

MINUTES

BEVERLY CITY COMMON COUNCIL
Meeting of February 28, 2012

7PM

HELD AT THE BEVERLY CITY SCHOOL

CALL TO ORDER

The meeting was Called to Order by Council President Crespo at 7PM.

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 December 29, 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. On February 26, 2012, notice of the change in meeting location was published in THE BURLINGTON COUNTY TIMES with advice only to the CAMDEN COURIER POST, and with all postings and mailings as per the above. 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:

Mayor: Randy H. Miller

Council President: Luis Crespo

Council Members: Barbara Kelly, Brian Perkins, Robert Thibault

Solicitor: Albert K. Marmero

Engineer: William H. Kirchner

Administrator: Ken Gerber, CPM

Municipal Clerk: Donna Snyder, RMC/CMR/CPM

Absent:

Council Member: Hal Robertson

Engineer: William H. Kirchner (Attendance not required this evening)

MINUTES

The February 14, 2012 Minutes were reviewed with Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes, except Robertson-Absent. Motion Carried.

BILLS LIST

The 2/28/12 Bills List was reviewed with Motion to Approve by Perkins; Second by Kelly. Roll Call Vote - All Ayes, except Robertson-Absent. Motion Carried.

ORDINANCE 2012-2: SECOND READING/PUBLIC HEARING

An Ordinance of the Common Council of the City of Beverly **Clarifying the Duties, Roles, and Responsibilities of the City's Public Safety Director**. Call for Public Comment. No Comment. Motion to Adopt on Second Reading by Thibault; Second by Perkins. Roll Call Vote - All Ayes, except Robertson-Absent. Motion Carried.

ORDINANCE 2012-3: INTRODUCTION/FIRST READING

An Ordinance of the Common Council of the City of Beverly establishing a **Salary Ordinance for the City of Beverly**. Said Ordinance will come before Council for Second Reading/Public Hearing at Council's March 13, 2012 Meeting to be held at 7PM at the Beverly Housing Authority Building, at which time any and all wishing to be heard on same will be so heard. Copies of said Ordinance are available at the Municipal Clerk's Office, 446 Broad Street, Beverly, NJ 08010 between the hours of 9A-5P, Monday through Friday. Motion to Approve on First Reading/Introduction by Thibault; Second by Kelly. Roll Call Vote - All Ayes, except Robertson-Absent. Motion Carried.

RESOLUTIONS**RESOLUTION 2012-106**

A Resolution certifying a submission of expenditure for Recycling taxes paid pursuant to P.L. 2007, Chapter 311, in 2011, in the amount of \$3,932.40 as Certified by the Chief Financial Officer of the City of Beverly. Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes, except Robertson-Absent. Motion Carried.

RESOLUTION 2012-107

A Resolution re-appointing Randy H. Miller to the Housing Authority of the City of Beverly, per written endorsement of Chair Person John Schoen for the Housing Authority. Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes, except Robertson-Absent. Motion Carried.

RESOLUTION 2012-108

A Resolution certifying the Beverly City Police Contract for the three-year period commencing January 1, 2011 through and including December 31, 2013. Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes, except Robertson-Absent. Motion Carried.

RESOLUTION 2012-109

A Resolution appointing the law firm of Parker McCay as Bond Council for the City of Beverly. Motion to Approve by Thibault; Second by Perkins. Roll Call Vote - All Ayes, except Robertson-Absent. Motion Carried.

RESOLUTION 2012-110

A Resolution authorizing Environmental Resolutions, Inc. to perform a **Traffic Study** relative to changing Bentley Avenue to a one-way Street from Pine to Cherry. Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes, except Robertson-Absent.

BEVERLY CITY REVALUATION UPDATE: Council and Public Comment.

Questions from the Public were relative to asking if the Tax Rate has been struck: This is in the County's hands and hopefully we will have it by the second week in March.

Are we going by the 2% CAP? Yes, with no intention of doing a Referendum to exceed.

Formula for Land Value for the Reval: ASI went by "Neighborhoods" and they went by the Base Value for a buildable lot. May 1, 2012 is the final submission day for Appeals to the Burlington County Tax Board. All forms can be obtained in the Clerk's Office.

There being no further comment, Public Session for the Revaluation Update was closed at 7:22PM.

REPORTS

The Tax Collector's 2011 Year End Report was accepted with a Motion by Thibault; Second by Kelly. Roll Call Vote - All Ayes, except Robertson-Absent. Motion Carried.

NEW BUSINESS

1. **Comcast Cable Franchise Renewal Period:** Questionnaire being distributed in the City and is due back to the Clerk's Office by March 13, 2012.
2. **Line Systems:** Telephone Communications Analysis Proposal. This will be discussed in Executive Session this evening.

CORRESPONDENCE

Mayor Miller read the Correspondence into the Minutes as listed.

1. **BURLCO JIF 2011 Safety Award:** Beverly City has earned \$1,625.00 as a result of their outstanding performance in the 2011 BURLCO JIF Safety Incentive Program.

2. **Delanco Township Notice of Public Hearing:** March 6, 2012 at 7PM at their Municipal Building, on the application of JRB Property Group-Delanco, LLC, for Bulk Variances relative to Block 405/Lots 5 and 6, for 8 single family detached residences at 412 Illinois Avenue.
3. **Alliance For Action Inc.:** Meeting invitation for 3/16/12, with presentations by Burlington County Freeholders, the Joint Base Commission, and the Burlington County Engineer.

COMMENTS/REPORTS

MAYOR - Nothing at this time.

ADMINISTRATOR - Nothing at this time.

SOLICITOR - Comments for Executive Session.

ENGINEER - (Attendance not required)

COUNCIL MEMBERS

Mr. Thibault questioned re an item brought up in Executive at Council's last meeting that still needed to be acted upon. Mr. Crespo advised that issue had to be brought up in Executive Session.

CLERK - Nothing at this time.

PUBLIC COMMENT - 7:17PM

*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.***

Mr. Shawn Matthews asked Mr. Crespo if he agreed that the City was not in the best shape. Mr. Crespo stated that he agreed and that most towns were in relatively the same position. Mr. Matthews asked why was it then that three Council Members were delinquent on their Property Taxes, and advised those present that that's what's running this (expletive) town, and now everyone knows.

Mrs. Sue Matthews, 610 Magnolia, wanted to know who authorized the change in meeting location notice to be delivered to the mail boxes. The response was Public Works distributed them. She asked why Public Works was doing this when all Mr. Crespo and Mr. Gerber do all day long is sit by the river. She also wanted to know who made the comment for the Police Department not to be in the School. Mr. Gerber advised that, as Director of Public Safety, he did - stating that every resident deserves the same Police protection, and that the Police do everything they can to get the kids to school in a safe manner. There is traffic out front and out back; this year one incident occurred on Melbourne regarding parking; one individual was struck by a car (no fatality) while she had her grandchild with her. He continued that the Police time was better spend on post where the children are coming and going, that there are problems out their arising after school near the river area. When the kids are in school, the doors are locked and people must be buzzed-in. The kids are safe once they are in the school. There is no intention of eliminating the DARE Program. It works. It's up to the parents to continue the education at home. It is more important on a daily basis that the Police are on the street. Ten minutes a day for the Police in the school is plenty of time.

Mrs. Matthews stated that ten minutes a day doesn't give the kids enough time to establish a rapport with the Police, and that you'd be surprised to learn what the Police can find out just by talking to the kids. She mentioned that Mr. Crespo's kids also attend this school and she sees them there. She said that she had a Petition with 133 signatures that stated more Police time in the school was needed. Mr. Crespo asked that Mrs. Matthews not discuss his children in a Public Meeting, and that if Mrs. Matthews had a Petition to give to the Council that she should do so. She tossed the Petition on the table in front of Mr. Crespo. She also stated that what would happen if we had a shooter come in, that everyone would feel safer with the Police there because the Officer would have a gun, and that wouldn't that stop someone from opening fire.

Mr. Sutton was also in favor of increasing Police time in the schools as he has sole custody of his two children and that the Police presence would be a deterrent to his ex-wife showing up.

Ms. Wade stated that more Police time would allow the kids to get to know the Police better.

Mr. Dan Cannon spoke regarding the one-way on Bentley, and that even with the No Parking signs, people do park on Cherry.

Other questions involved the Comcast Cable Renewal Period, the paving of Detwiler, and several other comments in favor of more Police time in the school, and several stating the opposing view.

There being no further comment, Public Session was closed at 8:12PM.

EXECUTIVE SESSION - Entered into at 8:14PM.

Resolution 2012-111:

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 now exist: Discussion to be had on Personnel, Litigation, and Contractual matters.

ACTION AFTER EXECUTIVE SESSION: YES X (See below) NO

RESOLUTION 2012-112

A Resolution authorizing Cory Communications to broker a contract with LSI for a new phone service system for Beverly City Hall. Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes

ADJOURNMENT

There being no further business, Motion to Adjourn was made at 9PM by Thibault; Second by Kelly. All in Favor. Motion Carried.

Respectfully submitted,

Donna Snyder, RMC/CMR/CPM

Date

APPROVED:

Mayor Randy H. Miller

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. YES.

Current year proposed Budget including the full adopted Budget for current year when approved by the Governing Body. TBA

Most recent Annual Financial Statements and Audits. YES

Notifications for Solicitation of Bids and RFP's. TBA LINC TO ENGINEER.

Employee Contact Information. TO BE UPDATED.

Governing Body, Boards, and Commission Meeting Dates, Minutes, and Agendas. TBA

2. Is your municipality's computer information backed up regularly, pursuant to a written backup policy and is data stored offsite. YES. BEVERLY CITY IS BACKED-UP REGULARLY AND STORED OFFSITE PURSUANT TO A WRITTEN BACKUP POLICY BY NETWORKS PLUS.

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

4. If your municipality is a member of the SHBP, have you transitioned from Chapter 88 (lifelong retirement benefits & Medicate Part B payouts) to Chapter 48 (healthcare cafeteria and select cost-saving provisions for all current and future employees). YES. A "CAFETERIA PLAN" WAS ADVISED TO ALL CITY EMPLOYEES AND HAS COMMENCED.

****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.

Updated 2/24/12