

MINUTES
BEVERLY CITY COMMON COUNCIL
MEETING OF December 8, 2009
7PM

CALL TO ORDER

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 7, 2009 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 this meeting are being 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
Late		Donald Arter
x		Harold Robertson
x		Brian Perkins
x		Alfred Desjardins
		VACANT
x		Dr. Gail Cook, Mayor
x		DawnMarie Human, City Clerk
x		Samuel Reale, Solicitor
		William H. Kirchner, Engineer

Correspondence - None

OLD BUSINESS

DISCUSSION –

Council President Crespo indicated the revaluation proposals were appointed last meeting. There were no issues with the ordinance.

Sustainable New Jersey – Green Team – Mr. Robertson went on the website for the State of NJ and read the materials. He made some changes to the pledge and resolution that used wording such as “to the extent feasible” and “that we select” so that the documents reflected what was best for Beverly City to the best of his ability. The grant program was discussed.

Mr. Arter indicated that he also went to the site and felt most of the other municipalities were not participating. He discussed his concerns with the parking regulations specifically.

He wanted that removed and discussed his issues with shared parking. He discussed the priority action items and the possible costs associated with obtaining certification. He had concerns with the water conservation ordinance, the municipal carbon footprint ordinance, the land use pledge and the energy audit document. He had concerns about who would be completing these documents. He stated that some of the programs came up previously as “feel good” type programs and he didn’t research it more, but now realizes there is a concern about the program as a whole.

The whole program and pledge was discussed again with parking comments offered by Mr. Williams who felt there was some use of shared parking already in Beverly. All council members seemed to be in agreement that each piece of the program should be considered individually before passage. Various situations were discussed.

The City’s water bill was discussed. The need for water conservation education was mentioned by Council President Crespo.

The Mayor discussed her list of volunteers for the Green Team.

Motion to Approve Resolution 2009 - 126 “Sustainable New Jersey Program Pledge” AS REVISED Williams/Bass

Roll Call

Newsome - Yes

Bass – Yes

Williams – Yes

Arter – No

Robertson – Yes

Perkins – Yes

Desjardins – Yes

Crespo - Yes

Motion Approved

NEW BUSINESS.

CONSENT AGENDA ITEMS:

(“Consent Agenda items are considered to be routine and will be enacted with a single motion. Any item requiring discussion will be removed from the Consent Agenda; all Consent Agenda items will be reflected in full in the minutes.”)

CONSENT AGENDA:

RESOLUTION NO. 2009-129 “CERTIFYING THE INTENTION TO PROVIDE FOR ADDITIONAL FUNDING BEYOND TRANSPORTATION ENHANCEMENT GRANT FUNDS FOR THE COOPER STREET GATEWAY PROJECT”

RESOLUTION NO. 2009-130 “AUTHORIZING THE ADVERTISEMENT FOR PUBLIC BIDS FOR THE COOPER STREET GATEWAY PROJECT”

Motion to Approve CONSENT AGENDA including 2009-129 & 2009-130: Robertson/Perkins

Roll Call

**Newsome - Yes
Bass – Yes
Williams – Yes
Arter – No
Robertson – Yes
Perkins – Yes
Desjardins – Yes
Crespo - Yes**

All in Favor/Motion Approved

**RESOLUTION NO. 2009-131 “REGARDING OPRA PROCEDURES” Bass/Desjardins
Mr. Reale explained the litigation in Lumberton regarding a non-response from the Clerk’s Office. He explained that there was a complaint to the Government Records Council that materials could not be produced by the last Municipal Clerk in Beverly City. In a settlement, the current Clerk was asked to make recommendations regarding how to address these issues. It also directed her to research the existing minutes and tapes to establish a plan of attack for completing those minutes and executive sessions that could not be accounted for. This will legally terminate the issue. Mr. Lohr, Mr. Reale and Ms. Human have been working on the matter for some time. It identifies weaknesses that existed prior to September of this year.**

Roll Call

**Newsome - Yes
Bass – Yes
Williams – Yes
Arter – No
Robertson – Yes
Perkins – Yes
Desjardins – Yes
Crespo - Yes**

All in Favor/Motion Approved

SOLICITORS REPORT - None

CFO’S REPORT - None

CONSTRUCTION OFFICE REPORT - None

MAYOR'S REMARKS – Mayor Cook reported approximately 200 people who came to the Tree Lighting. She thanked the school children and read messages of Holiday Hope & Peace.

COUNCIL REPORTS – Council President Crespo reported that he and the Mayor appeared before the State Senate Committee regarding the Amendment for reduction of the size of government for Beverly City. Only one seat would be available for election next year if this is passed so we could gradually reduce the size of the Council.

The CFO responded to a question about the Tonnage Grant and reported that report numbers would be changed after the Chapter 159 resolution was approved by the State. She reported the purchase of recycling buckets.

Councilman Robertson discussed various plumbing repairs that were necessary and reported that the plumber was being called to correct problems that could be causing the excessive water usage issues. The new faucets would be ADA compliant as well.

Motion to Approve Disbursements: Newsome/Bass

Roll Call

Newsome - Yes

Bass – Yes

Williams – Yes

Arter – No

Robertson – Yes

Perkins – Yes

Desjardins – Yes

Crespo – Yes – Abstain from 8909

All in Favor/Motion Approved

PUBLIC SESSION AND PUBLIC SAFETY.

This provides the public an opportunity to ask questions of city council concerning the city or address questions to the Director of Public Safety. Please state your name and address for the record.

Mr. Pine of 228 2nd Street reported his problem of walking with his dog in the park. He was approached by a policeman who indicated that he couldn't be in the park with his dog after dark and could not park his car there. He understood that he couldn't be in the park after dark, but there was no signs indicating he couldn't park there either. He wanted that clarified. He specified the officer was polite, and that was not the nature of his complaint.

Council President Crespo reported that many people may park temporarily to enjoy dinner or watch the boats. Future ordinances were discussed which could set limitations. The matter would be researched and a recommendation would be made for a future ordinance sometime in January.

Mr. Reale will speak with Director Gerber to delineate whether the sidewalk is in the Right of Way.

Mr. Borden asked about the resolution for the engineer. The resolution was explained as well as the ordinance completed at a past meeting. He also discussed the energy audit and commented that our lighting has the old magnetic ballast and were very inefficient.

A woman from Warren Street commented on the old underwear company and her concerns that it be returned to normal after work is completed. Council President Crespo responded to her concerns and noted that the City was concerned about the condition as well and was looking into it.

Mrs. Robertson discussed her experience with an unusually high water bill that was caused by a leak and she was able to get the bill reduced by the water company. She suggested that someone call the water company.

Mr. Swaze (?????) 612 Wheatley. He stated that someone stated we would have a \$1,000,000 surplus by the end of the year. He asked how we were doing with that. Council President Crespo stated that it was not yet year end. The CFO discussed the fact that we were better off than many other

municipalities in the State and the surplus is healthy. She also said that 2010 would be a tough budget year.

He asked about the bond for \$39,000 and the revaluation. It was explained by the CFO that we were borrowing from ourselves. The process for the revaluation was explained and the 5 year repayment schedule was explained. He asked if we were paying interest and it was stated that the answer was no unless something else happened and we could not pay bills. He asked when the revaluation bill was due. At this point it is unknown. The revaluation has not yet started.

Mr. Swaze (?????) asked about the availability of the OPRA resolution. The Clerk responded that it was available the next morning.

A resident stated she had not seen the Safety Director at the meetings. The Clerk responded that he was present at the last meeting.

Mr. Swaze asked if there was another general meeting this month. The answer was December 22, 2009.

Motion to Approve RESOLUTION 2009 – 132 “Closed Executive Session – Personnel & Potential Litigation” Newsome/Perkins All in Favor

Recess at 8:00 p.m.

ADJOURNMENT at 9:04

Respectfully Submitted,

**DawnMarie Human
Registered Municipal Clerk**