

MINUTES

CITY OF BEVERLY

July 14, 2009

CALL TO ORDER

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Verification of Notice- OPEN PUBLIC MEETINGS ACT. (N.J.S.A. 10:4-6) 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 January 7, 2009 advance written notice of this meeting was posted on the public bulletin board in the City Hall; was mailed to the 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 this meeting are being electronically recorded and the tape will be on file in the office of the City Clerk.

FLAG SALUTE.

ROLL CALL:

PRESENT: Mr. Newsome, Mr. Bass, Mr. Williams,(arrived late), Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo, Mayor Cook, Barbara Sheipe, Administrator/Clerk and Skip Reale, Solicitor

ABSENT: Mr. Arter. Mrs. Sheipe read a letter into the minutes from Mr. Arter explaining his absence. The letter is attached and made part of the minutes. Council President Crespo explained that Mr. Williams would be arriving at 7:30 as the agenda stated from the last meeting instead of 7pm.

MINUTES. Mayor Cook discussed that Randy Gottesman of CGP & H was the person who had discussed that the unit was not completed in the Beverly Commons project and that the minutes reflect the change. Mr. Robertson made a motion to approve the minutes of June 23, 2009. Mr. Bass second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

COORESPONDENCE.

A. Letter from Delanco Board of Fire Commissioners-Council President Crespo discussed that last year the City had saved \$2500 by using one of the old light bars instead of buying a new one. Mr. Reale explained that the Council has the option of selling the light bar to another government entity without the bidding processing or going out for public bids. Council President Crespo discussed that he felt that the city could receive more by going out to bid. City Council took no formal action on the matter.

B. Request to remove Deed Restrictions from block 62 Lot 7-208 Warren Street. Mr. Reale explained that this home was purchase through the Burlington

County Community Action Program and was deed restricted for ten years for affordable housing. The home was to remain an affordable housing unit and is listed as part of the City's COAH plan unless City Council does a resolution.

OLD BUSINESS.

NEW BUSINESS.

a. **Resolution No. 2009-73, Resolution Releasing The Deed Restrictions For Block 62, Lot 7, 208 Warren Street, Beverly NJ.** The resolution was read by title. Mr. Hitchner made a motion to approve the resolution, Mr. Perkins second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

b. **Resolution No. 2009-71, Resolution For A Regional Implementation Grant For Sharing of Solid Waste Collection Services.** The resolution was read by title. Mr. Bass 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. Bass, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

c. **Resolution No. 2009-72, Resolution To Amend HOME Program.** The resolution was read by title. Mr. Newsome discussed that he had spoken with Mr. Remsa and was given a letter tonight discussing the HOME program. Mr. Newsome discussed that he has some concerns with the program and would like to have more time to review the matter. Mr. Newsome made a motion to hold the resolution, Mr. Bass second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

d. **Treasurers Report.** Mr. Newsome made a motion to approve the treasurer's report, Mr. Robertson second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

e. **Payment of Bills.** Mr. Robertson made a motion to pay the bills, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

OTHER NEW BUSINESS: Mrs. Sheipe discussed the Civil Service Plan for cutting

employees hours and salaries that was previously emailed to council and hard copies were handed out tonight. Mr. Reale explained that council could approve to have the plan sent to Civil Service or have it held for the next meeting. Mr. Bass inquired if this was the only option being present. Mrs. Sheipe explained that yes at the current time there was only one option. Council President Crespo inquired if council members had any questions? Council President Crespo discussed that he would like to have the Chairman of Finance Mr. Newsome, Chairman of Public Works Mr. Robertson, Chairman of Police, himself, and Mr. Hitchner have a meeting to review the plan before the council meeting. Mr. Reale recommended that the Administrator should also be present at the meeting. Mr. Newsome made a motion to hold the plan, Mr. Bass second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None.

ABSTAIN: Mr. Williams (arrived 7:25pm).

ORDINANCE ON SECOND READING.

a. **Ordinance No. 2009-9,** Ordinance Amending Ordinance No. 2008-13, An Ordinance of the Common Council of the City of Beverly for Non-Union Employees for Salary Years 2008 and 2009. The ordinance was read by title. Council President Crespo opened the ordinance for a public hearing, no one from the public wishing to be heard the public portion was closed. Mr. Newsome made a motion to adopt the ordinance on second reading, Mr. Williams second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.

NAYES: None. The ordinance was adopted on second and final reading and will take effect after publication according to law.

SOLICITORS REPORT.

MAYOR'S REMARKS. Mayor Cook welcomed everyone to the council meeting. Mayor Cook discussed that she will be appointing people to the Green team for the Substantial New Jersey at the next council meeting in August. Mayor Cook discussed that she would also like to have a few students involved with the team.

COUNCIL'S REPORT.

PUBLIC SESSION AND PUBLIC SAFETY.

Mr. Borden-Riverbank inquired as to the incentive of Resolution No. 2009-71. Mr. Newsome explained that the number of municipalities in the shared services for solid waste has expanded and that it will save the municipalities more money. The city is looking at a savings of \$27,000-\$30,000 a year by participating.

Mr. Schwedes-Wheatley inquired if the large cans would be used? Mrs. Sheipe explained that the goal is to use mostly large cans but the companies realize that some streets would use small cans and have to still be picked up by hand.

Ms. Moodie-Warren Street inquired about the Director of Public Safety position? Council President Crespo explained that the committee is actively working on interviews.

Mrs. Dileo-Cramer Avenue inquired if Council President Crespo said position or positions. Council President Crespo stated that he clearly meant position as in one.

Mrs. Scott-Locust Street discussed that she is here to discuss Faith Christian Center being evicted from the park. She understands that the Pastor was told the money was needed for the permit, but why are permits needed for the park and why wasn't the money accept that day. Mr. Reale explained that City Council is doing an investigation of the matter and that council will be discussing the issue after the full investigation is completed. Council President Crespo explained that the matter should not be discussed in public since it could jeopardize the investigation. The investigation started that day. Council President Crespo explained that Mayor Cook, Mr. Newsome and himself were there that day. Mr. Reale explained that the State Police have been contacted for their information.

Member-Locust Street inquired as to the process for obtaining a permit? Mrs. Sheipe explained that a permit application is obtained from the city clerk's office and is returned with a fee and a certificate of insurance for use of public property. The permit is given to the police department to determine the need for security. The Director of Public Safety informs the city clerk and applicants as to the amount of security required to hold the event. It is the applicant's responsibility to pay ahead of time for the security in an escrow account to the city treasurer. Mr. Newsome explained that as council members they cannot interfere with the police officers. The member inquired as to why wait until the event was set up before ordering the eviction? Mayor Cook explained that the ordinance and the permit regulations are located in the city clerk's office.

Mrs. Morgan-Adams Avenue explained that paper flyers were handed out through the school and that she was very offended that the police were called. The State Police came speeding in with lights flashing but no sirens. Mrs. Morgan discussed that the event was very organized and that it was for the community and that she feels that the city owes the church an apology.

Dr. Dow-Broad Street discussed that he is embarrassed for the city. The church was holding a picnic as a church function and was discriminated against. Dr. Dow discussed that it is upsetting to hear that city council has no control over the police department. Council President Crespo explained that there is an investigation going on and that council cannot respond to all questions. Dr. Dow discussed that if he was the church he would call Rev. Sharpen and the NCCAP. Dr. Dow discussed that he hopes that the investigations leads where it should. City council cut Director Morton's hours so he left and so who is in charge of the police dept? Council President Crespo discussed that council is ultimately responsible and that the investigation is not being swept under the rug. Council President Crespo explained that he and Mayor Cook requested that Rev. Scott and members of the Church come to the council meeting and place it on the record as to the events of the day. Mayor Cook discussed that she is heartsick of the situation.

Mrs. Bent-Warren Street inquired about the surplus and the tax bills.

Reverend Watson-Willingboro discussed that he has known Reverend Scott for several years and that he does a lot for the community. The event was wonderful for the young kids. Reverend Watson discussed that it was wrong for voices to be raised and embarrassing for the church and city.

Mrs. Boone-Beverly discussed that Reverend Scott is a leader and teaches leadership. Mrs. Boone explained that Mrs. Scott and her parents work along with her husband for the church. Mrs. Boone discussed that you should be careful with license to enforce the law.

Ms. Matthews-Locust Street explained that it was not a church picnic. It was a community day for everyone. The entire event was free to anyone who wanted to attend. The church had held fund raisers to sponsor the event.

Mrs. Moore-Edgewater Park discussed that it was a wonderful event and that the police situation was ugly. Mrs. Moore discussed that she hopes that the investigation is full and complete.

Ms. Ragland discussed that no one should disrespect the Pastor or yell at the Pastor and that it should never happen.

Mrs. Thompson-Wheatley apologizes to the church for the incident.

Mr. Bent-Warren Street inquired about the chain of command for the police department. Council President Crespo explained that the Sergeant's are running the department and report to the Administrator who reports to the Police Committee.

Mr. Thibault-Wheatley discussed that he agrees with Dr. Dow and that the people have worked hard to improve the city and why was the Community Day cancelled. Mrs. Sheipe explained that no security for the event had been put in place to the satisfaction of the City. Mr. Thibault discussed that when there is a major drug problem in the city the State Police do not come to the City but for a church picnic they are called for backup. Mr. Thibault discussed that he agrees that it is an embarrassing situation for the City. Mr. Thibault inquired if the bill for the school was approved on the bill list? Mrs. Sheipe explained that according to state statute the City was not responsible for making the school payment until after the tax bills were mailed out. The City is waiting for the county to set the tax rate. Mr. Thibault inquired as to why the Housing Inspectors hours were cut? Mr. Hitchner explained that Mr. Thompson, housing/code inspector stated that he could do the same amount of work in less hours and that the City was looking at ways of reducing the budget. No one else from the public wishing to be heard the public portion was closed. Mr. Thibault inquired if there were any further discussions on Lauinger Field and is the City willing to deed the property over to the school. Council President Crespo explained that city council is going to discuss the issue in executive session. Mr. Thibault inquired as to why it is not public session. Mr. Reale explained that it deals legal contract issues and is executive closed session material.

Mrs. Bent-Warren St. inquired as to what council members sit on the police committee. Council President Crespo explained that he is the Chairman and the other members are Mr. Perkins and Mr. Desjardins. Mrs. Bent discussed that the public has a right to ask questions and to be treated with respect and not to be looked at as politics.

Mrs. Boone discussed that money should be pulled out of escrow to meet the city's financial needs.

Ms. Morgan inquired as to whom the public should meet with to talk about the situation with the church and that the officers should come to the next meeting.

Reverend Watkins discussed that he has been watching everything happening at the meeting and that Dr. Dow has expressed himself quite well. Reverend Watkins discussed that everyone was expressing their views and that it was good to bring things out to the light.

Mr. Bent-Warren Street inquired there was a meeting schedule for the School Board of Estimates to discuss the improvements to the school? Mr. Reale explained that there is a meeting scheduled for July 21st at 7pm at the school.

Mrs. Scott-Locust Street thank city council for allowing the church to speak and for conducting a fair investigation. The Pastor admits that he fell short in paying in the required money and that she hopes that a serious investigation is complete. Mayor Cook explained that it was a painful day for her and Council President Crespo and that she is aware that the church does a lot of good work for the community. Mayor Cook discussed that diversity is important.

Ms. Lowe-Laurel Street discussed that issues in the city have been festering and that something needs to be done. There needs to be respect.

Mrs. Wetherill-Warren Street inquired about Substantial New Jersey. Mayor Cook explained that there is a website that you can go to and find all of the information.

Mrs. Bent-Warren Street discussed that it is great to see everyone at the meeting.

Resident-Locust Street discussed that she was told to come to the meeting and speak her concerns and that everyone who spoke in the public was attacked by the council members. Council President Crespo explained that he had listened to all of the members of the church about their concerns, but some residents had poked the crowd and knew the rules of conduct at the meetings.

Dr. Dow-Broad Street discussed that he had listened to the discussions and played catch up since he was not at the event and that the activity that occur with the state police and the children cannot be reversed. **Dr. Dow** discussed that election time is approaching and that you can speak with your vote and hold officials accountable.

Mr. Wolbert-Detwiler discussed that it was unfortunate incident and that Beverly has a good police force. **Sgt. Boettger** and **Officer Davison** have built trust through the school system with the children. **Mr. Wolbert** discussed that he hopes that council proceeds with **Lauinger Field**. The school is looking at putting in walking trails and increasing the athletic field use. **Mr. Wolbert** discussed that **Mr. Arter's** letter about being absent from the meeting discussed playing baseball for **Edgewater Park** and that Beverly needs to bring baseball back to the city. No one else from the public wishing to be heard the public portion was closed.

EXECUTIVE SESSION. **Resolution No. 2009-74,** Resolution Setting The Time, Date and Place of An Executive Session From Which The Public Shall Be Excluded For The Discussion of Contracts (**Lauinger Field**). The resolution was read by title. **Mr. Bass** 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. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.**

NAYES: None.

GENERAL SESSION. City council returned to general session at 9:16pm.

Mr. Williams made a motion to have the Administrator and City Solicitor take the appropriate action to conduct a title search on **Block 43 Lot 3,** known as **Lauinger Field** and also to have the Administrator send a follow up letter to the Board of Education inquiring about the requirements to have complete ownership of the land compared to the 100 year lease of land to apply for the grants that they are interested in. **Mr. Bass** second the motion. At the call of the roll, the vote was:

AYES: **Mr. Newsome, Mr. Bass, Mr. Williams, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Council President Crespo.**

NAYES: None.

ADJOURNMENT. **Mr. Newsome** made a motion to adjourn, **Mr. Bass** second the motion. All members present voted in favor of the motion.