

MINUTES

CITY OF BEVERLY

APRIL 24 2007

CALL TO ORDER. The regular meeting of the Common Council of the City of Beverly was called to order at 7:00pm, by President Arter on Tuesday, April 24, 2007 under the provisions of the Open Public Meeting Act c. 231 P.C. "Sunshine Law". Notice of this meeting was published in the Burlington County Times and posted on the bulletin board in the Municipal Building. All members present saluted the flag of the United States of America.

FLAG SALUTE.

ROLL CALL.

PRESENT: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Arter, Council President Arter, Christopher Baxter and Barbara Sheipe, clerk/administrator.

ABSENT: Director of Public Safety Michael Morton.

APPROVAL OF MINUTES. Dr. Cook requested that she be listed as absent. Council President Arter requested that a correction be made under the minutes that should read that Mr. Newsome made a motion to approve the minutes, not hold them. Mr. Arter made a motion to approve the minutes, Mr. Esaia second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

COORESPONDENCE. Council President Arter read into the minutes a letter from the Borough of Palmyra thanking the police department. The letter is attached and made part of the minutes.

Council President Arter discussed that the city had received a letter from the New Jersey Department of Transportation announcing that applications will now be accepted for the Centers of Place Program. Council President Arter referred the grant to the city engineers, Environmental Resolutions to see if the city would qualify for the grant.

City Council received a letter of review of preliminary evaluation for the economic, demographic and fiscal implication for the proposed redevelopment in the city at the request of council. William Kirchner and Barbara Fegley of Environmental Resolutions reviewed the letter with city council. Mr. Arter requested a clarification on item number 3 concerning the assumption that all the units will be a 2-bedroom, 5+ unit structures. Mrs. Fegley explained that it normal refers to condo apartment units and town homes. Town homes are considered single-family homes. Mrs. Fegley explained that the idea is based on a projected mixed-use community. Mr. Arter discussed if the units would mean more children in the city and the school system. Mrs. Fegley explained that studies show that usually there are fewer children in a

condo and townhouse community. Council President Arter thanked Mr. Kirchner and Mrs. Fegley for their preliminary evaluation and their explanations.

Mr. Kirchner discussed Cramer Avenue and the drainage work that is needed. There is about \$125,000 available from the grant for Cramer Avenue and also the \$200,000 that city council placed in the budget for road work. If the city decides to go out to bid for the drainage and paving at the same time, it will save additional expenses with the bidding process and also bring in a lower price for the entire project. Mr. Kirchner explained that with the joint bid there should be money left to go a block of Erhardt Avenue. Mr. Kirchner will prepare the bid with the various options for the drainage, paving and additional block.

Council President Arter discussed that Mr. Kirchner had recommended that the city might want to take over the inspections of the smaller road openings. This would place the funds for the inspections back into the city budget. Environmental Resolutions would still be available to inspect the major road openings at the request of the city. Mr. Crespo inquired if the fire hydrant leak on Cramer Avenue had been addressed by the water company. Mr. Kirchner explained that they had sent a letter to the water company explaining the problem and were awaiting the work to be done. Mr. Bancroft inquired if drainage was needed on any of the other connecting streets? Mr. Kirchner explained that when the drainage on Cramer is corrected it would correct a lot of the flooding issues. Mayor Wetherill inquired if the council had to take any action. Council President Arter explained that the original ordinance would need to be amended and that she would like to refer the ordinance to law and ordinance committee for review and changes. Mr. Germer made a motion to refer the ordinance to the committee, Mr. Arter second the motion. All members voted in favor.

Request from Burlington County Community Action Program. Mrs. Sheipe explained that BCCAP would like a waiver of paying for an officer to monitor a road closing. The city has an ordinance governing the payment and the procedure of road closings. Mr. Bancroft inquired as to whom would have to pay if the waiver was granted. Council President Arter explained that the city would be liable for the payment. Mr. Arter made a motion to deny the request. Mr. Esaia second the motion. All members present voted in favor.

ORDINANCES ON SECOND READING.

A. **Ordinance No. 2007-5,** An Ordinance Prohibiting The Accumulation Of Brush, Weeds And Debris And Requiring The Maintenance Of Trees On Private Property. The ordinance was read by title. Mr. Baxter discussed that this was in respond to a request from Mr. Mickle, the previous housing inspector to help regulate some of the issues concerning trees, brush and debris in yards. Council President Arter opened the meeting for a public hearing. No one from the public wished to be heard. Council President Arter explained that this ordinance included the additional wording that was requested by JIF, the city's insurance. Mr. Germer made a motion to adopt the ordinance on second and final reading, Mr. Esaia second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None. The ordinance was adopted on second and final reading and will take affect after publication according to law.

ORDINANCE ON FIRST READING.

A. Ordinance No. 2007-9, An Ordinance To Establish Certain Fines and Penalties For The Violations Bureau Of The City of Beverly. The ordinance was read by title. Mr. Newsome discussed if council would like to change the trash time to placement at the curb for after 3pm as previously discussed. Mr. Baxter explained that the council would have to amend Ordinance 2001-5 and 5.13.2 that lists the time. Mr. Germer inquired if council could pass the ordinance now and amend the trash ordinance later for time permitting? Mr. Baxter explained that the council could change the wording to read as allowed per ordinance. This would allow the fixed fine ordinance to agree with any new ordinance that council passed related to the time of trash placement or removal. Mrs. Sheipe inquired if the ordinance was amending to include the change to Ordinance 2001-5 would the AOC have to approve the change? Mr. Baxter explained that any changes or amendments to the ordinance would have to be approved by the AOC. Mr. Crespo made a motion to adopt the ordinance on first reading, Mr. Germer second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None. The ordinance was adopted on first reading and will be heard on second and final reading at a public hearing to be held on May 8, 2007 at 7pm.

B. Ordinance No. 2007-10, Capital Improvement Ordinance Authorizing The Purchase of Computers And Software. The ordinance was read by title. Mr. Baxter explained that he had discussed this ordinance with Mr. Stewart the city's auditor and since the city was not borrowing money to purchase the computers and that it was a line item in the capital improvement budget, city council did not need the ordinance. Mr. Baxter recommend that council withdraw the ordinance. Mr. Esaia made a motion to withdraw the ordinance, Mr. Germer second the motion. All members voted in favor.

OLD BUSINESS.

A. Public Hearing on 2007 Municipal Budget. Mr. Newsome discussed that city council had approved the introduction of the city budget on March 13 with a 1.1 increase. The increase is needed for the capital improvement budget, the council had placed \$200,000 to do road improvement work, \$11,000 to update the computers and \$100,000 to help with abandoned properties in the city. Mr. Newsome explained that city council had increased the housing/code enforcement salary and had also agreed to hire another officer. There is also money in the budget for a part time worker for the public works. Council President Arter opened the public hearing on the budget.

Mrs. Richards-Broad Street inquired if council knew the increase of the school taxes. Mr. Newsome explained council has not received the increase from the board

of education as of yet, but that it would not affect the city budget. The school tax would affect the total tax bill, along with the county tax, library tax and fire district tax. Council President Arter explained that the state has rejected the school board budget and that there are items in the school budget that need to be addressed before it is passed. Mayor Wetherill thanked the finance committee and Mr. Newsome for the hard work on the budget. Mrs. Richards discussed that the council has spent a lot of money already this year.

Ms. Thompson-Wheatley Avenue inquired if the amount for clean communities money in the budget was correct. Mrs. Sheipe will check with the treasurer on the amounts.

No one else in the public wishing to be heard on the budget, the public portion was closed.

Mr. Newsome made a motion to adopt the 2007 Municipal Budget, Mr. Crespo second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson.

NAYES: Mr. Germer, Mr. Arter and Council President Arter.

Resolution No. 2007-49, Resolution of the City of Beverly Authorizing Assignment of Tax Sale Certificate To Strategic Redevelopment Partners, LLC. The resolution was read by title. Mr. Arter explained that the resolution was referred to the properties committee on April 10, 2007. Mr. Arter explained there was some confusion on the resolution and the conditions at the last meeting. Mr. Arter discussed that he had talked to Mr. Bernardi about the restrictions that council would like to have placed on the property and that he was in agreement with them. Mr. Arter explained that he had emailed Mr. Asselta, Council President Arter and the property committee members with the restrictions for their opinions. The restrictions on the property will be that the property is a single family residence, shall not be subdivided, there shall be off-street parking created in the back yard and that the property shall be rehabilitated within 90 days after acquiring title. Mr. Bancroft made a motion to approve the resolution, Mr. Germer second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

NEW BUSINESS.

A. Resolution No. 2007-50, Resolution Of the City of Beverly To Cancel Taxes. The resolution was read by

Title. Mr. Germer made a motion to approve the resolution, Mr. Esaia second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

B. Resolution No. 2007-51, Resolution Of The City Of Beverly Authorizing Entry Into A Subordination

Agreement With Respect To 46 Church Street, Beverly NJ 08010. The resolution was read by title. Mr. Bancroft

Made a motion to approve the resolution, Mr. Esaia second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

C. Resolution No. 2007-52, Resolution Authorizing Bike Auction. The resolution was read by title. Mr. Crespo

Explained that there are a lot of bikes behind city hall that have been acquired by the police department from either abandonment or have been stolen and not reclaimed. The bike sale will start at 9am. Mr. Germer inquired how the city acquired the bikes? Mr. Crespo explained that they are bikes that have been left on the streets or turned into the police department. Mr. Arter made a motion to approve the resolution, Mr. Robertson second the motion. All members voted in favor.

D. Payment of Bills

Mr. Esaia explained line # 3 should be for the amount of \$50.00. Council President Arter inquired about line #49 and the money for the prom committee. Mayor Wetherill explained that it is part of the Municipal Alliance for drugs and that the city donates money out of the grant every year. Mr. Bancroft inquired about line # 16 and if the city was being reimbursed for the salting of the roads by our public works department. Mrs. Sheipe explained that the county has reimbursed the city for plowing and salting of the county roads. Mr. Germer inquired of Mr. Baxter about the Alco test and if it is deemed useable by the courts, will the city be able to seek reimbursement. Mr. Baxter discussed that the courts are looking at the Alco test and that the recommendation will probably be to modified the test and it will be allowed after court. Mr. Bancroft made a motion to pay the bills, Mr. Esaia second the motion. At the call of the roll, the bill was:

AYES. Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr.. Arter, Council President Arter.

NAYES: None.

Resolution No. 2007-, Resolution Appointing A Redevelopment Advisory Council Pursuant To N.J.S.A. 40A: 12A-42, Council President Arter discussed that this resolution was created after a conversation with Mr. Bernardi on having a separate committee for redevelopment and involving the public. Council President Arter explained that it is hard to accomplish redevelopment with the current economic committee due to confidential employee issues that the committee handles. Mr. Robertson discussed tonight was the first time that he was given the opportunity to look at the resolution. Mr. Robertson also discussed that there is already a committee to do redevelopment and that there are no perimeters for the committee. Mr. Robertson also discussed that to place additional people from the public on the committee to obtain public input is not needed, due to the fact that the council has held workshops and charrette to keep the public involved. Mr. Robertson also discussed that Council President Arter will be the one appointing the public and that he is not comfortable with the appearance of that. Mr. Robertson also discussed he needs a clarification on the voting section of the resolution. Council President Arter read section 8 of the resolution that stated that any and all recommendations provided by the Beverly City Redevelopment Advisory Council shall be in the form of advice only and shall not be binding on Beverly City Common Council. Mr. Robertson discussed that he had talked to Mr. Bernardi and that it seems like the issue of the committee is who talked to him last. There seems to be unlying issues about the committee and that it is hard to make a decision without knowing

all of the under facts about the reason for it. Mr. Robertson explained that on Friday when he talked to Mr. Bernardi that he did not care either way about the committee and had expressed to Mr. Robertson that he just want the council to get moving. Mr. Robertson discussed that Council President Arter needs to remove people from committees if they are not doing their job. Mr. Baxter explained that the city charter does not have a procedure for removing someone from a committee. Dr. Cook discussed that she applauds Mr. Robertson for speaking up and that there is too much under current in the resolution for the committee. Dr. Cook discussed that it seems that the last person to speak to Mr. Bernardi gets the answer and that it changes from discussion to discussion. Dr. Cook discussed that when she was Chairman of the Economic Development Committee there was many meetings with developers and investors and that she could not always discuss with the public some of the negotiations that were going on. Dr. Cook reminded everyone that Mr. Bernardi was introduced to the city by Mark Remsa of the Burlington County Economic Development, who works tirelessly for the city without pay due to his love of the city. Dr. Cook explained that it is important to know that Mr. Bernardi when introduced to the economic committee at that time, look like a lot of the other developers, but he was different, he knew what he wanted to accomplish and also that he could back up his plan. The Economic Committee needs to work well and be a team. Mr. Arter discussed that a lot of allegations and accusations have come up and that he was elected to be here. Mr. Arter discussed that council should not engage in the he said, she said. Mr. Arter read a section of the minutes from April 10, 2007 about 625 Cooper Street that stated that the economic development committee would meet and have the resolution for the meeting. Mr. Arter read from the April 10, 2007 minutes about the referral of the resolutions to the acquisition and disposition of property committee for the April 24, 2007 meeting. Mr. Arter discussed that the economic committee did not hold a meeting and that is why the resolution did not go through on April 10, 2007. Mr. Arter had talked with Mr. Bernardi and realized that the conditions that he wanted on the property were not the ones that had been discussed at the April 10th meeting. Mr. Arter discussed that he had emailed everyone on the property committee for their input on the restrictions. Mr. Arter explained that he felt that the ball was dropped by the economic development committee and that is why the resolution for a new committee is needed. Mr. Germer discussed that meetings will be held and the public will be able to attend with the redevelopment committee. Mr. Robertson explained that workshops and charrette are for the public and that the council has always kept the public informed. Mr. Robertson discussed that he feels that this resolution is to circumvent the economic committee. Mr. Crespo discussed that on April 10, 2007 council meeting the restrictions were listed on the resolutions after he had a discussion with Mr. Bernardi about the TOD Study and that everyone on the committee had been requested to email there concerns to him before the April 10th meeting. Mr. Crespo explained that he had talked to Mr. Bernardi about placing restrictions on the deed according to the resolution. Mr. Bernardi had talked about that he did not care what the restrictions on the property were. Mr. Crespo discussed that Mr. Arter arrived late at the meetings for economic development on the ones that he did attend. Mr. Arter requested a point of order. Mr. Crespo stated that he was not recognizing Mr. Arter point of order. Council President Arter discussed to let Mr. Crespo finish since he was not going to recognize the point of order. Mr. Crespo discussed how the economic committee has met several times. Mr. Arter explained that the committee has not met since the meeting with the county in February to discuss the RCA program. Mr. Crespo inquired as to how Mr. Thompson was hired if there was no economic meeting. Mr. Newsome stated that there were meetings to discuss the housing inspectors position and office with the economic committee. Mr. Arter explained that Mr. Crespo had attend a public affairs meeting last Tuesday and he had questioned him about the emails for the restrictions on 625 Cooper Street and was told by Mr. Crespo to go ahead with the

restrictions in the email. Council President Arter discussed that Mr. Bernardi had express to have a redevelopment committee and that council was attempting to be responsive to the developer. Mr. Bernardi discussed that what is happening among council members is a problem. Mr. Bernardi discussed that he had met with council members over the last few days and that everyone is going in different directions. Mr. Bernardi discussed that he met with Mr. Crespo, Mr. Robertson, Mr. Bancroft and Mr. Robertson on Monday and later on with Mr. Esaia too and was comfortable with letting the economic committee handle the redevelopment. Mr. Bernardi discussed that later in the day he met with Council President Arter, Mr. Newsome, Mr. Bancroft, Mr. Asselta, Mayor Wetherill, Mr. Crespo and Barbara Sheipe for the negotiations of the water company property. At the end of the meeting, they reviewed with Mr. Asselta about the redevelopment committee and ask for his legal opinion. Mr. Bernardi discussed that the real estate market is getting worse and that everyone fighting among theirselves is not helping to accomplish anything. Mr. Bernardi discussed that he had told the new members of council at a meeting that he was going to move the sewerage plant as part of the plan. Everyone needs to be on the same page. Mr. Bernardi explained that at the last minute after listening to Mr. Asselta, the city's redevelopment attorney, it would be difficult to appoint private residents to the economic committee, so the consensus was to form a redevelopment committee. Dr. Cook discussed that the bulk of city council gets along well. Mr. Bernardi discussed that he understands that everyone wants the same result to go forward. Council President Arter discussed that the resolution was created at Mr. Bernardi's request and that community involvement is important in the redevelopment process. The economic committee can not have public appointed to the committee. Mr. Bernardi discussed that it is nice to have residents involved so that they can also talk to residents and explain what is happening. Mr. Crespo explained that economic committee can hold open public meetings and have public input. Mr. Bernardi suggested appointing the economic committee and three residents to the redevelopment committee. Council President Arter explained that it is important to discuss things and that this resolution was to open dialogue on forming the committee. Council President Arter discussed that there is a clear under current but that city council members always attempt to put the city's interest first. Mr. Arter made a motion to hold the resolution for further discussion, Mr. Germer second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

SOLICITOR REPORT.

MAYOR'S REPORT.

Mayor Wetherill announced that the Farmer's Market will be held starting May 5, 2007 at 9am. Also that the school board needs three new members and that the board is working on a fiscally sound budget. Mayor Wetherill discussed that council is all part of one team and needs to work as a family unit. Mayor Wetherill discussed that she would like the city to consider adopting one of the schools that she saw on her recent trip.

COUNCIL REPORTS.

Alfred Desjardins-Emergency Management Coordinator explained to council that there is a required that all council members be trained in emergency management. The training for the members who did not attend previously will be held on May 30 at 7pm at the Ridgway School. The grant money that the city receives depends on the training be complete. Director Morton, Dan Schoen, public

works and Barbara Sheipe, Robert Bancroft and John Newsome have completed the training. Mr. Desjardins discussed that he needs a list as soon as possible about the problems caused by the flooding in the city to make sure that it is added to the list for FEMA funds.

Council President Arter held the rest of the reports until after the public session.

Mr. Crespo- public works committee reported that they would be cutting the cities properties this week.

Mr. Germer –law and ordinance committee discussed that they had worked on the fix fine ordinance.

Mrs. Thompson-Clean Communities reported that the school is recycling and that the clean communities program helped with the funding. The dumpster is located at the sewerage authority on Thursday, Friday and Sat. for city residents only.

Mr. Esaia-Police Committee reported that he would like to meet or call Mr. Baxter about some items form the police committee.

Mr. Piryliis-Birthday Celebration there will be a movie on May 5 at the Presbyterian Church on Warren with the old pictures of Beverly.

PUBLIC SESSION.

Mark Schwedes-Wheatley Avenue inquired about the certificate that was going to be present to an officer for their work to the city. Mr. Esaia explained that the officer had surgery and is unavailable, as soon as he returns to work; it will be placed on the agenda.

Mrs. Phillips-Edgewater Park discussed that she formally work for the city in the neighborhood preservation department and the RCA program. Mrs. Phillips discussed that she had met Mr. Crespo at a meeting about the train station and the Mr. Esaia's sister had worked for her previously, so she was well acquainted with the city. Mrs. Phillips discussed that city council was the redevelopment authority and that the City of Beverly was highly regarded by the state for having a redevelopment plan in 1999. Mrs. Phillips also discussed that when she worked for the city the idea of relocating the housing authority was discussed about scattered sites and that HUD was in favor of the idea at that time. Edgewater Park has a redevelopment committee with one council member serving on it. Mrs. Phillips discussed the city receives grants from the state due to the demographics and standards set. Mrs. Phillips requested that council place some mature trees in the park across from city hall and also at Farnum Park.

Mr. Wooters-Van Kirk Street inquired as to why the council members who voted no on the budget did so? Mr. Germer explained that 1.1 is about \$50,000 in taxes and that the city will receive a check from Mr. Bernardi for 625 Cooper Street to off set that. Also there are other properties in the city that will be built and the money for taxes on them will also off set the expenses. Mr. Newsome inquired as to why Mr. Germer did not address the issues of the budget increase during the public hearing and vote earlier in the meeting. Mr. Germer replied that he did not know that he could address the issue at that time. Mr. Arter explained that the school budget is anticipating an increase this year and that he feels that the city needs to hold the line on the local tax and use the money from Mr. Bernardi. Council President Arter explained that she voted no due to an increase expected in the school taxes. Mr.

Wooters inquired as to why council did not bring up the their points on the budget during the hearing. Council President Arter explained that there have been many discussions on the school budget and that she was elected to vote in the best interest of the city. Mr. Germer explained that if the school budget has no increase for this year there is still the 12.5 cents left from last years school budget. Mr. Wooters discussed that he is amazed at council with the fighting and that they cannot get the job done with the fighting. Mr. Wooters advised council to grow up and act in a business like manner or resign.

Mr. Thibault-Wheatley discussed that it seems that the former economic committee did their job and that the current economic committee is not doing the job. Mr. Bernardi requested the redevelopment committee and that the power play among council members is not for a small city. There are too many phone calls between everyone and council is the government and they need to work on the future of the city. The school budget is being worked and it is being held up right now by Dr. Gray. Redevelopment is critical to the future of the city. The discussions and problems with 625 Cooper Street were ridiculous and that council members need to work or resign and leave the room. The fighting makes the council look bad.

Mr. Entwistle- Broad Street discussed that he agrees with Mr. Thibault. Mr. Entwistle inquired if the city could not do something about the impact on Cherry Street from the Cosden site. Council President Arter replied that the federal government is working on the Cosden site and that the city is attempting to make a case to have them repair the damage from the trucks, but that it will be a difficult point to prove to them.

Resident-discussed that the council should send a letter anyway from the Mayor to the Federal Government. Mayor Wetherill explained that a letter would be sent to EPA and DEP.

Mr. Entwistle-Broad discussed that he was asked to run for office again, but refused because of what is going on now between council members and that he will help the city, but refuse to get involved in the inter fighting. Mr. Entwistle discussed that some members of council are power hungry. Mr. Entwistle addressed Council President Arter that he had talked about two months ago about the President needing to take control of the fighting. Council President Arter explained that she has had discussion many times, but she cannot control an individual person or their personality. Mr. Entwistle discussed that council members need to resign and that they got elected because the residents thought they were going to do a good job.

Mrs. Dreher-Delacove inquired if the female officer that was hire was still on the force. Council President Arter explained that she is on light duty. Mr. Esaia explained that her regular shift is the midnight shift. Mrs. Dreher inquired if the debris from the storm along the river was going to be removed? Mr. Crespo replied that the city is working with the county to clean up the river.

Mrs. Russell-Manor Road discussed that the dump trucks heading to the Cosden site are taking out pieces of the curb on Manor and that they should be held responsible. Mr. Crespo suggested that Mrs. Russell attempt to get the tag number of the trucks and call the police each and every time. Mr. Crespo explained that Mrs. Russell also has the right to sign a citizen's complaint against the truck driver.

Mrs. Cannon-Bentley Avenue inquired if there was an ordinance about brush and trees. Council President Arter explained that the ordinance in the beginning of the meeting dealt with trees and brush. Mrs. Cannon inquired if the fixed fines did not hinder someone from not paying. Mr. Baxter explained that there are two options, a person can pay the set fine at the court office or they can go to court and plead not guilty and present their case to the judge. Mrs. Cannon explained that she had met Mr. Thompson, the inspector today and that she understands that he has a difficult; she would like to know if the rest of the streets are being targeted by him also. Mr. Thompson explained that he was hired by council to do code enforcement and housing. He follows the BOCCA code that the city adopted. Mr. Thompson explained that first he attempts to talk to the owners of the property to correct the violation and gives them so many days to do so. He then does a reinspection of the property and if the violations have not been corrected he issues a summons to court. Mr. Thompson explained that he attempts to work with residents who have unique circumstance that prevents them from doing the corrections in a certain amount of time. Mr. Thompson explained that in doing the inspections he also travels around the city and if he notices other violations he writes them down. Mr. Thompson explained that once the computer program is in place, he will be able to give council reports by address and date as to what the inspection took place as well as when a summons was issued. Council President Arter inquired if the report would be public information. Mr. Thompson replied that it was up to city council. Mrs. Cannon discuss that she feels that people are calling in to the city and making complaints about neighbors. Mr. Thompson explained that the majority of his visits come from his observations. Mrs. Cannon inquired why the city couldn't afford to clean up the river from the storm. Mr. Bancroft explained that the county came and watch the city workers clean the area. The county did not help. Recycling came and did a little bit of clean up on the roadway. Mr. Crespo explained that the county did use the street sweeper on a small section of the roadway. Mrs. Cannon asked how she could obtain a copy of the housing report after it is produced. Mr. Baxter explained that under the open public records act, she can fill out a form with the city for the request. Mrs. Cannon inquired as to when the school board meets? Mr. Thibault replied that it meets the third Monday of every month.

Mrs. Richards-Broad St. inquired why the President of Council couldn't remove someone from a committee since they are appointed by the president. Council President Arter explained that there is nothing to say how to remove a member in the charter. Mr. Baxter explained that there is no mechanism to remove anyone. Mrs. Richards inquired as to why the public can not be appointed to a committee. Council President Arter explained that under economic development the department of construction and housing are listed. The economic development has to deal with personnel issues from the construction office, RCA and housing. Mrs. Richards discussed that the public could be appoint to the economic committee and the committee could have an executive when discussing personnel and the public would have to be excused. Mr. Robertson inquired if the answer is yes or no, that the committees can hold an executive session. Council President Arter explained that Mr. Asselta felt that public on the economic committee would muddle things up. Mr. Baxter discussed that under the open public meetings act, the public has a

right to attend council meetings, but the committees do not follow the open public meetings act, there is not a quorum of council members present. Council President Arter explained that Mr. Asselta had discussed why go in the direction of the economic committee and public appointments that would cause complications. Council President Arter explained that there was a discussion about a resolution or an ordinance to form the committee, but that a resolution allows the committee to end. Mrs. Richards inquired as to who would be on the committee. Council President Arter explained that the negotiating committee for the water company property had a meeting with Mr. Asselta and Mr. Bernardi to review the properties. Mrs. Richards inquired as to whom would be on the committee if the economic committee were taken out of the picture. Council President Arter explained that it would be three members of council and three members of the public. The president of council would be the ex officio. Mr. Newsome discussed that if the meeting is advertised as a public meeting any member of council can attend and it also allows the public to attend, so the economic committee could advertise their meetings. Council President Arter explained that there is not a lot of written documentation about the rules of committees. There needs to be agendas and minutes taken to help communicate with the other council members. Mrs. Richards discussed that everyone worked to be elected and that power plays do not work in the city. Also that being a council member of a city or town does not mean anything when you leave the city.

Mr. Pirylyis-Cooper discussed that he attends council meetings regularly and that more things have gotten passed in the last few months than before. Economic means commerce and Main Street. Mr. Pirylyis discussed that those on economic need to clean up the corners and the downtown. The council needs to work bi-partisian for the city. Mr. Pirylyis explained that he had talked to six different council members on Friday about the need for the committee and does not understand how it got to be changed tonight. Mr. Pirylyis discussed that someone was lying. Mr. Crespo inquired if he wanted to address the issue of someone lying? Mr. Robertson discussed that tonight was a chance for everyone to unload their thoughts and clear the air. It should be a new start with council working together. Mr. Robertson explained that sometimes the council needs to clear the air in the public because it is a violation for them to meet concerning the open public meetings act. Everyone needs to work together, because otherwise the citizens are the ones who will lose out.

Mr. Wolbert-Detwiler explained 1.1 on is \$9,130 on the tax rate. Mr. Wolbert discussed about the time for placing trash out to the curb at city hall. Mr. Wolbert explained that Mr. Schoen comes in early on Wednesday morning to place the trash. Council President Arter explained that she has the trash at her business put out before 5pm. Mr. Arter explained that the ordinance needs to be changed, there are several senior citizens in the city, who do not wish to put their trash out in the winter months after dark. Mr. Wolbert discussed that council needs to focus on the good and move on.

No one else from the public wishing to be heard, the public portion was closed.

ADJOURNMENT. Mr. Newsome made a motion to adjourn, Mr. Esaia second the motion. All members voted in favor.

Submitted by,

**Barbara A. Sheipe RMC
Municipal Clerk**