

MINUTES
BEVERLY CITY COMMON COUNCIL
Meeting of April 24, 2012
7PM
Held at the Beverly Housing Authority Building

CALL TO ORDER

The meeting was called to order at 7pm by Council President Pro Tem Hal Robertson.

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

Mr. Robertson 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 the Minutes will be on file in the office of the City Clerk.**

FLAG SALUTE

Mr. Robertson led those present in the Flag Salute.

ROLL CALL – In the absence of Municipal Clerk Donna Snyder, Solicitor Albert K. Marmero conducted the roll call at the start of the meeting and for all necessary votes.

Present:

Mayor: Randy H. Miller
Council President Pro Tem: Hal Robertson
Council Members: Barbara Kelly, Brian Perkins, Robert Thibault
Solicitor: Albert K. Marmero
Engineer: William H. Kirchner
Administrator: Ken Gerber, CPM

Absent:

Council President: Luis Crespo
Municipal Clerk: Donna Snyder, RMC/CMR/CPM

BILLS LIST

Mr. Thibault asked for explanation as to a bill for \$1,987.50 for Long, Marmero, & Associates entitled “Employment Issues” and a bill for \$15,940.73 for Allan E. Richardson, Esq. entitled “Employment Liability Issue.” Mr. Marmero explained what cases and items these referred to.

The 4/19/12 Bills List was approved with a motion by Mr. Thibault and a second by Ms. Kelly. Roll Call – All Ayes, Motion Carried.

RESOLUTIONS

RESOLUTION 2012-200 - A Resolution of the Common Council of the City of Beverly Appointing Virginia Freck as Part-Time Clerical Employee on an As-Needed Basis. Motion by Mr. Thibault and a second by Ms. Kelly. Mr. Gerber explained why Ms. Frick was needed and what her role would be. Several council members had questions about her future role and budgetary constraints. Roll Call – All Ayes, Motion Carried.

RESOLUTION 2012-201 – A Resolution Authorizing Ascertainment Phase in Connection With Renewal of the City’s Franchise Agreement with Comcast. Motion by Mr. Thibault and a second by Ms. Kelly. Mr. Marmero explained this resolution was necessary to allow the City to incorporate the feedback from residents and prepare a report which will be shared with Comcast. This resolution will also allow the City to alter the franchise agreement with Comcast if necessary. Roll Call – All Ayes, Motion Carried.

RESOLUTION 2012-202 – A Resolution Appointing Luis Crespo and Randy Miller to the River Route Advisory Committee. Motion by Mr. Perkins and a second by Ms. Kelly. There was some discussion about the purpose and responsibilities of the River Route Advisory Committee. Roll Call – All Ayes, Motion Carried.

RESOLUTION 2012-203 – A Resolution of the Common Council of the City of Beverly to Support the Development of the “West Avenue Trails at the Dunes” and to Oppose the Dumping of Dredge Spoils at this Site. Motion by Ms. Kelly and a second by Mr. Perkins. Several members had questions about Beverly’s plans for its portion of the Dunes and about the status of redevelopment. There was also discussion about the binding effect of this resolution. Roll Call – All Ayes, except for Mr. Thibault who voted Nay. Motion Carried 3-1.

REPORTS

City Engineer Bill Kirchner gave his report and discussed two items. The first item Mr. Kirchner discussed was his proposal for the “Northwest Roads Improvement project.” This proposal has a total fee of \$32,000.00. Mr. Kirchner indicated that the full amount would be paid for through grants and that he would need a resolution from Council to accept this proposal.

The second item Mr. Kirchner discussed was an upcoming deadline to apply for a grant from Burlington County to improvement of parks. Mr. Kirchner presented several different proposals and there was much discussion among Council as to how these potential grant monies could be best used and for what park. After extensive discussion about which park to seek this grant for, the final consensus seemed to be that

Mr. Kirchner should submit a grant application for Talbot Hall Park with desired improvements being basketball courts.

After Mr. Kirchner's report to Council, Council took the following action:

RESOLUTION 2012-204- A Resolution of the Common Council of the City of Beverly Authorizing the City Engineer to Submit an Application for a Burlington County Freeholder Grant For Improvements to Talbot Hall Park Which Shall Include Basketball Courts, With a Project Cost Not to Exceed \$250,000. Motion by Mr. Thibault and second by Mr. Perkins. Roll Call – All Ayes.

RESOLUTION 2012-205 – A Resolution of the Common Council of the City of Beverly Accepting the Proposal Form Environmental Resolutions, Inc. for the Northwest Roads Improvement Project. Motion by Mr. Perkins and a second by Ms. Kelly. Roll Call – All Ayes.

NEW BUSINESS

OLD BUSINESS

CORRESPONDENCE

COMMENTS/REPORTS

MAYOR – Mayor Miller stated that the City would be holding a Clean-Up Day on May 5th, 2012. Mayor Miller stated there would be a blood drive at St. Stevens on May 7th, and Mayor Milled stated the Memorial Day Parade with Edgewater Park would be on May 28th.

ADMINISTRATOR – Mr. Gerber brought up the following items

1) He stated the census of unlicensed dogs is almost due and that he would like to appoint the Police Department as a whole to be responsible for the census. The City Solicitor stated this would be legally sufficient.

2) He stated there was an audit conference and that the audit looked good, but there are some minor changes that will be coming into effect based on the audit results.

3) He stated that state representatives would be reviewing the close-out procedures for the City's Small City Grants on April 25, 2012.

4) He stated that Delanco Township has invited Beverly officials and residents to the grand opening of their park at the Dunes on May 5, 2012.

SOLICITOR – Mr. Marmero commended Administrator Gerber for the great job he has done over the past few weeks despite being short-handed and despite having many difficult issues to deal with.

ENGINEER – N/A at this time.

COUNCIL MEMBERS

Ms. Kelly – Ms. Kelly reminded all that the Memorial Day parade is on May 28th, 2012 and the Dunks Ferry celebration is on May 27th, 2012. She also stated she was seeking volunteers to help with the parade and advertisers to advertise in the program.

CLERK – N/A due absent.

PUBLIC COMMENT

Ryan Atkinson discussed the County Park Grant that was acted upon in Resolution 2012-204. He sought clarification as to what was being applied for and questioned the feasibility of applying for a basketball court as opposed to other potential improvements.

Pat Piryliis questioned Administrator Gerber as to when the website would finally be completed and stated he was unhappy with getting the same answer at each meeting. Mr. Gerber stated he needs to send additional information to the company creating the website and then they can complete the process.

Mary Ellen Knudsen asked when the 2012 budget would be completed and Mr. Gerber stated it would likely be presented at the next Council meeting.

Ryan Atkinson again discussed the County Park Grant that was acted upon in Resolution 2012-204 and he stated his disappointment that such a quick and last-minute decision had to be made with a deadline looming. He was also disappointed no public input was sought. Councilman Thibault stated this was the first Council had even discussed this item.

EXECUTIVE SESSION – Council at this time went into Executive Session with a Motion by Mr. Thibault and a second by Mr. Perkins.

RESOLUTION 2012-206 – 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 Litigation matters.

ACTION AFTER EXECUTIVE SESSION – YES:

RESOLUTUION 2012-207 - A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF BEVERLY AUTHORIZING THE EXECUTION OF A “SETTLEMENT AGREEMENT AND GENERAL RELEASE” BETWEEN THE CITY OF BEVERLY AND DAWN MARIE HUMAN. Motion by Mr. Perkins and a second by Ms. Kelly. Roll Call – All Ayes.

ADJOURNMENT

There being no further business, Motion to Adjourn at 8:50pm was made by Mr. Perkins and a second by Ms. Kelly. All in Favor – All Ayes.

Respectfully submitted,

Albert K. Marmero, Solicitor

Date

APPROVED:

Randy H. Miller, Mayor

Date