

**MINUTES**  
**BEVERLY CITY COMMON COUNCIL**  
**REGULAR MEETING OF DECEMBER 28, 2010**  
**7:00 PM**

**CALL TO ORDER-** 7:00p.m.

**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, 2010 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 electronically recorded and the minutes will be on file in the office of the City Clerk.***

**FLAG SALUTE**

**ROLL CALL**

| PRESENT | ABSENT | NAME                                |
|---------|--------|-------------------------------------|
| X       |        | Luis Crespo-President               |
| X       |        | John Newsome-Pro-Tem President      |
|         | X      | Martin Bass                         |
| X       |        | Scott Williams                      |
| X       |        | Harold Robertson                    |
| X       |        | Brian Perkins                       |
|         | X      | Alfred Desjardins                   |
| X       |        | Barbara Kelly                       |
|         |        |                                     |
| X       |        | Dr. Gail Cook, Mayor                |
| X       |        | Trudi Desjardins, Acting City Clerk |
| X       |        | Samuel Reale, Solicitor             |
| X       |        | William H. Kirchner, Engineer       |

**COORESPONDENCE:**

**MINUTES:** Mr. Robertson made a motion to adopt the minutes from December 14, 2010. Mr. Newsome seconded the motion. The roll call vote showed all members present voting in favor.

**Minutes 12/14/2010**

| Yes | No | Abst |                           |
|-----|----|------|---------------------------|
| X   |    |      | Luis Crespo-President     |
| X   |    |      | John Newsome-Pro-Tem Pres |
|     |    |      | Martin Bass               |
|     |    |      | Scott Williams            |
| x   |    |      | Harold Robertson          |
| X   |    |      | Brian Perkins             |
|     |    |      | Alfred Desjardins         |
| X   |    |      | Barbara Kelly             |

**OLD BUSINESS:** President Crespo opened the meeting for the public hearing on **Ordinance 2010-8 – Amending the Land Development Ordinances pertaining to the Design of Containment Areas.....** Hearing nothing from the public, Mr. Robertson made a motion to adopt Ordinance 2010-8. Miss Kelly seconded the motion and the roll call vote on the Ordinance was as follows:

**Ordinance 2010-8**

| Yes | No | Abst |                           |
|-----|----|------|---------------------------|
| X   |    |      | Luis Crespo-President     |
| X   |    |      | John Newsome-Pro-Tem Pres |
|     |    |      | Martin Bass               |
|     |    |      | Scott Williams            |
| x   |    |      | Harold Robertson          |
| X   |    |      | Brian Perkins             |
|     |    |      | Alfred Desjardins         |
| x   |    |      | Barbara Kelly             |

All members voted in favor of Ordinance 2010-8.

President Crespo opened the meeting to the public for the public hearing on **Ordinance 2010-9, Rate of Compensation for Non-Union Employees.** Hearing nothing from the public, Mr. Perkins made a motion to adopt the Ordinance. Miss Kelly seconded the motion. The roll call vote was as follows:

**Ordinance 2010-9**

| Yes | No | Abst |                           |
|-----|----|------|---------------------------|
| X   |    |      | Luis Crespo-President     |
| X   |    |      | John Newsome-Pro-Tem Pres |
|     |    |      | Martin Bass               |
|     |    |      | Scott Williams            |
| x   |    |      | Harold Robertson          |
| X   |    |      | Brian Perkins             |
|     |    |      | Alfred Desjardins         |
| x   |    |      | Barbara Kelly             |

All members present voted in favor of Ordinance 2010-9.

**NEW BUSINESS:** Mr. Robertson and President Crespo discussed the number of units available in the RCA Program. After discussion, Mr. Newsome made a motion to adopt the Consent Agenda, which was comprised of:

- Resolution 2010 – 447: Resolution Authorizing Transfers of Funds....**
- Resolution 2010 - 448: Resolution for approval of the BURLCOJIF Retrospective Contract**
- Resolution 2010 - 449: Discharge of Mortgage, RCA**
- Resolution 2010 - 450: Authorizing the City to Amend its Regional Contribution Agreement Program to Permit All Remaining RCA Funds to Be Used For New Construction and Rehabilitation Affordable Housing Projects Constructed by Frank Raia**
- Payment of Bills**

Mr. Robertson seconded the motion. The roll call showed the following members voting in favor:

**Consent Agenda**

| Yes | No | Abst |                       |
|-----|----|------|-----------------------|
| x   |    |      | Luis Crespo-President |

|   |  |  |                           |
|---|--|--|---------------------------|
| X |  |  | John Newsome-Pro-Tem Pres |
|   |  |  | Martin Bass               |
| X |  |  | Scott Williams            |
| x |  |  | Harold Robertson          |
| X |  |  | Brian Perkins             |
|   |  |  | Alfred Desjardins         |
| X |  |  | Barbara Kelly             |

Mr. Williams made a motion to approve the purchase of Edmunds software, Resolution 2010-452. Mr. Newsome seconded the motion. The roll call vote showed the following members voting in favor:

**Resolution 2010-452**

| Yes | No | Abst |                           |
|-----|----|------|---------------------------|
| x   |    |      | Luis Crespo-President     |
| X   |    |      | John Newsome-Pro-Tem Pres |
|     |    |      | Martin Bass               |
| X   |    |      | Scott Williams            |
| x   |    |      | Harold Robertson          |
| X   |    |      | Brian Perkins             |
|     |    |      | Alfred Desjardins         |
| X   |    |      | Barbara Kelly             |

All members present voted in favor. Administrator Gerber spoke to Council regarding the need to replace two obsolete typewriters and a foot pedal for the transcriber.

**SOLICITOR’S REPORT:** The Solicitor stated that he has a matter for Executive Session.

**MAYOR’S REPORT:** Mayor Cook wished everyone happy Holidays. The Mayor also thanked Elliot Tucker and Harvey Pine for their help in cleaning and beautifying the City.

**ADMINISTRATOR’S REPORT:** The Administrator stated that he attended the Shared Services meeting in Willingboro and took away many good ideas. Mr. Gerber stated that Beverly can join forces with Willingboro for animal control.

**ENGINEER’S REPORT:** Mr. Kirchner thanked Council for having ERI as their engineers. Mr. Kirchner stated that Pine Street is nearly complete and that the ADA work will exceed the grant amount by about \$50000.00.

**COUNCIL REPORTS:** President Crespo stated that tonight’s meeting is the last meeting for Mr. Newsome. President Crespo thanked Mr. Newsome for his help and for serving the City.

**PUBLIC SESSION:** President Crespo opened the meeting to the public at 7:37 p.m. Hearing nothing, the public portion was closed at 7:37 p.m.

**EXECUTIVE SESSION:** Mr. Robertson made a motion to adopt Resolution 2010-451, “**Closed Executive Session – Personnel, Contracts and Possible Litigation**”. Mr. Perkins seconded the motion and the roll call results were as follows:

**Executive Session, Resolution 2010-451**

| <b>Yes</b> | <b>No</b> | <b>Abst</b> |                                  |
|------------|-----------|-------------|----------------------------------|
| <b>x</b>   |           |             | <b>Luis Crespo-President</b>     |
| <b>x</b>   |           |             | <b>John Newsome-Pro-Tem Pres</b> |
|            |           |             | <b>Martin Bass</b>               |
| <b>X</b>   |           |             | <b>Scott Williams</b>            |
| <b>x</b>   |           |             | <b>Harold Robertson</b>          |
| <b>X</b>   |           |             | <b>Brian Perkins</b>             |
|            |           |             | <b>Alfred Desjardins</b>         |
| <b>X</b>   |           |             | <b>Barbara Kelly</b>             |

All members present were in favor.

Mr. Williams had to leave the meeting. After discussion, Mr. Newsome made a motion to close Executive Session and go back into Regular Session. Mr. Robertson seconded the motion and all members present were in favor. Mr. Newsome made a motion to adopt Resolution 2010-453, to award the Public Safety Director, Kenneth Gerber, a two year contract. The salary will be \$50,000.00 for thirty hours per week, with no health benefits and no car. Mr. Robertson seconded the motion. The roll call vote showed the following results:

Resolution 2010-453

| <b>Yes</b> | <b>No</b> | <b>Abst</b> |                                  |
|------------|-----------|-------------|----------------------------------|
| <b>x</b>   |           |             | <b>Luis Crespo-President</b>     |
| <b>x</b>   |           |             | <b>John Newsome-Pro-Tem Pres</b> |
|            |           |             | <b>Martin Bass</b>               |
| <b>X</b>   |           |             | <b>Scott Williams</b>            |
|            |           |             |                                  |
| <b>x</b>   |           |             | <b>Harold Robertson</b>          |
| <b>X</b>   |           |             | <b>Brian Perkins</b>             |
|            |           |             | <b>Alfred Desjardins</b>         |
| <b>X</b>   |           |             | <b>Barbara Kelly</b>             |

All members present were in favor.

Mr. Perkins made a motion to adopt Resolution 2010-454, a resolution to hire labor attorney Frank Vespa, under a professional services contract. Miss Kelly seconded the motion. The roll call vote showed the following results:

Resolution 2010-454

| <b>Yes</b> | <b>No</b> | <b>Abst</b> |                                  |
|------------|-----------|-------------|----------------------------------|
|            |           | <b>X</b>    | <b>Luis Crespo-President</b>     |
| <b>x</b>   |           |             | <b>John Newsome-Pro-Tem Pres</b> |
|            |           |             | <b>Martin Bass</b>               |
|            |           |             | <b>Scott Williams</b>            |
| <b>x</b>   |           |             | <b>Harold Robertson</b>          |
| <b>X</b>   |           |             | <b>Brian Perkins</b>             |
|            |           |             | <b>Alfred Desjardins</b>         |
| <b>X</b>   |           |             | <b>Barbara Kelly</b>             |

President Crespo abstained from voting. Four members voted in favor, none were against the resolution adoption.

Mr. Newsome made a motion to adopt Resolution 2010-455, a resolution to increase the Police Secretary hours to full-time, 40 hours. The Salary will increase to \$32,000.00. Mr. Robertson seconded the motion and the roll call showed the following:

Resolution 2010-455

| Yes | No | Abst |                           |
|-----|----|------|---------------------------|
| x   |    |      | Luis Crespo-President     |
| x   |    |      | John Newsome-Pro-Tem Pres |
|     |    |      | Martin Bass               |
|     |    |      | Scott Williams            |
| x   |    |      | Harold Robertson          |
| X   |    |      | Brian Perkins             |
|     |    |      | Alfred Desjardins         |
| X   |    |      | Barbara Kelly             |

All members present voted in favor.

Mr. Robertson made a motion to adopt Resolution 2010-456, a resolution to adopt the revised Employee Handbook. Armando Riccio, of Capehart & Scatchard, delivered a rough draft for Council review. Council wants the draft reviewed, corrected and completed in January 2011. Miss Kelly seconded the motion and the roll call vote results are as follows:

Resolution 2010-456

| Yes | No | Abst |                           |
|-----|----|------|---------------------------|
| x   |    |      | Luis Crespo-President     |
| x   |    |      | John Newsome-Pro-Tem Pres |
|     |    |      | Martin Bass               |
|     |    |      | Scott Williams            |
| x   |    |      | Harold Robertson          |
| X   |    |      | Brian Perkins             |
|     |    |      | Alfred Desjardins         |
| X   |    |      | Barbara Kelly             |

All members present voted in favor.

**ADJOURNMENT:** Mr. Robertson made a motion to adjourn. Mr. Perkins seconded the motion and all members present were in favor.

**Respectfully Submitted,**

\_\_\_\_\_  
**Trudi E. Desjardins**  
**Acting Municipal Clerk**

\_\_\_\_\_  
**Luis Crespo**  
**Council President**