

MINUTES

CITY OF BEVERLY

August 11, 2009

CALL TO ORDER

CALL TO ORDER.

Verification of Notice- OPEN PUBLIC MEETINGS ACT. (N.J.S.A. 10:4-6) 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 January 7, 2009 advance written notice of this meeting was posted on the public bulletin board in the City Hall; was mailed to the 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 this meeting are being electronically recorded and the tape will be on file in the office of the City Clerk.

FLAG SALUTE.

ROLL CALL:

PRESENT: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo, Mayor Cook, Barbara Sheipe, Administrator/Clerk and Skip Reale, Solicitor

ABSENT: Mr. Arter.

MINUTES. Mr. Desjardins requested that the minutes be corrected to show that he was absent from the meeting of July 14, 2009. Mr. Robertson made a motion to approve the minutes, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

ABSTAIN: Mr. Desjardins.

COORESPONDENCE.

OLD BUSINESS.

ORDINANCE ON FIRST READING.

A. Ordinance No. 2009- 10, An Ordinance of the City of Beverly Stormwater Management Requirements For Private Storm Drain Inlet Retrofitting. The ordinance was read by title. Mr. Newsome inquired about the enforcement of the ordinance. Mr. Reale explained that it should read the code enforcement officer and that the penalty should be the maximum of \$2,000. Mr. Newsome inquired as to what drains the ordinance would pertain to. Council President Crespo explained that it would pertain to large business similar to Beverly

Commons or the Housing Authority. Mr. Williams made a motion to adopt the ordinance on first reading, Mr. Bass second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo.

NAYES: None. The ordinance was adopted on first reading and will be heard on second and final reading at the council meeting of September 8, 2009.

B. Ordinance No. 2009-11, An Ordinance of the City of Beverly Stormwater Management Requirements For Refuse Containers/Dumpsters. The ordinance was read by title. Mrs. Sheipe requested that in section II (b) the words trash cans, garbage pails and plastic trash bags be removed. Mr. Reale explained that it would be enforced as the previous ordinance by the code enforcement officer and have a penalty not to exceed \$2,000. Mr. Robertson made a motion to adopt the ordinance on first reading, Mr. Bass second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo.

NAYES: None. The ordinance was adopted on first reading and will be heard on second and final reading at the council meeting of September 8, 2009.

NEW BUSINESS. Item A through F will be enacted as a single motion needing no discussion. Any item requiring discussion will be removed from the Consent Agenda. All Consent Agenda items will be reflected in full in the official minutes.

Mr. Reale requested that Resolution 2009-81 be added to the consent agenda authorizing the issuance of a check to Strategic Environmental Partners for the sale of 306 Warren Street in the amount of \$50,000.

a. Resolution No. 2009-75, Resolution of the City of Beverly Supporting The 2010 Census. The resolution was read by title

b. Resolution No. 2009-76, Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 615 Melbourne Avenue, Beverly NJ. The resolution was read by title.

c. Resolution No. 2009-77, Resolution Authorizing Submission For 2010 Municipal Alliance Grant. The resolution was read by title

d. Resolution No. 2009-78, Resolution Authorizing A Change Order For Cherry Street Improvement Project. The resolution was read by title.

e. Resolution No. 2009-79, Resolution Extending The Date For Tax Bills. The resolution was read by title.

f. Resolution No. 2009-80, Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 615 Walton Avenue, Beverly NJ. The resolution was read by title.

g. Resolution No. 2009-81, Resolution Authorizing The Issuance of a Check To Strategic Environmental Partners. The resolution was read by title. Mr. Newsome made a motion to approve Items A through G on the consent agenda, Mr. Bass second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo.

NAYES: None.

h. Payment of Bills. Mr. Hitchner inquired about the State Health Benefit Bill for inactive employees. Mrs. Sheipe explained that the City pays the health benefits for

a retired employee. Mr. Hitchner also inquired about line #35 for M & R Wildlife in the amount of \$400. Mrs. Sheipe explained that this was the monthly contracted bill. Mr. Newsome made a motion to approve the bill list, Mr. Hitchner second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo.

NAYES: None. Council President Crespo inquired about the bill for the Board of Education? Mr. Newsome explained that it is marked to pay half of the bill for July now and the other half in two weeks.

OTHER NEW BUSINESS: Mrs. Sheipe read into the minutes her letter of resignation from her employment as city clerk and administrator in the City of Beverly. The letter is attached and made a part of the minutes. Mr. Robertson made a motion to accept the letter of resignation, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo.

NAYES: None.

Mr. Robertson read a letter into the minutes requesting that the Administrator order trash cans lids for the trash cans at Riverfront Park. The letter is attached and made a part of the minutes.

Mr. Robertson read a letter into the minutes requesting that the Administrator be given the authority to have the leak in the municipal building roof/leak as soon as possible. The letter is attached and made a part of the minutes. City Council took no action on the request.

SOLICITORS REPORT. Mr. Reale discussed that Civil Service had sent out an update on new regulations for temporary layoffs and furloughs.

MAYOR'S REMARKS. Mayor Cook discussed that the Census Bureau is still in need of Census takers.

COUNCIL'S REPORT.

Council President Crespo discussed that the Police Committee has interviewed three candidates for the position and is looking to interview two more. The court office has been relocated to the court room until repairs can be completed due to the leak in the court office.

PUBLIC SESSION AND PUBLIC SAFETY.

Mr. Thibault-Wheatley Avenue inquired when City council was going to discuss the Bond Ordinance for the school. Mr. Reale explained that the resolution certify the amount needs to be sent to the council from the school before the City Council can take any action. City council would than decide on the Bond ordinance. Mr. Thibault discussed that he was under the impression that if it was ½ % of the average 4 year of the value than City Council had to introduce the Bond ordinance. Mr. Reale explained that the matter will be placed on the agenda after the City Council receives the resolution certify the amount.

Ms. Thompson-Wheatley Avenue inquired as to what the City Council will do when Mrs. Sheipe leaves. Council President Crespo explained that council will advertise for the position. Mr. Newsome explained that council just learned about the resignation and will have to discuss the matter. Council President Crespo explained that it is a personnel matter. Ms. Thompson inquired about sick days from Mrs. Sheipe. Mrs. Sheipe explained that she will lose her sick time by leaving. Mr. Thibault-Wheatley Avenue thanked Mrs. Sheipe for working to the move the town along and that a lot of good people are leaving city hall.

Mr. Schwedes-Wheatley Avenue thanked Mrs. Sheipe for her professionalism. Mr. Schwedes inquired about the status of the investigation of church event. Mr. Reale explained that the prosecutor's office is investigators the matter.

Mrs. Scott-Locust Street inquired if the city had received a letter from Senator Allen. Mrs. Sheipe explained that she had received the letter and had given the letter to the Officer doing the investigation as well as to Mr. Reale since there was an investigation being conducted.

Mr. Germer-Pine Street inquired about his end of Pine Street and why it was not next on the list as promise to be paved. Council President Crespo explained that Railroad Avenue is being done by PSE & G and is not a city project. Mr. Germer discussed that an additional block of Pine Street was done by the school and that he was told that his side of Pine Street was going to be completed next. Council President Crespo explained that the original grant was from Cooper Street to Bentley Avenue and that the City has not completed any new roadwork. Mr. Germer expressed his displeasure at the School Board of Estimates for not approving the school project.

No one else from the public wishing to be heard the public portion was closed at 7:28pm

EXECUTIVE SESSION. Resolution No. 2009-82, Resolution Setting The Time, Date and Place of An Executive Session From Which The Public Shall Be Excluded For The Discussion of Contracts (personnel). The resolution was read by title. Mr. Bass made a motion to approve the resolution, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo.

NAYES: None. City Council went into closed session at 7:29pm.

GENERAL SESSION. City council returned to general session at 9:29pm. At the call of the roll, the vote was:

PRESENT: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo.

ABSENT: None.

Mr. Bass made a motion to authorize the Mayor and Clerk/Administrator to execute all necessary documents relating to legal matters discussed in executive session pertaining to personnel issues, Mr. Robertson second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo.

NAYES: NONE.

Mr. Williams made a motion to authorize the Clerk to advertise in the local newspaper and the NJ League of Municipalities website for the position of City Clerk, Mr. Bass second the motion. Mr. Reale inquired about administrator position. Council President Crespo discussed that until a decision is made the committees could make the administrative decisions. Mr. Reale discussed that there are decisions to make about payroll and personnel that committees cannot make. Council held several individual discussions on the matter. Mr. Desjardins made a motion to adjourn, Mr.

Williams second the motion. Council President Crespo requested an all in favor voted and only two council members voted yes and one council member voted no. Mr. Desjardins excused himself.

Mr. Newsome made a motion to hold a special meeting on August 18, 2009 at 7pm to discuss the city clerk's position and the administration of the city, Mr. Williams second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

Mr. Bass made a motion to adjourn at 9:50pm, Mr. Perkins second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

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