

MINUTES

CITY OF BEVERLY

December 11, 2007

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 5, 2007 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. Bancroft, Mr. Crespo, Mr. Newsome, Mr. Germer, Mr. Arter, Dr. Cook, Council President Arter, Mayor Wetherill, Barbara Sheipe, Administrator/Clerk, Michael Morton, Director of Public Safety, Mr. Baxter, Solicitor.

ABSENT: Mr. Esaia.

MINUTES. Council President Arter requested a correction on the Resolution Number for Third Street; it should state Resolution No. 2007-99. Mr. Baxter requested that the executive session language that he submitted at the November 27, 2007 be included in the minutes under executive session. Mr. Crespo requested that on page 7 under the public comments, it should state that the discussion was intent to run a clean campaign and that his question was about morals and ethics. Mr. Bancroft made a motion to approve the minutes of November 27, 2007. Mr. Germer second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Newsome, Mr. Germer, Mr. Robertson, Mr. Arter, Dr. Cook and Council President Arter.

NAYES: None.

PRESENTATION FROM THE BRIDGE COMMISSION. Council President Arter introduced Gary LaVenia from the Burlington County Bridge Commission. Council President Arter inquired if Mr. Crespo would like to give some background on the request for the Bridge Commission to come to council. Mr. Crespo explained that he had invited Mr. LaVenia to talk to council about the various programs that the commission has available so that in the future if the council needs some financing for redevelopment projects, they are aware of what is available. Mr. LaVenia explained that the Bridge Commission offers two types of loans to municipalities. There is a lease loan and a pooled lease loan. There are also loans available to developers through a separate program.

Starting July, 2007 the poled leased loans must now be budgeted inside the required cap law. Lease payments are counted as being as debt. The Bridge Commission does not require a 5% down payment. The pool-bond involved going in with other government entities, the county guarantees by ordinance or resolution the load and has an excellent rating. Most municipalities' ratings are below the county's rating, so that county is able to obtain a better rate. Bonds are callable after 10 years. The Bridge Commission is working on formulating what is called the Burlington Bank. This would allow cities and schools to borrow short term money for equipment and large purchases. The Bridge Commission offers many services and has helped the City of Beverly with appraisals, the RCA marketing and other programs. Mr. Newsome inquired if there was a minimum amount of money that could be borrowed. Mr. LaVenia explained that the amount is usually not less than \$500,000 and that 1 million is usually the starting point. Mr. Germer inquired if the program was available for schools? Mr. LaVenia explained that schools receive their bonds through state, which allows them the state rating. The Burlington Bank program maybe offered to the schools in the near future. Mayor Wetherill inquired as to what is the current rate? Mr. LaVenia explained that the interest rate is based on the market that day. Ms. Van Hoy-Warren Street inquired if other entities are eligible for the bonds? Mr. LaVenia explained that fire districts, sewerage authorities and housing authorities are also able to work with the Bridge Commission. Mr. Thibault inquired about the Burlington Bank? Mr. Lavenia explained that it is a quick loan process and also a short term lease program. The loan program is actually a line of credit with a bank and that the money can be borrowed in seven days instead of waiting for a bond. The quick loan is less interest also. Ms. Van Hoy inquired if the city could partner with other municipalities for bond counsel? Mr. LaVenia explained that the bond counsel, and the auditor are through the Bridge Commission and that joint shared efforts are always available. Ms. Marshall inquired as to where on-line she could look for information on the program? Mr. LaVenia explained that the Bridge Commission as a presentation on-line and that the website is bcbridges.org. Council President Arter thanked Mr. LaVenia for his presentation.

COORESPONDENCE.

A. Council's Appointment to the Beverly Sewerage Authority. Mr. Crespo Nominated Robert Lowden to a five year appointment on the sewerage authority, Dr. Cook second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Newsome, Mr. Germer, Mr. Robertson, Mr. Arter, Dr. Cook and Council President Arter.

NAYES: None.

B. Mayor's Appointment to the School Board. Mayor Wetherill appointed Mark Schwedes to the school board to fill an unexpired term.

OLD BUSINESS.

NEW BUSINESS.

A. Resolution No. 2007-99 Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 618 Broad Street, Beverly NJ 08010. The resolution was read by title. Mr. Germer made a motion to approve the resolution, Mr. Bancroft second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Newsome, Mr. Germer, Mr. Robertson, Mr. Arter, Dr. Cook and Council President Arter.

NAYES: None.

B. Resolution No. 2007-102, Resolution Authorizing A Change Order For the Cramer Avenue Improvement Project. The resolution was read by title. Mr. Germer made a motion to approve the resolution, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Newsome, Mr. Germer, Mr. Robertson, Mr. Arter, Dr. Cook and Council President Arter.

NAYES: None.

C. Payment of Bills. Mr. Crespo discussed that he had reviewed the bill held at the last meeting from Vermeer and that he is satisfied with the difference in the price and the quote. There were additional parts that needed to be replaced. Mr. Newsome made a motion to pay the bills, Mr. Germer second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Newsome, Mr. Germer, Mr. Robertson, Mr. Arter, Dr. Cook and Council President Arter.

NAYES: None.

ABSTAIN: Mr. Crespo abstained from Line #44.

SOLICITOR REPORT. Mr. Baxter discussed that he was working with the tax assessor on two tax appeals and would like to discuss them in an executive session.

MAYOR'S REMARKS. Mayor Wetherill discussed that the Train Club had received a plaque from the Horticultural Society in Pennsylvania for the plantings along the train station. Mayor Wetherill discussed that it is important for council to attempt to attend the good things that happen for the city. Mayor Wetherill discussed that she had attend the Veteran Memorial that is done every year by Janet Lowe. The Mayor also announced that on December 15, there is a wreath laying ceremony at the Beverly National Cemetery at noon for Wreaths Around The World.

COUNCIL COMMITTEE REPORTS.

A. Public Works Committee-Mr. Crespo discussed that there is some money left in the capital budget from the public works truck and the department is in need of a new salt spreader. There are different brands of spreaders. Mr. Germer inquired as to why there are quotes from West Berlin, Maple Shade and Mount Laurel, but not from Lowthers who is local in Edgewater Park? Mr. Crespo explained that he did not request a quote from Lowther since he understands that there have been problems in the past with them honoring warranties. Mr. Germer requested a detail of the problem. Mr. Crespo explained that the public works department had purchased an auger through them and that when it broke right after time of purchase, they would not honor the warranty. Mr. Robertson inquired as to what is wrong with the current spreader? Mr. Crespo explained that the public works employees have to stand in the back of the truck and shovel the salt into the spreader. Mr. Bancroft discussed that the current spreader is not in good working order and that there are parts that are worn out salt. Mr. Crespo discussed that the quotes were for hydraulics for longer use. Council President Arter suggested that Mr. Crespo contact Pat Pirlyis as he had informed council that due to his business he could probably get a better price for equipment. Mr. Crespo discussed that he is in the same business and that he felt that the quotes given were the best price for what the city needed in a salt spreader. Mr. Crespo discussed the various types of salt spreaders and why the one quoted from South Jersey Mowers was the best

suited for the city. Mr. Crespo made a motion to approve the purchase of a salt spreader from South Jersey Mowers', Dr. Cook second the motion. Mr. Arter discussed that it is wrong not to get a quote from Lowthers and give local businesses a chance to quote. Mr. Germer discussed that this is the third time that local businesses have not been used for city equipment. Mr. Baxter question if the quotes were for the same type of equipment? Mr. Crespo explained that there were little variations but that they were all for 10hp. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Newsome, Mr. Robertson.

NAYES: Mr. Germer, Mr. Arter and Council President Arter.

WORK SESSION.

Lauinger Field- Council President Arter discussed that at the joint meeting of November 8 the city and the school would do some research to answer questions that arose at the meeting. There was a question concerning the insurance and if any grant money was available to fix the stand or the fields. Dr. Cook discussed that the parks and recreation committee need to meet and discuss the concession stand and come back to council with a decision. Council President Arter inquired if the city had insurance coverage. Mrs. Sheipe explained that the fields and the concession stand are listed as coverage by the JIF insurance. Mr. Thibault explained that the school board had not received the information of whether the school also covered the fields. Mr. Robertson inquired about what the best use the school thought the stand could be. Mr. Thibault explained that the stand is worth refurbishing and that the school board and city council should repair the stand as a joint venture. The committee needs to establish the repair cost to the building. Mr. Thibault also discussed that the agreement between the city and the school for the fields and buildings still stands. There needs to be an assessment of what interest the community has in the fields and for what programs. The use of the stand would come from what group is most interested in using the fields. Council President Arter discussed that the lease may have to be rewritten to show the changes if any to the field and the stand. Mr. Thibault discussed that usually programs are generated on their own by request of parents. Soccer is the faster growing sport. Mr. Germer inquired if there were grants available for fixing the fields. Council President Arter discussed that the parks and recreation committee could work with the Bridge Commission to look for grants for the facilities and the field.

Abandon Properties-Council President Arter explained that Mr. Newsome had requested this be placed on the agenda for a discussion. Mr. Newsome discussed that he had been contacted by Mr. Bernardi, the city's redeveloper concerning one of the properties that was place on the list. Mr. Newsome discussed that council should prioritized the list. The list has not been certified by council and the list also needs to have some properties removed. Council President Arter inquired as to what property Mr. Bernardi was interested in. Mr. Newsome explained that they had discussed 619 Cooper Street. Council President Arter discussed that the list still needs to be certified and that the signatures of the city clerk, tax collector, housing inspector and properties committee before anything can be done with a property. Mr. Newsome explained that he is not looking for council to certify the list tonight, he would just like to review the list and maybe cutting the list in half. Council President Arter discussed that there are other properties that should be on list. Mr. Newsome discussed that other properties can be added to the list after reviewing them. Mr. Crespo discussed that nothing has been done with the list in the last 10 months and that it was time to bring it back to the table. Council President Arter discussed that Mr. Bernardi could purchase the property at the time of the tax sale. Mr. Newsome inquired if Council President Arter wanted to table the list again or discuss removing the properties. Council President Arter explained that she felt that there was two parts to the discussion, one is to discuss removing properties off the list and the other is Mr. Bernardi wanting to purchase 619 Cooper Street. Mr. Arter discussed that the ordinance was adopted in 2006 and that the list was originally created by Mr. George Mickle when

he was the housing inspector. There was a resolution adopted to have the properties committee review the list and make recommendations. Mr. Arter discussed that council could go through the list now and then refer it to the properties committee. Mr. Newsome discussed that in going through the list #1, #2, #3, #8, #10, #12, #14 should be removed from the list. Mr. Baxter inquired that if the property on the list had been demo at the city's request? Mr. Germer explained that the owner had appeared in front of the planning board for approval to open a store and had been denied. The owner removed the building at his own request. Mr. Newsome discussed that council does not know if taxes have been paid or not. Mr. Baxter discussed that council may want to hold onto some properties for the redevelopment. Mr. Crespo discussed that 221 Laurel Street is rented out and needs to be removed from the list. Mr. Newsome discussed that the tax bill on 127 Cooper Street needs to be checked for payment. Mr. Newsome discussed removing line #15 also. Council President Arter discussed that the council in going forward needs to make sure that Ms. Boras, tax collector and Mr. Thompson, housing inspector do there do diligences on the properties.

Codification-Mr. Germer explained that the problem with codification is needing a copy of all of the ordinances and that he was unable to find all of the ordinances in the files and they also were not in sequence. Mrs. Sheipe explained that all of the ordinances are in the permanent minute books and that they should be copied from the minutes to make sure that the ordinance was passed on second reading. The ordinances dealing with salaries and other non-code issues are not needed for the codification. Mr. Bancroft discussed that he was under the impression that Mr. Robinson, Sr. was involved in a company that handled codification. Mrs. Sheipe explained that General Code would send someone in to help determine what ordinances are needed. Council President Arter discussed the city purchasing a scanner to help with the copying of the ordinances and that law and ordinance committee in 2008 will have to develop a plan for the copying of the ordinances. Mr. Germer inquired about a maintenance contract and updates to the codification? Mrs. Sheipe explained that the companies do yearly updates on the website.

Website- Mr. Crespo discussed that the county is discussing updating the city's website and he recommends tabling the discussion on the web site until the next meeting, so that he can discuss with the River Route Committee if they are willing to do the website.

PUBLIC SESSION AND PUBLIC SAFETY.

Mr. Thibault-Wheatley discussed the abandon properties ordinance and is the city responsible to repair and maintain their properties? Mr. Baxter explained that if the property is owned by the city than it does not fit the ordinance for abandon properties. The abandon property ordinance gives the city the ability to move on foreclosures and redevelopment faster. Mr. Thibault discussed that he feels that the city should do something about their properties and work with the redeveloper to improve the properties.

Mr. Borden-Riverbank discussed that there is no such thing as too many bids. Three quotes are not a decent approach; it is the bare bones minimum. Mr. Borden discussed that salt spreaders are not an unique item and that there are a lot of companies who would provide quotes. Mr. Borden discussed that he understands that more quotes cannot be given since the price has been announced. Mr. Borden discussed that tax increases are a way of life and that in the last 11 years there have been 11 different tax rate, seven increases and four decreases. The school tax has continued to increase. Mr. Borden discussed that on page 4 of the minutes he had questioned the liability of the contracts and does not feel that he got his answer. Mr. Borden inquired as to what the city has that assures the city of a project if the developer goes away. Mr. Borden discussed that there is one contract for 20 townhomes for Beaunit Mills and is there anything in writing to protect the city for compensation if the project is not completed. Mr. Crespo explained that there is no contract for Beaunit Mills and that nothing is set in stone. Mr. Crespo explained that the council

and the economic development committee will take into consideration everything possible while they are working on the contracts with the redeveloper. Council President Arter discussed that council as the redevelopment authority is keeping the city's interests first.

Mr. Thibault-Wheatley discussed the purchase of the spreader and the B-Box, he inquired if other towns were contacted about what equipment they use. Mr. Crespo explained that he had spoken with Delanco, Palmyra, Riverside and Edgewater Park. Mr. Crespo explained that he recommended going with the hydraulic and that it is the best decision for the city's streets.

Mr. Borden-Riverbank inquired if the salt spreader was a complete self-contained unit and took no power off the new truck. Mr. Crespo explained that it is a self-contained unit and that it does not need the new truck to run. Mr. Borden inquired if the electric source is coming from the battery of the new truck? Mr. Crespo explained that the spreader came with a package and that it requires wires from the truck to the new plug for the spreader.

Mrs. Dreher-Delacove Homes discussed that she was born on this day December 11, 1925 and that as a child born in the city she attempts to make the meetings. Mrs. Dreher discussed that when she was growing up the city had everything, skating rink, bowling alley, movie theater and plenty of stores for shopping. Mrs. Dreher explained that she is hoping that everyone can work together to bring back some of Beverly and that she is in the prime years of her life and would like to see things happen.

No one else from the public wishing to be heard, the public portion was closed.

EXECUTIVE SESSION. RESOLUTION NO. 2007-102, Resolution Setting The Time, Date And Place Of An Executive Session For Discussion of Litigation With The Understanding That It Is Impossible At This Time To Disclose The Time When And The Circumstances Under Which The Executive Session Contents Can Be Publicly Disclosed. The resolution was read by title.

Mr. Germer made a motion to go into executive session for litigation, Mr. Newsome seconded the motion. All members voted in favor.

GENERAL SESSION.

City Council returned to public session.

Mr. Bancroft made a motion to allow the solicitor, Mr. Baxter to move forward with the tax appeal board for Jerusalem Holiness Temple, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Newsome, Mr. Germer, Mr. Robertson, Mr. Arter, Council President Arter.

NAYES: None.

Mr. Crespo discussed that he had two additional items for city council. The first item is concerning the police department and that they are in need of new holsters, the officers have money left in the their uniform allowance that could be transferred into the police other expenses. Mr. Crespo explained that Director Morton had discussed with the officer using the uniform money and that they were in agreeable. Mr. Crespo discussed that the other item was for the transfer of money from court other expenses to the police for the purchase of new guns. Mrs. Sheipe explained that Mr. Crespo would need to talk to the Judge to transfer money out of their department. Also that a

transfer resolution would be done at the last meeting in December so the funds could be transferred then. Mrs. Sheipe discussed that she had requested that the police wait until a decision from Mr. Baxter could be obtained concerning if the money is used for something different than is stated in the contract is it an amendment to the contract and is a resolution required. Mr. Crespo explained that the FOP will provide written consent to add holsters to their list of uniform allowance. Mr. Crespo explained that he was relaying the information from the Director. Mr. Baxter explained that the council is amending the FOP contract and that it can be completed with signatures from the FOP and approval from council. Mr. Arter discussed that the transfer of the money need to be done by Resolution at the next meeting. Mr. Crespo will talk with the Judge about transferring the money. Mr. Crespo explained that the gun money would be transferred from the court other expenses and the holster money would come out of police other expenses. Mrs. Sheipe explained that the police department is short in their other expenses so transfers would have to be made somewhere. Mr. Crespo discussed that the holster and gun purchase would be held until after the transfers are made and the city has required signatures from the FOP.

Mr. Crespo recommended that the police contract negotiations be held until after reorganization. Council President Arter discussed that the city should be negotiating in faith and that at the last meeting the committee and the administrator made progress with the FOP on the contract. Mr. Crespo discussed that he felt that the committee did not get half way through the contract. Mr. Arter inquired if Mr. Crespo was making a motion? Mr. Bancroft discussed that the last contract negotiations went 6 months into the new year and that this time of year is hard to schedule meetings. Council President Arter discussed that she had requested a date of availability for December. Council President Arter discussed that she did not think that it showed good communication between the city council and the FOP to request to hold the negotiations.

ADJOURNMENT.

Mr. Germer made a motion to adjourn. Mr. Robertson seconded the motion. All members presented vote in favor.