

MINUTES

CITY OF BEVERLY

JANAURY 9, 2007

CALL TO ORDER. The regular meeting of the Common Council of the City of Beverly was called to order at 7:30pm, by President Arter on Tuesday, January 9, 2007 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.

FLAG SALUTE.

ROLL CALL.

PRESENT: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter, Mayor Wetherill, Director of Public Safety Mike Morton and Barbara Sheipe, clerk/administrator.

ABSENT: None

APPROVAL OF MINUTES. Mr. Newsome requested that the date be corrected on the minutes. Council President Arter requested that on page one the word plague be corrected to plaque. Also that on page 2 under council reports the word than, be changed then. Mr. Esaia made a motion to approve the minutes, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mayor Wetherill, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas and Council President Arter.

NAYES: None.

ABSTAIN: Mr. Crespo, Mr. Germer and Mr. Arter.

CORRESPONDENCE.

Mayor Wetherill reviewed correspondence that they would not be dropping nerve gas in the Delaware River.

Council President Arter announced the annual JIF Breakfast on February 8th. Council President Arter read a letter from Mr. Mickle the housing inspector concerning 625 Cooper Street and the city's need to foreclose on the property. There is also a meeting of the Bridge Commission on February 6, 2007 concerning their upcoming financing schedule.

OLD BUSINESS.

NEW BUSINESS.

- A. **Resolution No. 2007-13** Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 466 Cooper Street, Beverly. The

Resolution was read by title.

- B. Resolution No. 2007-14 Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 27 Railroad Avenue, Beverly. The**

Resolution was read by title.

- C. Resolution No. 2007-15, Resolution Granting Disabled Deduction. (467 Laurel Street). The resolution was read**

By title. Council President Arter requested that A through C be taken as one motion. Mr. Germer made a motion to approve Resolution No. 2007-13, Resolution No. 2007-14, Resolution No. 2007-15, Mr. Bancroft second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None.

- D. Resolution No. 2007-16, Authorizing An Agreement With The Board of Freeholder For The 2007 Municipal Waste Contract. The resolution was read by title. Mr. Newsome**

Made a motion to approve Resolution No. 2007-16, Dr. Cook second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None.

- E. Resolution No. 2007-17, Resolution Authoring Lease Between the Beverly City Sewerage Authority and the City of Beverly. The resolution was read by title. Council**

President Arter requested that a correction be made on the first page to show days instead of day and that on the signature page the section should be c instead of a symbol. Mr. Crespo made a motion to approve Resolution No. 2007-17, Dr. Cook second the motion. At the call of the roll, the vote was:

AYES: Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None.

ABSTAIN: Mr. Bancroft

- F. Resolution No. 2007-18, Resolution Appointing Alternate JIF Fund Commissioner. The resolution was read by title**

Mr. Bancroft made a motion to appoint Mrs. Sheipe as the alternate JIF Commissioner, Mr. Esaia second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None.

- G. Resolution No. 2007-19, Resolution Authorizing Contract For Professional Services Between Housing Rehabilitation Program and Carl Miller, C-Construction Consultants. The resolution was read by title. Council**

President Arter requested that this be held until after executive session. Mr. Bancroft made a motion to hold the resolution, Mr. Esaia second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None.

H. Resolution No. 2007-20, Resolution Authorizing Agreement For Professional Services. (engineer). The

Resolution was read by title. Dr. Cook made a motion to approve the Resolution No. 2007-20, Mrs. Setikas second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None.

I. Payment of Bills. Mr. Bancroft inquired if line #18 and #19 were for the same item. Mrs. Sheipe explained that

The total bill was split between the two departments. Council President Arter inquired as to what Verizon Cabs was? Director Morton explained that it was the air cards for the police department. Mr. Bancroft made a motion to approve the payment of bills, Mr. Germer second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None.

ABSTAIN: Mr. Crespo abstained from line #25-Beverly Commons.

SOLICITOR REPORT

Mr. Baxter reported that he had reviewed the professional contracts for the engineer and auditor. He has requested a few changes and then the contracts maybe signed by the city. Mr. Baxter discussed that he has reached out to Mr. Kearns for a smooth transition on the legal matters and has not had a respond. Mr. Baxter and Mrs. Sheipe will be meeting on January 16 to review outstanding legal matters.

MAYOR'S REPORT. .

Mayor Wetherill welcome the new audience members.

COUNCIL REPORTS.

Council President Arter explained that this is a different approach to council reports. The committees that have met and have something to report will notify Mrs. Sheipe and they will be placed on the agenda. The Council will have an opportunity to address the public under council remarks.

Mr. Newsome reported that the finance committee met and had started the budget process. There is a saving in the reserve for uncollected taxes due to the high collection of taxes. Mr. Stewart will meet with the finance committee and a work session will be held with full council to finalize the figures.

Mr. Arter thanked Ms. Boras for the high rate of collection.

Mr. Crespo reported that this was the last week for leaf pick up and that they will need to be bagged from here on. Also that the roof is leaking in the court office. Mr. Crespo also reported that he had met with Dan Schoen and reviewed the specs for the new truck. Mr. Crespo requested an executive session for personnel in regards to the Economic Development Committee.

Council President Arter discussed that she would like to send Mr. Mickle's request to the property committee for further discussion. Mr. Germer made a motion to send the request to the committee, Mr. Crespo second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None.

PUBLIC SAFETY.

Mr. Thibault-Wheatley inquired about the signs for the parking lot. Mrs. Sheipe explained that the signs will be put up on January 12 and the vehicles will have flyers placed on them the day before to advise them of the new rules.

Mr. Sutarski-Putnam Street thanked Sgt. Pearce for his work with the juveniles in the area and inquired as to what the neighbors can do about the juveniles hanging out. Mr. Sutarski discussed that there is a rental property on the Putnam and people are living in the third floor. Director Morton requested that Mr. Sutarski call him and arrange a meeting to discuss what he could do. Mr. Sutarski inquired as to what housing can do about the rental? Director Morton will review the matter with Mr. Mickle and see if the property is legally occupied.

Mr. Baxter offered his help to Director Morton if he needs it in any way.

COUNCIL REMARKS.

Mr. Bancroft reported that the Mobile Health Van is still coming to the Housing Authority every Friday in the morning. They provide free medical and dental care. Mr. Bancroft also informed council that this would be his last meeting until late March. He is going on vacation in Florida.

Mr. Crespo thanked everyone for coming out.

Mr. Germer thanked everyone for coming and that the more involved and more input there is the better the city will be. Mr. Germer discussed that as a member of law and ordinances, he hopes to update several of the ordinances.

Mr. Newsome thanked everyone for coming.

Mr. Esaia thanked everyone for coming and that it is a long process to come up to speed.

Dr. Cook thanked the Mayor for her quote in the paper on civil unions. And that she is proud that the Mayor spoke up.

Mrs. Setikas discussed that a new way has to be thought of to get more people out to council.

Mr. Arter thanked everyone for coming. There was an article on the Delanco School pushing to expand due to the housing developments. Mr. Arter caution council to have common sense and think about the increase to the school system when considering housing. The City is hard press for commercial space.

Council President Arter thanked everyone for attending and that she has been following the special sessions in Trenton on the Superintendents of Schools and that the issue has been taken off the table for now. Council President Arter discussed that she is looking forward to working with the community.

Mayor Wetherill invited all the members of council to attend a court session and learn what they are all about. They are quite interesting.

PUBLIC SESSION.

Mrs. Dreher-Delacove Homes advised the council that the court hearing for the young boy that was killed on Warren Street is on February 2 in the county court office. It would be nice to show some support for the family.

Ms. Marshall-Cooper inquired if she could ask Mr. Newsome a question. Council President Arter requested that the question be directed to her and she will have the question directed. Ms. Marshall inquired if the budget hearing work session would be open to the public. Mrs. Sheipe explained that the work session would be a public meeting, but that the finance committee meeting would be closed to the public. Ms. Marshall inquired of Council President Arter as to what was the discussion on 625 Cooper Street. Council President Arter explained that the matter was referred to the property committee for review. Ms. Marshall inquired as to who was the chair of the committee. Council President Arter responded that Mr. Arter is the chair.

Mr. Robbins-Wheatley Avenue and Crystal Drive inquired as to what Beverly was going to do? It cannot expand out. Also what is being done with Beaunit Mills? There are 70 student openings in the school but they could be filled quickly with new homes. Council President Arter explained that if you poll the council on Beaunit Mills you would get a different answer from everyone. There has been no determination as of now. Mr. Robbins inquired as to the vision for the site. Council President Arter explained that council would determine it as the process moves forward. Council President Arter discussed that there are 5 Republicans that have a vision and that the Democrats also have a vision. Mr. Robbins explained that there needs to be a cooperation of council. Dr. Cook discussed erasing political parties that there was a meeting on the summary of the charrette for the rail line. Mrs. Sheipe explained that the planners are still working on the plan and that it is not available to the public yet. Mr. Robbins discussed that decay has to be corrected and that the council needs to have ordinances enforced to cover the maintenance of the properties. The tax rate is going up and the council needs to look at a program now to get rid of the decay. The senior development is an excellent project, but the owners will probably sell it in 7 years. Mr. Ken O'Neal of Beverly Commons introduced himself to Mr. Robbins and stated that they had no plans to sell Beverly Commons. Mr. Robbins explained that he was raised in the Delacove Homes and has a great interest in Beverly and the history. Mr. Robbins discussed that in no reflection to Mr. Baxter and his qualifications, he is aware that politics is politics but that he feels that the city lost the best land use attorney in the county. Mr. Kearns is ranked top in the state and ranked number in the county. Mr. Kearns expertise is needed in the city now with the redevelopment going on. Mr. Robbins discussed that he thinks that the council made a bad choice by not appointing Mr. Kearns. Mr. Robbins discussed that he can be a thorn in council's side, but he is working for the city to be better. Mr. Crespo respond that Mr. Kearns dropped the ball on the Beaunit Mills property and that the city had to hire a separate attorney for the redevelopment. Mr. Germer respond that the city hired under the fair and open process and that the attorney's must respond according to the advertise notice. Mr. Germer explained that Mr. Kearns declined to respond after being personnel invited to do so.

Mr. Dileo-Cramer inquired if the committees have to be council members or can a resident be on a committee. Council President Arter respond that the council president appoints the committees, but that she is reviewing to have citizens on the committees.

Mr. Eversmeyer-Railroad Avenue discussed that he is in front of council again about his tax bills. Mr. Eversmeyer reviews with council his concerns about the tax office. He has called the tax office several times and has not received a response to his calls. He is asking for consideration for his late fees and interest that he owes to the city. Mr. Eversmeyer explained that the mail sometimes runs late, because he has two addresses-23 Penn Avenue or 23 Railroad Ave and that the mail carriers do not know where is business is located to deliver the mail if they are new to the city. He is requesting a waiver of his interest and late fees due to the road being improved and closed down for a few days for drainage problems. There were problems with the detour and he did not get a respond from the police department to place more signs or relocate the detour. Mr. Eversmeyer explained that Mayor Wetherill came to see him and gave him paperwork with different figures that he had discussed with the tax collector. Mr. Eversmeyer stated that Ms. Boras informed him that she would prefer not to discuss the matter with him. Mr. Eversmeyer also stated that he received a letter from the tax assessor, Joe Robinson that stated that all of the properties on the street would now be listed as Railroad Avenue and not Penn Avenue. Council President Arter discussed with Mr. Eversmeyer that she would like to review the materials and get back to him.

Mr. Thibault-Wheatley Avenue complimented Council President Arter on an efficient meeting. Mr. Thibault presented Mr. Baxter with flyers for him to read and requested that they be returned to him. Mrs. Sheipe discussed that if the flyers were going to be enter in to the records she would also need a copy. Mr. Thibault discussed with council that he would like them to reopen the redevelopment ordinance for Cosden site and remove the housing element from the ordinance or plan. Mr. Thibault discussed that Mr. Kearns had said that the ordinance could be changed at any time by city council and that the voters spoke at the election and it is time to change the ordinance.

Mr. Borden-Riverbank discussed that the tax rate from 1995-2006 was a large increase. On an average assessment of \$86,000 the city rate increase \$727.00 from 1995-2006 and the school rate increase \$1275.00, there was a total increase in the average tax bill from 1995-2006 of \$2002.00 just to keep up with what the city has now. The TOD project is for positive revenue. Mr. Borden discussed that just to maintain financial stability for the city the money has to be taken from the taxes.

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

EXECUTIVE SESSION. Mr. Germer made a motion to go into executive session, Mrs. Setikas second the motion. All members voted in favor of the motion.

GENERAL SESSION. City council returned to the regular meeting.

Resolution No. 2007-19, Resolution Authorizing Contract For Professional Services Between Housing Rehabilitation Program and Carl Miller, C-Construction Consultants.

The resolution was read by title. Mr. Crespo made a motion to approve Resolution No. 2007-19, Mr. Germer second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None

Mr. Crespo made a to have the police committee look into the share courts discussions, Mr. Arter second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mrs. Setikas, Mr. Arter, Council President Arter.

NAYES: None

Mr. Crespo discussed that he had met with Mr. Fred Weller of the Sewerage Authority and that he was willing to help with the stormwater management, but that he could not be the coordinator. Mr. Wolbert from the public addressed council about the stormwater management and that he felt that Dan Schoen from public works should be responsible for the stormwater coordinator position. The majority of the work is for the public works department and that they should be the main point of contact for the state and stormwater. Mr. Schoen has attended classed on the stormwater and he also sees the every day activity involved in stormwater. Environmental Resolutions has completed 50% of the outfall mapping required for stormwater and also the inlets that have to be label. There are monitoring reports that Mr. Schoen needs to fill out. The surrounding towns require their public works superintendent to be the stormwater coordinator.

ADJOURNMENT. Mr. Newsome made a motion to adjourn, Mr. Crespo second the motion. All members voted in favor.

Submitted by,

**Barbara A. Sheipe RMC
Municipal Clerk**