

# MINUTES

## BEVERLY CITY COMMON COUNCIL

Meeting of January 24, 2012

7PM

### CALL TO ORDER

Council President Luis Crespo called the meeting to order at 7:04PM.

### 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. **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, Hal Robertson,  
Solicitor: Albert K. Marmero  
Engineer: William H. Kirchner  
Administrator: Ken Gerber, CPM  
Municipal Clerk: Donna Snyder, RMC/CMR/CPM

#### Absent:

Council Members: Brian Perkins, Robert Thibault

### MINUTES

The Minutes for the 1/10/12 Regular Council Meeting were reviewed with Motion of Approve by Robertson; Second by Kelly. Roll Call Vote - All Ayes, except Perkins and Thibault - Absent. Motion Carried.

### ORDINANCE 2012-1 INTRODUCTION/FIRST READING

An Ordinance of the Common Council of the City of Beverly amending Ordinance 2012-1 of the Revised General Ordinances of the City of Beverly entitled: "TOWING AND STORAGE OF MOTOR VEHICLES". This Ordinance will come before Council for Second Reading and Public Hearing at their meeting to be held on February 14, 2012 at 7PM at the Beverly City Housing Authority Building, 101 Magnolia Street, Beverly, NJ at which time all those wishing to be heard on same will be so heard.

Motion to approve on First Reading/Introduction by Kelly; Second by Robertson. Roll Call Vote ~ All Ayes, except Perkins and Thibault-Absent. Motion Carried.

**BILLS LIST**

Review for approval of the 1/25/12 Bills List was completed and Motion for Approval made by Robertson; Second by Kelly. Roll Call Vote - All Ayes, except Crespo recused from #120019 - "Employment Issues" and #120020 - "Masonic Charities"; Kelly recused from #1200-16 - "Community Day Events"; Perkins and Thibault-Absent. Motion Carried.

**RESOLUTIONS**

**RESOLUTION 2012-38**

A Resolution of the Common Council of the City of Beverly authorizing **Transfer of Budget Appropriation Reserves.**

**NOTE: Resolution 2012-38 was removed from the Agenda due lack of the Full Majority Vote which is required for "Transfer of Budget Appropriation Reserves". Said Resolution will be on the Agenda for a Special Meeting of Council to be held on January 30, 2012 at 9AM at the Housing Authority Building at 101 Magnolia Street, Beverly 08010.**

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**NOTE: Resolutions 2012-39 through and including Resolution 2012-85 will be done by CONSENT AGENDA, read by Title with a call for one vote. Any item needing discussion will be pulled for same.**

**RESOLUTION 2012-39**

A Resolution of the Common Council of the City of Beverly authorizing the **Cancellation of Outstanding Checks.**

**RESOLUTION 2012-40**

A Resolution of the Common Council of the City of Beverly appointing **Edward Heron** to the **Beverly City Sewerage Authority** for the five-year term commencing 2/1/2012 through and including 1/31/2017.

**RESOLUTION 2012-41**

A Resolution of the Common Council of the City of Beverly authorizing signature of the **2012 Aerial Mosquito Control Contract** with Burlington County running from April 1, 2012 through and including November 18, 2012.

**RESOLUTION 2012-42**

A Resolution of the Common Council of the City of Beverly approving late submission of fees and paperwork for 2011 Mercantile License: "Tent-Tations", 121 Walnut Street, Beverly, NJ 08010.

**RESOLUTION 2012-43**

A Resolution of the Common Council of the City of Beverly approving Late submission of fees and paperwork for 2011 Mercantile License: "Newsome Tax and Accounting", 121 Walnut Street, Beverly, NJ 08010.

**RESOLUTION 2012-44**

A Resolution of the Common Council of the City of Beverly approving a Handicapped Parking Space, 640 Elizabeth Street, Beverly, NJ, all paperwork and site inspections being done.

**RESOLUTION 2012-45**

A Resolution of the Common Council of the City of Beverly authorizing payout(from BAN) to J.H. Williams in the amount of \$114,268.00 for work performed and inspected to date by Beverly City Engineers on the City's ADA Renovations to City Hall project.

**RESOLUTION 2012-46 THROUGH AND INCLUDING RESOLUTION 2012-85**

Please see attached listing of Resolutions releasing Liens from the stated Blocks/Lots relative to both Moorestown and Mt. Laurel RCA Programs. Note that per Mr. Crespo's research, Resolution 2012-85 is being removed as the ten year Subordination on this property does not expire until February 1, 2012.

**Motion to Approve Resolutions 2012-39 through and including Resolution 2012-84 by Kelly; Second by Robertson. Roll Call Vote - All Ayes, except Perkins and Thibault-Absent.**

**CORRESPONDENCE**

Note that unless otherwise indicated, all Correspondence is reviewed by Council and filed accordingly.

1. **Appraisal Systems, Inc.** - Fax listing actions taken relative to the 22 page Fax forwarded to them by the Clerk's Office regarding individual Resident concerns from Council's Special Meeting held on 1/17/12 re the City's Reval.
2. **Burlington County Freeholders** - 2012 Overlay Program. Response due 2/3/12.
3. **Brown & Connery** - Environmental Testing: Beaunit Mills Property.
4. **NJDEP** - Suspected Hazardous Substance Discharge Notification for Beverly City.

5. **Burlington County Health Department** - Sanitary Inspection Reports for St. Stephen's Episcopal Church, Beverly United Methodist Church, and Macedonia Baptist Church - all issued a "Satisfactory" rating.

6. **Board of Chosen Freeholders** - Burlington County Community Development Program (CDBG) Program Year 2012 Reorganization of General Advisory Committee: Attendance required on Thursday, January 26, 2012 at 5:30PM, Freeholders' Board Room, 49 Rancocas Road, Mount Holly.

7. **NJ State League of Municipalities** - **"Read Across America"** Day - March 2, 2012. See attached for Recommendations.

#### **2011 YEAR-END REPORTS**

Construction; Police Department; Public Works; Tax Collector.

Note: Clerk/Registrar and Housing/Code Enforcement to be presented at Council's February 8, 2012 Meeting.

Motion to Approve by Kelly; Second by Robertson. Roll Call Vote - All Ayes, except Perkins and Thibault-Absent. Motion Carried.

#### **BEVERLY EDGEWATER PARK EMERGENCY SQUAD** - INTRODUCTON/UPDATE

EMS Administrator Stephen Addezzio was present to introduce himself to Council and give an update on the Squad's progress. Steve is a part-time working Administrator for the Squad who holds several degrees/certifications, with over 40 years of experience in Public Safety. The Squad is back in full service, with new Policies and Procedures, Training, and with a Response time of 7 minutes. He advised Council that Ken has all of his information should anyone want to get in touch.

At this point, Council President Crespo advised those present that there would be a Special Council Meeting held on Monday, January 30, 2012 at 9AM to approve Resolution 2012-38, "Transfer of Budget Appropriation Reserves", along with a short Executive Session relative to Litigation.

#### **COMMENTS/REPORTS**

##### **MAYOR**

Nothing at this time.

##### **ADMINISTRATOR**

Mr. Gerber advised that there are problems at the Catch Basin at Dory Court along the curb and center of the street. The curb line doesn't run to the basin. Residents trip and tires have been punctured. Eight-ten inches of park strip has to be dug out to do. We're not able to do anything with the road until we can get the money to resurface.

As Director of Public Safety, Mr. Gerber read the Police Year-end Report, highlighting among other numbers that there were 552 Summons issued in 2011 with 5,594 incidents for the year.

**SOLICITOR**

The Solicitor's comments are reserved for Executive Session.

**ENGINEER**

Bill Kirchner introduced ERI's Environmental Engineer Mark Selover who has been working on the **Beaunit Mills Project**. Review was done relative to the site soil and groundwater testings. Phase II with some of Phase III should be done by May. It was stated that the Grant covered Preliminary Investigation (Phase I), Site Investigation (Phase II), and Remedial Investigation (Phase III). It is hoped that they can also do a partial Remedial within the Grant amount, and they see where we are.

Mr. Kirchner advised that **Lauinger Field** is basically completed with only a few punchlist items left to be completed shortly. Additionally, the Cooper Street Gateway Project has been awarded subject to DOT approval.

Mr. Selover advised relative to the City's **UST removal at City Hall** that this was found to be a minor leak. It's hoped that we can obtain State approval to have what contaminated soil there is to stay on site and attenuate naturally. This cost would be approximately \$5,000.00 with additional annual fees of \$500.00. If this is not approved by the State, costs could run approximately \$20,000.00.

Mr. Kirchner noted that he was also the Township Engineer for Edgewater Park. He asked whether or not Beverly City would have any interest in setting in place with Edgewater an "Emergency Maintenance Contract" as a Shared Service. In the past 3 years, only 2 such repairs have been done in Beverly. We will reach out to Linda Dougherty their Clerk/Administrator re same.

Mr. Kirchner advised that he has an additional item for Executive Session relative to contract negotiations.

**COUNCIL MEMBERS**

**Mr. Robertson** advised that relative to the City's Website - input and changes are necessary. This is a very time consuming job, and the Clerk's office is a one person office. The daily business that goes through there is unbelievable. Research has been done with our current I.T. people, and it will cost \$2,000.00 to redesign the site to a more organized, informational, and customer friendly site, with a yearly Maintenance Fee of \$280.00 per year. He stated that the office is overworked and that an additional person is needed in there. The **Networks Plus** Proposal needs to be reviewed, and action should be taken at our next meeting. Mr. Crespo stated that Mr. Marmero would also review the proposal.

Regarding the Police Project, Mr. Robertson stated that the Architects had determined that when Verizon came in with "T-1" lines, they came into the building but were never tied in for use (this was something instituted by the last Clerk/Administrator). Verizon is to come out to transfer analog to digital. We'll check to see if we are being charged monthly for something we're not using.

**Mr. Crespo** advised that authorization was needed to place ads for the hiring of 1 part-time, regular, fully certified Police Officer (additional), and 1 part-time, seasonal Public Works employee (replacement). Mr. Crespo also stated that the 2012 Budget is in progress. The City won't be taking Transitional Aide, as the State would basically come in and take over.

**CLERK**

Donna Snyder advised that the 2012 Rabies/Licensing Clinic was scheduled for February 18, 2012, 9-11AM, at City Hall. The info was posted in the Beverly Bee and flyers were placed on the table in City Hall.

Additionally, the City's entire Fee Schedule needs to be revamped. She will get input from surrounding Clerks to keep fees in line. Once compiled, the info will be submitted to Council for review and action.

**PUBLIC COMMENT** - 8:15PM

*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.***

Resident Ryan Atkinson of 613 Cooper thanked Council for holding the Special Meeting on January 17, 2012 at the School regarding residents' concerns about the revaluation. He stated that there were some inappropriate comments made at the end, but that Council did very well in explaining things and responding to questions. People realized that Council had many of the same questions as the Residents.

There being no further discussion, Public Comment was closed at 8:18PM.

**EXECUTIVE SESSION** - Motion by Kelly; Second by Robertson. All In Favor. Motion Carried.

**Resolution 2012-87:**

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\_\_\_\_

Council came out of Executive at 9:17PM with a Motion by Robertson to advertise for 1 part-time, regular, fully certified police officer (additional), and 1 part-time, seasonal Public Works employee (replacement); Second by Kelly. Roll Call Vote - All Ayes, except Perkins and Thibault-Absent. Motion Carried.

**ADJOURNMENT**

There being no further business, Motion to Adjourn at 9:19PM was made by Robertson; 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. 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.