

## MINUTES

**CITY OF BEVERLY**

**JUNE 22, 2004**

**CALL TO ORDER.** The regular meeting of the Common Council of the City of Beverly was called to order at 7:30pm, by Council President Bancroft on Tuesday, June 22, 2004, 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, Mr. Newsome, Dr. Cook, Mr. Williams, Ms. Gillette, Mr. Krzykalski, Mrs. Richards, Mrs. Setikas, Council President Bancroft, Mayor Robert Lowden (arrived late), Solicitor William Kearns, Director of Public Safety Mike Morton and Municipal Clerk/Administrator Barbara Sheipe.

**ABSENT:** None.

**MINUTES.** Mrs. Richards made a motion to approve the minutes of May 25, 2004, Mr. Wolbert second the motion. All members approve the motion.

**PRESENTATION OF AWARDS.** Dr. Cook introduced the children and the adults that helped out with the Beverly City Kids Clean Communities Program. Dr. Cook explained that the children cleaned up the city and also participated in learning about keeping their city clean. Dr. Cook and the Clean Kids Communities presented the following residents with a wreath that was made for each home with the help of the children, Mrs. Parker, Mrs. Fegley and Mrs. Setikas.

105 Warren Street, 61 Lee Avenue, 121 Walnut Street, 500 Erhardt, 508 Jennings, 600 Manor Road, 526 Broad Street, 36 Magnolia Street, 459 Laurel Street, 80 Church Street, 602 Melbourne Avenue, 1045 Nichols Avenue, 606 Lee Avenue, 618 Broad Street.

The homes were chosen as an outstanding example of a "Happy Smiley House" in the City of Beverly. Dr. Cook also presented Mrs. Becky Fegley and Mrs. Parker with awards for their work with the children and the program. Mrs. Richards presented each of the children with recycling cans replicas from the State Clean Communities program and bottles of water and ducks from the NJ American Water Co.

**PUBLIC SAFETY.** John Haaf of Riverbank discussed that Bridge Street is a disgrace to the city. There are children on the street and the corners all times of the day and night and that the older children will not move for traffic. Director Morton explained that the department patrols every hour when available and that it takes time to break the

continuous circle that has been going on for the last several years. Mr. Haaf inquired if the liquor store contributed to the problems on Bridge Street. He also noticed that the store does not allow some residents to enter, but that other people are purchasing the liquor and then handing it to people outside the store. Mr. Haaf discussed that it is frustrating to see the continuing occurrences on Bridge Street. The young adult males will not move out of the way whether blocking the sidewalk or the street. Mr. Haaf discussed that many of the neighbors in the area will not sign complaints due to the fear of retaliation. Director Morton explained that it is very hard to catch the residents blocking the right of way because as soon as the officer approaches they clear the area and an officer can not issue a violation to something that he has not seen occur. Ms. Gillette agreed that when she rode down the street, there looked to be a large amount of people congregating on the right of ways. Mrs. Richards discussed that she has road down Bridge Street all different hours of the day and that most of the resident hanging out are teenagers and that she does not have a problem with them moving to traffic. Mr. Haaf inquired if the police department kept track of the number of calls to a rental property and was the landlord notified that he was running a disorderly house. Director Morton explained that the law shows that the tenant is in control of the property while renting and that the landlord cannot evict because of a police call, usually the landlords do not renew the lease when they have a tenant that is constantly having police calls.

Karen Van Hoy-Warren Street inquired if the residents can sign the complaint, than why couldn't the officer sign the complaint. Mr. Kearns explained that an officer needs to witness the event to sign the complaint. Ms. Gillette inquired as to the curfew ordinance. Director Morton explained that it is for 17 and under to be off the street by 10pm for the entire city.

Jerry Shalkowski--330 Putnam Street discussed that he had several teenagers hanging on the corner near his home. They use profanity loudly and are not concerned when approach my neighbors to quiet down. The officers have responded and moved the teenagers along, but they still come back. Director Morton explained that Mr. Shalkowski could sign a complaint for a disorderly person violation.

Resident-Cooper Street discussed that fear stops a lot of people from signing a complaint or even calling the police department. The resident understands that it is hard for the police department to be everywhere at once, and that is why the neighborhood watch group is important. Mr. Wolbert discussed that if resident call 267-8300 and get the 911 operators instead, to please let the Director know so that he can notify central of the problem. Director Morton discussed that many residents have attend the Neighborhood Watch meetings and that it is important for more resident to participate. Mr. Williams inquired as to what age was breaking the windows on the properties downtown. Mr. Williams also discussed that are the age of 14-16 years old the children tend to hang out as a group. Mayor Lowden discussed that the librarian of the city library had signed a complaint against someone for a crime on Bridge Street and that the Judge gave out a large fine and that there was no realization from anyone. Resident from Cooper Street discussed that some of the younger adults need to have educational programs, not punishment to help pre-empt the crimes. Mayor Lowden discussed that information

received from the Juvenile Justice Commission of Burlington County showed 14 juveniles had been committed a decrease from previous years.

### **COORESPONDENCE.**

City Council received a letter from the First Baptist Church on Broad Street requesting a waiver of permit fees for the new church roof. Mrs. Richards made a motion to approve the request. Ms. Gillette second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Dr. Cook, Mr. Williams, Ms. Gillette, Mr. Krzykalski, Mrs. Richards and Mrs. Setikas.

NAYES: None.

ABSTAIN: Council President Bancroft.

### **OLD BUSINESS.**

Public Hearing on the Budget was continued until the city hears from the state on aid.

### **ORDINANCE ON FIRST READING.**

**A. Ordinance No. 2004-7,** An Ordinance Of The City Of Beverly Amending Chapter XII Of The Code Of The City Of Beverly. (alarms). The ordinance was read by title. Mrs. Richards made a motion to approve the ordinance on first reading. Mrs. Setikas second the motion. At the call of the roll, the vote was:

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

NAYES: None. This ordinance will be heard on second and final reading at the council meeting of July 27, 2004.

**B. Ordinance No. 2004-8,** An Ordinance Amending Section 21-7.3, The Fee Schedule Of The Codified Ordinances Of The City Of Beverly. The ordinance was read by title. Mrs. Richards made a motion to approve the ordinance on first reading. Mr. Wolbert second the motion. At the call of the roll, the vote was:

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

NAYES: None. This ordinance will be heard on second and final reading at the council meeting of July 27, 2004.

**C. Ordinance No. 2004-9,** An Ordinance Establishing Certain Traffic Control Regulations Including Stop Signs For The City Of Beverly. The ordinance was read by title. Mrs. Richards made a motion to hold this ordinance, so that council

members could review the location and expense of the stop signs. Ms. Gillette second the motion. At the call of the roll, the vote was:

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

NAYES: None.

**NEW BUSINESS.** Items A through I 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. 2004-52,** Resolution Creating Temporary Emergency Appropriations.
- B. **Resolution No. 2004-53,** Resolution Authorizing A Property Lien. (306 Warren).
- C. **Resolution No. 2004-54,** Resolution Authorizing A Property Lien. (625 Cooper Street).
- D. **Resolution No. 2004-55,** Resolution Authorizing A Property Lien. (513 Warren).
- E. **Resolution No. 2004-56,** Resolution Approval Renewal Of Liquor Licenses.
- F. **Resolution No. 2004-57,** Resolution To Approve Refund/Cancellation Of Tax Overpayments.
- G. **Resolution No. 2004-58,** Resolution For Renewal OF Membership In The Burlington County Municipal Insurance Fund.
- H. **Resolution No. 2004-59,** Resolution of Subordination Of Mortgage. (516 Manor Road).
- I. **Treasurer's Report.**
- J. **Resolution No. 2004-60,** Resolution To Open Deposit Account (New Hanover).
- K. **Resolution No. 2004-61,** Resolution Of The City Of Beverly Authorizing Entry Into A Subordination Agreement with Respect To 506 Bridge Street, Beverly NJ.

Mrs. Richards made a motion to approve the consent agenda with the addition of Resolution No. 2004-60 and Resolution No. 2004-61. Mrs. Setikas second the motion. All members present vote in favor of the consent agenda.

### **PAYMENT OF BILLS.**

Mr. Wolbert requested that the bills for the escrow account be held until the applicant has paid the escrow money to the city.

Mr. Wolbert made a motion to approve the bills as corrected. Mrs. Richards second the motion. At the call of the roll, the vote was:

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

NAYES: None.

### **MAYOR'S REPORT.**

Mayor Lowden apologized for being late, but that he had attended a Municipal Alliance meeting. There was a discussion on new ideas for programs instead of the Campfire Girls Drug Program that is held at the school every year. The school has requested something new for the students. Mayor Lowden also discussed that he had missed the hearing on the TCDI grant due to his attendance at an award ceremony by the Rotary. His wife received an award for outstanding community service, along with Dennis Rogers. Mayor Lowden inquired from the solicitor if the council needed to appoint a deputy tax assessor in the absents of Mr. Robinson. Mr. Kearns discussed that the council should appoint a deputy if Mr. Robinson was going to be out for a length of time.

### **COUNCIL REPORTS.**

Mr. Wolbert discussed that Mr. Williams, Mr. Bancroft and his self had met with the NJ Water Company and the engineer William Kirchner to discuss what the water company had to offer the city in terms of storm water management. Mr. Wolbert had attended the Neighborhood Watch meeting at the Learning Center and that Russell Hatcher gave a presentation of dealing with teenagers. The planning board dismissed without prejudice the application of Carole Moore for a coffee shop on Cooper Street. Also the NJ Water Company gave a presentation to the planning board concerning their visions for their property along the riverfront.

Mr. Newsome discussed that the plans that were presented at the TCDI hearing were exciting. If the waterfront plan could be completed it would be a major assets to the city.

Dr. Cook discussed that on June 10 she had attend a Burlington County Chamber of Commerce meeting in Burlington City. Also on June 14-Flag Day the students of the Beverly City School in Mrs. Parker's class dedicated the quilt to the city. It is hanging in the council room. Schoolmaster Perkins gave an educational lesson on the flag. Dr. Cook also discussed that she had met with Barbara Fegley about the waterfront plan and that Jeff Taylor and Council President Bancroft had also attend. Developers are continuing to come look at the city. There are no specific plans for any areas yet, but that the plans will be different than the Beverly Commons project. New plans are underway for upscale rentals, dismantling homes that are beyond repair and building new homes. The Clean Communities program reaches out to the children of the city to take pride in the city and learn about ways they can help their community. Each street is like its own community and that a larger part of the city community.

Mr. Williams discussed that at the meeting of June 6 with the NJ Water Company they told of equipment that they had available for storm water management. The implementation of the schedule will take 5 years. Also at the TCDI meeting Mark Remsa

of the county gave a good vision of the plan from the river to the rail line. Mr. Williams discussed that he is interested in the street lighting aspects of the plan. There are different types of lighting for vehicles and pedestrians. Mr. Williams will be attending the Cross County Connection presentation on June 28 at the Human Resource Building in Westampton.

Ms. Gillette discussed that the youth minister would like to thank everyone for Memorial Day. The youth raised money for a trip. There is a need to reach out to the youth of the city. Ms. Gillette is still working on getting residents to register to vote. On June 30 the Reverend Irving Fryar will be speaking at the church and that it is open to the communities and surrounding communities.

Mr. Krzykalski thanked everyone for replying to the health and environmental survey that he had handed out. Mr. Krzykalski is working on obtaining free training for EMS and Fire Department personnel. He will be coordinating with the fire dept. There is a need for more trash containers between Warren Street and the train line. There is a lot more pedestrian traffic. The TCDI hearing and the water company at the planning board gave an excellent overview of the waterfront visions. Mr. Krzykalski met with Mark Remsa and also Frank Del Toro to get a clearer picture on what is coming into the city and what development the city should be looking at. The City of Beverly is prepared with the updates to the master plan and redevelopment plan, also the new plan for the TCDI grant are revolving documents that are used as tools for developers. Dr. Cook discussed that as the chairman of economic development Mr. Krzykalski should be discussing things with her before approaching anyone. Dr. Cook discussed that no one will come into the city with a fragrant plan and that the city needs to stipulate to the developers what they want. Mr. Krzykalski discussed that developers will follow and work with the plans that the city has and that the NJ Water Company is aware of the city plans and will work to make the community a better place.

Mrs. Setikas discussed that the TCDI hearing showed an excellent plan and that the city needs to concentrate on the intersection of Cooper and Warren Street.

Council President Bancroft requested that a letter be sent to Craig Yates to ask what he wants to do with his properties in the city and what type of timetable he is looking at. Mr. Williams requested that an invitation to talk to council be extended as well.

Mayor Lowden discussed that Bridge Street needs more lights to help with the crime. Also that all of the city plans are upto date with the help of the county.

### **PUBLIC SESSION.**

John Sabol-463 Cooper Street discussed that he usually attends the planning board meeting and is glad to see the effort by the City Council for development in the City. Mr. Sabol discussed that he does not feel that the planning board takes the plans of an applicant seriously. Hall's Bus Service is constantly being continued by the board and the neighborhood is frustrated with the results. Mr. Sabol offered to assist Dr. Cook in

education program for the city youth and inquire if the event that Ms. Gillette discussed with the church needed volunteers. Ms. Gillette recommends that he contact the church directly.

Joyce Bell-96 Church Street inquired if Elizabeth Street was one-way for the entire length. There was a discussion on the street being one-way part of the way and two way for other parts. Mrs. Richards discussed that with more traffic on the street the council needs to look at making it one-way the entire length. Mrs. Setikas discussed that Perkins will also need to be made a one-way when the bank expands its drive through window.

John Borden-Riverbank inquired about Ordinance No. 2004-8 for a clarification of the wording pertaining to dog licenses three-year fee. The wording listing dog licenses for three years will be deleted from the current ordinances as dog licenses are issued every year.

Mr. Sabol inquired as to why the stop sign ordinance was held. The cost of the signs is being reviewed before passing the ordinance. Mr. Sabol discussed that if an intersection was known for its accident rate than that one should be a priority in the signage.

Beverly Haaf-Riverbank discussed that 421 Bridge Street pole light needs to be brighter.

John Haaf-Riverbank requested that public works could clean up Bridge Street and that it is a terrible burden on the city to keep it clean.

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

**EXECUTIVE SESSION.** Mr. Wolbert made a motion for a closed session for the discussion of contracts, Mrs. Richards second the motion. All members were in favor. City Council returned to public session.

### **PUBLIC SESSION.**

**Discussion on State Health Benefit Plan for Employees.** Council discussed the various options of the state plan and that it the long run financial the city will save more with the state health plan.

**Resolution No. 2004-62,** Resolution To Authorize Participation In The New Jersey State Health Benefits Program Act Of The State Of New Jersey. The resolution was read by title.

**Resolution No. 2004-63,** Resolution To Elect A Premium Delay Option For State Health Plan. The resolution was read by title. This will allow the delay of the payment to the state for one month.

**Resolution No. 2004-64,** Resolution To Adopt The Provisions Of N.J.S.A. 52:14.17.38 Under Which A Public Employer May Agree To Pay For The State Health Benefits Program Coverage Of Certain Retirees. The resolution was read by title. This resolution

would allow the city to pay for employees' benefits until they reach Medicare age after twenty-five years of service with the City.

Mrs. Richards made a motion to approve Resolution No. 2004-62, 2004—63, 2004-64. Mr. Wolbert second the motion. At the call of the roll, the vote was:

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

NAYES: None.

**Special Meeting.** Mrs. Richards made a motion to hold a special meeting on July 13 at 7:30pm if needed to award the new trash collection contract. Mrs. Setikas second the motion. All members voted in favor.

**ADJOURNMENT.** Mrs. Richards made a motion to adjourn, Ms. Gillette second the motion. All members were in favor.

Submitted by,

Barbara A. Sheipe RMC  
Municipal Clerk