

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, MARCH 30, 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 March 30, 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

Governing Body Members present: Dave Babula, George Chachis, Helen Hatala (7:30pm), Denise Hollingsworth, Tom Swan, Suzanne Woodard, Ila Marie Lollar. (7) Absent: (0)

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

SALUTE TO FLAG

UNFINISHED BUSINESS

None.

CONSENT AGENDA

Councilwoman Woodard, 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) - INTRODUCTION & FIRST READING

AN ORDINANCE OF THE CITY OF BURLINGTON AMENDING CHAPTER 195 OF THE CODE OF THE CITY OF BURLINGTON (LANDLORD REGISTRATION)

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 96-2021

RESOLUTION NO. 96-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CITY TO AWARD A CONTRACT TO PURSUANT TO AN RFQ ISSUED FOR COST PROPOSALS TO PROVIDE SURVEYING SERVICES AND SPOT ELEVATIONS NECESSARY FOR THE RENOVATIONS TO THE ALLEN SCHOOL

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

WHEREAS, in order to prepare construction drawings for renovations to be made to the Allen School, the Architect for the City of Burlington has requested that a survey and spot elevations be provided, such that the City needs to retain the services of a qualified firm to prepare a survey and to provide spot elevations of the building; and

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

WHEREAS, the City sought proposals from surveyors licensed by the New Jersey Board of Engineers and Land Surveyors for the preparation of a survey and elevations for the William Allen School in the City known as Tax Block 223, Lot 2, a copy of which is attached hereto; and

WHEREAS, the City received three proposals from qualified firms to provide the requested services; and

WHEREAS, the proposal from Engineering & Land Planning Associates was deemed to be qualified and proposed to provide the requested services at the lowest price of \$3,500.00 to prepare the survey

and provide spot elevations for the Allen School; and

WHEREAS, the proposal from Engineering & Land Planning Associates was provided by the firm in a timely, professional and competent fashion such that the Director of Housing and Community Development recommends the award of the subject contract to Engineering & Land Planning Associates to perform the survey and prepare the spot elevations consistent with the quote provided and the proposal submitted by Engineering & Land Planning Associates.

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

1. The Common Council of the City of Burlington hereby authorizes the Mayor to execute a contract on behalf of the City of Burlington with Engineering & Land Planning Associates to perform the services as described in the Request for Quotations issued and consistent with the proposal submitted by Engineering & Land Planning Associates submitted by the deadline of March 12, 2021 for the total contract in an amount not to exceed \$3,500, subject to the adoption of the 2021 temporary budget.

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

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. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

Resolution No. 97-2021

RESOLUTION NO. 97-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN EXTENSION OF THE FIRST REDEVELOPMENT AGREEMENT BETWEEN THE CITY OF BURLINGTON AND THE PROPEL OPPORTUNITY FUND INC., AS THE EXCLUSIVE REDEVELOPER WITH RESPECT TO BLOCK 141, LOTS 8-17 (REFERRED TO AS OPPORTUNITY SITE #1) WITHIN THE NEW YORKSHIRE REDEVELOPMENT AREA

WHEREAS, pursuant to the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "LRHL"), the City adopted Ordinance No. 03-1998 on July 7, 1998, which designated certain property as an Area in Need of Redevelopment in accordance with the LRHL, and adopted the "Yorkshire-New Yorkshire and Three Surrounding Areas Redevelopment Plan" (the "1998 Yorkshire Plan"); and

WHEREAS, the City adopted the "New Yorkshire Redevelopment Plan" in July of 2011, via Ordinance No. 09-2011, which amended the 1998 Yorkshire Plan and provided revised development

objectives, design guidelines, and other elements governing redevelopment within the plan area (“the 2011 New Yorkshire Plan”); and

WHEREAS, the 2011 New Yorkshire Plan identifies several sites within the plan area which present key opportunities for redevelopment, and outlines specific objectives for each; and

WHEREAS, the City desires to pursue Redevelopment at one such site, designated as “Opportunity Site #1” with the 2011 New Yorkshire Redevelopment Plan, and identified on the Tax Map for the City of Burlington as Block 141, Lots 8, 9, 11, 12, 13, 14, 15, 16 and 17; and

WHEREAS, Block 141, Lot 10 may also be purchased by the City for inclusion in this redevelopment initiative; and

WHEREAS, the Common Council of the City of Burlington, as the Redevelopment Entity for the City, previously identified the Propel Opportunity Fund, Inc. (“Propel”), with its national headquarters located at 830 Mulberry Street, in Macon, Georgia 31201, as a suitable entity to accomplish the Redevelopment of the area known as Block 141, Lots 8, 9, 11-17 (which have been designated Opportunity Site #1) and also Lot 10 if acquired by the City, in a manner consistent with the vision and goals of the 2011 Yorkshire Plan; and

WHEREAS, by Resolution No. 282-2019, the Common Council designated the Propel Opportunity Fund, Inc. (“Propel”) as the Redeveloper for Block 141, Lots 8-17 (which have collectively been designated as “Opportunity Site #1” in the Redevelopment Plan) with the designation effective upon execution of a Redevelopment Agreement between the parties; and

WHEREAS, the City entered into the first Redevelopment Agreement between the City and Propel with respect to Block 141, Lots 8-17 (referred to as “Opportunity Site #1”), which First Agreement was fully executed as of April 9, 2020; and

WHEREAS, through its counsel, by letter dated August 31, 2020, Propel requested that the City agree to a ninety (90) day extension of the Due Diligence period in the current Redevelopment Agreement with respect to the previously described portions of Block 141, Lots 8-17 (referred to as “Opportunity Site #1”); and

WHEREAS, by Resolution No. 227-2020, the Common Council authorized a ninety (90) day extension of the First Redevelopment Agreement, with the Agreement to expire on December 22, 2020; and

WHEREAS, on December 1, 2020, Propel made a presentation to the Common Council as to its proposed concept plan for the design of senior housing at the subject site and received preliminary

feedback from the Common Council; and

WHEREAS, thereafter, through its counsel, by letters dated February 3, 2021 and March 5, 2021, Propel requested that the City agree to an extension of the Due Diligence period in the current Redevelopment Agreement with respect to the previously described portions of Block 141, Lots 8-17 (referred to as “Opportunity Site #1”); and

WHEREAS, the Common Council has reviewed the request for an extension of the Redevelopment Agreement and is satisfied that it is appropriate to extend the Redevelopment Designation and the terms for Propel and the City to engage in certain due diligence activities for an additional period of time until December 7, 2021 and that the extension would commence effective upon the expiration of the last Agreement which expired on or about December 22, 2020; and

WHEREAS, in approving the requested extension of the due diligence period under the subject Agreement as to the first Redevelopment Agreement between the City and Propel with respect to Block 141, Lots 8-17 (referred to as “Opportunity Site #1”), the Common Council has determined that it is in the City’s best interests to authorize the extension and authorizes the City’s Administrative staff and professionals to communicate with the Redeveloper’s professionals to craft a concise Agreement memorializing the extension of the Agreement.

NOW THEREFORE, BE IT RESOLVED, that pursuant to the authority granted to the City under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, *et seq.* (“LRHL”), the Common Council of the City of Burlington hereby approves the request submitted by Propel Opportunity Fund for an extension of the First Redevelopment Agreement with Propel Opportunity Fund, Inc., with respect to Block 141, Lots 8-17 (referred to as “Opportunity Site #1”), in order to continue to engage in certain Due Diligence activities as contemplated in the First Redevelopment Agreement as to this site, which extension commences effective on December 22, 2020 and continues until December 7, 2021; and

BE IT FURTHER RESOLVED, that the Common Council hereby authorizes an extension of the current Redevelopment Agreement with Propel, thereby extending all rights and responsibilities of the parties thereunder and also extending the due diligence period for an additional period of time, which extension would commence effective on December 22, 2020 and continues until December 7, 2021.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute a form of Agreement on behalf of the City for the purpose of extending the current Redevelopment Agreement with Propel Opportunity Fund, Inc., and that the appropriate City officials are hereby authorized to take the necessary action in furtherance of the execution of the extension of the existing Redevelopment Agreement with respect to Block 141, Lots 8-17 (referred to as Opportunity Site #1), consistent with

the terms and conditions outlined within this Resolution and the previous designation.

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

Resolution No. 98-2021

RESOLUTION NO. 98-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON RATIFYING AN AGREEMENT WITH CWA UNION 1036 REPRESENTING SCHOOL CROSSING GUARDS FOR A CONTRACT TERM FOR 2017-2021

WHEREAS, the City of Burlington has a contract for the employment of its School Traffic Guards (commonly referred to as “School Crossing Guards” hereinafter the “Guards”) through the CWA 1036 union and has engaged in negotiations with the Union relating to a new contract term for the years January 1, 2017 through December 31, 2021; and

WHEREAS, the City and the Union have agreed upon a form of contract memorializing the terms of the agreement with respect to the terms and conditions of employment of the Guards and for the compensation to be provided under the proposed contract, a copy of which is attached hereto; and

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

WHEREAS, the Common Council for the City of Burlington has reviewed the same and found it to be fair, reasonable, and in the best interests of the citizens in the City of Burlington to authorize the Mayor to execute this contract; and

WHEREAS, the Common Council for the City of Burlington has reviewed the same and found it to be fair, reasonable, and in the best interests of the citizens in the City of Burlington to authorize or ratify this contract.

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

1. The Common Council for the City of Burlington hereby accepts and ratifies the Contract with the CWA Union Local #1036, representing the School Traffic Guards, for the term of contract from January 1, 2017 through December 31, 2021 for the terms specified and as written and presented; and

2. The Mayor and Municipal Clerk are hereby authorized to execute the Contract and the Mayor, his Administration and the City Solicitor are authorized to take such other action as is necessary and appropriate to effectuate the terms of this contract consistent with the contract and the intent of this Resolution, including authorizing the Chief Financial Officer and administration to issue certain retro-active payments to the members of the union for certain increases in compensation as provided for under the contract.

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

Resolution No. 99-2021

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY AUTHORIZING AND APPROVING THE ISSUANCE AND SALE OF UP TO \$1,012,911 OF BONDS OF THE CITY OF BURLINGTON CONSISTING OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2021A; AND THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2021B; AUTHORIZING THE EXECUTION AND DELIVERY OF THE LOAN AGREEMENTS TO BE EXECUTED BY THE CITY AND EACH OF THE NEW JERSEY INFRASTRUCTURE BANK AND STATE OF NEW JERSEY, ACTING BY AND THROUGH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION; FURTHER AUTHORIZING THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, ALL PURSUANT TO THE 2021 NEW JERSEY INFRASTRUCTURE BANK FINANCING PROGRAM; AND DETERMINING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Burlington, County of Burlington, New Jersey ("City") has determined there exists a need for the replacement of residential and industrial meters throughout the City including, but not limited to, the rehabilitation of the four (4) dual media sand filters at the water treatment plant ("2021 Project") as described in that certain: (I) Loan Agreement ("I-Bank Loan Agreement"), to be entered into between the City and the New Jersey Infrastructure Bank ("I-Bank"); and (ii) Loan Agreement ("Fund Loan Agreement"; together with the I-Bank Loan Agreement, the "Loan Agreements"), to be entered into between the City and the State of New Jersey, acting by and through the New Jersey Department of Environmental Protection ("State"), all pursuant to the 2021 New Jersey Infrastructure Bank Financing Program; and

WHEREAS, the City has determined to use the proceeds of the loans to be made by each of the I-Bank ("I-Bank Loan") and the State ("Fund Loan"; together with the I-Bank Loan, the "Loans") pursuant to the Loan Agreements, to permanently finance the 2021 Project; and

WHEREAS, to evidence the Loans, each of the I-Bank and the State require the City to authorize, execute and deliver its: (I) General Obligation Bonds, Series 2021A ("2021A Bonds") to the I-Bank; and (ii) General Obligation Bonds, Series 2021B ("2021B Bonds"; together with the 2021A Bonds, the "2021 Bonds") to the State, pursuant to the terms of applicable law and pursuant to the terms of the Loan Agreements; and

WHEREAS, pursuant to the Local Bond Law, constituting Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), the Common Council of the City has, pursuant to Bond Ordinance No. 5-2017, duly and finally adopted and published in accordance with the requirements of the Local Bond Law ("Bond Ordinance"), authorized the issuance of general obligation bonds or bond anticipation notes of the City to finance the costs of the 2021 Project; and

WHEREAS, the I-Bank and the State have expressed their desire to close in escrow the making of the Loans, the issuance of the 2021 Bonds and the execution and delivery of the Loan Agreements, all pursuant to the terms of an Escrow Agreement ("Escrow Agreement") to be entered into between the I-Bank, the State, the I-Bank's escrow agent and the City; and

WHEREAS, to effectuate the financing plan described in the above mentioned paragraphs, it is necessary for the City to adopt this resolution and to authorize and approve the issuance and sale of the 2021 Bonds in a principal amount up to \$1,012,911; and

WHEREAS, *N.J.S.A.* 40A:2-27(a)(2) allows for the sale of the 2021A Bonds to the I-Bank and the 2021B Bonds to the State, without any public offering, all under the terms and conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, PURSUANT TO THE LOCAL BOND LAW (NOT LESS THAN TWO-THIRDS OF ALL THE MEMBERS THEREOF AFFIRMATIVELY CONCURRING), AS FOLLOWS:

Section 1. The City authorizes and approves the issuance of the 2021 Bonds in two (2) series in a total principal amount of up to \$1,012,911 to be designated: (I) "City of Burlington, County of Burlington, New Jersey, General Obligation Bonds, Series 2021A"; and (ii) "City of Burlington, County of Burlington, New Jersey, General Obligation Bonds, Series 2021B". The 2021 Bonds will be used to pay the costs of the 2021 Project. In accordance with *N.J.S.A.* 40A:2-27(a)(2) and *N.J.S.A.* 58:11B-9(a), the City hereby sells and awards the 2021A Bonds to the I-Bank and the 2021B Bonds to the State in accordance with the provisions hereof.

Section 2. The Chief Financial Officer is hereby authorized to determine in accordance with the Local Bond Law and pursuant to the terms and conditions established by the I-Bank and the State

under the Loan Agreements and the terms and conditions hereof, the following items with respect to the 2021 Bonds:

- (a) The aggregate principal amount of the 2021A Bonds and the 2021B Bonds to be issued;
- (b) The maturity and annual principal installments of the 2021A Bonds and the 2021B Bonds, which maturity shall not exceed thirty (30) years;
- (c) The dated date of the 2021 Bonds;
- (d) The interest rates of the 2021 Bonds;
- (e) The purchase price for the 2021 Bonds; and
- (f) The terms and conditions under which the 2021 Bonds shall be subject to redemption prior to their stated maturities.

Any determination made by the Chief Financial Officer pursuant to the terms hereof shall be conclusively evidenced by the execution and attestation of the 2021 Bonds by the parties authorized under Section 3 hereof.

Section 3. The 2021 Bonds shall be in the form prescribed and permitted by the Local Bond Law, as Bond Counsel may advise, and as the City, the I-Bank and the State shall approve. The 2021 Bonds shall be issued in fully registered form and shall be payable to the registered owners thereof as to principal and interest in lawful money of the United States of America. The 2021 Bonds will be executed on behalf of the City by the manual signatures or facsimile signatures of the Mayor and Chief Financial Officer, attested by the Municipal Clerk (such execution shall constitute conclusive approval by the City of the form of the 2021 Bonds), and shall bear the affixed, imprinted or reproduced seal of the City thereon. The 2021A Bonds shall be substantially in the form set forth in the I-Bank Loan Agreements and the 2021B Bonds shall be substantially in the form set forth in the Fund Loan Agreements, respectively.

Section 4. The terms of the 2021 Bonds authorized to be set forth by the Chief Financial Officer in accordance with Section 2 hereof shall be ratified by the affirmative vote of 2/3 of the full members of the Common Council of the City.

Section 5. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the 2021 Bonds and, to the extent payment is not otherwise provided, the City shall be obligated to levy *ad valorem* taxes upon all taxable real property within the City without limitation as to rate or amount for the payment thereof.

Section 6. Each of the I-Bank Loan Agreements, Fund Loan Agreements and the Escrow

Agreements are hereby authorized to be executed and delivered on behalf of the City by the Mayor or Chief Financial Officer in substantially the forms on file in the offices of the City, with such changes as the Mayor or Chief Financial Officer in their respective sole discretion, after consultation with counsel and any advisors to the City and after further consultation with the I-Bank and the State and their representatives, agents, counsel and advisors, shall determine, such determination to be conclusively evidenced by the execution of each of such I-Bank Loan Agreements, Fund Loan Agreements and Escrow Agreements by an authorized officer as determined hereunder. The Municipal Clerk and Deputy Municipal Clerk are each hereby severally authorized to attest to the execution of each of the I-Bank Loan Agreements, Fund Loan Agreements and Escrow Agreements by an authorized officer of the City as determined hereunder and to affix the corporate seal of the City to such documents.

Section 7. All actions heretofore taken and documents prepared or executed by or on behalf of the City by the Mayor, Chief Financial Officer, Municipal Clerk, other City officials or by the City's professional advisors, in connection with the issuance and sale of the 2021 Bonds or the 2021 Project are hereby ratified, confirmed, approved and adopted.

Section 8. The Mayor, Chief Financial Officer and Municipal Clerk are each hereby authorized to determine all matters and execute all documents and instruments in connection with the 2021 Bonds or the 2021 Project not determined or otherwise directed to be executed by the Local Bond Law, the Bond Ordinances, or by this or any subsequent resolution, and the signature of the Mayor, Chief Financial Officer or Municipal Clerk on such documents or instruments shall be conclusive as to such determinations.

Section 9. All other resolutions, or parts thereof, inconsistent herewith are hereby rescinded and repealed to the extent of any such inconsistency.

Section 10. This resolution shall take effect immediately upon adoption this 30th day of March, 2021.

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. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (6); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Hatala. (1).

Resolution No. 100-2021

RESOLUTION NO. 100-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A 1-YEAR EXTENSION OF THE CONTRACT WITH SOUTH JERSEY SANITATION COMPANY FOR SOLID WASTE COLLECTION

WHEREAS, as authorized by Resolution No. 237-2014, the City of Burlington did participate in a cooperative pricing agreement with the Township of Burlington for the solicitation of bids for Solid

Waste Collection and Disposal; and

WHEREAS, bids were received on March 28, 2018 in conjunction with this Cooperative Pricing Solid Waste Collection and Disposal; and

WHEREAS, TrashPro, the trash contracting consultant utilized by the City of Burlington and Burlington Township to review such proposals, reviewed all the submitted bid proposals and recommended the award of a contract to the lowest responsible bidder, South Jersey Sanitation Company; and

WHEREAS, the initial bid pricing was for a three (3) year contract which started on May 1, 2018 until May 1, 2021, with an option to award for a fourth (4th) year for services which is effective from May 1, 2021 until April 30, 2022; and

WHEREAS, by Resolution No. 106-2018, the City of Burlington authorized the City to enter into a contract with SJ Sanitation Company, through the cooperative pricing Agreement with Burlington Township as the lead agency in this contract; and

WHEREAS, the City's administration has recommended that the City exercise the option for the fourth year of this contract at a cost of \$246,673.20 for this final year, based on the per unit per month cost of \$5.89; and

WHEREAS, the members of the City's administration have advised the Common Council that the City's partner in this cooperative purchasing Agreement, Burlington Township, has similarly indicated its desire to exercise its option to extend the contract for the 4th year option.

NOW THEREFORE BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to extend the existing contract with South Jersey Sanitation Company for a 1-year contract option period beginning May 1, 2021 and ending on April 30, 2022 for a one (1) year total contract not to exceed \$246,673.20 (Two Hundred Forty-Six Thousand, Six Hundred Seventy-Three and 20/100 dollars) for this one (1) year contract extension; and

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Municipal Clerk to:

1. Township of Burlington, as the lead agency in the cooperative pricing system;
2. South Jersey Sanitation Company;
3. Burlington County Resource Recovery Complex (Landfill); and
4. Amber Day of TrashPro

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

Resolution No. 101-2021

RESOLUTION NO. 101-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON ACTING AS REDEVELOPMENT AUTHORITY AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO A MEMORANDUM OF UNDERSTANDING (“MOU”) BETWEEN CITY OF BURLINGTON AND RIVERWALK STATION DEVELOPMENT ASSOCIATES, LLC

WHEREAS, the property identified as Block 1, Lots 3, 3.01, 3.02, 3.03, 5, and 8 and Block 1.01, Lots 1, 1.01, and 1.02 (the “Subject Property”), have been designated as a Redevelopment Area and are governed by the Commerce Square Redevelopment Plan, adopted June 1, 2004 (“RDP”); and

WHEREAS, Riverwalk Station Development Associates, LLC (“RSDA”) made several presentations before the Common Council of the City of Burlington acting as Redevelopment Authority (“Redevelopment Authority”) for the purpose of identifying and negotiating the scope and terms of a redevelopment agreement for the Subject Property; and

WHEREAS, the Redevelopment Authority adopted Resolution No. 89-2019 appointing RSDA as provisional Redeveloper of the Subject Property and entering into an MOU for the purposes of exploratory negotiations to enter into a redevelopment agreement for the Subject Property; and

WHEREAS, RSDA requested the City enter into a First Amendment to MOU (“First Amendment”) to extend the Preliminary Due Diligence Period to afford the parties sufficient time to (I) complete, submit, and obtain a Hazardous Discharge Site Remediation Fund grant application to the New Jersey Department of Environmental Protection to be submitted by the City, and (ii) complete the Environmental Study (as such term is defined in the MOU). The First Amendment was entered into between RSDA and the City on February 4, 2020. The Due Diligence Period was extended through February 27, 2021 in the First Amendment; and

WHEREAS, RSDA through its attorney has submitted a request dated February 16, 2021 requesting an extension of the preliminary due diligence period in the MOU to June 27, 2021 and to negotiate such amendment to the MOU so that RSDA can continue to perform certain due diligence investigation and testing with respect to the Subject Property in order negotiate the scope and terms of a redevelopment agreement for the Subject Property (“Second Amendment”); and

WHEREAS, the Redevelopment Authority has determined that it is in the best interest of the City of Burlington and its residents to enter into the Second Amendment for the purposes set forth above.

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington, County of Burlington and State of New Jersey acting as the Redevelopment Authority hereby authorizes the Second Amendment to the MOU with RSDA, as aforesaid; and

BE IT FURTHER RESOLVED that the RSDA shall remain as the provisional Redeveloper of the Subject Property pursuant to the Second Amendment to the MOU; and

BE IT FURTHER RESOLVED that the Mayor of the City of Burlington is hereby authorized to execute said Second Amendment to the MOU and any other documents in furtherance of this Resolution.

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

Resolution No. 102-2021

RESOLUTION NO. 102-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING THE YEAR ONE BUDGET OF THE NEW LONDON ALLIANCE FIVE-YEAR PLAN SUBMITTED BY MAIN STREET BURLINGTON TO THE COMMON COUNCIL OF THE CITY OF BURLINGTON FOR THE NEIGHBORHOOD PRESERVATION PROGRAM GRANT

WHEREAS, the City of Burlington received a Neighborhood Preservation Program Grant from the New Jersey Department of Community Affairs (NJDCA) in the amount of \$125,000 to provide services to residents and businesses located in the New London neighborhood; and

WHEREAS, on January 21, 2020, the Common Council of the City of Burlington adopted Resolution No. 67-2020 to approve a Five-year Strategic Action Plan that focuses on community revitalization in the New London Neighborhood; and

WHEREAS, certain projects listed in the Year 1 NPP Plan have been delayed in implementation due to COVID-19 pandemic while other activities are closer to being implemented; and

WHEREAS, the President of MSB and the Director of Housing and Community Development have been advised NJDCA officials that a budget revision is necessary to have all unobligated funds committed for previously approved activities in the Year 1 NPP Plan, reviewed by the New London Alliance Steering Committee and approved by the Common Council of the City of Burlington for submission to the NJDCA by April 1, 2021, with an expenditure of all Year1 NPP funds by June 30, 2021; and

WHEREAS, the New London Alliance Steering Committee met with the President of MSB on March 24, 2021, and approved the revisions to the Year 1 NPP Plan which are attached to and made part of this resolution; and NJDCA officials have evaluated the current boundaries of the New London NPP area and have determined that the area should be expanded to assist more businesses as indicated on the second page of the attached "Revisions of NPP Boundaries Request to Council" from Main Street Burlington; and

WHEREAS, the proposed amendment to the Year 1 NPP Plan is necessary for the City to fulfill the purposes of the grant awarded by the State of New Jersey to the City of Burlington.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Common Council of the City of Burlington approves and authorizes the revisions to the Year 1 NPP Plan as outlined in the attachment to this Resolution; and
2. A copy of this resolution be forwarded to New Jersey Department of Community Affairs; and,
3. Mayor Barry W. Conaway is authorized to sign any documents related to amending the Year 1 NPP grant and any other documents required by New Jersey Department of Community Affairs in connection with the NPP grant amendment.

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

Resolution No. 103-2021*

Common Council of the City of Burlington hereby appoints Seray Kahya as Special Law Enforcement Officers, Class I, as per recommendation of the Administration for the year 2021.

Approved by Consent Agenda. All were in favor.

Resolution No. 104-2021*

RESOLUTION NO. 104-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON CANCELLING TAXES AND REFUNDING OVERPAYMENT OF TAXES ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, the property identified herein as Block 60, Lot 11, located at 924 Oakland Avenue is owned by Daniel Williamson, declared to be a 100% permanently and totally disabled veteran; and

WHEREAS, the State of New Jersey provides tax exempt status, under N.J.S.A. 54:4-3:30, to veterans declared as such; and

WHEREAS, due to the cancellation of pro-rated 2021 - 1st half taxes in the amount of \$2,270.18, an overpayment in the amount of \$733.95 will occur on the property.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2021 pro-rated 1st half tax amount of \$2,270.18 is hereby cancelled for the reason set forth above and authorizes the Chief Financial Officer to issue a refund check in the amount of \$733.95 for the overpayment of 2021-1st Quarter taxes. The refund to be issued as follows:

Make check payable to:

Corelogic

Attention: Refund Department

3001 Hackberry Road

Irving, TX 75063-0156

Approved by Consent Agenda. All were in favor.

Resolution No. 105-2021*

RESOLUTION NO. 105-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE SIGNING OF A NOVATION AGREEMENT ACKNOWLEDGING THE NAME CHANGE OF MASER CONSULTING TO COLLIERS ENGINEERING & DESIGN, INC.

Whereas Maser Consulting is the Licensed Site Remediation Professional (LSRP) for Commerce Square; and

Whereas Maser Consulting is changing their name to Colliers Engineering & Design, Inc.; and

Whereas, Colliers Engineering & Design, Inc. has presented the City of Burlington with a novation agreement requesting the City of Burlington to acknowledge this name change; and

Whereas, our Solicitor has reviewed said novation agreement and advises that it can be executed.

Now Therefore Be It Resolved, by the Common Council of the City of Burlington that the Mayor and Municipal Clerk are hereby authorized to execute and return the novation agreement with Colliers Engineering & Design, Inc. that acknowledges the name change of Maser Consulting;

Be It Further Resolved, that a copy of this resolution and novation agreement be sent to Administration for the contract files and to the Finance office for accounts payable.

Approved by Consent Agenda. All were in favor.

Resolution No. 106-2021*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Arlene Felder, 23 Marshall Lane, Willingboro, N.J. to operate a business at 224 High Street t/a "Glassy Brown Cookies."

Approved by Consent Agenda. All were in favor.

Resolution No. 107-2021*

RESOLUTION NO. 107-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON SUPPORTING S-3522, WHICH WOULD ESTABLISH A NEW BOARD OF TRUSTEES FOR THE LOCAL PART OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS) TO PRESERVE THE STRUCTURE AND INTEGRITY OF THE MORE SOLVENT LOCAL PART

Whereas, county, municipal, and other local governments have met their pension obligations as employers for more than a decade while the State of New Jersey has continued to underfund the pension systems in varying degrees since 1996 and thus creating one of the worst publicly funded retirement systems in the entire nation; and,

Whereas, despite fulfilling their fiduciary duties in meeting their pension obligations, local governments across the State will experience double digit percentage increases in total employer pension contributions in 2021 as determined in figures recently published by the Division of Pension and Benefits in the State Department of Treasury; and,

Whereas, even more alarming for local government employers is the fact that the unfunded accrued liability once again increased in 2021 to a staggering \$26.6 billion for PERS alone, causing in part, a decrease in the funded ratio for the Local Part of PERS to 65.4%, the State Part to 31.2%, and the combined rate to a disconcerting 52.2% far below the target funded ratio of 75.0%; and,

Whereas, this legislation would protect local governing bodies from the State of New Jersey further directing property taxpayer dollars to subsidize its long mismanagement and underfunding of the pension systems as it would provide the new balanced board of trustees of PERS with the ability to determine or modify member benefits, direct policies and investments to achieve full funding, and serve as the fiduciary of system; and,

Now, Therefore, Be It Resolved, that the Mayor and Common Council of the City of Burlington do in fact hereby support S-3522, which would establish a new board of trustees for the Local Part of the Public Employees' Retirement System (PERS) to preserve the structure and integrity of the more solvent Local Part.

Be It Further Resolved, that certified copies of this Resolution shall be forwarded to Governor Phil Murphy, Senate President Stephen M. Sweeney and Speaker of the General Assembly Craig Coughlin.

Approved by Consent Agenda. All were in favor.

Resolution No. 108-2021*

RESOLUTION NO. 108-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN RFP FOR QUALIFIED DEVELOPERS FOR A PORTION OF THE PROPERTY IDENTIFIED AS 559 HIGH STREET WITHIN THE YORKSHIRE-NEW YORKSHIRE REDEVELOPMENT AREA

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 previously determined that certain State-owned property, identified on the Tax Map as Block 156, Lot 11 and more commonly known as 559 High Street (“the Property”) which is located within the Yorkshire – New Yorkshire Redevelopment Area, is desirable for public purposes, including but not limited to City use and future improvement; and

WHEREAS, by Ordinance No. 18-2019, the City enacted the required legislation pursuant to N.J.S.A. 40A:12-5, *et seq.*, necessary to acquire the Property from the State of New Jersey; and

WHEREAS, the City has tendered the required payment to the State of New Jersey to effectuate the intent of the parties to transfer the property from the State of New Jersey to the City of Burlington; and

WHEREAS, the Common Council has indicated its intent to subdivide the parcel purchased in order to utilize a portion of the subject property for a public purpose, namely to house a motor pool; and

WHEREAS, the Local Redevelopment & Housing Law, N.J.S.A. 40A:12A-8f, *et seq.*, provides the Common Council with the authority to designate redevelopers to carry out the objectives of designated Redevelopment areas; and

WHEREAS, the subject property identified on the Tax Map as Block 156, Lot 11 and more commonly known as 559 High Street (“the Property”) which is located within the Yorkshire – New Yorkshire Redevelopment Area and the portion of the property which is not to be utilized for a public purpose is suitable for

Redevelopment; and

WHEREAS, in order to identify the most beneficial redeveloper for the remaining portion of the subject property which is not to be used for a public purpose, the City wishes to review proposals from qualified redevelopers prior to entering into a redevelopment agreement and designating a redeveloper for this property and

WHEREAS, in order to solicit proposals, the City wishes to issue a Request for Qualifications/Request for Proposals (RFQ/RFP) to develop that portion of 559 High Street with the main Armory building, excluding the area of the property to be subdivided from the property.

NOW THEREFORE, BE IT RESOLVED that the City hereby authorizes its professionals and administrative staff to prepared specifications, provide materials to prospective entities seeking to submit a proposal, to provide information to the public, to publish an RFQ/RFP which would include criteria for proposals to be determined to be a qualified developer, and for the purpose of assisting Council in evaluating proposals to be the designated Redeveloper of the identified portion of the property identified on the Tax Map as Block 156, Lot 11 and more commonly known as 559 High Street, with respect to the portion of the property which would not include the garage building to be used as a motor pool by the City; and

BE IT FURTHER RESOLVED that upon receipt of proposals, the City will review and discuss the proposals timely received, and if necessary, invite potential developers to appear before the Common Council for further inquiry. Upon determining the most beneficial developer for the site, and upon confirming compliance with all terms and conditions of the RFQ/RFP, the City shall designate one of the respondents as the developer for the portion of the property more commonly known as 559 High Street, (excluding the aforementioned area to be subdivided and used for a public purpose) conditioned upon the City and the Developer successfully negotiating and executing a redevelopment agreement, and upon satisfying all other prerequisites as required by law and as may be established by the City of Burlington.

Approved by Consent Agenda. All were in favor.

Resolution No. 109-2021*

RESOLUTION NO. 109-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN APPLICATION TO BE MADE BY THE CITY OF BURLINGTON TO THE LAND USE BOARD OF THE CITY OF BURLINGTON SEEKING A SUBDIVISION WITH RESPECT TO CITY OWNED PROPERTY IDENTIFIED AS BLOCK 221, LOT 3

WHEREAS, the City of Burlington has determined that certain City-owned property, identified on the Tax Map as Block 221, Lot 3 (“the Property”), is no longer needed for public purposes as contemplated by N.J.S.A. 40A:12-13; and

WHEREAS, the Property was deemed to be an Area in Need of Redevelopment pursuant to the study undertaken for the Route 130 Corridor Redevelopment Area, enacted via Ordinance No. 04-2010, and approved March 2, 2010; and

WHEREAS, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-8g and N.J.S.A. 40A:12A-22j, the City may, among other things, authorize the sale of property located within Redevelopment

Areas without the necessity for public bidding; and

WHEREAS, a portion of the identified parcel is able to be Redeveloped, but a portion of the parcel is designated as Green Acres or wetlands, and/or an area which is otherwise not capable of being developed so that it is appropriate to remain City-owned property; and

WHEREAS, based upon the City's need to preserve the Green Acres or wetlands area while the City pursues the development of the remaining portion of the parcel, and based upon the recommendation of the City's Director of Housing and Community Development and the Solicitor, the Common Council of the City of Burlington has determined that it is appropriate to subdivide the parcel in order to separate the area within the subject parcel which can be sold for Development while preserving the Green Acres and wetlands; and

WHEREAS, upon the recommendation of the City's Director of Housing and Community Development and the Solicitor, the Common Council of the City of Burlington wishes to authorize the appropriate City employees to subdivide the property in order to enable the City to sell the area within that Redevelopment Area for development; and

WHEREAS, legislation by the Common Council authorizing and/or consenting to the application for the subdivision is necessary in order for the City of Burlington to make the required subdivision application to the Land Use Board; and

WHEREAS, the Common Council of the City of Burlington has determined that in conjunction with the Redevelopment of said parcel, it is necessary and appropriate to authorize and/or consent to an application being made by the City of Burlington to the City of Burlington Land Use Board for the subdivision and other relief as may be necessary to effect the intent of the Common Council, namely for the sale and development of the identified parcel.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council for the City of Burlington hereby authorizes the Mayor, City Clerk, the City's Professionals, and/or Administration, as applicable, to prepare, execute and submit an application to the Land Use Board of the City of Burlington for a Subdivision and such other relief as may be appropriate and required for the Subdivision and the sale of the Property identified on the Tax Map as Block 221, Lot 3; and

BE IT FURTHER RESOLVED, that the Mayor, Director of Housing and Community Development and the City's Administration and professionals are hereby authorized to submit the required application before the Land Use Board for the City of Burlington.

Approved by Consent Agenda. All were in favor.

Resolution No. 110-2021*

Common Council of the City of Burlington hereby authorizes the temporary closure of W. Union Street, between Wood Street and High Street for a Farmers Market from June 2, 2021 thru September 29, 2021 from 1:30pm to 6:30pm.

Approved by Consent Agenda. All were in favor.

Resolution No. 111-2021*

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 \$55,000.00 be made between the 2020 Budget Appropriation Reserves as follows:

	<u>FROM</u>	<u>TO</u>
<u>Current Fund:</u>		
Police:		
Salaries and Wages	\$ 50,000.00	
Accumulated Leave Compensation		\$ 50,000.00
Buildings and Grounds:		
Salaries and Wages	\$ 5,000.00	
Buildings and Grounds:		
Other Expenses		\$ 5,000.00

Approved by Consent Agenda. All were in favor.

Resolution No. 112-2021*

RESOLUTION NO. 112-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN APPLICATION TO BE MADE BY THE CITY OF BURLINGTON TO THE NEW JERSEY HISTORIC TRUST (NJHT) FOR A 2021 CAPITAL LEVEL 1 GRANT TO

COMPLETE THE RENOVATION OF THE CARRIAGE HOUSE AND AUTHORIZING THE MAYOR TO SIGN THE NJHT APPLICATION AND ASSURANCES FORM

WHEREAS, there is a need to complete the renovation of the historic Carriage House located at 23 Smith Lane in the Burlington City Historic District for public use; and

WHEREAS, the Common Council of the City of Burlington is desirous of applying for funding from the New Jersey Historic Trust (NJHT) to complete the renovations of the Carriage House; and

WHEREAS, the Common Council of the City of Burlington will commit to allocate the matching funds at the required ratio if the NJHT awards a grant for this purpose.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington does hereby authorize the application for such a grant from the NJHT.

BE IT FURTHER RESOLVED that the Mayor of the City of Burlington is hereby authorized to sign the NJHT application, the Applicant Assurances Form and any other documents in connection therewith.

Approved by Consent Agenda. All were in favor.

Resolution No. 113-2021*

RESOLUTION NO. 113-2021 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AN APPLICATION TO BE MADE BY THE CITY OF BURLINGTON TO THE LAND USE BOARD OF THE CITY OF BURLINGTON SEEKING A SUBDIVISION WITH RESPECT TO CITY OWNED PROPERTY IDENTIFIED AS BLOCK 156, LOT 11

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 previously determined that certain State-owned property, identified on the Tax Map as Block 156, Lot 11 and more commonly known as 559 High Street (“the Property”) which is located within the Yorkshire – New Yorkshire Redevelopment Area, is desirable for public purposes, including but not limited to City use and future improvement; and

WHEREAS, by Ordinance No. 18-2019, the City enacted the required legislation pursuant to N.J.S.A.

40A:12-5, *et seq.*, necessary to acquire the Property from the State of New Jersey and did obtain title to said property; and

WHEREAS, the Common Council has indicated its intent to subdivide the parcel purchased in order to utilize a portion of the subject property for a public purpose, namely to utilize the existing garage to house a motor pool, while developing the remaining area of the parcel, including a portion of the Armory Building, but excluding the garage; and

WHEREAS, based upon the City's desire to retain ownership and the use of the garage for a motor pool while the City pursues the redevelopment of the remaining portion of the parcel, and based upon the recommendation of the City's Director of Housing and Community Development and the Solicitor, the Common Council of the City of Burlington has determined that it is appropriate to subdivide the parcel in order to separate the area within the subject parcel which can be sold for Development while preserving the existing garage; and

WHEREAS, upon the recommendation of the City's Director of Housing and Community Development and the Solicitor, the Common Council of the City of Burlington wishes to authorize the appropriate City employees to subdivide the property in order to enable the City to sell the area within that Redevelopment Area for development; and

WHEREAS, legislation by the Common Council authorizing and/or consenting to the application for the subdivision is necessary in order for the City of Burlington to make the required subdivision application to the Land Use Board; and

WHEREAS, the Common Council of the City of Burlington has determined that in conjunction with the Redevelopment of said parcel, it is necessary and appropriate to authorize and/or consent to an application being made by the City of Burlington to the City of Burlington Land Use Board for the subdivision and other relief as may be necessary to effect the intent of the Common Council, namely for the sale and development of the identified parcel.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council for the City of Burlington hereby authorizes the Mayor, City Clerk, the City's Professionals, and/or Administration, as applicable, to prepare, execute and submit an application to the Land Use Board of the City of Burlington for a Subdivision and such other relief as may be appropriate and required for the Subdivision and the sale of the Property identified on the Tax Map as Block 156, Lot 11; and

BE IT FURTHER RESOLVED, that the Mayor, Director of Housing and Community Development and the City's Administration and professionals are hereby authorized to submit the required application before the Land Use Board for the City of Burlington.

Approved by Consent Agenda. All were in favor.

Resolution No. 114-2021*

RESOLUTION TO CANCEL OLD OUTSTANDING CHECKS IN COURT BANK ACCOUNTS

WHEREAS, there exists various old outstanding checks in the Court General and Bail Accounts, that have not been cashed; and

WHEREAS, these checks were most likely replaced by another check or should have been voided on the books and the City Auditor recommends that they be voided and that checks be issued out of the various accounts to the City of Burlington Current Fund and recorded as Miscellaneous Revenue.

NOW THEREFORE, BE IT RESOLVED that the Common Council hereby authorizes the Municipal Court Clerk to void the following outstanding checks and disburse the amount of the voided checks from the various accounts to the City of Burlington Current Fund to be recorded as Miscellaneous Revenue:

COURT GENERAL ACCOUNT:

#1851	\$ 1.00	08/07/19
#1853	\$180.00	08/12/19
#1869	\$ 1.00	10/10/19
#1920	\$ 50.00	03/13/20
#1929	\$ 1.00	04/14/20
#1949	\$ 29.00	07/09/20
#1950	\$ 11.00	07/09/20

BAIL ACCOUNT:

#3276	\$174.00	09/19/19
#3338	\$867.00	02/04/20
#3389	\$ 17.00	07/15/20

Approved by Consent Agenda. All were in favor.

Resolution No. 115-2021*

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 2021 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 2021 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S. 40A: 4-20) including this resolution total \$ 4,493,707.29 for Current Fund, \$ 565,000.00 for Water Utility and \$ 815,375.00 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 2021 budget under the titles listed above.
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

Approved by Consent Agenda. All were in favor.

Resolution No. 116-2021*

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 March 30, 2021, that an Executive Session Closed to the Public shall be held on March 30, 2021, via ZOOM for discussion of matters relating to the specific items designated in this resolution:

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

- Jacksonville Road & Route 130 Redevelopment

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 March of 2021 or shortly there after.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

None.

ADMINISTRATION UPDATES

Lou Garty gave a status update on letters to ROI and Pearl Pointe, the sale of 460 Veteran's Drive, 499 Veteran's Drive and 302 Commerce Square Boulevard.

Mr. Ballard gave an update on the road tables for Morris and Mott; the promenade sidewalk improvement project.

COUNCIL COMMENTS

Councilman Chachis asked about financing for the bandstand.

Mr. MacMillian said we are \$765,000 short.

Mr. Harris said this could be a Capital Project.

Councilwoman Hatala spoke of noise, large trucks and speeding on Hulme Street, spoke of branches in the detention basin at Fawn Hallow.

Councilwoman Hollingsworth spoke of Sisterhood receiving a grant from the Department of Health for a Covid Awareness campaign.

Councilwoman Swan thanked Public Works for the York Street clean up; wished everyone Happy Easter and Passover.

Councilwoman Woodard spoke of sewer repair project; speeding on Pearl Blvd., the new fencing at City Hall and the new sign out front.

CONFERENCES

- City of Burlington Police Department 2020 Annual Report - Lt. Ryan Elbertson
- City of Burlington Police Department Police Memorial - Ptl. William Lancenese

EXECUTIVE CONFERENCES

- Jacksonville Road & Route 130 Redevelopment

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilwoman Hollingsworth, this meeting of March 30, 2021 was adjourned at 8:45 pm.

Cindy A. Crivaro, RMC
Municipal Clerk