

THE MEETING OF THE CITY OF BURLINGTON COMMON COUNCIL, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, WAS HELD ON TUESDAY, FEBRUARY 13, 2024, AT 7:00 PM, IN THE CITY HALL, 525 HIGH STREET, BURLINGTON, NJ, PURSUANT TO THE OPEN PUBLIC MEETINGS ACT.

This meeting was called pursuant to the provisions of the Open Public Meetings Law. This meeting of February 13, 2024 was included in a list of meetings notice sent to the Burlington County Times and the Trenton Times on December 29, 2023, and January 2, 2024, and advertised in said newspapers on January 5, 2024, posted on the bulletin board in the Municipal Building on December 29, 2023, and has remained continuously posted as the required notices under the Statute. In addition, a copy of this notice is and has been available to the public and is on file in the office of the Municipal Clerk.

Cindy A. Crivaro, RMC  
Municipal Clerk

The 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.

Governing Body Members present: Dave Ballard, Dawn Bergner-Thompson, George Chachis, Xavier Roque, Richard Spaulding.

Absent: Suzanne Woodard.

Also present: Mayor Barry Conaway, Administrator Johanna Conyer, Municipal Attorney Stuart Platt, Director of Housing Bill Harris, Director of Public Affairs John Alexander, Director of Public Works Bill Curry, Police Lt. Caruso.

## **SALUTE TO FLAG**

## **EXPLANATION OF RESOLUTIONS**

Johanna Conyer, Administrator 79-2024

## **PUBLIC COMMENTS**

Christine Donahue, 140 W. Broad Street – Thanked Solicitor Stuart Platt after providing her documentation to review the Animal Control agreement, but pointed out that the current language in Section 2 doesn't support the requirements of a Helio Officer – such as being easily accessible; mentioned submission of personal resume for vacant Council seat, after the departure of J. Roosevelt-Smith, to Mrs. Claudine Conaway, but said there was zero acknowledgement of receipt or public notice of ability to “apply/run”, such as a posting on the website, before identifying three (3) individuals within the party as nominees (Note: Solicitor explained mid-term vacancy process).

Phil Augustin, 307 High Street – Mentioned the recent, reoccurring complaints of residents at Council meetings and made a suggestion that Councilmembers and Administration take a walk down High Street to see what a “mess” it really is; expressed that City (staff, council, admin) need to lead by example and that if it wasn't for the wonderful work of the Garden Club that the City would be a total disaster.

## **RESOLUTIONS**

Resolution No. 78-2024

### **RESOLUTION NO. 78-2024 TO FILL VACANCY OF COMMON COUNCIL – Ward 2**

**WHEREAS**, a vacancy exists on the City of Burlington Common Council upon the resignation of Ward 2 Councilman J. Roosevelt Smith effective January 31, 2024; and

**WHEREAS**, N.J.S.A. 40A:16-5 and 16-11 provides for the vacancy to be filled by appointment in the following manner:

- a. Within fifteen (15) days after the occurrence of a vacancy, the municipal committee of the political party shall present to the Governing Body the names of three (3) nominees for the selection of a successor to fill the vacancy.
- b. Within thirty (30) days after the occurrence of a vacancy, the Governing Body shall appoint one of the nominees as the successor to fill the vacancy

**WHEREAS**, the Municipal Chair of the City of Burlington Democrat County Committee submitted correspondence dated February 6, 2024, providing the names of three (3) nominees to fill the vacancy of the Council Member, a copy of which is attached hereto and made apart thereof as Exhibit “A”, with the nominees being:

1. Geneva Rijs
2. Samuel Richter
3. Kevin Burr

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Burlington that for the reasons set forth hereinabove, it hereby appoints Geneva Rijs to fill the vacancy as Council Member – Ward 2 filling the unexpired term of former Councilman J. Roosevelt Smith which expires December 31, 2025, and shall serve until his/her successor is elected at the next General Election on November 5, 2024, as provided by law.

Geneva Rijs was then nominated by Councilman Spaulding, seconded by Councilman Ballard.

Upon the motion of Councilwoman Bergner-Thomson, seconded by Councilman Spaulding, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Ballard, Ms. Bergner-Thompson, Mr. Chachis, Mr. Spaulding. (6); NAYS: (0); ABSTAIN: Mr. Roque. (1); ABSENT: Ms. Woodard. (1).

Resolution No. 79-2024

**RESOLUTION NO. 79-2024 OF THE COMMON COUNCIL OF THE CITY OF BURLINGTON AUTHORIZING A FLOODPLAIN VARIANCE HEARING IN REGARD TO PROPERTY LOCATED AT 521 LAWRENCE STREET AS PER SECTION 170-4D OF THE CITY CODE**

WHEREAS, the City of Burlington (the "City") is organized as a Mayor-Council form of government pursuant to the Optional Municipal Charter Law, N.J.S.A. 40:69A; and

WHEREAS, Chapter 170 of the City Code sets forth flood damage prevention measures within the City; and

WHEREAS, if a variance is required for a property to meet the provisions of said Chapter, Section 170-4 requires the property owner to seek a variance from and to be heard by the Common Council in order for a Floodplain Variance to be granted; and

WHEREAS, the City of Burlington owns 521 Lawrence Street and has designated the property for rehabilitation and resale to a low-income family in partial compliance with the City's Court-approved Fair Share Plan for affordable housing; and

WHEREAS, the City's Department of Housing and Community Development has publicly advertised for and received bids for the rehabilitation of said property and is desirous of proceeding with issuing a contract for said work; and

WHEREAS, in order to obtain a construction permit for the rehabilitation of said property a Floodplain Variance is required to comply with the provisions of Chapter 170;

NOW THEREFORE, BE IT RESOLVED that the Common Council of the City of Burlington shall hold a hearing on the City's Department of Housing and Community Development Floodplain Variance Application on the property located at 521 Lawrence Street at the Common Council's regular meeting on February 20, 2024, at 7:00 P.M., at City Hall, 525 High St., Burlington, New Jersey 08016.

Upon the motion of Councilman Roque, seconded by Councilman Ballard, the foregoing resolution was adopted by the following roll call vote: AYES: Mr. Ballard, Ms. Bergner-Thompson, Mr. Chachis, Mr. Roque, Mr. Spaulding. (5); NAYS: (0); ABSTAIN: (0); ABSENT: Ms. Woodard. (1).

### **COUNCIL COMMENTS**

Council President Chachis asked the Solicitor to explain the process of appointing a new Councilmember to fill the vacancy of a mid-term departure by an existing Councilmember – the process was explained by Solicitor Platt; asked Director of Housing, Bill Harris, for an update regarding the development of 16 lots by Central Shore Holdings – Director Harris, along with Solicitor Platt expressed their recommendation to move on from the current business with Central Shore Holdings and put out an RFP for the redevelopment project.

Councilman Roque asked if there would be any liabilities to the City from moving on from the previous redeveloper.

Councilman Roque motioned to move forward with the new RFP, seconded by Councilwoman Bergner-Thompson. All were in favor.

**REPORTS** – To Be Rescheduled

New Liquor License Legislation Review – Brian Trelease, Esq., ABC Counsel

**ADJOURNMENT**

Upon the motion of Councilman Roque, seconded by Councilwoman Bergner-Thompson, this meeting of February 13, 2024, was adjourned.

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Cindy A. Crivaro, RMC  
Municipal Clerk

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George Chachis, President  
Common Council