

MINUTES

BEVERLY CITY COMMON COUNCIL Meeting of December 27, 2011

7PM

CALL TO ORDER

Council President Crespo called the meeting to order at 7:05PM.

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 January 4, 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. Crespo led those present in the Flag Salute.

ROLL CALL

Present:

Council President: Luis Crespo.

Council Members: Scott Williams, Brian Perkins, Hal Robertson, Barbara Kelly, Mayor Gail G. Cook.

Solicitor: Albert K. Marmero

Engineer: Bill Kirchner

Administrator: Ken Gerber, CPM

Municipal Clerk: Donna Snyder, RMC/CPM

Absent:

Council Members: Martin Bass, Al Desjardins.

MINUTES

The July 12, 2011, July 26, 2011, and September 13, 2011 were reviewed by Council with a Motion to Approve by Robertson; Second by Kelly. Roll Call Vote - All Ayes, except Perkins-Absent for September 13, 2011 Meeting. Motion Carried.

RESOLUTIONS

RESOLUTION 2011-272

A Resolution of the Common Council of the City of Beverly authorizing Transfer of Budget Appropriations as indicated. Motion to Approve by Robertson pending review by the Finance Committee regarding Public Works Salary & Wage; Second by Williams. Roll Call Vote - All Ayes, except Bass and Desjardins-Absent. Motion Carried.

RESOLUTION 2011-273

A Resolution of the Common Council of the City of Beverly approving Pay Estimate #3 and Voucher for Pay Estimate #3 to Landberg Construction in the amount of \$8,134.00 for the Pine Street Improvement Project - Phase II, as reviewed and authorized by Beverly City Engineers, Environmental Resolutions, Inc. Motion to Approve by Williams; Second by Perkins. Roll Call Vote - All Ayes, except Bass and Desjardins-Absent. Motion Carried.

RESOLUTION 2011-274

A Resolution of the Common Council of the City of Beverly approving application for payment to J.H. Williams Enterprises, Inc. in the amount of \$88,053.00 as reviewed and authorized by Beverly City Engineers, Environmental Resolutions, Inc., for work completed on the ADA Improvements/Addition to Beverly City Municipal Building Project. Motion to Approve by Perkins; Second by Kelly. Roll Call vote - All Ayes, except Bass and Desjardins-Absent. Motion Carried.

RESOLUTION 2011-275

A Resolution of the Common Council of the City of Beverly authorizing Payment totaling \$5,873.28 as accurately calculated by the Treasurer, for earned Vacation and Compensatory time to Beverly City Court Clerk Lorraine Lingle, whose last day worked with the City will be December 30, 2011. Payment will be made on January 3, the first Pay Period of 2012. Motion to Approve by Kelly; Second by Williams. Roll Call Vote - All Ayes, except Bass and Desjardins-Absent. Motion Carried.

RESOLUTION 2011-276

A Resolution of the Common Council of the City of Beverly authorizing Payment totaling \$4,879.36 as accurately calculated by the Treasurer's Office, for earned Vacation hours to Beverly City Police Officer Steven Meyers, whose last day worked with the City was on October 21, 2011. Payment will be made on January 3, the first Pay Period of 2012. Motion to Approve by Robertson; Second by Kelly. Roll Call Vote - All Ayes, except Bass and Desjardins-Absent.

RESOLUTION 2011-277

A Resolution of the Common Council of the City of Beverly approving buy-back of 40 hours of earned 2011 Vacation time to Beverly City Public Works Supervisor Daniel Schoen in the amount of \$760.40 as calculated by the Treasurer's Office. Motion to Approve by Williams; Second by Perkins. Roll Call Vote - All Ayes, except Bass and Desjardins-Absent. Motion Carried.

BILLS LIST

The 12/27/11 Bills List was reviewed with Motion to Approve by Robertson; Second by Perkins. Roll Call Vote - All Ayes, except Bass and Desjardins-Absent. Motion Carried.

CORRESPONDENCE

Unless otherwise noted, all Correspondence is reviewed by the Council and filed accordingly. Correspondence is available for review in the Clerk's Office.

- 1.) **Department of Community Affairs/Div. Local Government Services:**
CY 2012 Municipal Transitional Aid to Localities
Application Process and Form. Notice of Intent to Apply
 To be filed by **January 31, 2012.**
- 2.) **Burlington County Health Department:**
 Sanitary Inspection Reports for American Legion #115 and
Beverly Fire Company #1.
- 3.) **Pluese, Becker & Saltzman, LLC:** Notice of Request to Enter Default
 Habitat for Humanity Burlington County Affiliate, Inc. v.
 Joann Crosland, et al. Docket # F-007928-11.
- 4.) **Municipal Excess Liability Joint Insurance Fund:** 2011 MEL Annual Report.
- 5.) **NJ League of Municipalities:** Updates and Membership Advisories.
- 6.) **Birdsall Services Group:** Environmental Alert regarding New EPA Boiler
 Rule that may affect Municipal facilities.
- 7.) **FEMA:** Intergovernmental Affairs Advisory and Preparedness Tool Kit
 Guide.

COMMENTS/REPORTS**ADMINISTRATOR**

Mr. Gerber reported that the ADA Project is coming along and should be completed in a very timely manner. Additionally, regarding Detwieler and Laurel property maintenance issues - a "Clean and Lien" is in progress utilizing our two new part-time Public Works employees.

SOLICITOR

The Solicitor's comments are reserved for Executive Session.

ENGINEER

Mr. Kirchner advised relative to the ADA Project that despite an Asbestos Abatement Report done in the 1990's, one patch of asbestos tile was found downstairs. This would involve small Charge Orders for work totaling approximately \$3,035.00 including testing. Re the HVAC ductwork that fell: At this point we need to upgrade the HVAC and replace the City's aged boiler with HVAC. They are working up a price for a bare-bones design. It will be a cost savings down the road if done now.

COUNCIL MEMBERS

Hal Robertson stated that information was received from Clean Communities relative to what can and can't be done with the Clean Communities funding. Perhaps we can use funds to clean up delinquent properties, etc. Right now there is approximately \$2,800.00 in the line item.

CLERK

No comment at this time.

PUBLIC COMMENT - 7:38PM

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

Gary Centenaro asked about the Cooper Street Gateway Project, whether or not this one was the same as the original. Mr. Kirchner responded yes, but that there is no lighting in this phase; it's impossible to have the Federal Government pay for lights through PSE&G. The Project will include doing the Park strip and the trees. Mr. Kirchner then wished everyone a Happy New Year! Ryan Atkinson asked about status on the Reval and Mr. Crespo gave an update. Also, is there forced air in the City? Mr. Kirchner responded by saying that the recommendation would be to look at Gas. There is no gas currently in City Hall now. Bob Thibault asked about the Reval - if the Assessment goes up, then Taxes go up? Mr. Crespo replied not necessarily. This Reval determines the Tax Rate. The Reval is to equalize everything. The Tax Rate Adjustment will be the equalization of the whole process.

There being no further comment, Public Session was closed at 7:50PM with Motion to move to Executive Session by Kelly; Second by Perkins. All in Favor. Motion Carried.

EXECUTIVE SESSION**Resolution 2011-278:**

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 no exist: Discussion to be had on Personnel, Litigation, and Contractual matters.

ACTION AFTER EXECUTIVE SESSION: YES____ (See below) NO__X__

ADJOURNMENT

There being no further business, Motion to Adjourn at 8:25PM was made by Robertson; Second by Williams. All in Favor. Motion Carried.

Respectfully submitted,

Donna Snyder, RMC/CMR/CPM

Date

APPROVED:

Council President Luis Crespo

Date

Governor's Best Practices Toolbox:

"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.
 - Current year proposed Budget including the full adopted Budget for current year when approved by the Governing Body.
 - Most recent Annual Financial Statements and Audits.
 - Notifications for Solicitation of Bids and RFP's.
 - Employee Contact Information.
 - Governing Body, Boards, and Commission Meeting Dates, Minutes, and Agendas.

- 2. Is your municipality's computer information backed up regularly, pursuant to a written backup policy and is data stored offsite.

NOTE: Offsite Backup contracted with Networks Plus. Policy in progress

- 3. Are Ordinances codified on an annual basis and made available electronically and/or in an existing Ordinance book for the public.

- 4. If your municipality is a member of the SHBP, have you transitioned from Chapter 88 (lifelong retirement benefits & Medicare Part B payouts) to Chapter 48 (healthcare cafeteria and select cost-saving provisions for all current and future employees).

****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.