

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, SEPTEMBER 8, 2020, 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 September 8, 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=UURxMXhYMysxYXIUNUJZTHZwemxqQT09>

Dial: 1-646-558-8656

Meeting ID: 299 329 6844

Password: 863459

Cindy A. Crivaro, RMC
Municipal Clerk

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

Also present: Mayor Conaway, Administrator- David Ballard, Chief Financial Officer- Ken Mac Millan, Director of Housing- Bill Harris, Municipal Attorney- Lou Garty, Chief Fine.

INVOCATION

Rev. Dr. Cory L. Jones of Tabernacle Baptist Church

SALUTE TO FLAG

CONSENT AGENDA

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

PETITIONS AND COMMUNICATIONS*

Approved by Consent Agenda. All were in favor.

CORRESPONDENCE FOR AUGUST 2020

NOTICES, AGENDAS, MINUTES, REPORTS, ETC. RECEIVED

Reports from various departments received:

Monies collected by the Municipal Clerk's Office for the month of June 2020 \$7,788.00
and the month of July 2020 \$8,088.00

AGENDAS RECEIVED FROM VARIOUS BOARDS

08-01 Historic Preservation Commission Meeting for September 2, 2020
08-02 Land Use Board - Notice of hearing September 23, 2020

NOTICE TO PROPERTY OWNERS

09-20 Block 144, Lot 5

COMMUNICATION TO AND FROM MUNICIPAL ENGINEER

08-300 Alaimo Group, dated August 25, 2020, re: FY2020 NJDOT Municipal Aid Program,
Improvements to Temple Avenue, E. 5TH Street and W. 4th Street

CORRESPONDENCE TO AND FROM BURLINGTON COUNTY

08-500 Board of Chosen Freeholders, dated August 7, 2020 re: First Time Home Buyers
08-501 Board of Chosen Freeholders, re: Burlington County 1st Time Home Buyers Program
08-502 Greater Burlington Chamber of Commerce, dated August 10, 2020 re: Governor
Murphy Announces Commercial Rent Relied for Small Business in NJ
08-503 Greater Burlington Chamber of Commerce, dated August 18, 2020, re: New Jersey
Housing and Mortgage Finance Agency-small landlord emergency grant program

CORRESPONDENCE TO AND FROM THE NJLM

08-600 NJLM, dated August 5, 2020, re: Storm updates
08-601 NJLM, dated August 10, 2020, re: President takes steps to address aspects of economic
crisis
08-602 NJLM, re: 2020 Annual League Conference
08-603 NJLM, dated August 14, 2020, re: Membership Alert: 105th Annual Conference will be
virtual
08-604 NJLM, re: State, Federal and 2020 Annual League updates

CORRESPONDENCE TO AND FROM THE STATE OF NEW JERSEY

08-700 NJDOT, dated July 31, 2020, re: Transportation Alternative Set-aside Program
08-701 State of New Jersey, re: small landlord emergency grant program
08-702 NJDEP, re: Immigration in NJ
08-703 Governor Murphy, re: In-Door Dining
08-704 NJDCA, re: Landlord Emergency Grant Program

MISCELLANEOUS CORRESPONDENCE

- 08-800 Barbara Fisher, re: Thank you fruit basket, loss of her husband
- 08-801 Roma Club, Rick Iovine President, re: taxes
- 08-802 Comcast, dated August 13, 2020, re: Service Provided
- 08-803 PSE&G, dated August 17, 2020, re: electric outages
- 08-804 Burlington County, dated August 3, 2020, re: Census 2020 update
- 08-805 Endeavor Emergency Squad, Inc., dated August 16,2020, re: Promotion of Lt. Thomas Piper Deputy Chief/Deputy Chief Operating Officer

APPROVAL OF INVOICES*

Approved by Consent Agenda. All were in favor.

APPROVAL OF MINUTES*

Approved by Consent Agenda. All were in favor.

LIMITING CITIZENS TO SPEAK NO MORE THAN TWO (2) MINUTES, ONLY ONE TIME EACH, DURING THIS MEETING OF SEPTEMBER 8, 2020*

ORDINANCE(S) - INTRODUCTION & FIRST READING

AN ORDINANCE AMENDING BOND ORDINANCE 05-2017 OF THE CITY OF BURLINGTON, IN THE COUNTY OF BURLINGTON, NEW JERSEY - moving \$12,911.00 from Section 7A (Acquisition and Installation of Water Meters) to Section 7B (Filter Media Replacement)

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

A BOND ORDINANCE OF THE CITY OF BURLINGTON AUTHORIZING THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT IN AND FOR THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY, APPROPRIATING THE SUM OF \$200,000; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BURLINGTON, COUNTY OF BURLINGTON, NEW JERSEY IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$95,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

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

RESOLUTIONS / CONSENT AGENDA RESOLUTIONS*

Resolution No. 201-2020

RESOLUTION NO. 201-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CITY OF BURLINGTON TO APPLY TO THE NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS (NJDCA) FOR A 2021 SMALL CITIES PUBLIC FACILITIES GRANT OF UP TO \$400,000 FOR DEMOLITION OF UNSAFE STRUCTURES; AND

WHEREAS, the City of Burlington will apply for a Small Cities Community Development Block Grant – Public Facilities from the New Jersey Department of Community Affairs (NJDCA) for up to \$400,000 to demolish dilapidated and unsafe structures located at 524-526 High Street; and

NOW, THEREFORE, BE IT RESOLVED;

1. That the City of Burlington does hereby authorize the application for such a grant; and,
2. Recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of the grant agreement; and, also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of said agreement between the City of Burlington and the New Jersey Department of Community Affairs, including the provision of a 5% local match share.

NOW THEREFORE, BE IT RESOLVED that the persons whose names, titles and signatures appear below are authorized to sign the application and that they or their successors in said titles are authorized to sign the agreement and any other documents in connection therewith:

Cindy A. Crivaro, RMC
Municipal Clerk

Barry W. Conaway, Mayor

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

Resolution No. 202-2020

WHEREAS, the City of Burlington is applying for a 2021 Small Cities Community Development Block Grant from the New Jersey Department of Community Affairs (hereafter NJDCA); and

WHEREAS, the Small Cities Public Facilities grant of up to \$400,000.00 will be used for the demolition of unsafe structures located at 524-526 High Street; and

WHEREAS, the City of Burlington must make efforts to affirmatively further fair housing; and

WHEREAS, the City of Burlington has reviewed various actions that would be acceptable to the NJDCA and the U.S. Department of Housing and Urban Development (hereafter USHUD); and

WHEREAS, the City of Burlington has made assurances that:

- (1) It will comply with the Housing and Community Development Act of 1974, as amended, and regulations issued thereto; and
- (2) It will comply with the Civil Rights Act of 1964, and the regulations issued thereto it; and
- (3) It will comply with the Fair Housing Act of 1968 and will affirmatively further fair housing; and
- (4) It will comply with the Age Discrimination Act of 1975 and with the Rehabilitation Act of 1973.

NOW, THEREFORE, BE IT RESOLVED that, William Harris, shall be designated as the Fair Housing Officer for the City of Burlington; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall contact the USHUD Regional Office of Housing and Equal Opportunity and the NJ Division on Civil Rights, inform those agencies of his/her appointment as Fair Housing Officer and request Fair Housing Information; and

BE IT FURTHER RESOLVED that the Fair Housing Officer shall provide fair housing advisory services and assistance and referral advice to persons requesting such assistance from the City of Burlington; and

BE IT FURTHER RESOLVED that the City of Burlington will publish in the local newspaper of record and post at the municipal building (or county administration building) a public notice announcing the appointment of the Fair Housing Officer and the availability of local fair housing advisory services.

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

Resolution No. 203-2020

WHEREAS, the City of Burlington, will enter into a Grant Agreement with the New Jersey Department of Community Affairs for the administration of a 2021 Small Cities Community Development Block Grant; and

WHEREAS, that Grant Agreement requires the City of Burlington to comply with all federal regulations with respect to citizen participation; and

WHEREAS, the City of Burlington has reviewed the Citizen Participation Plan prepared for Small Cities CDBG grantees;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the City of Burlington, County of Burlington and State of New Jersey, that:

The Citizen Participation Plan developed by the New Jersey Department of Community Affairs, Small Cities CDBG Program, is adopted by the City of Burlington; and

The City of Burlington will follow all regulations set forth in that document throughout the term of the Grant Agreement cited above.

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

Resolution No. 204-2020

WHEREAS, the City of Burlington will apply to the New Jersey Department of Community Affairs (NJCA) for a 2021 Small Cities Public Facilities grant of up to \$400,000 for the demolition of unsafe structures located at 524-526 High Street; and

WHEREAS, any Grant Agreement between the City of Burlington and the NJCA will require the City to comply with all federal requirements with regard to grant management; and

WHEREAS, the City of Burlington has reviewed the proposed Grant Management Plan prepared for its Small Cities CDBG grantee application;

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Burlington, County of Burlington and the State of New Jersey, that:

Pending the execution of said Grant Agreement, the proposed City of Burlington Grant Management Plan shall be approved by the City of Burlington.

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

Resolution No. 205-2020

AMENDMENT TO THE CAPITAL BUDGET FOR 2020

WHEREAS, the City of Burlington, County of Burlington desires to amend the 2020 Capital Budget by inserting thereon or correcting the items therein as shown in such budget for the following reasons:

Adding the following projects:

Acquisition of Security Fencing at City Hall and Public Works Equipment \$ 200,000.00
(Down Payment of \$5,700.00, Grant Amount \$99,300.00, Debt Authorized \$95,000.00)

NOW, THEREFORE, BE IT RESOLVED, by the City of Burlington, County of Burlington that the Capital Budget of the year 2020 is hereby amended as per the attached sheets 40b, 40c and 40d.

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Hollingsworth, 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. 206-2020

RESOLUTION TO AMEND ADOPTED BUDGET FOR A COMCAST TECHNOLOGY GRANT FROM COMCAST

WHEREAS, N.J.S. 40A:4-87 provides that the Director of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount, and

WHEREAS, the City of Burlington received a **Comcast Technology Grant** in the amount of \$7,500.00 from Comcast for information technology improvements;

SECTION 1

NOW THEREFORE, BE IT RESOLVED that the City of Burlington hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$7,500.00 as follows which item is now available as a revenue from:

Miscellaneous Revenues - Section F: Special Items of General Revenue Anticipated with Prior Written Consent of Director of Local Government Services - Public and Private Revenues Offset with Appropriations:

Comcast Technology Grant	\$ 7,500.00
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SECTION 2

BE IT FURTHER RESOLVED that a like sum of \$ 100,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations Operations-Excluded from "CAP"
Public and Private Programs Offset by Revenues:

Comcast Technology Grant	\$ 7,500.00
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Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Babula, Mr. Chachis, Ms. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 207-2020

RESOLUTION NO. 207-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AMENDING THE FIVE-YEAR PLAN SUBMITTED BY MAIN STREET BURLINGTON TO THE COMMON COUNCIL OF THE CITY OF BURLINGTON FOR THE NEIGHBORHOOD PRESERVATION PROGRAM GRANT TO PROVIDE GRANTS TO BUSINESSES ADVERSELY AFFECTED BY THE COVID 19 PANDEMIC

WHEREAS, the City of Burlington received a Neighborhood Preservation Program Grant from the New Jersey Department of Community Affairs (NJDCA) in the amount of \$125,000.00 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, in the spring of 2020 the impact of the COVID-19 virus caused financial harm to businesses located in the City of Burlington as many were forced to close by State Executive Orders in an attempt to prevent the spread of said virus;

WHEREAS, the New Jersey Department of Common Affairs (hereafter referred to as “NJDCA”) has advised the City that \$100,000.00 in additional NPP funding is available to provide grants to businesses which were adversely affected by the COVID-19 virus; and

WHEREAS, 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;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. the Common Council of the City of Burlington has determined that it is in the public interest to expand the boundaries New London NPP Five-year Strategic Action Plan for the Neighborhood Preservation Program as described in the “Revisions of NPP Boundaries Request to Council” from Main Street Burlington; 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 Five-year Strategic Action Plan and any other documents required by New Jersey Department of Community Affairs in connection with the NPP grant amendment.

Upon the motion of Councilman Chachis, seconded by Councilwoman Hollingsworth, 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. 208-2020

Upon the recommendation of the City Engineers, Alaimo Group, the Common Council of the City of Burlington hereby authorizes the Mayor and the Municipal Clerk to execute an amended agreement with Hydro-Marine Construction Co. Inc. in connection with the Promenade Bulkhead Improvement Project, Change Order No. 2, a reduction in the amount of \$13,000.00 providing for quantity adjustments, making a revised total contract amount of \$1,554,572.50.

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. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 209-2020

RESOLUTION NO. 209-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON RATIFYING AN AGREEMENT WITH CWA UNION 1036 REPRESENTING SCHOOL CROSSING GUARDS RELATING TO SCHOOL CLOSURE DUE TO COVID-19 STATE OF EMERGENCY

WHEREAS, the impact of the COVID-19 State of Emergency has affected many daily operations of many businesses, parks, government buildings, public facilities, including schools; and

WHEREAS, in recognition of these unique circumstances in which the Governor of the State of New Jersey has issued declarations of a major disaster throughout New Jersey; and

WHEREAS, the City of Burlington's Board of Education has made the decision to hold all-remote opening of the school year which will be in effect from the start of the current school year through at least October 13, 2020;

WHEREAS, the City of Burlington has a contract for the employment of its School Crossing guards through the CWA 1036 union and engaged in negotiations with the Union relating to a furlough of the school crossing guards during this time; and

WHEREAS, the City of Burlington's Board of Education plans to implement a hybrid learning program starting on or about October 14, 2020;

WHEREAS, in view of the fact that the schools cannot safely re-open, the Union and the City have negotiated the terms for a voluntary furlough in which the crossing guards would remain on full pay status through October 13, 2020 and upon the condition that the guards would retain all of their contractual rights to return at the start of the hybrid learning program; and

WHEREAS, the City and Union acknowledge that the furlough of the school crossing guards is due to a reduction in available work hours created by the COVID-19 pandemic which prevents the safe reopening of schools; and

WHEREAS, the City and the Union have agreed upon a form of contract memorializing the terms of the agreement for the furlough and with respect to the reservation by the crossing guards of all other Contractual rights; and

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

WHEREAS, the contract with the City and the Union provides for the agreed upon terms for the furlough of the school crossing guards, with pay through October 13, 2020 and the terms have been reviewed and recommended the City Solicitor, Mayor and the Chief of Police; 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 crossing guards, for the terms of the furlough of the crossing guards for the specified period 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.

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. Hatala, Ms. Hollingsworth, Mr. Swan, Ms. Woodard, Ms. Lollar. (7); NAYS: (0); ABSTAIN: (0); ABSENT: (0).

Resolution No. 210-2020

Common Council of the City of Burlington hereby approves the Extension of Plenary Retail Consumption License Number 0305-33-012-003, trading as East End Hotel, located at 357 East Pearl Street, Burlington, N.J. 08016, to Executor/Administrator - Praul, Regina F., Adm. of Estate of Mary Misiorek, Dec'd.

Upon the motion of Councilman Chachis, seconded by Councilwoman Hatala, 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. 211-2020

RESOLUTION NO. 211-2020 OF THE CITY OF BURLINGTON AUTHORIZING THE RENEWAL OF PLENARY RETAIL CONSUMPTION ALCOHOLIC BEVERAGE LICENSES, PLENARY DISTRIBUTION ALCOHOLIC BEVERAGE LICENSES AND ALCOHOLIC BEVERAGE CLUB LICENSES

WHEREAS, all of the following applicants have applied for renewal of existing licenses for the year 2020-2021:

**Praul, Regina F., Adm. of Estate of Mary Misiorek, Dec'd.
357 East Pearl Street (0305-33-012-004)**

**Italian American Roma Club
739 Lincoln Avenue (0305-31-029-001)**

**Curtins Wharf Inc.
501 East Pearl Street (0305-33-005-003)**

Oneida Boat Club
3 York Street (0305-31-031-001)

Keim Boulevard Beverage Co. LLC
3 Keim Boulevard (0305-33-023-004)

TIPJ Enterprises, Inc.
703 Route 130 North (0305-44-017-005)

Tadeuz Kosciuzko Club
York Street & Route 130 (0305-31-035-001)

Brickwall at Burlington, LLC
19 E. Union Street (0305-33-019-006)

Peak & Peak, LLC
148 W. Broad Street (0305-33-006-005)

RW Burlington, LLC
811 Route 130 North Suite 2 (0305-44-007-007)

G & G Business, Inc.
240 Rte 130 S @ Jacksonville Road (0305-44-018-008)

ONO Inc.
Route 130 and Mc Neal Street (0305-32-022-008)

AP Liquor Inc.
653 High Street (0305-44-014-005)
RESOLUTION NO. 211-2020

Slade Valentine American Legion Post 336
149 Linden Avenue (0305-31-025-002)

Burlington General Store, LLC
219 High Street (0305-33-024-005)

Black Lithium, LLC
Pocket License (0305-44-009-010)

WHEREAS, all applicants for Plenary Retail Consumption Alcoholic Beverage Licenses, applicants for Plenary Retail Distribution Alcoholic Beverage Licenses and Club Alcoholic Beverage Licenses have submitted renewal application forms, which forms are complete in all respects; and

WHEREAS, all applicants for Plenary Retail Consumption Alcoholic Beverage Licenses, applicants for Plenary Retail Distribution Alcoholic Beverage Licenses and Club Alcoholic Beverage Licenses have paid all fees and have obtained tax clearance through the State of New Jersey, Division of Taxation; and

WHEREAS, these applicants are qualified to be licensed according to all statutory, regulatory and local governmental Alcoholic Beverage Control laws; and

NOW, THEREFORE BE IT RESOLVED, on this 8th day of September, 2020 by the Common Council, of the City of Burlington, County of Burlington, State of New Jersey, that:

Each of the aforesaid applications are hereby approved and the Municipal Clerk is authorized and directed to issue the appropriate licenses applied for by each of said applicants.

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

Resolution No. 212-2020

RESOLUTION NO. 212-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CITY OF BURLINGTON TO ENTER INTO CONTRACT WITH REALAUCTION.COM, LLC AND ROK INDUSTRIES, INC. D/B/A NJ TAX LIEN INVESTOR.COM IN THE PARTICIPATION OF 2020 ELECTRONIC TAX SALE

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the City of Burlington has authorized the Tax Collector to participate in an Electronic Tax Sale by Resolution of the Governing Body; and

WHEREAS, the Tax Collector has solicited 2 quotations as required by the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has approved ROK Industries, Inc. d/b/a NJ Tax Lien Investors/Real Auction.com to conduct Electronic Tax Sales; and

WHEREAS, ROK Industries, Inc. d/b/a NJ Tax Lien Investor.com/Real Auction.com has responded with the full services required to properly conduct an Electronic Tax Sale;

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Burlington, New Jersey, hereby authorizes the City of Burlington to enter into contract and authorizes the Tax Collector to conduct the 2020 Electronic Tax Sale with ROK Industries, Inc. d/b/a NJTaxLien Investor.com/Real Auction.com.

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

Resolution No. 213-2020

RESOLUTION NO. 213-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE TAX COLLECTOR TO PARTICIPATE IN AN ELECTRONIC TAX SALE AND TO CHARGE A FEE FOR TAX SALE NOTICES

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the rules and regulations promulgated requires the Municipality to authorize said Electronic Tax Sale by Resolution of the Governing Body; and

WHEREAS, the rules and regulations promulgated requires the Municipality to send two (2) notices of Tax Sale to all properties included in said sale, and allows said Municipality to charge a fee of \$25.00 per notice for the preparation, printing and mailing of said notice; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the City of Burlington is authorized to participate in an electronic tax sale and charge a fee of \$25.00 per notice as permitted by the Director of Local Government Services, in conjunction with the 2020 Electronic Tax Sale;

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Burlington, New Jersey, hereby authorizes the Tax Collector to participate and conduct an Electronic Tax Sale and to charge a fee of \$25.00 per notice in conjunction with same.

Upon the motion of Councilwoman Woodard, seconded by Councilman Hatala, 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. 214-2020*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Sharee Gregory, 2207 Lenox Drive, Willingboro, N.J. to operate a business at 649 High Street, Unit 2, t/a "Salon N-V-US Hair."

Approved by Consent Agenda. All were in favor.

Resolution No. 215-2020*

Common Council of the City of Burlington hereby authorizes the Municipal Clerk to issue a Mercantile License to Ken Turner, 14 Beach Drive, Eastampton, N.J. to operate a business at 919-921 W. Route 130 t/a "Dollar General."

Approved by Consent Agenda. All were in favor.

Resolution No. 216-2020*

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 III

Javier Ortiz
Daniel Pascal
Brandon Roberson

Approved by Consent Agenda. All were in favor.

Resolution No. 217-2020*

RESOLUTION NO. 217-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE REFUND OF A PROPERTY TAX DEDUCTION

WHEREAS, the property identified herein is owned by Terrelle Green and is the subject of a qualified property tax Veteran deduction granted for 2019 tax year; and

WHEREAS, an overpayment has occurred on the property.

NOW THEREFORE BE IT RESOLVED, that the Common Council of the City of Burlington hereby authorizes the Chief Financial Officer to issue a refund check for qualified property tax Veteran deduction, for the 2019 tax year as follows:

<u>Block</u>	<u>Lot</u>	<u>Property Owner</u>	<u>Property Location</u>	<u>Amount</u>
222	161	Terrelle Green	502 Woolman Road	\$ 250.00

Approved by Consent Agenda. All were in favor.

Resolution No. 218-2020*

RESOLUTION NO. 218-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CANCELLATION OF TAXES ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, the property identified herein as Block 46, Lot 8, located at 629 Oakland Avenue is owned by Paul Zimarowski, 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 exemption occurring in 2020, pro-rated taxes in the amount of \$1,476.84 are to be cancelled.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2020 pro-rated tax in the amount of \$1,476.84 are hereby cancelled for the reason set forth.

Approved by Consent Agenda. All were in favor.

Resolution No. 219-2020*

RESOLUTION NO. 219-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CANCELLATION OF TAXES ON PROPERTY OWNED BY A WIDOW OF A TOTALLY DISABLED VETERAN

WHEREAS, the property identified herein as Block 29, Lot 7, located at 429 Engle Avenue is owned by Antoinette Bytheway, declared to be the widow of 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 exemption occurring in 2019, taxes billed on the 2nd half of 2019 in the amount of \$2,375.40, and 2020 taxes in the amount of \$4,913.29 are to be cancelled.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2019 second half taxes in the amount of \$2,375.40 and 2020 taxes in the amount of \$4,913.29 are hereby cancelled for the reason set forth.

Approved by Consent Agenda. All were in favor.

Resolution No. 220-2020*

RESOLUTION NO. 220-2020 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CANCELLATION OF TAXES AND THE REFUND OVERPAYMENT ON PROPERTY OWNED BY A TOTALLY DISABLED VETERAN

WHEREAS, the property identified as Block 222, Lot 61, located at 502 Woolman Road is owned by Terrelle Green, 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 exemption, a cancellation of pro-rated 2020 taxes in the amount of \$2,584.09 will result in an overpayment of \$1,033.80.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington that the 2020 pro-rated tax amount of \$2,584.09 are hereby cancelled for the reason set forth above and authorizes the Chief Financial Officer to issue a refund check in the amount of \$1,033.80 for overpayment of 2020 taxes. The refund to be issued as follows:

Make check payable to:

Terrelle Green
502 Woolman Rd
Burlington, NJ 08016

Approved by Consent Agenda. All were in favor.

Resolution No. 221-2020*

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 September 8, 2020, that an Executive Session Closed to the Public shall be held on September 8, 2020, 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):

- 751 Charles Street (City-Owned Property)
- Propel Opportunity Fund, Inc. - Opportunity Site #1
- 302 Commerce Square Boulevard (YMCA)

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 September of 2020 or shortly there after.

Approved by Consent Agenda. All were in favor.

PUBLIC COMMENTS

Christle Charley, 4 W. 7th Street- spoke of the Spotted Lantern Flies; they are getting ready to go into nesting season; asked what the City is doing.

Mr. Ballard ask for the address of where the problem is; will call the County Health Department.

Betty Wilson, 337 E. Union Street- spoke of an ordinance relating to the boundaries of New Yorkshire; thanked all for having City Hall open while the electric was out due to a storm.

Ms. Wilson read the following:

To begin I want to add to your discussion on Resolution 207. The North side of High Street from Broad Street to the River is the southern boundary of Historic Yorkshire.

I want to speak on three subjects:

- Thank you to the Mayor and Administration for opening City Hall during the power outage this summer. For me, this provided critical relief from the heat as well as an opportunity to charge my devices. I want to especially thank Councilpersons Chachis and Hollingsworth for letting me know that the City Hall Council Chambers would be open for people who needed it.
- I want to speak about Resolution 205-2020 amending Capital Budget to add security fencing to City Hall. I urge you to put a hold on that item until more information is provided to the public Where would such fencing be installed? What is the need for such fencing? Erecting fencing can be perceived as a hostile act to the surrounding community. Take caution! I urge a HOLD on any amendment to the capital budget for adding security fencing at City Hall.

- I want to speak to the matter of payments made by Edgewater Park to Burlington City Board of Education. I am aware of past long delinquencies from Edgewater Park that have now been “settled”. While I have some opinions about the idea of “settling” such a debt by Edgewater Park to the City of Burlington, I will focus on the matter going forward:

Let me be clear: UNDER NO CIRCUMSTANCES should the taxpayers of Burlington City be required to subsidize the taxpayers of Edgewater Park. The injustice toward Burlington City via such an arrangement is beyond outrageous.

It is unacceptable to be advised that “Council can do nothing about it.” You have to raise the money and we, the property owners, all have to pay it. Under no system of democratic justice does that allow for Council to have no say in the matter.

Our City must be proactive on this issue. If State legislation is needed, let us reach out to our State legislators for their help.

Let me be clear. I support public education and have voted in favor of every school budget in my decades of voting. What I’m opposed to is the poor/low-income property owners – in fact all of us – of Burlington City subsidizing the taxpayers of a neighboring school district. This is simply unjustifiable. I look to you to address the situation so that delinquencies do not occur again. Thank you.

Rudy Smith, 271 Mott Avenue- spoke of a vehicle that lost control and took out a fence; spoke of speed tables.

ADMINISTRATION REPORT

Mr. Ballard gave an update on the Landfill Closure; spoke of a preconstruction meeting for Temple Avenue, E. Fifth St and W. Fourth Street; gave an update on the Water Meter Replacement Project, the Burlington Point easement, the Promenade Improvement Project, Rutgers Avenue striping.

COUNCIL COMMENTS

Councilman Babula asked that Main Street send a report and Habitant for Humanity.

Councilman Chachis asked for the status of 200 E. Federal Street and potential marijuana dispensaries.

Councilwoman Hatala spoke of the Ribbon Cutting for a new business in town, The Glam Bar; spoke of the Water Meter Replacement Project.

Councilwoman Hollingsworth spoke of the Promenade Improvement Project; spoke of two people that were interested in opening business in Burlington, but took their business elsewhere because of landlord situations.

Councilman Swan spoke of The Glam Bar Opening, wish them success; spoke of concerns with the Light Rail.

Mr. Ballard said he will talk with Chief Fine, NJ Transit expects s to enforce locally.

Councilman Swan reported the striping on the odd side, 200 block of W. Broad has faded.

Councilwoman Woodard spoke in opposition of Council taking routine summer break, holding one meeting the month of August; listed items that she feels needed to be discussed; spoke of 1411 Wood for sale; spoke in favor of fencing around the City Hall parking lot.

Councilwoman Hatala ask if bus 409 still runs the same route

Mr. Ballard said he will call NJ Transit.

CONFERENCES

- Mott Avenue and Morris Street Traffic Concerns

EXECUTIVE CONFERENCES

- 751 Charles Street (City-Owned Property)
- Propel Opportunity Fund, Inc. Redeveloper's Agreement - Opportunity Site #1
- 302 Commerce Square Boulevard (YMCA)

ADJOURNMENT

Upon the motion of Councilman Chachis, seconded by Councilman Swan, this meeting of September 8, 2020 was adjourned.

Cindy A. Crivaro, RMC
Municipal Clerk