

MINUTES

CITY OF BEVERLY

JANUARY 3, 2008

CALL TO ORDER. The reorganization meeting of the Common Council of the City of Beverly was called to order at 6:30pm, by Mrs. Arter on Tuesday, January 3, 2008 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.

OPENING PRAYER. Reverend Legnani from the Beverly Episcopal Church offered the opening prayer.

OATH OF OFFICE. Assemblyman Connors administered the oath of office to Harold Robertson and Martin Bass as new council members for a three-year term.

ROLL CALL.

PRESENT: Mrs. Arter, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson Mr. Arter, Mr. Bass, Mayor Wetherill, Director of Public Safety Michael Morton and Barbara Sheipe Clerk/Administrator.

ABSENT: None.

PRESIDENTS ADDRESS:

Mrs. Arter discussed that a new year is beginning and the other is ending. The goal of the council is to make the city vibrant, to regenerate the downtown and to build a strong community. The council is a melding of different views and approaches and that council works together to meld these views into one. Council needs to embrace the diversity of its members and citizens to make the city great. Mrs. Arter discussed that council members should always keep in mind they are working for the residents of the city to improve the city to the best of their abilities.

ELECTION OF COUNCIL PRESIDENT.

Mr. Robertson made a motion to appoint Luis Crespo as council president, Dr. Cook second the motion. Mr. Germer explained that he was voting no because of the delinquent taxes that Mr. Crespo owed and that it is wrong to have a council member who is contributing to the high tax rate in the city. Mr. Germer discussed that he would like to nominate Mr. Newsome as council president. Mr. Newsome denied the nomination. At the call of the roll, the vote was:

AYES: Mr. Newsome, Dr. Cook, Mr. Robertson, Mr. Bass, Mr. Crespo.

NAYES: Mr. Esaia, Mr. Arter, Mrs. Arter and Mr. Germer.

OATH OF OFFICE. Assemblyman Connors administered the oath of office to Mr. Newsome as a new council member for a three year term.

ELECTION OF PRESIDENT, PRO-TEM.

Mr. Newsome made a motion to appoint Dr. Gail Cook as pro-tem for council president. Mr. Robertson second the motion. At the call of the roll the vote was:

AYES: Mr. Newsome, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None.

PRESIDENT'S ADDRESS- Mr. Crespo welcomed all of the guests from various municipalities and thanked Assemblyman Connors for attending. Mr. Crespo thanked Mrs. Arte for her speech and that he agrees that council needs to get along and comprise to work towards the city's goals.

RESOLUTION NO. 2008-1, Resolution Appointing City Solicitor and Authorizing An Agreement For Professional Services. The resolution was read by title. Dr. Cook made a motion to appoint Samuel Reale as the city solicitor from the law firm of Kearns, Kearns and Vassallo, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Dr. Cook, Mr. Robertson, Mr. Bass and Council President Crespo.

NAYES: Mr. Arter, Mrs. Arter and Mr. Germer. Mr. Germer discussed that he could not vote for a law firm that approved the 2001 zoning ordinance with the sign ordinance included that was unconstitutional. Mr. Germer discussed that a redevelopment attorney had to be hired in 2006 because Mr. Kearns was not able to complete some of the legal work for redevelopment.

RESOLUTION NO. 2008-2, Resolution Appointing City Municipal Prosecutor and Authorizing An Agreement For Professional Services. The resolution was read by title. Dr. Cook made a motion to appoint Dean Buono as the municipal prosecutor for the court, Mr. Robertson second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Dr. Cook, Mr. Robertson, Mr. Bass and Council President Crespo.

NAYES: Mr. Arter, Mrs. Arter and Mr. Germer. Mr. Arter explained that he felt that the court was cleaned up last year, a new judge was appointed and the court was working well with the current professionals. Mr. Arter explained that he felt that Mr. Buono would do a good job, but that he would like to see court left working as it is.

RESOLUTION NO. 2008-3, Resolution Appointing City Public Defender and Authorizing An Agreement For Professional Services. The resolution was read by title. Dr. Cook made a motion to appoint Neal Rosenberg as the public defender. Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Dr. Cook, Mr. Robertson, Mr. Bass and Council President Crespo.

NAYES: Mr. Arter, Mrs. Arter and Mr. Germer. Mr. Arter explained that

he was voting no for the same reason concerning the court working well and that the court should be left as is.

RESOLUTION NO. 2008-4, Resolution Appointing City Auditor And Authorizing An Agreement For Professional Services. The resolution was read by title. Mr. Newsome made a motion to appoint Robert Stewart of Inverso and Stewart as the city auditors. Dr. Cook second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None

RESOLUTION NO. 2008-5, Resolution Appointing A City Engineer and Authorizing An Agreement For Professional Services. Dr. Cook made a motion to appoint William Kirchner, Environmental Resolutions, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None

RESOLUTION NO. 2008-6, Resolution Appointing A Risk Management Consultant And Authorizing An Agreement For Professional Services. The resolution was read by title. Dr. Cook made a motion to appoint James Tunney of Tunney Insurance, Mr. Robertson second the motion. Mr. Arter discussed that the city had appointed Mr. Tunney in the past as the RMCA and that last year council had felt that it was time for a change. Steve Walsh worked with the city last year to get the deductible lowered from \$50,000 to \$10,000. Mr. Arter discussed that he felt the nomination of Mr. Tunney was clearly a political appointment and not in the best interest of the city. Dr. Cook discussed that Mr. Tunney has agreed to receive only 4% for his position instead of the usual 6%. Mr. Arter explained that the 2% change was only \$3,000 compared to the \$50,000 figure. Mrs. Arter discussed that since the deductible was not lowered in previous years, it would be used for lawsuits already filed. Mrs. Arter discussed that the solicitor and Steve Walsh reviewed the employee manual that was to have been done in the previous year to lower the deductible. At the call of the roll, the vote was:

AYES: Mr. Newsome, Dr. Cook, Mr. Robertson, Mr. Bass and Council President Crespo.

NAYES: Mr. Esaia, Mr. Arter, Mrs. Arter and Mr. Germer.

RESOLUTION NO. 2008-7, Resolution Appointing A Redevelopment Attorney. Dr. Cook made a motion to appoint Mark Asselta as the city's redevelopment attorney. Mr. Arter second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None

RESOLUTION NO. 2008-8, Resolution Appointing A Fund Commissioner For The JIF. The resolution was read by title. Dr. Cook made a motion to appoint Barbara Sheipe as fund commissioner, Mr. Newsome second the motion. Mr. Arter discussed that it was past practice the last few years to appoint a councilmember to the position. Mr. Arter discussed that the clerk's office is overtaxed now and that council is doing a disservice by adding another meeting for Mrs. Sheipe to attend. Dr. Cook inquired from Mrs. Sheipe as to who from other municipalities attend the meetings. Mrs. Sheipe explained that the majority of the fund commissioners are the clerk or administrators of the municipalities. This allows the information that is needed for the employees to get directly to city hall. Mr. Esaia inquired about the length of the meeting and time out of the office. Mrs. Sheipe explained that the office would be closed at 3:30pm on the third Tuesday of the month to allow her to go to the meeting held in Hainesport. The meeting usually last about 1 hour. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Bass and Council President Crespo.

NAYES: Mr. Arter, Mrs. Arter and Mr. Germer.

RESOLUTION NO. 2008-9, Resolution Providing For The Designation Of An Official Newspaper. The resolution was read by title. This resolution will designated the Burlington County Times as the official newspaper. Dr. Cook made a motion to approve the resolution, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None.

RESOLUTION NO. 2008-10, Resolution Designating Dates And Times For City Of Beverly Council Meetings. The resolution was read by title. Dr. Cook made a motion to approve the resolution, Mr. Arter second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None.

RESOLUTION NO. 2008-11, Resolution Authorizing Agreements For Professional Services. The resolution was read by title Dr. Cook made a motion to approve the resolution. Mr. Newsome second the motion. Mrs. Arter inquired if all of the services for the solicitor needed to be included in the resolution. Mrs. Sheipe explained that the contracts would be attached to the resolution. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None.

PRESIDENT'S APPOINTMENT OF COMMON COUNCIL COMMITTEES. Mr. Germer inquired if the list was correct since some of the committees were already joined. Council President Crespo discussed that he placed the committee that were alike and had the same Chairman and members together. The committees have not been combined as of this date; it would have to be done by ordinance. Mrs. Arter discussed that law and

ordinance is not listed and there are no appointments listed for the committee. Council President Crespo explained that each committee would work on their own ordinances and present them to the council. Mr. Arter inquired if the previous law and ordinance committee is held over from last year? Mr. Reale explained that the committees are an annual appointment that expires each year. Mr. Arter explained that he has concerns about the appointments to the police committee. Mr. Saia has been the chairman of the committee and that there needs to be continuity in the committee, since the city is also in the process of labor negotiations. Mr. Robertson inquired about the law and ordinance committee and the plan for the committee. Council President Crespo discussed that each committee knows what they need in the way of ordinances and that they would present their drafts to the council and solicitor. It would save a step in the process of ordinances. Mr. Reale explained that the current ordinance from 1989 requires committees and that to combine or dissolve a committee an ordinance would have to be created. Mr. Arter discussed that he is disturbed that no republican is on the economic development committee. Mr. Reale will work on an ordinance for council to combine committees.

PRESIDENT'S APPOINTMENT OF CITIZENS AT LARGE. Council President Crespo appointed Janet Lowe and Charlene Rogers to the public affairs committee and Robert Bancroft and John Haaf to the parks and recreation committee.

COUNCIL APPOINTMENT TO ROUTE 130 CORRIDOR. Mr. Newsome made a motion to appoint Council President Crespo and Dr. Cook. Mr. Arter second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None.

Council Appointments. – Dr. Cook made a motion to appoint:

Trudi Desjardins-Deputy City Clerk and Registrar, Municipal Improvement Search.

Barbara Sheipe-Deputy Registrar

Victoria Boras-Tax Search Clerk.

Alfred Desjardins-Emergency Management Coordinator.

Kathleen Elliott-Police Matron.

School Crossing Guards-Catherine Marter, Wayne Boyte, Sarah Murphy, Harold Link, substitute guard-Kathleen Elliott.

Edward Gitto-court attendant.

Beneficial Bank as the depository.

Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None.

REPRESENTATIVE TO PLANNING BOARD, Dr. Cook made a motion to appoint Hal Robertson as council representative to the planning board. Mr. Arter second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Esaia, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Germer, Mr. Bass and Council President Crespo.

NAYES: None.

MAYORS ADDRESS. Mayor Wetherill thanked everyone for coming and invited them to continue to attend. Mayor Wetherill discussed that the republicans and democratic all bleed the same color. Mayor Wetherill discussed that Mr. Bancroft always states that once elected the party issues should be given up and they should work towards a better city. Mayor Wetherill discussed that council is not working together tonight and that it needs to happen.

COUNCIL MEMBERS COMMENTS.

Mr. Newsome discussed that he is excited to be re-elected and thanks everyone for their support.

Mr. Esaia discussed that it has been an interesting year and at times very stressful. Mr. Esaia discussed that working together as one council and forgetting the political side is not an easy decision. This year has been a learning experience.

Mr. Arter welcomed everyone and wished everyone a Happy New Year. Mr. Arter discussed that it has been a unique year with two different political parties on council. Mr. Arter discussed that when Mr. Bancroft discussed about working as one council and forgetting the political issues, he did not have to deal with two separate parties. Mr. Arter discussed that the Baptist Church that he belongs to has a lot of contention also and that different views are a good thing. Everyone is an individual and brings their views to the council for a new look at things.

Dr. Cook thanked Mrs. Arter for her time and effort on as council president. Dr. Cook thanked Assemblyman Connors for attending and thanked all of the honor guest for attending. Dr. Cook thanked Mayor Wetherill for her comments and that everyone does need to work together. Dr. Cook discussed that council has the duty to make the best decisions for the residents.

Mr. Robertson wished everyone a Happy New Year and thanked everyone for electing him to serve the city.

Mrs. Arter wished everyone a Happy New Year and that public government would make a great reality show for TV. Mrs. Arter discussed that it is interesting to see government at work and that she looks forward to the future year.

Mr. Germer discussed that when he ran for office he discussed that every dollar spent would be watched. Mr. Germer discussed that cooperation is a wonderful word and that the leaders are some to set the example. Council is supposed to do what they can do and to watch the public purse. Mr. Germer discussed that residents and especially their leaders should pay their taxes. The appointment of Mr. Tunney is wrong and that it is a political move. Mr. Germer also discussed the buying of items without authorization and that the city money is not being watched.

Mr. Bass discussed that each person is their own and that with 9 different positions, no one can be happy all of the time. There are many different views and ideas on the individual subjects. Mr. Bass thanked the residents for their support.

Council President Crespo wished everyone a Happy New Year and that he will fight for what is right for the city and for the right cause. Not everyone will agree all of the time, but hopefully every will work together.

PUBLIC COMMENT.

Mrs. Thompson inquired as to whom was on the committee for school estimates. Council President Crespo explained that the Mayor is on the committee, Mr. Newsome as chairman of finance and himself as council president. Mrs. Thompson explained that she was resigning from the clean community's coordinator as she was too busy with the school.

Mr. Szychoski-Warren Street discussed that council members need to be dedicated to public service. There will be bumps in the road as development moves forward, but council needs to look at the greatness good for the greatness numbers.

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

CLOSING PRAYER. Reverend Legnani, St. Stephen Episcopal Church gave the closing prayer.

ADJOURNMENT. Mr. Germer made a motion to adjourn, Mr. Robertson second the motion. All members present voted in favor of the motion.

Submitted by,
Barbara A. Sheipe RMC
Municipal Clerk