

**MINUTES
CITY OF BEVERLY**

August 18, 2009

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 BURLINGRON 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: President Crespo, President Pro-Tem Newsome, Mr. Bass, Mr. Williams, Mr. Arter, Mr. Robertson, Mr. Perkins, Me. Desjardins, Mr. Hitchner and Mayor Gail Cook. Also present were City Clerk Barbara Sheipe and Solicitor Samuel Reale.

CORRESPONDANCE:

President Crespo asked if there was any correspondence. Mr. Arter stated that he had a letter he wrote to City Clerk Barbara Sheipe, in which he states that Ms. Sheipe has done a fine job as Clerk and Administrator while she was employed in Beverly City, and that much positive progress has been made. Mayor Cook stated that she received a letter from the State in which she was informed that Beverly City will receive \$228, 000.00 for the Cooper Street Gateway Project.

WORK SESSION:

The members of Council will discuss the position of Clerk/Administrator. Mayor Cook informed Council that she has contacted the New Jersey League of Municipalities, and spoke to the administrator in Delanco about the prospect of RMC Janice Lahr assisting the City of Beverly under shared services. Mayor Cook asked if there should be a consensus of Council regarding this matter. Mr. Robertson asked what is the timeline and the Mayor stated that needs to be discussed. Mr. Robertson asked if the agreement would be for the clerk and administrator positions combined and the Mayor said it would have to be decided by Council. Mr. Newsome asked if the City would compensate Delanco or the individual. President Crespo stated that the assumption is to pay Delanco directly. Mayor Cook stated that the Delanco Administrator and Clerk need to come to Beverly City Hall tomorrow to assess what exactly Beverly would need and how much time the Beverly employees could provide to them. The Mayor stated that a committee is needed to review the applications for clerk and to perform the interviews. Mr. Arter, Mr. Williams and Mr. Bass, along with the Mayor will comprise the committee. Mr. Newsome asked, since the City did not advertise for an administrator, only the Clerk position, which duties are Clerk duties and which are that of an administrator. Clerk Sheipe informed Council that minutes, agenda, licensing, registrations and all records management are Clerk responsibilities. Employees, payroll, budgeting, grievance, contracts, oversight of all departments, labor relations and hearings are administrative. The Clerk duties are set by New Jersey State Statute. Mr. Arter asked if it is a statutory requirement that a Clerk has a RMC and the Solicitor said that it is. Mr. Robertson asked if you can assign administrative duties to a Clerk and the Solicitor stated that it would depend if the Clerk was willing and if the Clerk was paid appropriately. Solicitor Reale stated that administrators do not need certification at this time.

The Solicitor advised Council that they can refer to Statute N.J.S.A. 40a:9-133, specifically 9-133e for the Clerks' duties, and 9-136 and 9-137 for the Administrators' duties. Solicitor Reale stated that the City has Ordinance 2003-08, creating the position of Administrator, and if no administrator is hired, then the ordinance should be amended. Mr. Robertson remarked that the ordinance would have to be changed, and the Solicitor stated that the Council amended the City Charter to delegate duties to an Administrator and, if no Administrator, then the Ordinance should be amended. Mr. Williams made a motion to form a committee to review applications and interview applicants for the Clerk position. The committee will consist of Mr. Arter, Mr. Bass, President Crespo, Mr. Williams and Mayor Cook. The motion was seconded by Mr. Arter. All members present were in favor.

PUBLIC SESSION:

President Crespo stated the time is 7:45 and opened the meeting to the public for any discussion or questions. Robert Thibault asked who makes the decisions for the Police Department now there is no Public Safety Director. President Crespo stated that the Police Committee makes decisions and that the two Police sergeants run the department. Mr. Thibault then asked who acts in place of the Administrator and President Crespo stated that the Council committees can make administrative decisions. Mr. Robertson stated that there may be more information tomorrow. Mr. Thibault asked if there were settlements made on lawsuits against the City. President Crespo stated that there is nothing in front of Council on that matter. Solicitor Reale advised Council not to respond to questions about ongoing litigation, as it is not appropriate to comment.

President Crespo stated that the proposal for roofing repairs does not include widening of inlets, and has four inch PVC, rather than six inch PVC. The Solicitor stated that the quotes due would be referred to the Public Works committee and the Construction Official.

President Crespo stated that there was no Executive Session. Mr. Robertson made a motion to adjourn. Mr. Williams seconded the motion. All members present were in favor of adjournment.

Respectfully Submitted,

Trudi E. Desjardins