

MINUTES

BEVERLY CITY COMMON COUNCIL

Meeting of April 10, 2012

7PM

Held at the Beverly Housing Authority Building

CALL TO ORDER

Council President Crespo called the meeting to order at 7:10PM.

OPEN PUBLIC MEETINGS ACT (NJSA 10:4-6)

Mr. Crespo read the following statement into the Minutes: *In compliance with the Open Public Meetings Act, this is to announce that adequate notice of this meeting was provided in the following manner: On December 29, 2011, advance written notice of this meeting was posted on the public bulletin board in the City Hall; was mailed to THE BURLINGTON COUNTY TIMES and to the CAMDEN COURIER POST; was filed with the City Clerk and was mailed to all persons who requested and paid for such notice. **The proceedings of all meetings are typically electronically recorded and are also being manually recorded. The Minutes will be on file in the office of the City Clerk.***

FLAG SALUTE

Mr. Crespo led those present in the Flag Salute.

ROLL CALL

Present

Mayor: Randy H. Miller

Council President: Luis Crespo

Council Members: Barbara Kelly, Brian Perkins, Hal Robertson, Robert Thibault

Solicitor: Albert K. Marmero

Engineer: William H. Kirchner (*Attendance not required this evening*)

Administrator: Ken Gerber, CPM

Municipal Clerk: Donna Snyder, RMC/CMR/CPM

MINUTES

The March 13, 2012 Minutes were approved as submitted with a Motion by Thibault and a Second by Robertson. Roll Call Vote - All Ayes, except Kelly and Perkins-Abstain. Motion Carried.

BILLS LIST

The 4/4/12 Bills List was reviewed and approved as submitted with a Motion by Thibault and a Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

ORDINANCE 2012-4: SECOND READING/PUBLIC HEARING

A Bond Ordinance authorizing various Capital Improvements and the Acquisition of Capital Equipment in and for the City of Beverly, County of Burlington, State of New Jersey: Appropriating the sum of \$500,000 therefor; Authorizing the Issuance of General Obligation Bonds or Bond Anticipation Notes of the City of Beverly in the Aggregate Principal amount of up to \$475,000; Making certain determinations and covenants; and, Authorizing certain related actions in connection with the foregoing.

Ordinance 2012-4 was opened for Public Hearing at 7:16PM. There being no Public Comment, this portion of the Second Reading was closed. Council discussed the amount by which the 2012 Budget was requested cut by the Auditor.

Mr. Thibault commented that realizing how extremely busy the Clerk's Office was that Council should have the entire meeting packet the Friday before the meetings, as this was not a good way to do business. The Clerk agreed.

With discussion ended, Motion to Approve was made by Robertson with a Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTIONS**RESOLUTION 2012-126**

A Resolution approving Civil Service Job Descriptions as applicable for current Beverly City Staff.

NOTE: RESOLUTION 2012-126 was "HELD" UNTIL THE JOB DESCRIPTIONS SUBMITTED BY THE ADMINISTRATOR COULD BE THOROUGHLY REVIEWED BY COUNCIL.

RESOLUTION 2012-127

A Resolution authorizing the City of Beverly to renew with the County of Burlington the 2012 Solid Waste Services Agreement, which will provide for continuation of Recycling and Solid Waste Disposal Services for 2012 through 2016. Motion to Approve by Thibault and Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-128

A Resolution authorizing an Agreement between Willingboro Township and the City of Beverly for Certified Recycling Professional Services. Motion to Approve by Thibault and Second by Perkins. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-129

A Resolution approving Salaries for the Employees of the City of Beverly for the 2012 Calendar Year.

NOTE: RESOLUTION 2012-129 WAS "HELD" FOR FURTHER REVIEW WITH THE TREASURER'S OFFICE.

RESOLUTION 2012-130

A Resolution opposing Senate Bill 1452 regarding costly unfunded mandates and impractical new requirements relative to the Open Public Records Act, and Senate Bill 1451 regarding introduced legislation to reform and modernize the Open Public Meetings Act. Motion to Approve by Thibault and Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-131

A Resolution requesting New Jersey's Legislative Leaders to reverse the decline in funding for New Jersey's Tobacco Control Program. Motion to Approve by Thibault and Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-132

A Resolution joining the National Council on Alcoholism and Drug Dependence, Inc. (NCADD) and The New Jersey Division of Alcohol Beverage Control proclaiming that April 2012 is Alcohol Awareness Month in the City of Beverly. Motion to Approve by Thibault and Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

REPORTS/COMMENTS

As the Chairperson for the Fire/EMS/Defense Committee, the Insurance Committee, and the Health Committee, **Mr. Thibault** reported the following info: He attended a meeting in Edgewater Park where the Beverly/Edgewater Park Emergency Squad was discussed relative to keeping the Squad in-tact. The Committee there is in a box right now. Mr. Thibault commented at the meeting that the B/EP Emergency Squad was the fabric of the Community and it needs to be maintained as is, not have the service sent to an outside agency. He also stated that Residents should contact the Edgewater Park Committee to voice their opinion while remembering that you can't be faster than what's right here! He stated that it was a good meeting.

Relative to the Insurance Committee Mr. Thibault reported that \$750.00 in premiums was saved to date with the BURLCOJIF by Council Member's attendance at required seminars. Several other members of Council will be attending before the end of the year which will add to our savings.

Mr. Thibault reported that he met with Emergency Management and asked if there were any other issues coming up with the Health Committee. Mr. Crespo stated that major issues are handled by the County relative to Vaccines, Mosquito Control, etc.

Mr. Thibault also requested, while realizing the overload in the Clerk's Office, that meeting packets and agendas be received by Council the Friday before meetings giving the Council ample time to review.

Administrator Gerber attended a meeting last week with the Fire Commissioner re the Group hired to do the study for Consolidation and said that he forwarded the information to Mr. Thibault. The study should be done in about 90 days and that contact could be made with Mr. Stevenson. He also advised that there are more Job Descriptions coming for Council's review.

Mr. Robertson thanked those involved for cleaning up the Luncheonette on the corner of Bridge and Warren.

Ms. Kelly advised for the Public Affairs Committee that the "Parade" is in motion and that she is still looking for volunteers and to please have all interested parties call her. Also, the Town-wide Yard Sale will be held on May 18, 19 20. At this point, Mr. Crespo recommended as is done every year in this instance, that the Yard Sale Permit Fees be waived for May 18 through and including May 20, 2012 for the Town-wide Sale.

RESOLUTION 2012-134

A Resolution waiving the regular Yard Sale Permit Fees for the Annual "**Town-wide Yard Sale**" taking place on Friday/Saturday/Sunday, May 18, 19 and 20, 2012. Motion to waive said fees by Perkins with a Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

Mr. Crespo reported that we had to cut \$27,000 out of the Budget to stay in compliance with the current budget mandates and then another \$24,000 per instructions from our Auditor. Police Committee interview info will be for Executive this evening. He also advised that we are compiling a list for Municipal Auction and hoping to have same at some point in June.

Solicitor Marmero reported re Roberts Rules of Order, that the Council is governed by Robert's Rules. For our procedures, some are done by Council by resolution. Exact application of same would make meeting a much more formal process. Continued discussion was had between Mr. Thibault, Mr. Marmero, and Council. Also discussed was the role of the Council President and the order of voting. Mr. Thibault stated that the feeling was that Council was being led by the Council President with very little debate, i.e. the operational powers of arguing or debating a point.

NEW BUSINESS

Coverage for the Clerk's Office 4/19-5/2/12 due pre-approved Vacation time, and in the Tax Collector/Treasurer's Office during Hip Replacement Surgery recuperation.

The Administrator advised that he has reached out to several other municipalities for assistance and that he is waiting to hear back from their respective Administrators re same.

OLD BUSINESS

CABLE FRANCHISE RENEWAL UPDATE:

Analysis of Questionnaire responses. Update on next steps in the Renewal process.

The Clerk was in contact with Solicitor regarding contact being made with Comcast and the requirements under the Franchise Renewal Guidelines. Al Marmero will do a Resolution for Council's 4/24/12 meeting which will put Comcast on notice as to the City's intent to enter into the Ascertainment Process.

RECODIFICATION:

Update: **Coded Systems** and **General Code**, the two major Recodification companies utilized by the State of New Jersey municipalities, have been contacted for the purpose of setting up an appointment to review the Recodification process, analyze the Ordinances on hand that require Recodification, and provide an estimated price range for Recodification and Maintenance services.

Council will be updated as the Clerk and Mr. Robertson meet with the Recodification Representatives from both companies.

CORRESPONDENCE - The Correspondence was read into the Minutes as follows by the Mayor:

State of NJ-DOT: 3/26/12 letter advising Beverly City of NJDOT's Fiscal Year 2012 Municipal Aid Program for the Northwest Roads Reconstruction Project in the amount of \$200,000.00.

It was noted by Mr. Crespo that the "Northwest Roads" project included Detwiler, Ashton, Nichols, and a portion of Wheatley over by the Dunes.

Beverly United Methodist Church: "Meals of Love" being served Monday, 4/16/12, 4-6PM.

Burlington County Freeholders: Notification of Third Round for Municipal Recreation Grants (deadline for applications is Friday, 5/4/12).

Mr. Crespo stated that these Grants were for Park Improvements and Land Projects. The Clerk will notify Mr. Kirchner re same.

COMMENTS/REPORTS - (See "Reports" Above)

MAYOR

ADMINISTRATOR

SOLICITOR

ENGINEER - N/A

COUNCIL MEMBERS

CLERK

PUBLIC COMMENT - The Meeting was opened to the Public at 8:18PM.
This portion of the meeting provides the public with an opportunity to ask questions of City Council concerning the City, or to address questions to the Administrator/Director of Public Safety. Please state your name and address for the record.

Commenting were Residents Pat Pirylyis; Mark Schwedes; Dale Thompson; Bob Bancroft. Discussed were the topics of Workmen's Compensation; Completion of Online Pension Training for those responsible for same; the completion time for the ADA Renovation project at City Hall; Juvenile Curfew times and enforcement relative to same; Recycling; Leaf collection procedures.

EXECUTIVE SESSION

Resolution 2012-135: (At 8:30PM)

A Resolution of the Common Council of the City of Beverly to hold Executive Session in accordance with the Open Public Meetings Act, P.L. 1975, Chapter 231, permitting the exclusion of the Public from a meeting in certain circumstances which the Governing Body deem now exist: Discussion to be had on Personnel, Litigation, and Contractual matters. Motion by Robertson; Second by Kelly. All in Favor. Motion Carried.

Motion to come out of Executive Session and back into Open Session at 9:25PM by Perkins; Second by Kelly. All in Favor. Motion Carried.

ACTION TAKEN AFTER EXECUTIVE: x YES NO

RESOLUTION 2012-136:

A Resolution to contract with and hire **Michael A. Megara** as a Class II Special Police Officer, 40 hours per week, \$12.00 per hour, No Benefits, 6 Month Probationary Period, Reimbursement for Education with Payback clause effective if employee leaves the employ of Beverly City prior to one year. Motion to Approve by Thibault and Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-137:

A Resolution to hire a Special Investigator for Certain Employment Matters for a maximum of thirty (30) hours at \$150.00 per hour, not to be exceeded without prior approval from Council. Motion by Kelly and Second by Perkins. Roll Call Vote - All Ayes, except Thibault-NO, and Crespo-ABSTAIN. Motion Carried.

ADJOURNMENT

There being no further business, Motion to Adjourn at 9:30PM was made by Thibault with a Second by Kelly. All in Favor. Motion Carried.

Respectfully submitted,

Donna Snyder, RMC/CMR/CPM

Date

APPROVED:

Randy H. Miller, Mayor

Date

Governor's Best Practices Toolbox:

"Prospective" Items for Continued Discussion, Monitoring, and Update:

1. Does your municipality maintain an up-to-date municipal website containing, but not limited to:

Past 3 years adopted Budgets. YES.

Current year proposed Budget including the full adopted Budget for current year when approved by the Governing Body. TBA

Most recent Annual Financial Statements and Audits. YES

Notifications for Solicitation of Bids and RFP's. TBA LINC TO ENGINEER.

Employee Contact Information. TO BE UPDATED.

Governing Body, Boards, and Commission Meeting Dates, Minutes, and Agendas. TBA

2. Is your municipality's computer information backed up regularly, pursuant to a written backup policy and is data stored offsite. YES. BEVERLY CITY IS BACKED-UP REGULARLY AND STORED OFFSITE PURSUANT TO A WRITTEN BACKUP POLICY BY NETWORKS PLUS.

3. Are Ordinances codified on an annual basis and made available electronically and/or in an existing Ordinance book for the public. TBA

4. If your municipality is a member of the SHBP, have you transitioned from Chapter 88 (lifelong retirement benefits & Medicate Part B payouts) to Chapter 48 (healthcare cafeteria and select cost-saving provisions for all current and future employees). YES. A "CAFETERIA PLAN" WAS ADVISED TO ALL CITY EMPLOYEES AND HAS COMMENCED.

**Note "No" Items for Monitoring:

Is your municipality's Police Department accredited by the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA), or have Senior officers had advanced training through professional agencies/academies.

Updated 2/24/12