

MINUTES

CITY OF BEVERLY

FEBRUARY 10, 2004

CALL TO ORDER. The regular meeting of the Common Council of the City of Beverly was called to order at 7:30pm, by Council President Bancroft on Tuesday, January 27, 2004, 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.

ROLL CALL.

PRESENT: Mr. Wolbert, Mr. Newsome, Dr. Cook, Mr. Williams, Ms. Gillette, Mrs. Richards, Ms. Setikas, Council President Robert Bancroft, Mayor Robert Lowden, Solicitor William Kearns, Director of Public Safety Mike Morton and Municipal Clerk/Administrator Barbara Sheipe.

ABSENT: None.

MINUTES. Mrs. Richards made a motion to approve the minutes of January 27, 2004, Ms. Gillette second the motion. All members present approve the motion.

PRESENTATION OF AWARDS.

Council President Bancroft presented Mary Gioffre with the award and proclamation from the League of Municipalities and the Governor of the State of New Jersey in honor of Dominic Gioffre's work and service in government.

Nancy Richards presented the council with the Burlington County JIF awards that were given to the city for the Most Improved Safety Performance in 2003, to the Police Department for being the Winner of the 2003 Safety Incentive Program and to the Employees and Volunteers of the city for first runner-up in the 2003 Safety Incentive program. The plaques will be placed on the wall of the council room.

Dr. Gail Cook presented the Riverline (light rail) with awards from the city and clean communities program for the work and time with the Santa train and city. Jerry Savitch, Richard Melinni, Barbara Lazzaro and Tamara Fair from NJ Transit were present to accept the awards. Mayor Lowden discussed how the city was founded because of the river and the train and that the Riverline will help rejuvenate the city. Mr. Savitch thanked Dr. Cook and the city for the decorations at the train station and the support of the city with the Santa train. The train is planned to begin service on March 14, 2004.

PUBLIC SAFETY.

A resident who lives at the corner of Wheatley and Nichols Avenue inquired if the city could place no hunting signs on the city property near his home. There have been problems with hunters in the area and they are ignoring the no trespassing signs. Director Morton informed council that his department is aware of the problem and is working on it.

EXECUTIVE SESSION. Mrs. Richards requested a brief executive session for the discussion of personnel. Council President Bancroft second the motion. All members were in favor.

Council returned to public session.

Mrs. Richards made a motion to permit Director Morton to begin the process to hire one new officer and two special officers. Ms. Gillette second the motion. All members present were in favor.

COORESPONDENCE.

Council President Bancroft read a letter of resignation from Mildred Snyder concerning her position on council. Mrs. Snyder has moved out of state and regrets that she cannot serve on the council. Mrs. Richards moved to accept the resignation, second by Mr. Williams. All members present voted in favor.

Letter from Democratic Committee-Dr. Gail Cook explained that due to the sudden resignation of Mrs. Snyder and that the committee has not been able to meet due to bad weather and illnesses. The committee will submit a letter at the next council meeting.

OLD BUSINESS.

ORDINANCE ON SECOND READING.

- a. **Ordinance No. 2004-1,** An Ordinance To Amend Ordinance No. 2003-1, 2003-2, 2003-3, 2003-4, Salary Ordinance For Regional Contribution Agreement. The ordinance was read by title.

Council President Bancroft opened the ordinance for a public hearing. Joseph Wooters of Van Kirk Street requested a clarification on the ordinance in regards to the salary amendments. Council President Bancroft explained that the city had not received the funding from the Springfield RCA program, so an adjustment was need to spread the salaries of the Director and Assistance between the other RCA's. Doris Sasso, Director of the RCA/COAH program explained because the money has not yet come from Springfield Township there had to be a reallocation from the other RCA money. Mr. Haaf inquired if the two employees split the money. Ms. Sasso explained that she will receive \$50,000 from this ordinance and her assistance will receive \$36,000. Mr. Borden inquired as to what happens if the money does not come through? Ms. Sasso explained that the project is put on hold until the money from the sending community is received by the city. She cannot spend other money on this. Mr. Haaf inquired as to how the salary is set and who does the negotiations for the salary. The salary is funded by COAH approval and they have to agree to a raise. Mrs. Van Hoy asked what happens if the RCA program

goes away. Ms. Sasso explained that she will then disappear and her assistant will stay and take 20% of the salary until it is gone and she will disappear. Mr. Wooters inquired if council has a decision on the salary. Council approves or disapproves the ordinance by vote. Dr. Cook inquired as to what happens to the extra money from administration. Ms. Sasso uses the extra money to do more homes in the city. Mr. Wooters requested that each member of council talked about their feelings on the landlords using the RCA/COAH money to repair their rental units. Mr. Wooters and Mr. Haaf discussed that it is not clear in the minutes from previous meetings, exactly when rentals units were started. Mrs. Sheipe will do more research in the minutes and of the contracts with the other RCA.

Mrs. Richards made a motion to adopt Ordinance No. 2004-1 on second reading. Mr. Wolbert second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Dr. Cook, Mr. Williams, Ms. Gillette, Mrs. Richards, Ms. Setikas and Council President Bancroft.

NAYES: None. The ordinance was passed on second and final reading and will take effect 20 days after publication.

B. Ordinance No. 2004-2, An Ordinance To Transfer Functions Of The Local Board Of Health. The ordinance was read by title.

Council President Bancroft opened the ordinance for a public hearing. Mr. Borden requested an explanation of the ordinance. Mr. Kearns explained that this ordinance would have the city council serve as the local board of health and allow the various departments and employees in the city to perform duties called for under the ordinance. Mr. Haaf inquired if there was any charge from the county for their assistance. Mr. Kearns discussed that this is the way that the majority of the municipalities in the county handle their board of health through shared services with the county board of health. Jerry S. inquired what the saving to the city would be. Council President Bancroft explained that there would be a savings of \$3,000 to the budget.

Mr. Wolbert made a motion to adopt Ordinance No. 2004-2 on second and final reading. Ms. Gillette second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Dr. Cook, Mr. Williams, Ms. Gillette, Mrs. Richards, Ms. Setikas and Council President Bancroft.

NAYES: None. The ordinance was passed on second and final reading and will take effect 20 days after publication.

Mayor Lowden explained the city still has a board of health; it would become city council that has the powers to create and approve ordinances that are required for the board of health. Mr. Kearns explained that this ordinance gives the power of health ordinances back to city council.

NEW BUSINESS.

A. **Resolution No. 2004-16**, Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement with Respect To 645 Cramer Avenue, Beverly NJ. The resolution was read by title

B. **Resolution No. 2004-17**, Resolution Appointing Alternate Commissioner To Burlington County JIF. (Barbara Sheipe). The resolution was read by title.

Mrs. Richards made a motion to approve Resolution No. 2004-16, Resolution 2004-17. Mr. Williams second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Dr. Cook, Mr. Williams, Ms. Gillette, Mrs. Richards, Ms. Setikas and Council President Bancroft.

NAYES: None.

WORK SESSION.

Request from the County Board of Health-Ordinance on Food Manager Training. John Pitko and Kathleen Chort-Holmes of the Burlington County Health Department met with the administrator and council president to request that the city pass an ordinance requiring that food handlers receive a food safety certification before receiving their food handler permit from the city. The food handler would have to take an 8-hour non-credit online computer course in food safety. This course will cost \$60.00 and includes a ServeSafe book, which cost \$45. if purchased separately. The ServeSafe book is a valuable resource for food safety information. Mayor Lowden discussed that he has to do this at his job and that it is full of valuable information. One employee takes the course and than is able to train the others. The consensus of council was to have Mr. Kearns prepare an ordinance for the next meeting for introduction.

SOLICITOR'S. None.

MAYOR'S REPORT.

Mayor Lowden discussed that he and William Kirchner had attended an expo for the Delaware Valley Regional Planning Commission and had passed out maps and literature for the city. The Mayor of Collingswood gave a speech at the expo about purchasing of buildings in the city and the redevelopment of Collingswood. Mayor Lowden discussed that the emphasis was to fix what you have first and to attract restaurants. Collingswood also has a program to help residents convert apartment buildings back to single family homes. The planning board will hold reorganization on February 18 at 7pm.

COUNCIL'S REPORT.

Mr. Wolbert discussed that he had attend a seminar for new and elected officials on January 31 and had obtained a lot of information. Mr. Wolbert discussed that the tax payment collection is up from last year and that is encouraging. Mr. Wolbert inquired if

the solicitor had researched the ordinance for false alarms and if a letter had been sent to the county to support them in holding prisoners to their original sentences given by the city.

Mr. Newsome discussed that he is looking forward to working with council and is interested in the city progress.

Dr. Cook discussed that she is meeting with developers and that a company wants to meet with city officials for grants and development. The Riverline will have a ceremony on opening day and the city will be wearing costumes of historic flavor. Dr. Cook read a letter from the Beverly School inviting her to read for the class on Feb 17 as part of the READ ALOUD WITH ME program.

Mr. Williams discussed that he is excited to be on council and that he is looking forward to the work.

Mrs. Richards talked about the fire alarm permit and fee ordinance and that there is a need for it. The fire company responds to many false alarms several times a month and usually it is a repeat address. Mr. Williams inquired if there would be an annual fee for the service or a one-time connection fee? Mr. Kearns will work out the options in the ordinance.

Mrs. Setikas congratulated the new members of council.

PUBLIC SESSION.

John Haaf-Riverbank suggested that in lieu of a report for the new council members that perhaps they could share their ideas or goals for the city.

Mr. Borden requested a clarification on the appointments to the planning board. Mayor Lowden explained that he had appoint George Hahn as a regular member and Joseph Wooters as a regular member. Than when Roy Evensen resigned he reappointed Mary Gager to fill Roy's unexpired term.

Karen Van Hoy-129 Warren Street requested an explanation from the Mayor on the reappointment of Mary Gager to the planning board. Mayor Lowden explained that Mary was a devoted member of the board and was upset when she was not reappointed to the board originally. Mayor Lowden had a discussion with Mary and decided due to her loyalty to the city, he would appoint her to fill Roy's place.

John Haaf inquired as to who the city council member appointed to the library would be, since Ms. Snyder has left. Council appointed Gerda Setikas to the library board.

Joseph Wooters-Van Kirk Street discussed that there still has not been a record found of the exact meeting when council gave authority to use the RCA money for landlords. Mayor Lowden explained that it was in the original agreement with Moorestown and that there is a policy book for the RCA's that Ms. Sasso must follow. Ms. Sasso explained that the policies are required by COAH and the county planning board, as to what the sending district must comply with. The project plan is put together according to COAH guidelines. The plan can state all open to homeowner or all to rentals or a combination. Mr. Wooters inquired if we have the option to offer the money to landlords or not? Ms. Sasso discussed that legally we cannot deny landlords. Mr. Kearns will take a look at the plans and determine the cities options. Mr. Haaf discussed that the city's master plan promotes home ownership and the reducing of rental properties in the city. Mr. Borden discussed that Denis Germano was solicitor at the beginning of the program and that he was asked each meeting if arrangements could be set for homeowner occupied units only. Mr. Borden stated that the residents were given the same answer every time that it could be limited to homeownership. Mayor Lowden explained Mount Laurel was owner occupied, but that Moorestown had rental units involved. Ms. Sasso discussed that council makes the decision. Mr. Wooters discussed that the residents made it clear and still are making it clear that they do not want rental units to receive the money. Ms. Sasso prefers not to do rentals, but that it is mandate by the government. Mr. Kearns explained that the arrangements between the sending districts and the receiving districts specific what gives most credit to the sending district and that usually a town receives a credit of 2 for 1 with rentals. Mr. Wooters inquired as to how many agreements with the city mandate rentals as of 2004. Ms. Sasso discussed that the New Hanover agreement must be one rental unit and one new build able unit, which will be used on the Beverly Commons project. Mayor Lowden reviewed that as of day one with Mount Laurel the city received 85 units and has continued to accept units from other towns. Marty Gunderson-Church Street inquired as to the total number of units the city has. Ms. Sasso reply that as of the middle of December 2003 there were 149 units compared to a total of 1092 properties in the city. Mr. Haaf inquired what would happen if the city violated the agreement by not doing any rentals. Mr. Kearns explained that the city entered into the contracts and has an obligation to fulfill the contract. Mr. Wooters discussed that the main problem with the rental units is that it locks the units into low-moderate units for ten years. The resale of the units must follow the same standard and is deed restricted for ten years. Ms. Gunderson inquired as to how the city knew if the landlord moved someone in who did not meet the income guidelines. Council President Bancroft explained that the landlord must notify the city when there is a change of tenant and than Mr. Mickle informs Ms. Sasso. Ms. Sasso explained that she than request financial information from the landlord on the tenant to make sure that it is in compliance. Mr. Kearns discussed that the low-income range for a family of four in the county is \$34,100 and a moderate range is \$54,500 for a family of four. Mr. Wooters reintegrated that the city should not help landlords.

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

PAYMENT OF BILLS Mrs. Richards made a motion to approve the bills, Ms. Setikas seconded the motion. Council President Bancroft requested that the bill for Waste Management be excluded from the bill list. The bill is for the location of the dumpsters at the sewerage. The dumpsters is only placed on the fifteen of each month, unless a special dumpster is order and Waste Management billed the city for an extra dumpsters. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Dr. Cook, Mr. Williams, Ms. Gillette, Mrs. Richards, Ms. Setikas and Council President Bancroft.

NAYES: None.

Mayor Lowden discussed that the sewerage authority requested that the city move the dumpsters from the area due to state mandates for security reasons.

A motion to adjourn was made by Mrs. Richards, second by Mr. Williams.

Submitted by,
Barbara A. Sheipe RMC
Municipal Clerk