

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, JULY 21, 2020, AT 7:00 PM, VIA ZOOM PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

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

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

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 July 21, 2020 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

SALUTE TO FLAG

UNFINISHED BUSINESS

Councilman Swan spoke of the new mural at the mini-park; suggested Council revisit the parklet options so the businesses can expand.

CONSENT AGENDA

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

APPROVAL OF INVOICES*

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 JULY 21, 2020*

Approved by Consent Agenda. All were in favor.

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 184-2020

RESOLUTION NO. 184-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS FOR A SMALL CITIES COMMUNITY DEVELOPMENT GRANT TO DEMOLISH 524-526 HIGH STREET

WHEREAS, the City of Burlington Construction Official sent Notices of Unsafe Structure to the former owner of 524 and 526 High Street on March 12, 2018, and the former owner took no action to abate the code violations cited in the Notices of Unsafe Structure; and

WHEREAS, the City of Burlington acquired the subject properties through foreclosure and said properties continue to remain unsafe; and

WHEREAS, City funding for demolition of the structures is not available; and

WHEREAS, the New Jersey Department of Community Affairs (NJDCA) announced that Small Cities Community Development Block Grant applications will be accepted until September 18, 2020, to provide grants to municipalities for certain eligible activities; and

WHEREAS, funding for “the clearance, demolition, removal, and rehabilitation of buildings” is an eligible activity under the Small Cities Community Development Block Grant program; and

WHEREAS, CGP& H, LLC has submitted a proposal to complete an application to the NJDCA for funding to cover the engineering and estimated costs to demolish 524 and 526 High Street for a fee of \$10,000.00; and

WHEREAS, CGP& H, LLC has a demonstrated an ability to obtain numerous grants for the City; and

WHEREAS, funds are available in the Department of Housing & Community Development budget to encumber the cost of preparing such an application by CGP & H, LLC.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington

hereby authorize the preparation and submission of a grant application to the NJDCA by CGP&H, LLC for a fee of \$10,000.00, for the demolition of 524-526 High Street, and further authorizes the Mayor to execute any documents that may be required.

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

Resolution No. 185-2020

RESOLUTION NO. 185-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A CONTRACT WITH UNITED COMMUNITIES ECONOMIC DEVELOPMENT CORPORATION TO ADMINISTER WORKING CAPITAL LOANS TO CITY BUSINESSES AFFECTED BY THE COVID-19 PANDEMIC

WHEREAS, the Common Council for the City of Burlington (hereafter referred to as “Common Council”) recognizes the financial harm which City businesses have incurred due to COVID-19 pandemic resulting in the closing of or drastic limitations on their operations due to the issuance of various gubernatorial executive orders; and

WHEREAS, the such closures and limitations on continued operations caused numerous businesses to lay off employees and fall behind in the payment of operating expenses such as, but not limited to rent, insurance, utilities, inventory purchases, etc., and

WHEREAS, a subcommittee of three members of the Common Council, representatives of the Greater Burlington Chamber of Commerce and Main Street Burlington as well as City staff formulated a program to provide loans up to \$10,000.00 to businesses who could demonstrate that they have been negatively impacted by the COVID-19 pandemic; and

WHEREAS, the Common Council has accepted the recommendations of the subcommittee and further agreed to set aside \$50,000.00 of the City’s UDAG loan fund to capitalize such working capital loans to City businesses; and

WHEREAS, the Common Council further directed the City Administration to solicit proposals from lenders and agencies which had the capacity and experience to administer such a loan program; and

WHEREAS, proposals were requested from the City’s bank of record, Investors Bank, and United Communities Economic Development Corporation (hereafter referred to as “UCEDC”) to administer the proposed UDAG-funded working capital loan program; and

WHEREAS, the President of UCEDC submitted a proposal to the Common Council on June 28, 2020, which was accepted by a majority of the Common Council during a conference at the July 14, 2020 meeting of the Common Council; and

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

follows that:

1. UCEDC is hereby awarded a contract pursuant to N.J.S. 40A:11-5 not to exceed \$50,000.00 until December 31, 2020, paid from the UDAG Trust Account for all services and costs related to items contained in the specific proposal from UCEDC; and
2. The Mayor and City Clerk are hereby authorized and directed to execute a contract subject to the review of the City Solicitor/Director of Law and Chief Financial Officer for all services related to said contract.

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

On the question, Councilman Babula asked if this is subject to the UDAG rules.

Mr. Harris stated that \$50,000 of the \$100,000 is for working capital, typo.

Councilwoman Hatala explained that she would be voting “no”; felt this should be administered by the City of Burlington.

The resolution 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).

Resolution No. 186-2020

RESOLUTION NO. 186-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING AMENDMENT NO. 03 TO THE TO THE PROFESSIONAL SERVICES CONTRACT WITH MILLS & SCHNOERING, LLC, FOR ARCHITECTURAL DESIGN SERVICES RELATING TO THE PROMENADE BANDSHELL

WHEREAS, the Common Council of the City of Burlington awarded a contract for architectural services to design the Promenade bandshell to Mills & Schnoering, LLC, of 200 Forrester Road, Suite 3A, Princeton, New Jersey 08540, on December 11, 2018 in the amount of \$104,825.00; and

WHEREAS, the Common Council of the City of Burlington approved Amendment No. 1 on January 7, 2019 for minor revisions to the form of contract as requested by the contractor; and

WHEREAS, the Common Council of the City of Burlington approved Amendment No. 2 to the contract for acoustical consulting services in the amount of \$5,000.00 on May 14, 2019, bringing the contract total to \$109,825.00; and

WHEREAS, Mills & Schnoering, LLC, requested a third Amendment on July 8, 2020, in the amount of \$6,000.00 to prepare the changes to the original schematic design as requested by the Common

Council; and

WHEREAS, the City Administration has reviewed the request for Amendment No. 3 from Mills & Schnoering, LLC, and has determined that there is a need to amend the existing contract with this firm; and

WHEREAS, funding is available through grants from Burlington County to fund the requested \$6,000 change order to this contract;

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

3. The Common Council of the City of Burlington hereby authorizes the Mayor to execute Amendment No. 3 to amend the contract between the City of Burlington and Mills & Schnoering, LLC, for the sum of \$6,000.00 for additional architectural services to complete the design of the bandshell at the Burlington Waterfront Promenade.

2. The revised total compensation to Mills & Schnoering, LLC for these services shall be increased to \$115,825.00.

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

On the question, Councilman Babula ask what the upkeep costs are year after year.

Mr. Schnoering said he did not have the information, feels the systems are very simple.

Councilman Chachis spoke of the location of the bandshell.

Mr. Schnoering said North of the original.

Councilwoman Hollingsworth spoke of concerns with losing the grant.

Mr. Schnoering said he needs about 6 weeks for the schematic and drawing.

Mr. Harris suggested Mr. Ballard contact the County to show our progress and explain the delays; we

were suppose to have a meeting last March for alternate designs, but then COVID-19 shut everything down.

The resolution was then adopted by the following roll call vote: AYES: Mr. Chachis, Ms. Hatala, Mr. Swan, Ms. Woodard, Ms. Lollar. (5); NAYS: Mr. Babula. (1); ABSTAIN: Ms. Hollingsworth. (1); ABSENT: (0).

Resolution No. 187-2020*

RESOLUTION NO. 187-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PLACE LIENS AGAINST PROPERTIES FOR LAWN MAINTENANCE

WHEREAS, the City of Burlington Code Enforcement Officer has certified that lawn maintenance must be enforced to secure public health and safety; and

WHEREAS, the Code Enforcement Officer has certified that the City expended funds for lawn maintenance; and

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

WHEREAS, the costs incurred by the City shall become a lien upon the properties and shall be 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 authorized to cause a lien for said costs in the following amounts to be placed against said properties for lawn maintenance to maintain public health and safety.

<u>Block & Lot</u>	<u>Address</u>	<u>Amount</u>
Block 78, Lot 11	800/804 High street	\$ 275.00
Block 154, Lot 59	521 Lawrence Street	\$ 135.00
Block 66, Lot 28	732 Lincoln Avenue	\$ 200.00
Block 154, Lot 34	125 Belmont Street	\$ 335.00

Approved by Consent Agenda. All were in favor.

RESOLUTION Added

Common Council of the City of Burlington hereby wishes Councilwoman Woodard a Happy 69th Birthday and many more healthy, happy years.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Hollingsworth, the

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

Councilman Swan thought it was a nice idea to recognize Council's birthdays.

PUBLIC COMMENTS

Betty Wilson, 337 E. Union Street- spoke of the LUB August 20th report regarding legalized marijuana; spoke in support.

Alma Saravia, 208 E. Union Street- also spoke in support of legalized marijuana.

Claudine Conaway, 110 James Street- spoke of disappointment regarding the micro grants for the businesses.

COUNCIL COMMENTS

Councilman Babula spoke of the School District passing a 2% CAP; spoke of an 8% increase.

Mr. MacMillan said he is not familiar with the school's CAP; best to reach out to the County or the School Board for an explanation.

Councilman Babula spoke of the last meeting regarding the micro grants; was going to be privately funded by private individuals and administered thru the City; asked if the City can except private donations.

Mr. MacMillan spoke of a Dedication By Rider; there needs to be a resolution sent to the State for permission, it can be done; the problem was administering the micro - grants and also who would get the grant and who would not; there are over 300 businesses in town.

Councilman Chachis spoke of the Allen School.

Mr. Harris spoke of RFP's received for an Architect; spoke of a grant for ADA improvements.

Councilwoman Hatala spoke of Lucas Ford's property lines and NJDOT obstructions from construction; asked for the status of the promenade completion.

Mr. Ballard said we had to remove concrete and lost a lot of dirt; there was one issue with drains; some were replaced the Stacy Street one was very problematic.

Councilwoman Hatala spoke of the speed on Route 130, would like to have an update; asked about a grant to demolish the buildings at 524-526 High Street.

Mr. Harris said there is a good chance to receive the grant money.

Councilwoman Hollingsworth spoke of the upcoming conference regarding Legalized Marijuana Facilities.

Councilwoman Woodard spoke of last minute items added to the Agenda, we don't get a chance to review them, we have no time to validate; spoke of a 30 year old woman, gunshot wound victim, in need there is a Go-Fund Me; spoke of the passing of Jim Fisher.

MAYOR'S UPDATE

Mayor Conaway said he hopes everyone is doing self care with regard to the Pandemic; we will be in this for a long time; City Hall will continue to be closed until after August, we are making changes; working with the School District and the Police Department; spoke of food deliveries; spoke of some working remotely, it's not easy; spoke of the Resolutions for Congressman John Lewis and Rev. TC Vivian; spoke of taxes; it's a concern, we are going to struggle; the 2020 tax rate will be posted; there is no increase for the municipality; there is an 8% increase in school tax due to enrollment.

CONFERENCES

- Proposed Zoning Ordinance Amendment related to Legalized Marijuana Facilities - Land Use Board Findings and Recommendations

ADJOURNMENT

Upon the motion of Councilman Chachis , seconded by Councilwoman Woodard, this meeting of July 21, 2020 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk