

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, OCTOBER 15, 2019, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

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

Members present: Mr. Babula, Ms. Hatala, Ms. Mercuri, Mr. Swan, Ms. Woodard (7:15pm), Ms. Lollar. (6) Absent: Mr. Chachis. (1)

Also present: Mayor Conaway, Chief Financial Officer- Ken Mac Millan, Director of Housing- Bill Harris, Director of Public Works- Bill Curry, Municipal Attorney- Lou Garty, Chief Fine, Redevelopment Consultant- Jim Kennedy.

The following notice of the meeting was sent:

There will be a Meeting of the Common Council of the City of Burlington held on October 15, 2019 at 7:00 PM, prevailing time at the City Hall Building, 525 High Street, Burlington, N.J. 08016.

Cindy A. Crivaro, RMC  
Municipal Clerk

### **SALUTE TO FLAG**

### **PRESENTATIONS**

Retirement of Sharon Vincz

### **UNFINISHED BUSINESS**

Councilwoman Woodard spoke of the need for a new solution to the speed limit issues on Route 130.

Councilwoman Hatala spoke of signs at the entrance of Columbus Park.

### **CONSENT AGENDA**

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

### **APPROVAL OF INVOICES\***

Approved by Consent Agenda. All were in favor.

**ORDINANCE(S) - SECOND READING & FINAL DISPOSITION**

ORDINANCE NO. 14-2019 OF THE CITY OF BURLINGTON AMENDING CHAPTER 306 STREETS AND SIDEWALKS, ARTICLE III EXCAVATIONS, OF THE CITY CODE PERTAINING TO STREET OPENINGS

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 procedures governing street openings are outlined within Chapter 306 of the City Code, between §306-12 and §306-27; and

WHEREAS, certain responsibilities previously handled by the City Construction Office are now under the purview of the City's Department of Public Works, as a result of the Shared Services Agreement for Construction Code Services with Burlington Township; and

WHEREAS, it is therefore necessary to amend §306-12 through §306-27, to replace references to the Construction Office, where appropriate, with references to the Public Works Department; and

NOW THEREFORE, BE IT ORDAINED that Chapter 306 of the City Code, between §306-12 and §306-27, is hereby amended to replace all mentions of "Construction Office" with "Public Works Department;" and

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

Upon the motion of Councilwoman Hatala, seconded by Councilwoman Woodard, the foregoing ordinance was introduced.

Public Comments

None.

Council Comments

None.

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

**RESOLUTIONS / CONSENT AGENDA RESOLUTIONS\***

Resolution No. 252-2019

RESOLUTION NO. 252-2019 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING THE CITY OF BURLINGTON TO ENTER INTO A SHARED SERVICES AGREEMENT WITH MAIN STREET BURLINGTON IN THE AMOUNT OF \$25,000.00 IN CONJUNCTION WITH THE NEIGHBORHOOD PRESERVATION PROGRAM GRANT AWARDED TO THE CITY OF BURLINGTON

WHEREAS, the City of Burlington has applied for a Neighborhood Preservation Program Grant from the State of New Jersey, Department of Community Affairs (NJDCA) in the amount of \$25,000.00 for performance of certain services relating to the grant; and

WHEREAS, under the terms of the aforementioned grant, the City of Burlington is required to formulate, develop, and implement a 5-year Strategic Action Plan that focuses on community revitalization in the New London Neighborhood; and

WHEREAS, under the terms of the aforementioned grant, the City of Burlington is also required to establish a NPP office, engage local residents, conduct a neighborhood assessment, and perform other tasks in conformance with the terms of the grant; and

WHEREAS, Main Street Burlington (“MSB”) is a non-profit local organization currently working collaboratively with the City of Burlington for the betterment of the City and has designated the requested professional staff who will dedicate the necessary time and resources to perform the required tasks, and MSB has the required community resources necessary to establish an office and perform the other tasks required under the grant; and

WHEREAS, Main Street Burlington (“MSB”) has indicated that it has agreed to provide the services as set forth in the agreement contained in the grant requirements, which are incorporated into a Shared Services Agreement between MSB and the City; and

WHEREAS, the source of the funding for this contract is the State Neighborhood Preservation Program Grant funding, such that the terms and conditions of the grant and the services to be provided are to be in conformance with the terms of the grant; and

WHEREAS, the Agreement term with MSB is for a period of eighteen months, commencing July 2019 through December 31, 2020, which is coterminous with the term of the State NPP grant; and

WHEREAS, entering into an Shared Services Agreement with MSB to perform the required services will facilitate activities which will promote tailored projects designed to revitalize and preserve the New London neighborhood.

NOW, THEREFORE, BE IT RESOLVED

1. That the City of Burlington does hereby authorize the application for such a grant as well as to ratify the agreement for services to be performed under the grant by MSB; and
2. The Common Council also recognizes and accepts that the NJDCA may offer a lesser or greater amount of grant funding and that therefore, upon receipt of the grant agreement from the NJDCA, does further authorize the execution of the grant agreement; and
3. Upon receipt of the fully executed Grant Agreement from NJDCA, does further authorize the expenditure of funds pursuant to the terms of said agreement between the City of Burlington and the NJDCA, including the provision of a local match share in the ratio of at least one local dollar for every ten state dollars.

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:

Barry W. Conaway, Mayor  
William Harris – Director, Dept. of Housing and Community Development

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

Resolution No. 253-2019\*

RESOLUTION NO. 253 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON  
AUTHORIZING THE CANCELLATION OF TAXES LEVIED IN DUPLICATE

WHEREAS, the property identified herein as Block 135, Lot 26 located at 21 E. Broad Street was an exempt property converted to ratable in 2018 and was levied for the 2018 tax year; and

WHEREAS, an omitted Tax was also levied in the 2018 Tax year which created a duplicate levy amount of \$9,190.10.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, that the 2018 taxes are hereby cancelled in accordance with the reason set forth in this resolution as follows:

PROPERTY OWNER: TEA LEAF INVESTMENTS, LLC

BLOCK	135
LOT	26
TAXES	\$9,190.10

Approved by Consent Agenda. All were in favor.

Resolution No. 254-2019\*

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 October 15, 2019, that an Executive Session Closed to the Public shall be held on October 15, 2019, in the Council Meeting Room for discussion of matters relating to the specific items designated in this resolution:

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

- Washington Square Redevelopment - Bill Harris, Director of Housing
- Potential Sale of 312-314 E. Union Street - Bill Harris, Director of Housing
- Opportunity Zone Redevelopment

Litigation N.J.S.A. 10:4-12(9):

- Fitzpatrick, Penny v. COB Update - M. Lou Garty, Esq.

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 October of 2019 or shortly there after.

Approved by Consent Agenda. All were in favor.

**PUBLIC COMMENTS**

Kaheed Cosgrove, 409 Jones Avenue- spoke of the proposal presented by Propel, encouraged Council to consider it.

Audrey Smith, 1200 High Street- asked for a gate at the Walnut Park tot lot to keep children safe.

**ADMINISTRATION REPORT**

None.

**COUNCIL COMMENTS**

Councilman Babula spoke of an event by the Friends of Burlington Island.

Councilman Swan spoke of residents of the south west corner of Ellis & Conover who painted their own curb, neon.

Mayor Conaway stated Castle Construction has begun working on the Promenade; thanked Council for funding the repairs.

President Lollar spoke of contest for the Police Department to win an SUV specialized for K-9's; vote for Kobe.

Councilman Babula commended the Police Department for promptly responding to concerns of the residents on Mott Avenue.

**CONFERENCES**

- New Bandshell at Promenade Presentation - Mills & Schnoering Architects
- Best Practices Initiative - Ken MacMillan, CFO
- Discussion of Authorities - Ken MacMillan, CFO

**EXECUTIVE CONFERENCES**

- Washington Square Redevelopment - Bill Harris, Director of Housing
- Potential Sale of 312-314 E. Union Street - Bill Harris, Director of Housing
- Fitzpatrick, Penny v. COB Litigation Update - M. Lou Garty, Esq.
- Opportunity Zone Redevelopment

**ADJOURNMENT**

Upon the motion of Councilman Swan, seconded by Councilwoman Hatala, this meeting of October 15, 2019 was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk