

## MINUTES

CITY OF BEVERLY

JUNE 27, 2006

**CALL TO ORDER.** The regular meeting of the Common Council of the City of Beverly was called to order at 7:00pm, by President Bancroft on Tuesday, June 27, 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, Dr. Cook, Council President Bancroft, Mayor Wetherill, Director of Public Safety Mike Morton, Solicitor William Kearns and Barbara Sheipe, clerk/administrator.

**ABSENT:** Mrs. Foerster, Mr. Krzykalski and Mr. Robertson.

**MINUTES.** Mr. Wolbert made a motion to approve the minutes of June 13, 2006, Dr. Cook second the motion. All members present voted in favor.

**COORESPONDENCE.** Mayor Wetherill read a letter from Judge Vogdes that he would be retiring at the end of September.

**EXECUTIVE SESSION.** Mr. Wolbert made a motion to go into executive session for the discussion of contracts. Dr. Cook second the motion. All members voted in favor.

Dr. Cook made a motion to have Mr. Wolbert, pro-tem president for the meeting. 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 and Council President Bancroft.

**NAYES:** None.

### **ORDINANCES ON SECOND READING.**

**ORDINANCE NO. 2006-9,** An Ordinance of the City of Beverly To Amend Ordinance No. 2006-3 Of The City of Beverly, Adopting A Redevelopment Plan For The Cosden Chemical Site, Block 10, Lot 18 And Authorizing And Empowering The Governing Body To Take Certain Actions And Promote Certain Projects, All Within The Meaning And Intendment Of The Local Redevelopment And Housing Law. The ordinance was read by title. Mr. Wolbert opened the ordinance to the public.

Ms. Marshall- Cooper Street inquired as to why C-1 was not included in the plan. Mr. Wolbert explained that at the public hearing on the original ordinance only C-2 zoning was discussed and that a motion was made at that time to include all of C-2 zoning. No one else from the public wish to be heard the public portion was closed.

Council President Bancroft made a motion to adopt Ordinance 2006-9 on second reading, Dr. Cook second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Wolbert, Ms. Kinniebrew, Mrs. Setikas, Dr. Cook and Council President Bancroft.

**NAYES: Mr. Newsome. The ordinance was passed on second reading and final reading and will take effect 20 days after publication according to law.**

**ORDINANCE NO. 2006-10, An Ordinance of the City of Beverly Amending Section XXI of the Fee Schedule of the Codified Ordinances of the City of Beverly. The ordinance was read by title. Mr. Wolbert open the ordinance for a public hearing. Mr. DeLeo-Cramer inquired if the fees were not too low? Mr. Wolbert explained that compared to other municipalities the city is line with the fees. Ms. Marshall-Cooper Street inquired as to why the fee for the certified list was lower. Mr. Kearns explained that the fee is set by state statue. Ms. Kinniebrew made a motion to adopt Ordinance No. 2006-10 on second and final reading, Mrs. Setikas second the motion. At the call of the roll, the vote was:**

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

**NAYES: None. The ordinance was passed on second and final reading and will take effect 20 days after publication.**

**ORDINANCE NO. 2006-11, An Ordinance Authorizing The City Of Beverly To Sell Block 24, Lot 2 Commonly Known As 526 Second Street. The ordinance was read by title. Mr. Wolbert open the ordinance to the public. No one from the public wish to be heard. Ms. Kinniebrew inquired about the deposit? Mrs. Sheipe explained that the purchaser had paid the city in full for the property. Ms. Kinniebrew made a motion to adopt Ordinance No. 2006-11 on second and final reading, 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 and Council President Bancroft.**

**NAYES: None. The ordinance was passed on second and final reading and will take effect 20 days after publication.**

### **OLD BUSINESS.**

**NEW BUSINESS: Items A through C 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. 2006-70 Resolution of the City of Beverly Authorizing Entry Into a Subordination Agreement With Respect To 614 Manor Road, Beverly NJ.**
- B. Resolution No. 2006-71,Resolution Allowing A Senior Citizen Deduction for 2005 Axes. (1042 Nicholas).**
- C. Resolution No. 2006,72-Resolution Approving Liquor Licenses for 2006.**

**Mr. Wolbert requested to pull item C for discussion. Ms. Kinniebrew made a motion to approve Items A and B on the agenda. Council President Bancroft second the motion. At the call of the roll, the vote was:**

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

**NAYES: None**

Item C. Resolution Approving Liquor License. Mr. Wolbert discussed that he would like to make sure that the previous conditions on the license are attached to the resolution and also to the license for the F & M Liquor Store. Council President Bancroft made a motion to approve the resolution with the conditions for each license attached. Mrs. Setikas second the motion. At the call of the roll, the vote was:

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

NAYES: None.

D. Payment of Bills. Mr. Wolbert requested that line 44 be pulled as it was previously approved. Line 2 should be changed to Public Works other expense instead of police. Line 23 for Sam's Club needs to have a receipt or invoice attached. Council President Bancroft made a motion to approve the payment of bills, 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 and Council President Bancroft.

NAYES: None.

SOLICITORS REPORT. None.

MAYORS REPORT. Mayor Wetherill reported that the violin program at the school was well received. There are many students interested in playing the violin. Ms. Kinniebrew inquired as to why no music program? Mayor Wetherill replied that there is a small music program and that they are still working on obtaining instruments for the music department.

#### PUBLIC SAFETY.

Mr. DiLeo-Cramer Avenue inquired about no stop signs at the intersection of Cherry and the intersecting streets? Director Morton explained that a lot of new stop signs were recently installed and that he will take a look at the intersection.

Ms. Marshall-Cooper Street discussed that additional one-way signs are needed on Melbourne Avenue near the emergency squad building.

#### COUNCIL REPORTS.

Ms. Kinniebrew discussed that council had received notice from the county highway department and that they had approved a blinking light for the corner of Warren and Broad Street. The cost to the city for their part of the installation would be about \$7500. plus additional monthly cost for electric. This request was not made a part of the budget for this year and there is no additional money available. The request could be placed in next year's budget. Ms. Kinniebrew also looked at the light at the corner of Third Street and Laurel and Third Street and Cooper. There needs to be an increase in the streetlights for safety reasons. Mayor Wetherill explained that a red light had been requested since 1992 at the corner of Broad and Warren and that the money should be somewhere in the budget. Ms. Kinniebrew explained that this was only for a blinking light and not a traffic signal and that council kept the budget at an increase of one cent and did not leave extra money in the budget. Mrs. Setikas discussed that it is hard to see when coming out of Pine Street onto Cooper Street due to the cars being parked. Director Morton will take a look at the

corner to make sure that the cars are being parked far enough from the corner for the site triangle. Mrs. Setikas also explained that the bank has demolished the old garage at the corner of Warren and Bridge Street.

Dr. Cook discussed that Arcadias and Strategic Environmental Partners had met with city council to discuss entering into an agreement with them to allow them the authorization to discuss the clean up with the EPA about the Cosden Chemical Site. There would be no financial responsibility to the city. Mr. Wolbert explained that the developer can only negotiation with the EPA, they couldn't enter into an agreement for the city. Dr. Cook made a motion to enter into an agreement with Strategic Environmental and Arcades to represent the city in discussions with the EPA for the clean up of the Cosden Site. Mrs. Setikas second the motion. At the call of the roll, the vote was:

**AYES: Mr. Wolbert, Mrs. Setikas, Dr. Cook, Council President Bancroft.**

**NAYES: Ms. Kinniebrew, Mr. Newsome.**

Dr. Cook discussed that there is a meeting on Thursday, June 29 with the River Route 130 Corridor that she will attend with Robert Lowden as representatives of the city.

Mr. Wolbert discussed that Judge Vogdes is resigning due to the pension system and that he is a good Judge. He has recommend a few choices and also Mr. Wolbert will call the county for recommendations. Environmental Resolutions is putting together an application for Small Cities for the city. They are looking for councils input as to what to apply for. The project must be between Warren Street, Cooper Street, and the river. It must be located in the low-moderate income areas to qualify for the grants. Environmental Resolutions would like the council to consider reapplying for the ADA grant for the municipal building or to purchase two lots and create parking for the downtown. Council discussed the parking lots. The one lot is owned by Mr. Centinaro and is located at the corner of Broad and Warren, the other lot is owned by the FOP and is located on Cooper Street. Mr. Centinaro is requesting \$250,000 for his lot and the FOP is requesting \$129,000 for their property. If the city used the grant money to buy these two lots, there would not be any grant money left to do the improvements. Council discussed that the municipal building needs the ADA and that the city has already been cited by JIF for not being handicapped accessible. There will be a public hearing on July 25 for public comment on the ADA application. Mr. Endwistle-Broad Street inquired if the city had a grant writer? Mrs. Sheipe explained that the city uses the engineering firm Environmental Resolutions, the county economic development department and also does share services with the Bridge Commission for grant writing.

### **PUBLIC SESSION.**

Mr. Piryliis-Cooper Street inquired about the overlay zoning. The council had requested that the question be asked of the planning board at their last meeting and the planning board solicitor referred the question back to council. The steps for changes for zoning are that council makes a recommendation to the planning board to review the zoning ordinances, planning board holds public hearings on the zoning

changes and makes a recommendation to council to change the zoning ordinance according to their findings, council creates the ordinances for the zoning. Mr. Piryllis also explained that he is still working on the website and is giving it a historic look. Mr. Endwistle-Broad Street inquired about the minutes from the last meeting and if council has received a copy of the lease? Council President Bancroft explained that Dr. Gray has not present council with a copy of the lease and that Mr. Keiss; county superintendent was also requesting the lease. Mr. Newsome discussed that school board approval was need to enter into a new lease between the church and the school.

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

Dr. Cook made a motion to hold a special council meeting on July 11 at 7pm to discuss the developer's agreement. Mrs. Setikas second the motion. At the call of the roll, the vote was:

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

NAYES: None.

**EXECUTIVE SESSION.** Mr. Wolbert made a motion to go into closed session, Mrs. Setikas second the motion. All members voted in favor.

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

Submitted by,

Barbara A. Sheipe RMC  
Municipal Clerk