

MINUTES

CITY OF BEVERLY

JANUARY 24, 2006

CALL TO ORDER. The regular meeting of the Common Council of the City of Beverly was called to order at 7:00pm, by Council President Bancroft on Tuesday, January 24, 2006, 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, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mrs. Richards, Mr. Krzykalski, Dr. Cook, Council President Bancroft, Mayor Lowden, Director of Public Safety Mike Morton, Solicitor Ellen Kearns and Barbara Sheipe, clerk/administrator.

ABSENT: Ms. Gillette

MINUTES. Mrs. Richards made a motion to approve the minutes of December 28, 2005, Mr. Wolbert second the motion. All members present voted in favor.

PUBLIC SAFETY. None.

COORESPONDENCE.

Council President Bancroft announced that Robert Lowden would not be able to attend tonight as his brother-in-law has passed away out of state. Mrs. Richards presented Michele Adams with a plaque of appreciation and flowers for her years of service to the City of Beverly. Michele Adams discussed how she used to do the taxes out of her parents home and her daughter would be in the playpen to the delight of the residents. Mrs. Adams thanked Mayor Costello for appointing her in 1982 as tax collector. She will miss all the residents and the laughter as well as the tears. Mrs. Adams explained that her resignation was effect on December 1, 2006 due to circumstances beyond her control. Dr. cook thanked Mrs. Adams for always be on call and always responding to the residents. Mr. Borden thanked Mrs. Adams for making something worse than death a pleasure. Presentation from Rural Development-Patrick Vincent. Mr. Vincent explained that there are housing service offering direct loans and loan guarantees for single-family homeownership, self-help housing loans and repair loans. There are also loans available for municipal services and fire and rescue. Mrs. Richards questioned as to whom would administer the programs? Mr. Vincent explained that his office handles all of the paper work. Dr. Cook inquired if city employees would be needed to help the program. Mr. Vincent assured city council that the city did not have to do anything. Rural Development handles the entire program. Mr. Borden inquired

as to what other grants they handle? Mr. Vincent explained that the grants only have a total of \$118,000 for the entire state. The grants normally go to fire and rescue. Mr. Tunney inquired if there is a maximum loan. Mr. Vincent explained that the loan program follows the income guidelines for the low moderate as used by the COAH program. There is a maximum amount of \$237,000 for one loan according to income. Mayor Wetherill thanked Mr. Vincent for attending. There will be information packet in the hallway on the second floor.

Correspondence from DCA- the city received a letter stating that their grant application for SMART GROWTH was denied.

OLD BUSINESS.

ORDINANCE ON FIRST READING.

A. **Ordinance No. 2006-1**, An Ordinance of the City of Beverly For Non-Union Employees For Salary Years 2006 and 2007. The ordinance was read by title. City

Council discussed whether to do the ordinance by exact salary or salary range. The consensus of council was to do the ordinance with salary ranges, so that when a new employee is hired the ordinance would not have to be amending and the council would have a decision as to where in the range he employee would start. Mr. Krzykalski discussed changing the overtime rate to straight time for over 40 hours. The blue-collar employees receive straight time at comp. Time for extra hours. All employees should be the same benefit. Mrs. Richards recommending leaving it at time and half for over 40hours. Mrs. Sheipe explained that most salary employees in the city do not receive overtime for over 40 hours. There are a few exceptions when the employee would receive compensation time. Mrs. Richards made a motion to adopt the ordinance with the salary ranges and the overtime to stay at time and a half on first reading. Mr. Wolbert second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mrs. Richards, Mr. Krzykalski, Dr. Cook, Council President Bancroft.

NAYES: None. The ordinance will be heard on second and final reading at the council meeting of February 14, 2006.

B. **Ordinance No. 2006-2**, An Ordinance To Exceed The Municipal Budget appropriation Limits And To Establish A Cap Bank (N.J.S.A. 40A: 4-45.14). The

ordinance was read by title. Mrs. Richards made a motion to adopt Ordinance No. 2006-2 on first reading. Mr. Wolbert second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mrs. Richards, Mr. Krzykalski, Dr. Cook, Council President Bancroft.

NAYES: None. The ordinance will be heard on second and final reading at the council meeting of February 14, 2006.

NEW BUSINESS Item A through D will be enacted as a single motion needing no discussion. Any item requiring discussion will be removed from the Consent Agenda. All Consent Agenda items will be reflected in full in the official minutes.

- A. Resolution No. 2006-14, Resolution Authorizing An Agreement Between Burlington County Board of Chosen Freeholders and the City of Beverly. (Solid waste).
- B. Resolution No. 2006-15, Resolution Authorizing A Contract For Professional Services With Commerce Risk Control Services (Alcohol and Drug Testing).
- C. Resolution No. 2006-16, Resolution Authorizing Membership In A Mutual Aid And Assistance Agreement With Participating Units.
- D. Resolution No. 2006-17, Resolution Authorizing Transfer Among 2005 Budget Appropriations.

Mrs. Richards made a motion to approve Item A through D on the consent agenda, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mrs. Richards, Mr. Krzykalski, Dr. Cook, Council President Bancroft.

NAYES: None.

- E. Resolution No. 2006-18, Resolution Appointing A Fund Commissioner For Municipal Joint Insurance Fund.
- F. Resolution No. 2006-19, Resolution Appointing An Alternate Fund Commissioner For Municipal Joint Insurance Fund.

Council President Bancroft recommend that John Newsome be appointed Fund Commissioner and that Barbara Sheipe be appointed alternate. Mrs. Richards made a motion to approve Resolution No. 2006-18 and Resolution No. 2006-19, Ms. Kinniebrew second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mrs. Richards, Mr. Krzykalski, Dr. Cook, Council President Bancroft.

NAYES: None.

- G. Resolution No. 2006-20, Resolution of the Cit of Beverly Authorizing A Tax Refund.

H. Treasurer's Report.

Mrs. Richards made a motion to approve Resolution No. 2006-20 and the Treasurer's report. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mrs. Richards, Mr. Krzykalski, Dr. Cook, Council President Bancroft.

NAYES: None.

I. Payment of Bills. Mrs. Richards made a motion to approve the payment of bills. Mr. Wolbert second the motion. Mr. Wolbert requested that the bill for the Alcotest from First Lease amount be changed to \$391.25 also the bill for Stephen Meyers for tolls should be changed to \$4.10. Mrs. Richards questioned what the bill for Lexis Nexis was? Mrs. Sheipe explained that it was the code updates for the city. City Council decided to hold the Winzinger bill for Clean Shores until research was done, to see if it was already paid. Ms. Kinniebrew discussed that the Harris Fence will be held until the playground is completed. Mr. Wolbert discussed that the Board of Education bill should be held until the Feb. council meeting for the Feb. payment. Council President Bancroft inquired as to when the repayment to the cable company

expired. Mr. Newsome explained that the paperwork shows that the last payment is in 2008.

At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Mrs. Richards, Mr. Krzykalski, Dr. Cook, Council President Bancroft.

NAYES: None.

SOLICITORS REPORT.

MAYORS REPORT. Mayor Wetherill discussed that she had been in Trenton concerning the Smart Bill for the changing of the school taxes. There is discussion in removing the school tax from the property bills. Mayor Wetherill also discussed that she attend meeting the Governor along with other Mayor's. Mayor Wetherill in conjunction with Dr. Gray from the school will be starting a band. Anyone with instruments that would like to donate them can call city hall or drop them off. Mayor Wetherill discussed that due to a conflict with two appointments to a Class II position; Edward Heron will no longer be on planning. Mayor Wetherill appointed Robert Germer of Pine Street to a Class IV position.

COUNCIL REPORTS.

Mr. Newsome discussed that city council needed to schedule a budget worksession. Also that he and Mrs. Sheipe would be attending the interviews for the planner from the RFP's for the River Line. Dr. Cook discussed that work as started on the Memorial Day parade.

Mrs. Richards discussed that she had attend a redevelopment seminar with Mayor Wetherill and Beverly Haaf. The seminar was given by Ballard and Spahr concerning the riverfront towns. Mark Remsa, Burlington County Department of Economic Development, Frances Hoffman, Office of Smart Growth and Caren Franzini, NJ Economic Development Authority, spoke on redevelopment and growth of the riverfront towns. Mrs. Richards read into the record her resignation from city council. Letter is attached and made part of the minutes. Mrs. Richards thanked the residents and council for their support and that she is always available to answer questions.

Ms. Kinniebrew with regrets, made a motion to accept Mrs. Richards's resignation, Mrs. Richards second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mr. Newsome, Mrs. Setikas, Mr. Krzykalski, Council President Bancroft.

NAYES: Dr. Cook

ABSTAIN: Mrs. Richards

Council President Bancroft announced that the Mobile Health Unit would be available every Wednesday at the Beverly Housing Authority for residents to receive health and dental care.

WORK SESSION. Ordinance on Salary for RCA/COAH program. Mrs. Richards requested that this be held until executive session for the discussion of personnel contracts. Mr. Wolbert second the motion. All members voted in of the motion. Discussion on 2006 Municipal Budget-Council President Bancroft discussed that the auditor is ready to have a meeting with city council and review the budget. Mr. Wolbert discussed that a \$1,000 needs to be added for stormwater material. Mrs. Richards discussed about borrowing money to repair the streets. There are large

potholes all over town and several areas that are sinking. The streets near Cramer and Erhardt Avenue are in need of repair. Mr. Krzykalski discussed upgrade the public works truck for the new diesel regulations that will be required. Mr. Krzykalski discussed increasing parks and recreation for new equipment and mulch. Ms. Kinniebrew inquired if there was not an organization that would donate the mulch. City Council decided to schedule the budget meeting for February 7 at 7pm with the city auditor.

PUBLIC SESSION.

Council President Bancroft thanked Diane Marshall and Janet Lowe for their work on the refreshments for reorganization.

Dora James-Laurel Street discussed that in August she had acquired a handicapped plaque for her grandmother. An officer went to her house in the last few days and delivered a letter to her grandmothers neighbor about her owing the city four (4) dollars for the plaque. Mrs. James discussed that no one should be informed of her business with the city and that the officer should not be harassing her grandmother for four dollars. Director Morton explained that the officer attempted to deliver the letter to the grandmother and that the grandmother requested that it be given to the neighbor. Director Morton also explained that the four dollars should have been collected before the handicapped plaque was issued and that as a courtesy the city issued the plaque on a condition that the money was paid and a doctors note was secured. Mrs. James discussed that the police secretary had informed her of different information than what the Director was discussing and that the Director did not know what the police secretary had told her. Mrs. James discussed that she feels that her grandmother is being harassed over four dollars. Director Morton explained that the incident was record by the officer and that Mrs. James can watch the tape. Mrs. James also discussed that she is not satisfied with the internal affairs investigation and that she does not feel that the city should be handling its own internal affairs. She talked to the county prosecutors office and they referred her back to the city. Mrs. James would like to see the city have a citizens group such as other towns have to do the investigation. Mr. Wolbert explained that the citizens group do not do internal affairs investigations. Mrs. James also discussed that cars are still parked on Oak Street and that it is against city ordinances to have parking on Oak Street. Mrs. James complained that only one officer in the city will stop and talk to the residents and the children and that there needs to be better community policing. Mrs. Richards explained that the officer do not stop to talk often because residents have complained that the officers are wasting city time with undesirables. Mrs. James discussed that the officers are always stopping the young adults and that the city is looking for a lawsuit for harassment. Director Morton informed Mrs. James that his door is always open to her to come in and talk about her concerns.

Mr. Haaf –Riverbank inquired of Mrs. Kearns that is it not the law that council must state why they postponed the salary discussion until executive session. Mrs. Kearns explained that when the motion is made to go into executive session the reasons would be stated.

Ms. Kinniebrew discussed that she has listen to Mrs. James concerned about the police department and cannot tell it is valid until she has all of the facts. One friendly officer is excellent, but authority figures cannot always socialize, because it creates conflicts. Ms. Kinniebrew discussed that she is not demeaning the situation, and that it will be looked into. Mrs. James discussed that she feels her son was harassed for walking out of a house. He was required to show ID and asked if he would move a vehicle that did not belong to him. Mrs. Richards explained that Mrs. James had discussed this incident with city council several times before and that the Director had discussed this matter with the officers and Mrs. James. Mr. Krzykalski discussed that he can remember the same matter being discussed twice before. Mrs. James discussed that she feels that it is a racial matter and that something needs to be done. Her son was stopped because of a tag light being out. Director Morton discussed that he had addressed the incident with Mrs. James and informed her as to what information she need to present for the ticket.

Ms. Astemborski inquired about the house that is half built on Manor Road and if it is going to be completed. Council President Bancroft explained that the owner is working on the house as funding becomes available and that he has applied to have the utilities connected.

Mr. Borden inquired about the new truck for public works and the regulations for the new diesels. Mr. Borden discussed that the city should look into the best options either gas or diesel. Mr. Wolbert explained that diesel is needed for plowing and gives the city the best option. Council President Bancroft discussed that the current truck is 1 years old and requires a lot of repairs.

Mr. James inquired about the tapes that the Director said he had and if he could review them so that he can see the incident with the grandmother and the neighbor. Director Morton requested that Mr. James call and he will make the viewing available.

Mrs. James inquired as to why there are no minorities or females on the police force? Council President Bancroft explained that they have to hire off of a certified list that is provided by the State and first preference goes to a resident.

No One Else From The Public wish to be heard.

EXECUTVIE SESSION. Mr. Wolbert made a motion to have an executive session for the discussion of contracts and personnel. Mrs. Richards second the motion. All members voted in favor.

GENERAL SESSION. City Council returned to general session. Mr. Wolbert made a motion to hire Victoria Boras as the new tax collector/treasurer for a salary of \$46,000 a year. Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mrs. Richards, Council President Bancroft.

NAYES: None.

Resolution No. 2006-21, Resolution 2006-21, Resolution Stating The City's Preferred Approach To Accelerate The Clean Up and Redevelopment of the Cosden Chemical Site. The resolution was read by title. Dr. Cook made a motion to approve the resolution. Mrs. Richards second the motion. At the call of the roll, the vote was:

**AYES: Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome,
Dr. Cook, Mr. Krzykalski, Mrs. Richards, Council President Bancroft.
NAYES: None.**

**ADJOURNMENT. Mrs. Richards made a motion to adjourn, Mr. Wolbert second
the motion. All members voted in favor.**

Submitted by,

**Barbara A. Sheipe RMC
Municipal Clerk**