised contract total of \$270,377.80.

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

Resolution No. 73-2021

Upon the recommendation of City Engineer, Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order No. 1, with Earle Asphalt Company for a decrease, in the amount of \$74,002.50 providing for quantity adjustment in connection with the FY 2018 NJDOT Local Aid Infrastructure Fund - Lincoln & Moorland Avenue Improvement Project, making a revised contract total of \$175,310.63.

Upon the motion of Councilwoman Woodard, 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. 74-2021

Upon the recommendation of the City Water Engineer, Environmental Resolutions, Inc, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order No. 1, with National Metering Services for an increase, in the amount of \$19,025.12 providing for additional items and quantity adjustments in connection with the Residential Water Meter Replacement Project, making a revised contract total of \$1,614,087.12.

Upon the motion of Councilwoman Woodard, 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. 75-2021

Upon the recommendation of City Engineer, Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement, Change Order No. 1, with Earle Asphalt Company for a decrease, in the amount of \$18,281.96 providing for quantity adjustments and penalty for Air Voids in connection with the FY 2020 NJDOT Municipal Aid Program - Temple Avenue, E. 5th Street & W. 4th Street Improvement Project, making a revised contract total of \$300,731.17.

Upon the motion of Councilwoman Hatala, 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).

PUBLIC COMMENTS

None.

ADMINISTRATION REPORT -Removed

COUNCIL COMMENTS

Councilman Babula spoke of Black History Month; asked for a report from Main Street.

Councilman Chachis spoke of the Washington Square Redevelopment.

Councilwoman Hatala spoke of the Pearl Pointe Redevelopment Project.

Councilwoman Hollingsworth offered condolences to Fire Chief Rusty Caruso on the loss of his Father.

Mr. Harris offered to meet with Councilman Babula to discuss Main Street.

Councilman Swan thanked the Public Works Department for their work during the snow storm.

Councilwoman Woodard and President Lollar reiterated comments of Councilwoman Hollingsworth and Councilman Swan.

Mayor Conaway spoke of Black History Month.

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilman Swan, this meeting of February 2, 2021 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk