

MINUTES

BEVERLY CITY COMMON COUNCIL

Meeting of January 10, 2012

7PM

CALL TO ORDER

President Crespo called the meeting to order at 7:03PM

OPEN PUBLIC MEETINGS ACT (NJSA 10:4-6)

Mr. Crespo read the following 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. **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 - All were Present

Mayor: Randy H. Miller

Council President: Luis Crespo

Council Members: Barbara Kelly, Brian Perkins, Hal Robertson, Robert Thibault

Solicitor: Albert K. Marmero

Engineer: William H. Kirchner

Administrator: Ken Gerber, CPM

Municipal Clerk: Donna Snyder, RMC/CMR/CPM

MINUTES

Minutes for the 1/3/2012 - 2012 Reorganization Meeting were called for approval with a motion by Robertson and a Second by Thibault. Roll Call Vote: All Ayes. Motion Carried.

RESOLUTIONS

RESOLUTION 2012-18

A Resolution of the Common Council of the City of Beverly appointing a Municipal Recycling Coordinator for the 2012 Calendar Year. Motion to approve by Thibault; Second by Perkins. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-28

A Resolution of the Common Council of the City of Beverly appointing Kate Elliot as Crossing Guard for Calendar Year 2012. Motion to approve by Robertson; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-29

A Resolution of the Common Council of the City of Beverly approving payback for 40 Hours of prior accumulated Vacation time in the amount of \$615.20 to Beverly City Police Secretary/Matron/Crossing Guard Kate Elliot. Mr. Crespo explained how this amount of time had accrued, due to a change back and forth from part-time to full-time, and not initially being given Vacation time while working part-time. Council statement was made that perhaps there's a need to track and CAP for the next negotiations. Motion to approve by Perkins; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-30

A Resolution of the Common Council of the City of Beverly appointing Certified Court Administrator Donna Browne as Part-time **Municipal Court Administrator for the City of Beverly** effective January 17, 2012 at the rate of \$21.50 per hour, not to exceed 25 hours. Overtime hours will be Compensatory. No Medical Benefits. Vacation and Sick time will be according to State Law and prorated based on time in. Motion to approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes, except Robertson - Abstained. Motion Carried. Donna Browne was then sworn in by Mayor Miller, with her husband holding the Bible.

RESOLUTION 2012-31

A Resolution of the Common Council of the City of Beverly opposing Water Rate Increases currently sought by New Jersey American Water. Motion to approve by Thibault; Second Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-32

A Resolution of the Common Council of the City of Beverly authorizing award of bid for the **Cooper Street Gateway Project** to apparent low-bidder **Curb-Con, Inc.**, for Base Bid, and Alternates 1, 2, and 3 in the total bid amount of **\$234,082.00** subject to approval from NJDOT Local Aid District IV. Motion to approve by Thibault; Second by Perkins. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-33

A Resolution of the Common Council of the City of Beverly authorizing Renewal of Lease for the 2012 Calendar Year between the **Beverly Sewerage Authority** and the City of Beverly. Motion to approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-34

A Resolution of the Common Council of the City of Beverly approving ABC **Social Affair Special Permit** to **Beverly Fire Company No.1** for a Fund Raiser/Benefit for the Volunteer Fire Company on Saturday, March 10, 2012 from 7:30PM to 1:00AM at their Laurel & Oak Streets, Beverly, NJ 08010 location, conditioned upon all required paperwork being submitted, and all prior approvals being in order. Motion to approve by Thibault; Second by Perkins. Roll call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-35

A Resolution of the Common Council of the City of Beverly authorizing **Transfer of 2011 Appropriation Reserves**. Motion to approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

CORRESPONDENCE

The Correspondence was read by title as listed below by Mayor Miller. All were reminded that Correspondence could be reviewed in the Clerk's Office.

1. **Environmental Resolutions** - Notice to Grassbusters for completion of Punchlist items for Lauinger Field Project.
2. **Burlington County Board of Health** - Beverly City Recycling Facility Inspection Report (all in compliance).
3. **Comcast Cable** - Request for Renewal of Cable Franchise Agreement between Comcast and the City of Beverly.
4. **Joe Robinson** - Beverly City Revaluation Status Report - December 2011.
5. **Board of Chosen Freeholders** - Notice of Public Hearings for Potential Sale of Real Property: Buttonwood Hospital, Pemberton Twp., NJ. Public Hearing 1/31/12, 6PM at Burlington County College; 2/14/12, 6PM at Freeholders' Board Room.

COMMENTS/REPORTS**MAYOR**

A Proclamation Honoring Dr. Martin Luther King, Jr. on the anniversary of his birth, as previously memorialized by Dr. Gail Cook, was so noted by Mayor Miller.

ADMINISTRATOR

Director Gerber gave an update on the "Clean and Lien" properties in the City. Additionally, he reported that two or the three new officers are done with Field Training and are doing a remarkable job.

SOLICITOR

Mr. Marmero had comments for Executive Session.

ENGINEER

Mr. Kirchner exacerbated on Resolution 2012-32, the Cooper Street Gateway Project, which went to low bidder Curb-Con, Inc. Putting the underground wiring in now so we don't have to tear up what was just done. Mr. Kirchner advised that the Federal Grant won't give money to the City to give to PSE&G. This project will most likely have a Spring start, plus one-two months. The Scope of Work is 1) ADA ramps from Railroad to Warren; 2) Removing trees in Park strips; 3) Install stone pavers. With construction and construction observation, Engineering upfront was approximately \$31,000.00 twenty-eight months ago.

COUNCIL MEMBERS

Mr. Crespo explained to Mr. Thibault regarding Resolution 2012-35: Transfer of 2011 Appropriation Reserves advising that money was transferred out of November/December or paid out of another line item. The Legal line item was higher by about \$20,000.00 due to the redeveloper. This has now ceased. Initial paperwork by Strategic Redevelopment Partners was not signed.

Mr. Kirchner advised Council that Grassbusters is completing their Punchlist items at Lauinger Field over at the school. Pine Street is wrapping up with another payment at the next meeting. ADA Renos at City Hall: Bill advised that he'll report back at the next Council meeting.

The Reval process was reviewed. The Administrator advised that he had spoken with Tax Assessor Joe Robinson and said it was a complicated process and that there's a need to sit with Council as it's been so long since the last reval, as all are supposed to benefit. Mayor Miller suggested that perhaps the grace period could be extended to the end of January. It was decided that a Special Meeting would be held on Tuesday, January 17 from 6-8PM at the school, provided there was an availability. The Clerk will check with the school and coordinate. Motion to approve by Kelly; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

Mr. Crespo advised that we would not be going for Transitional Aid as all authority has to be turned over to the State, and that it was not recommended. He said that once the numbers are in, a tentative budget would be had by the end of January.

CLERK

The Clerk advised that Dog/Cat Licensing had been delayed to a date in February to be announced due to new software being installed and coordination with the Veterinarian and the County for vaccine. Once set, it will be advertised in the Beverly Bee and noted to the Burlington County Times. Motion to waive Late Fee to 2/29/12 by Thibault; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

PUBLIC COMMENT - The Floor was opened to the Public at 8:06PM

*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 you name and address for the record.***

Comments and discussion was had by Residents Don Arter, Pat Piryliis, and Mark Schwedes regarding numerous inequities in the Reval Process; lack of due diligence on the part of the Reval company, ASI, Inc.; the bidding process and choosing the low bidder for the Reval; the lack of knowledge on the part of the ASI Reps at the informal "hearings", and the fact that the entire process was very poorly run and the company should be taken to task. It was also mentioned that there was some litigation against this company by Princeton Township and Borough. Mr. Marmero will check our avenues and also review the company's contract with the City for the Reval.

Mr. Schwedes asked about renewal on the Cable Franchise - if we could get more for our money, perhaps free cable for the school, etc. Mr. Crespo advised that this is still in negotiation and we're researching re being able to do Requests For Proposals.

There being no further comment, Public Session was closed at 8:37PM

EXECUTIVE SESSION**Resolution 2012- 37:**

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.

Motion to come out of Executive at 10:12PM by Robertson; Second by Thibault. All in Favor - Aye. Motion Carried.

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

ADJOURNMENT

There being no further business, Motion to adjourn was made at 10:15PM by Mr. Perkins with a Second by Mr. Thibault. All in Favor - Aye. Motion Carried.

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. WRITTEN POLICY IN PROCESS.

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). "CAFETERIA PLAN" 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 1/6/12.

Respectfully submitted,

DONNA SNYDER, RMC/CMR/CPM

DATE

APPROVED:

MAYOR RANDY H. MILLER

DATE