

MINUTES

CITY OF BEVERLY

DECEMBER 12, 2006

CALL TO ORDER. The regular meeting of the Common Council of the City of Beverly was called to order at 7:30pm, by President Bancroft on Tuesday, December 12, 2006, under the provisions of the Open Public Meeting Act c. 231 P.C. "Sunshine Law". Notice of this meeting was published in the Burlington County Times and posted on the bulletin board in the Municipal Building. All members present saluted the flag of the United States of America.

FLAG SALUTE.

ROLL CALL.

PRESENT: Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Mr. Esaia, Mr. Krzykalski, Mrs. Arter, Council President Bancroft, Mayor Wetherill, Director of Public Safety Mike Morton, Solicitor William Kearns and Barbara Sheipe, clerk/administrator.

ABSENT: Dr. Gail Cook

APPROVAL OF MINUTES. Mrs. Arter requested that a correction to the minutes be made; the letter to the board of education should be the letter about the school uniforms from Director Morton to Dr. Gray. Mrs. Arter also requested that she did not say more flushing out as state on page 7, also that on the last page it should read the monitoring of COAH into the future. Mr. Newsome requested that a correction be made on the bottom of page 7 it should read in the long run, not time. Mr. Wolbert made a motion to approve the minutes to approve the minutes as corrected. Mr. Wolbert second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Mr. Esaia, Mr. Krzykalski, Mrs. Arter and Council President Bancroft.

NAYES: None.

CORRESPONDENCE.

- A. Proclamation for Veterans Haven-Mayor Wetherill read the proclamation and it is attached and part of the minutes.
- B. Mayor Wetherill read a General Assembly Citation for Janet Lowe and Neighbors for their work on honoring the veterans.
- C. Letter from Knights of Columbus announcing a basketball free throw on January 16 at the Mildred Magowan School for all children between the ages of 10 to 14.
- D. Council President Bancroft presented Bill Kearns with a dinner certificate in appreciation of his work for city council.
- E. Robert Lowden discussed that the New Jersey State Planning Commission presented the city with a map as part of the cross-acceptance process. Mr. Lowden and Dr. Cook sit on the committee for the Route 130 River Route development. Mr. Lowden discussed that the state does an update of the map every

6 years and needs to know what the city wants. Mr. Lowden explained that the City of Beverly has been designated as center designation and that it allows the city to be granted extra points when applying for grants. Mr. Lowden explained that the center designation report lists all of the grants and their progress that the city is working on been granted. Mr. Lowden discussed that the Cosden site has been added to the map for redevelopment area. Mark Remsa had started the process for the city and has continued to help the city with the cross-acceptance. Mr. Lowden explained that Cross-Acceptance was done in the city in 1996 and than again in 2004, but that the map then called the Big Red Map was thrown out by Governor McGreevey and the process of getting the maps completed started over again. There are 12 towns involved in the Route 130-River Route plan; they meet throughout the year to review the progress. Mr. Lowden discussed that the map overlay shows an eagle flying pattern near the river. Mr. Robertson-Warren Street inquired about the meaning of the eagle zone. Mr. Lowden explained that it means that nothing can be built in that zone. Mr. Thibault-Wheatley inquired about the center designation? Mr. Lowden read the purpose of the center designation: the City of Beverly was included within a “designated Town Center” and as part of “Node 9: Industrial Complex. This designation commits the State Planning commission and the State of New Jersey to awarding priorities for technical and financial assistance and associated benefits identified in the New Jersey State Development and Redevelopment Plan and in the plans and regulations of State Agencies through the expiration of the center designation, January 7, 2012. Mr. Thibault inquired if this opens the city for grants. Mr. Lowden explained that it gives the city extra points on applications. Mr. Thibault inquired if this conflicts with anything that Mr. Bernardi the redeveloper has planned. Mr. Kearns explained that this does not change the city’s redevelopment plan and that the city must be in tune with the state plan to get certain grants. Mr. Robertson inquired if there are strings attached to the plan. Council President Bancroft explained that it only helps the city. Mr. Lowden explained that the state plan and the city plan is monitored by the office of Smart Growth. Mr. Germer inquired if the plan was based on the Remsa plan and if another plan comes along, what happens? Mr. Lowden explained that the plan is adopted by council and that they can amend the plan. Mr. Germer discussed that any changes will affect the map. Mrs. Arter asked for a point of order that this matter is not on the agenda and that council had not received the plan. Mrs. Sheipe explained that there was material place in front of council requesting to add the discussion to the agenda and that all members of council received a copy of the report several weeks ago. The matter is being discussed tonight because Mr. Lowden was available to present the map this evening. Council does not have to take action tonight. The map needs approval by January 2007. Council President Bancroft explained that tonight is for information only. Mr. Haaf-Riverbank discussed that the map is a satellite photo of the city and that the purpose of the discussion is to check for the correction of the redevelopment areas in the city and the location of the streets. Mr. Entwistle-Broad Street inquired about the redevelopment plan for the city? Mr. Lowden discussed that the map involves smart growth of the city. Mr. Entwistle discussed the RCA program and is it fixing the residential homes? Mr. Entwistle also discussed the qualifications for the RCA

program. Council President Bancroft explained that the map had nothing to do with the RCA or COAH program, it was for redevelopment and smart growth. Mr. Kearns explained that any smart growth grants do not go into homes; it is used for streets, sidewalks and infrastructure improvements. The map and the document are attempting to show the areas with infrastructure compared to other municipalities with farmland. The State is looking to see what areas can be built up and improved on. Ms. Marshall-Cooper Street inquired if the entire city was placed in a redevelopment area, she thought that she heard Dr. Cook at a previous meeting make a motion to place the entire town in a redevelopment area. Ms. Marshall inquired if the Delaware Planning Commission has anything to do with the map? Mr. Kearns explained that the Delaware Planning Commission is a regional entity that works with the state as a planning authority for areas along the Delaware River. Ms. Marshall discussed that she does not trust the commission and that they messed up the plan with her block and lot for C-1 Neighborhood Development and that it has yet to be corrected. Mr. Lowden explained that the map and plan will go to the county for approval, then the state for approval and back to the city for final approval. Mr. Arter-Warren Street inquired about job creation? Mr. Lowden explained that many of the grants go by income level to be awarded in certain areas. The grant was award for the sidewalks on Cooper Street and the road project on Third Street due to the income level of the residents. Mr. Lowden discussed that he would recommend that council vote favorably to stay with the plan and map for the Route 130 corridor/River Route.

OLD BUSINESS.

ORDINANCE ON SECOND READING.

A. Ordinance No. 2006-19, An Ordinance Of The City Of Beverly To Amend Chapter XI Traffic Section 11-2.3 Parking Time Limits. (Municipal Lot). The ordinance was open to the public.

Mr. Thibault-Wheatley Avenue inquired if the ordinance was to benefit the city and help in a safety perspective? Mr. Wolbert explained that there would be less hanging out in the lot late at night and that the security of the lot would be easier. Mr. Thibault inquired if the lot would be lit at night and where would the resident park. Mr. Wolbert explained that parking is available on the street and that the lot is lit by streetlights that are going to be increase on Third Street. Council President Bancroft explained that this was step one of three, to bring the lot back for city use. There will also be discussion on time limits during the day and possibility charges to tenants for parking in the lot. Council President Bancroft also discussed that the no overnight parking in the lot is a matter of safety.

Mr. Entwistle inquired if there would be time limit on the lot? Mr. Wolbert replies that there would be no parking overnight.

Mr. Delia-Cramer Avenue discussed that perhaps a gate could be installed and the tenants given tokens for the gates with a cost to park. Council President Bancroft explained that with the new store opening there was a need for public parking.

Mr. Wolbert made a motion to adopt Ordinance No. 2006-19 on second and final reading, Ms. Kinniebrew second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Krzykalski and Council President Bancroft.

NAYES: Mrs. Arter, the ordinance will be take effect 20 days after publication according to law.

NEW BUSINESS. Item A through E 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.

- A. **Resolution No. 2006-108,** Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 210 Magnolia Street, Beverly. The resolution was read by title.
- B. **Resolution No. 2006-109,** Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 1015 Detweiler Avenue, Beverly. The resolution was read by title.
- C. **Resolution No. 2006-110,** Resolution of the City of Beverly For Cancellation of Taxes Due To Over Assessment of Improvement. (428 Wilmerton). The resolution was read by title.
- D. **Resolution No. 2006-111,** Resolution To Refund Money For Block 56, Lot 9. The resolution was read by title.
- E. **Approval of Raffle License (Knights of Columbus)**

Mr. Esaia requested that Item D, Resolution No. 2006-111 be held for discussion. Mr. Wolbert made a motion to approve Items A, B, C, E, for approval, Mrs. Setikas second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Esaia, Mr. Krzykalski, Dr. Cook, Mrs. Arter and Council President.

NAYES; None.

ABSTAIN: Mr. Newsome abstained from the raffle license approval.

Resolution No. 2006-111, Resolution To Refund Money For Block 56, Lot 9. Mr. Esaia inquired about the reason for the refund. Mrs. Sheipe explained that the resident had gone out of state for open heart surgery and that the bank was responsible for paying the taxes on time, the payments were late and interest was charged without knowledge of the resident. The city will refund the money to the resident and the bank will pay the city.

Mrs. Arter made a motion to approve Resolution No. 2006-111, Mrs. Setikas second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Krzykalski, Mrs. Arter and Council President.

NAYES; None.

F. **Payment of the Bills.** Mr. Wolbert requested that the bill For the public defender be held until the next bill list, since it was for the month of December. Mr. Newsome requested that the bill for Staples line #25 be changed to \$241.89, also that the voucher for the county clerks office in the amount of \$8.00 for deeds be added. Ms. Kinniebrew inquired as to item # 31 and what FRA was for? Mrs. Sheipe explained that it was to update the dog license program and that it is an annual charge. Mr. Newsome made a motion to approve the bill list. Ms. Kinniebrew second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Krzykalski, Mrs. Arter and Council President.

NAYES: None

SOLICITOR REPORT

Mr. Kearns reported that Senator Rice is drafting a bill that would terminate the RCA program for any new RCA's. This would require towns to handle their own affordable housing commitment.

MAYOR'S REPORT.

Mayor Wetherill reported that she had attended the dedication of 301A Broad Street. It was a home that was completed with Habitat for Humanity. Mayor Wetherill also discussed that she had attend the event for the Veterans Haven sponsored by Janet Lowe and neighbors. It was well attended and honored the veterans and the work that Veteran's Haven does. Mayor Wetherill is planning on attend the Wreaths Across America on Thursday at the Beverly National Cemetery. The Mayor will be laying a wreath for the POW's at noon. Everyone is welcome to attend.

PUBLIC SAFETY.

Mrs. Setikas-Warren Street discussed that a customer of the bank needed to make a night deposit drop and was nervous to do so because of three people sitting on the flowerpots. Mrs. Setikas requested that an officer patrol on foot around the bank between 6pm and 8pm. Director Morton will have the officers keep an extra eye out, also the customer could call the police at the time, they are going to the bank and an officer will be in the area.

Mrs. Dreher-Delacove Homes thanked Director Morton for the officers that came to the doors to warn the seniors and citizens about breaking and entering due to the holiday season. Mrs. Dreher requested that something with the emergency numbers be available for people to have handy. Director Morton explained that a large magnet with emergency numbers was given out during the year and that extra's are available in city hall. If there are none available the city will order.

Mr. Thibault-Wheatley discussed that in the last few months Director Morton discussed that there was not a large gang presence in the city. Mr. Thibault discussed that when he is talking to residents they are concerned that officers are not responding quickly and also the officers are going to the person making the complaint. The residents do not wish the neighbors to know who made the call, in fear of retaliation. Director Morton explained that they should call Central at 267-8300 to report suspicious behavior. The residents do not have to give their name or they can request that the officer not respond to their house. If they call 911 which is for extreme emergency their address and phone number appears on the screen for central. By using the 267-8300 number they can request that their name not be given out. Director Morton explained that at every Neighborhood Watch meeting he has explained the same procedure. Mr. Wolbert explained that it was also reviewed at the Quality of Life presentation. Mr. Germer discussed that when you call 911 our number shows up. Director Morton replied that it would be confidential if you call the 267-8300 number.

COUNCIL REPORTS.

Mr. Wolbert thanked Janet Lowe for her hard work on the Veterans Haven Appreciation. There was a large crowd and a lot of the people thanked the veterans and the people who work with them. Mr. Wolbert thanked everyone who was involved with the tree lighting. Mr. Wolbert thanked Officer Meyers for helping to get the DJ's vehicle out of the school parking lot when the gate was locked. He contact central, who call the emergency numbers for the school and had someone with the key unlock the gate.

Ms. Kinniebrew discussed that the lights that stay on all day and the ones that need to be upgrade have been resubmitted to PSE & G.

Mrs. Setikas wished everyone a Happy Holiday and thank ACCENT for the tree lighting.

Mr. Newsome report that the tax collector had submitted a report to council that the amount of unpaid taxes \$200,000 and that late notices had been sent out again.

Mr. Esaia thanked ACCENT and The Concerned Citizens Of Beverly for the tree lighting. Mr. Esaia wished everyone a Happy Holiday.

Mrs. Arter thank everyone for coming and also thanked everyone who organized the tree lighting. Mrs. Arter discussed that she had attend the share services meeting with the Bridge Commission. Assemblyman Chatzidakis focused on legislation for pension and shared service with the school and municipalities. There was no pertaining information on how to implment the shared services. Mrs. Arter discuss that everyone needs to stay inform and in touch with the legislature and legislation.

Ms. Kinniebrew thanked Mr. Kearns for all of his help and that she has learned a lot in the last two years.

Council President Bancroft thanked Mr. Kearns for his expertise and devotion to the city.

WORK SESSION.

Mr. Wolbert discussed that his term is quickly ending and that he cannot fill the role as stormwater coordinator. The stormwater management requires the monitoring of the outfall maps and the stormwater rules and regulations. The city has purchased the drain labels that are required on each storm drain. They will be riveted into the drain. Environmental Resolutions does alot of the storm drain mapping. Mrs. Sheipe inquired as to who can be appointing as stormwater coordinator? Mr. Wolbert explained that it is usually public works or the sewerage authority. It can be an employee, a member of council or a private resident with some knowledge of the stormwater rules and regulations. The public relation part of the program can actually be separated to be completed by someone else. Mr. Wolbert discussed that the illicit connection part will need to be address soon. Council President Bancroft discussed that council could appoint someone at reorganization. Mr. Wolbert explained that the person needs to be available occasional during the day for the training classes and inspections.

PUBLIC SESSION.

Mr. Entwistle-Broad Street thanked the outgoing members for their professionalism and dedication to the city. Mr. Entwistle welcomes the new members and encouraged them to do their best.

Mrs. Dreher-Delacove Homes second Mr. Entwistle comments.

Mr. Delia-Cramer inquired as to what the bill number was for that Mr. Kearns talked about in regards to the RCA's. Mr. Kearns explained that the bill is in draft form and there is no assigned number yet.

Mr. Thibault-Wheatley thanked the outgoing members of council and welcome the new members. Mr. Thibault requested an explanation of the Beaunit Mills issue. Mr. Kearns explained that the city would step in with MD Sass by next year to acquire clear title to the property. The city will acquire the property by substituting in with MD Sass for the liens and foreclosure.

Mr. Crespo-Broad Street informed Ms. Kinniebrew that he saw PSE & G working on the lights.

Mr. Haaf inquired about the new ordinance for the development fees. Mr. Kearns explained that council would work on that with the new attorney in 2007. Mr. Haaf announced that it was Ruby Dreher birthday yesterday.

Mr. Lowden-Detweiler wished everyone a Merry Christmas. Mr. Lowden discuss that when Governor Mc Greevey formed the funds for the Abbott districts, taxes went up due to less money to other school districts. Transportation money was also frozen. Every year the expense to send students out of district increases. The City needs additional funding for the special education students and the state needs to funnel that money down to the municipalities.

ADJOURNMENT. Mrs. Setikas made a motion to adjourn, Ms. Kinniebrew second the motion. All members voted in favor.

Submitted by,

**Barbara A. Sheipe RMC
Municipal Clerk**