

MINUTES

BEVERLY CITY COMMON COUNCIL

DECEMBER 11, 2012

7PM

CALL TO ORDER

The meeting was Called to Order at 7:05PM by Council President Crespo.

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. **Additional Notice of change in meeting location back to City Hall was so Noticed to THE BURLINGTON COUNTY TIMES on June 22, 2012; published in the same paper on June 24, 2012; and so posted. The proceedings of all meetings are electronically 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

Municipal Clerk: Donna Snyder, RMC/CMR/CPM

Absent:

Engineer: William H. Kirchner (Attendance not required at this meeting.)

Administrator: Ken Gerber, CPM (On Vacation)

MINUTES

Regular Council Meeting - June 26, 2012.

Regular Council Meeting - November 27, 2012.

(Note: There were no Executive Sessions for either of the above Meetings.)

The June 26, 2012 and the November 27, 2012 Minutes were Approved as submitted with a Motion by Thibault; Second by Kelly. Roll Call Vote - All Ayes, except Crespo-Abstain from 11/27/12. Motion Carried.

ORDINANCES**ORDINANCE 2012-11: INTRODUCTION/FIRST READING**

An Ordinance amending Section 2-1.6(d) of the Beverly City Code to establish a two minute limit on Public Comment at meetings of the Common Council. Said Ordinance will come before Council for Second Reading/Public Comment and Adoption at their December 27, 2012 meeting, at 7PM at Beverly City Hall, at which time all those wishing to be heard on same will be so heard. Copies of said Ordinance are available to view at the Municipal Clerk's Office, 446 Broad Street, Beverly, NJ 08010 during regular business hours, M-F 9A-5P.

Motion to Approve on First Reading/Introduction by Robertson; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTIONS**RESOLUTION 2012-266**

A Resolution authorizing the Beverly City CFO to make Budget transfers within the 2012 General Fund, covering balances overspent in certain line items as shown. Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-267

A Resolution authorizing payback for 40 hours of prior accumulated Vacation Time to Officer Shawn Mickle, in the total amount of \$1,308.80 (\$32.72/hr. x 40hrs.), as provided for in the Beverly City Employee Handbook and the current Beverly City Police Contract. This payment is made with Certification of Funds by the Beverly City CFO.

Motion to Approve with corrected amount as \$1,312.88 (\$32.82/hr. x 40 hours) by Robertson; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

BILLS LIST

The December 10, 2012 Bills List was Approved as submitted with a Motion by Thibault; Second by Perkins. Roll Call Vote - All Ayes, except Kelly-Abstain #1025, 12/10/12. Motion Carried.

TAX COLLECTOR'S REPORT - November, 2012

The Tax Collector's November, 2012 Report was accepted as submitted with a Motion by Thibault; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

NEW BUSINESS

Proposals/Qualifications for Professionals for the 2013 Calendar Year:

RFP's received by the required due date: November 30, 2012 at Noon to the Clerk's Office, were distributed to current Council Members as well as to the 2013 newly elected Members, Messrs. Bancroft, Lowden, and Carlbon for their review.

Auditor: Inverso & Stewart

Engineer - City: Environmental Resolutions, LLC

Engineer-Planning Board of Adjustment: Environmental Resolutions, LLC

Prosecutor: Dean J. Buono
R. Louis Gallagher, II

Public Defender: Neal E. Rosenberg

Risk Management Consultant: Alamo
Barclay Group
Haines & Haines
Hardenbergh

Solicitor - City: Kearns, Reale & Kearns
Long Marmero & Associates, LLP
Parker McCay
Raymond, Coleman, Heinold & Norman, LLP

Solicitor - Planning Board of Adjustment: Siciliano & Associates

Solicitor - Redevelopment: Brown & Connery
Maley & Associates
Parker McCay

TAKE NOTE:

Although appointment of a **Municipal Court Judge** does not fall under the "Request For Proposals/Qualifications" process, our current Beverly City **Municipal Court Judge Richard E. Andronici** has chosen to submit his 2013-2016 Reappointment application paperwork for the information of Council.

CFO MEMO - For Council input/approval: Re waiving interest on delinquent taxes if paid by 12/31/12. This would be done by Resolution.

RESOLUTION 2012-268

A Resolution of the Common Council of the City of Beverly waiving Interest on delinquent taxes if paid by December 31, 2012.

Upon discussion, Motion to Approve by Kelly; Second by Perkins. Roll Call Vote - All Ayes, except Thibault-Nay. Motion Carried.

CFO MEMO - For Council input/approval: Lease of a new copier. This would be done by Resolution. Upon discussion, Council requested the Toshiba Representative to be present at Council's December 27, 2012 meeting to review the benefits of the test Copier being utilized on a trial basis by the Clerk's Office for the last 4 weeks. All in Favor. Aye.

BURLCOJIF - November 14, 2012 Safety Inspection Report

The Clerk reviewed the Report, and Mr. Thibault commented that, per the Report, improvement should be seen with the SJO's for the Police Department. The Clerk advised that she would relay the information to the Director of Public Safety.

BURLCOJIF - 2012 Dividend Announcement: The JIF has authorized the release of a \$450,000. dividend to help combat increasing costs. Beverly City's share of this total is \$18,588. We need to advise them of the City's preference for receipt of said dividend. See options in your packets.

Upon discussion it was agreed that Beverly's 2012 dividend would stay with the JIF to pay down our principal.

RESOLUTION 2012-269

A Resolution of the Common Council of the City of Beverly authorizing Beverly City's total 2012 Dividend share of \$18,588.00 to be utilized as a credit against the City's 2013 Assessment. Motion to Approve by Thibault; Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

MEL JOINT INSURANCE FUND - An update on the Elected Official's Seminars, and a copy of "Walk the Walk" DVD re Pedestrian Safety was distributed to each Council Member for their review.

NJDEP - The 2012 Green Communities Grant Notice information was distributed for Council review.

OLD BUSINESS

None at this time.

CORRESPONDENCE

The Correspondence was read by Mayor Miller and will be processed/filed accordingly in the office of the Municipal Clerk.

COMMENTS/REPORTS

ADMINISTRATOR - On Vacation through 12/14/12

SOLICITOR - Comments will be held for Executive Session.

ENGINEER - Attendance not required at this meeting.

COUNCIL MEMBERS

Mr. Thibault asked for an update on Leaf Collection by Public Works. Mr. Crespo advised that every street has been collected at least once, and that Public Works is currently making a second pass through.

CLERK

Ms. Snyder advised that the Recodification process with General Code will begin in January 2013, taking approximately 18 months to completion. She also advised that the Beverly City Tax Assessor has advertised that the 2013 Proof Book (Assessments for 2013) will be open for inspection December 27, 2012 in his office at Beverly City Hall between the hours of 6-8PM. Lastly, she stated that her office had received notice that Scibal Associates, Inc. had changed their name effective December 1, 2012 to "Qual-Lynx", and to be aware of same relative to any paperwork stating same.

PUBLIC COMMENT

*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 you name and address for the record.***

Public Comment was had by Mr. Piryllis, Ms. Thompson, Ms. McCormick, and Ms. Carlbon. Topics included Ordinance 2012-11 relative to the two-minute comment period; the Court Room speaker system not being loud enough for

individuals seated in the rear of the room; a Police incident that the Solicitor will investigate; the Comcast Franchise Renewal timeline.

There being no further discussion, Public Comment was closed at 8:02PM.

EXECUTIVE SESSION

Resolution 2012-270:

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.

RICE NOTICES: Police Department

- Detective Dean Allen
- Sergeant Jim Boettger
- Officer Theresa Matthews
- Officer Michael Megara
- Officer Robert Raditz
- Officer Justin Zeuner

ACTION AFTER EXECUTIVE SESSION: YES__X__ (See below) NO_____

RESOLUTION 2012-271

A Resolution relative to finalizing the payment schedule in the Daniel Schoen litigation, to be Memorialized at Council's 12/27/12 Meeting. Motion to Approve by Kelly; Second by Perkins. Roll Call Vote - All Ayes, except Robertson-Abstain. Motion Carried.

RESOLUTION 2012-272

A Resolution relative to appointing Part-time Officer Robert Raditz as a Full-time Provisional Officer effective immediately at Step 2, \$45,000.00 per year, with Benefits after thirty (30)days, according to the current FOP Contract. Permanent Appointment is pending successful completion of the required Civil Service testing. Said Resolution to be Memorialized at Council's 12/27/12 meeting.

ADJOURNMENT

There being no further business, Motion to Adjourn at 9:05PM was made by Thibault; Second by Robertson. All in Favor. Motion Carried.

Respectfully submitted,

Donna F. Snyder, RMC/CMR/CPM _____
Date

APPROVED:

Randy H. Miller, Mayor _____
Date

Governor's Best Practices Toolbox-2012:

"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.