

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 17, 2020, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

The Deputy Municipal Clerk advised the public of the location of the two fire exits; one on the left after exiting the Council Chamber and the other being the entrance to the building.

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, Director of Public Affairs- John Alexander, Municipal Attorney- Lou Garty, Police Lt. Elbertson, Emergency Mgt. Coordinator- Frank Caruso.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on March 17, 2020 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC
Municipal Clerk

SALUTE TO FLAG

UNFINISHED BUSINESS

Councilman Babula asked for the status of the temporary speed humps for Rutgers Avenue.

Mr. Ballard said the money has been placed in the budget, we are waiting for budget to be approved.

Councilwoman Hollingsworth asked when budget would be presented.

President Lollar spoke of potential delays due to the COVID-19 virus.

Councilwoman Hatala spoke of the light at Columbus Road and Rt 130.

Mr. Ballard said he will ask the Engineers to reach out to NJDOT again.

CONSENT AGENDA

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

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

ORDINANCE(S) - SECOND READING & FINAL DISPOSITION

ORDINANCE NO. 06-2020 OF THE CITY OF BURLINGTON CHAPTER 344 OF THE CODE OF THE CITY OF BURLINGTON (VEHICLES AND TRAFFIC), ARTICLE V. (PARKING)

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, based upon the recommendation of the City’s Engineer, the Alaimo Group, the Common Council wishes to amend certain parking time limits, and prohibit parking on certain portions of City roads, in order to facilitate future road improvements that will increase traffic flow and improve vehicle and pedestrian safety; and

WHEREAS, the Common Council of the City of Burlington has reviewed the recommended changes and finds it to be in the best interests of the City of Burlington to amend the Code in accordance with the terms outlined in this Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council for the City of Burlington that Section 344–14 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:

Chapter 344. Vehicles and Traffic

Article V. Parking

§ 344–14. Parking time limited on certain streets.

- A. No person shall park a vehicle for longer than the time limit shown upon any of the following streets or parts of streets. The restricted parking shall not be in effect on...

Name of Street	Sides	Time Limit	Hours/Days	Location
...
Wall Street	North	2 Hours	9:00 a.m. to 5:00 p.m. Monday thru Saturday	20 feet west of High Street, a distance of 88 feet (four parking stalls)

BE IT FURTHER ORDAINED by the Common Council for the City of Burlington that Section 344–15 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:

ORDINANCE NO. - 2020

Chapter 344. Vehicles and Traffic

Article V. Parking

§ 344–15. Parking prohibited at all times on certain streets.

No person shall park a vehicle at any time upon any of the following described streets:

Name of Street	Sides	Location
...
High Street	East	From Wall Street curb-line 362 feet north
High Street	West	From Wall Street curb-line 40 feet north and from northern end of the five parallel parking stalls 300 feet north to high visibility crosswalk

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. 07-2020 OF THE CITY OF BURLINGTON ADOPTING THE REDEVELOPMENT PLAN GOVERNING THE AREA IN NEED OF REDEVELOPMENT IDENTIFIED AS BLOCK 221, LOT 3

WHEREAS, on December 20, 2005 via Resolution 05-354-R-268, the Common Council for the City of Burlington directed the Burlington City Joint Land Use Board to conduct a preliminary investigation to determine whether Block 221, Lot 3 should be designated as a redevelopment area; and

WHEREAS, on March 22, 2006 the Joint Land Use Board held a public hearing on the results of the preliminary investigation, and recommended that the Common Council deem the area an area in need of redevelopment; and

WHEREAS, on October 16, 2007, the Common Council for the City of Burlington adopted Resolution 07-289-R-230, designating Block 221, Lot 3 as a redevelopment area (“the Redevelopment Area”); and

WHEREAS, the Common Council for the City of Burlington retained David G. Gerken, AICP, PP of CGP&H, LLC, to prepare a Redevelopment Plan governing the Redevelopment Area; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law (“LRHL”), N.J.S.A. 40A:12A-7(e), *et seq.*, the draft Redevelopment Plan prepared by CGP&H, LLC in December of 2019 (“the Redevelopment Plan”) was referred to the Joint Land Use Board for its review and recommendation of consistency with the City’s Master Plan, via Common Council Resolution No. 75-2020; and

WHEREAS, during its public meeting on January 22, 2020, the Burlington City Joint Land Use Board heard testimony from David G. Gerken, AICP, PP, of CGP&H, LLC on the specifics of the Redevelopment Plan, its objectives, and its conformity with the City’s Master Plan, and had the opportunity to question Mr. Gerken about on the contents of the Redevelopment Plan; and

WHEREAS, at the conclusion of the hearing, the Joint Land Use Board via resolution 09-2020 recommended that the Burlington City Common Council adopt the Redevelopment Plan, which suggested revisions; and

WHEREAS, specifically, Resolution 09-2020 indicates that the Joint Land Use Board recommends the Redevelopment Plan’s adoption, with the exception that it expressly recommends that fuel center and convenience stores be a permitted use in the Redevelopment Area, and that any residential use, even if stacked or above a first floor commercial use, not be a permitted use in the Redevelopment Area; and

WHEREAS, the Redevelopment Plan, having been amended as per the Joint Land Use Board's recommendation, is attached hereto as "Exhibit A" and incorporated herein by reference as if set forth in full ("the Revised Redevelopment Plan"); and

WHEREAS, pursuant to the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-7, et seq., and consistent with the recommendation of the Burlington City Joint Land Use Board, the Common Council for the City of Burlington wishes to adopt the Revised Redevelopment Plan; and

NOW, THEREFORE BE IT ORDAINED, by the Common Council of the City of Burlington, that the December 2019 Redevelopment Plan prepared by CGP&H, LLC, governing the Area in Need of Redevelopment identified as Block 221, Lot 3, and as revised consistent with Joint Land Use Board Resolution No. 09-2020, is hereby adopted; and

BE IT FURTHER ORDAINED, that the Mayor, the City's Administrative Staff, and the City's Professionals are hereby authorized to undertake such tasks and execute such documentation as may be necessary to place this Ordinance and the associated Redevelopment Plan into effect; and

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 Hatala, 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. 104-2020

RESOLUTION AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS

RESOLVED: That WHEREAS, an emergent condition has arisen with respect to paying salaries and wages for various City employees and various other expenses necessary to provide essential services to the residents of the City of Burlington prior to the final adoption of the budget and no adequate provision has been made in the 2020 temporary appropriations for the aforesaid purpose, and N.J.S.40A: 4-20 provides for the creation of an emergency temporary appropriation for

the purpose above mentioned, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2020 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A: 4-20) including this resolution total \$ 4,152,147.00 for Current Fund, \$ 564,635.00 for Water Utility and \$ 804,928.00 for Sewer Utility;

NOW, THEREFORE, BE IT RESOLVED: (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the purposes found on attachment "A" attached.
2. That said emergency temporary appropriations will be provided for in the 2020 budget under the titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Serv

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. 105-2020

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Click It or Ticket 2020 Seat Belt Mobilization Project.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Burlington formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MOB-CIOT-2020-Burlington City-00036 to the New Jersey Department of Transportation on behalf of the City of Burlington.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Burlington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Upon the motion of Councilwoman Woodard, 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. 106-2020

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the 2020 Distracted Driving Crackdown, U Drive, U Text, U Pay Project.

NOW, THEREFORE, BE IT RESOLVED that Council of the City of Burlington formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MOB-DDC-2020-Burlington City-00256 to the New Jersey Department of Transportation on behalf of the City of Burlington.

BE IT FURTHER RESOLVED that Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Burlington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Upon the motion of Councilwoman Woodard, 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. 107-2020*

RESOLUTION NO. 107-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE ISSUANCE OF A DUPLICATE TAX SALE CERTIFICATE

WHEREAS, the Tax Collector of the City of Burlington has previously issued Tax Sale Certificate No. 16-00054, dated November 30, 2016 to US Bank Cust/Lien Logic Fund I, assessed to Anjanette Haynes; known as Block 137, Lot 15, property location 426 Lawrence Street; and

WHEREAS, the holder of the aforesaid tax sale certificate has indicated to the Tax Collector by way of Attorney Keith Bonchi, that the original Tax Sale Certificate was lost by UPS delivery service or otherwise misplaced, and have duly filed the appropriate Affidavit of Loss with the Tax Collector.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the Tax Collector be and is hereby authorized, upon receipt of the appropriately executed and notarized affidavit; to issue a duplicate Tax Sale Certificate to replace lost certificate as listed above in accordance with the requirements of Chapter 99 of Public Laws of 1997; and that the payment of a fee of \$100.00 to be waived on a Certificate being assigned to the City of Burlington.

BE IT FURTHER RESOLVED that a copy of this resolution and the Affidavit of Loss be attached to the duplicate certificate, and that said certificate shall be stamped or otherwise have imprinted upon it the word "Duplicate" as required by law.

Approved by Consent Agenda. All were in favor.

Resolution No. 108-2020*

Common Council of the City of Burlington hereby appoints the following Special Law Enforcement Officers, as per recommendation of the Administration for the year 2020:

Class I- Special Law Enforcement Officers

Brianna Tischler
Yunus Boduroglu
Ayron Taylor

Approved by Consent Agenda. All were in favor.

Resolution No. 109-2020*

RESOLUTION NO. 109-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON RECOGNIZING NJ LOCAL GOVERNMENT WEEK, APRIL 19-25, 2020, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES

WHEREAS, local government is the government closest to most citizens, and the one with the most direct daily impact upon its residents; and

WHEREAS, local government provides services and programs that enhance the quality of life for residents, making their municipality their home; and

WHEREAS, local government is administered for and by its citizens, and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, local government officials and employees share the responsibility to pass along the understanding of public services and their benefits; and

WHEREAS, NJ Local Government Week offers an important opportunity for elected officials and local government staff to spread the word to all citizens of new Jersey that they can shape and influence this branch of government; and

WHEREAS, the NJ State League of Municipalities and its member municipalities have joined together to teach citizens about municipal government through a variety of activities.

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

Section 1. That the City of Burlington encourages all citizens, local government officials, and employees to participate in events that recognize and celebrate NJ Local Government

Week.

Section 2. That the City of Burlington encourages educational partnerships between local government and schools, as well as civic groups and other organizations.

Section 3. That the City of Burlington supports and encourages all New Jersey local governments to actively promote and sponsor NJ Local Government Week.

Approved by Consent Agenda. All were in favor.

Resolution No. 110-2020*

RESOLUTION NO. 110-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING HOLD HARMLESS DONATION OF A 2008 FORD CROWN VICTORIA FROM THE CITY OF BURLINGTON TO THE CITY OF BURLINGTON BOARD OF EDUCATION

WHEREAS, the City of Burlington Board of Education has indicated an interest in accepting the donation of a 2008 Ford Crown Victoria from the City of Burlington; and

WHEREAS, the City of Burlington Board of Education has agreed to hold harmless the City of Burlington from any and all liability claims should any personal injury or property damage result from the donation of this 2008 Ford Crown Victoria; and

WHEREAS, the City Administration has reviewed this request and recommends approval from the City Council.

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

Section 1. The City of Burlington Common Council hereby authorizes the hold harmless donation of the Police Department vehicle, 2008 Ford Crown Victoria, from the City of Burlington to the City of Burlington Board of Education.

Approved by Consent Agenda. All were in favor.

Resolution No. 111-2020

RESOLUTION NO. 111-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON POSTPONING IN-HOME WATER METER WORK UNDER THE CONTRACT FOR THE RESIDENTIAL WATER METER REPLACEMENT PROJECT, AWARDED TO NATIONAL METERING SERVICES

WHEREAS, the City of Burlington, via Resolution No. 278-2019, awarded a contract entitled "Residential Water Meter Replacement Project Equipment Installation" (NJ I-Bank Project No. S340140-02) to National Metering Services; and

WHEREAS, the project work requires National Metering Services' technicians to enter of the homes of all City residents in order to install new meter equipment; and

WHEREAS, in response to New Jersey Governor Phil Murphy's Statewide COVID-19 Emergency Declaration, the City, in coordination with City Engineer Environmental Resolutions, Inc., and the New Jersey Department of Environmental Protection Infrastructure Trust, recommends postponing the installation aspect of the project; and

WHEREAS, in the interim, National Metering Services can proceed with acquiring the meters, and undertaking such other preparatory work to be ready to proceed with installations as soon as conditions permit; and

NOW THEREFORE, BE IT RESOLVED, that residential meter installation pursuant to the aforementioned contract shall be postponed until the Governor issues a reprieve of his emergency declaration, or until such other details about the status of COVID-19 arise which support the meter installation proceeding; and

BE IT FURTHER RESOLVED, that resuming the project at the appropriate time shall not require further action of Council, but shall be coordinated between National Metering Services and the City's Administration and Professionals.

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).

PUBLIC COMMENTS - Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, public comment was limited to two minutes due to an 8pm restriction to end the meeting related to the COVID-19 virus.

Mary Wirth, 460 Locust Avenue- asked for an update on medical marijuana.

Harry Heck, 116 E Union Street- asked for an update on medical marijuana; thanked the Public Works Department for all they do; spoke of the 25 mph speed limit on Route 130, suggested it is not being enforced.

Antoinette Auger, 342 Penn Street- asked for an update on medical marijuana and spoke in support.

Councilwoman Hollingsworth spoke in support of the Police Department.

Councilwoman Woodard commended the Police Department for working to provide lunches for the kids during COVID-19; spoke of medical marijuana.

Mr. Curry spoke of the recent auction resulting in \$24,000.00.

Councilman Swan also thanked the Police Department and the Public Works Department for their efforts.

COUNCIL COMMENTS

None.

CONFERENCES

- Hulme Street Traffic Concerns
- Mott Avenue Traffic Concerns

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilwoman Hatala, this meeting of March 17, 2020 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk