

## MINUTES

CITY OF BEVERLY

June 9, 2009

### CALL TO ORDER.

**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. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins, Council President Crespo, Mayor Cook, Barbara Sheipe, Administrator/Clerk and Skip Reale, Solicitor

**ABSENT:** Mr. Bass and Mr. Perkins

**MINUTES.** Mr. Robertson made a motion to approve the minutes of May 26, 2009. Mr. Newsome second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins, Council President Crespo.

**NAYES:** None.

**ABSTAIN:** Mr. Williams.

### COORESPONDENCE.

- A. Letter of Resignation-Director of Public Safety. Mr. Desjardins inquired as to when the letter was received? Mrs. Sheipe explained that she had received the letter on June 4<sup>th</sup>, 2009. Mr. Reale recommended that discussion of the letter be held until after executive session.
- B. Letter from the Board of Education-Lauinger Field. Council President Crespo acknowledges receipt of the letter to the city.

**PUBLIC HEARING.** A. **2009 Budget Hearing.** Council President Crespo opened the public hearing for the 2009 budget. No one from the public wished to be heard, the matter was returned to the council. Mr. Desjardins inquired about the difference in the Administration other expenses figures from last year to this year. Mrs. Sheipe explained that some of the expenses that were charged to administration last year are now charged to city clerk other expenses. Mr.

Desjardins inquired if the Director of Public Safety's full salary was included in the budget. Council President Crespo explained that the Director's salary was included for full time until July 1<sup>st</sup> and part time after July 1<sup>st</sup>. Mr. Desjardins discussed that the utilities for the city are too high and that fuel oil is too high and that the boiler system for the building is outdated. Mr. Desjardins inquired about the difference in the location of the police pension in the budget. Mrs. Sheipe explained that last year it was outside of caps and now it is located inside of caps. Mr. Arter discussed that he is concerned about taking \$440,000 out of surplus and leaving only \$540,000 in surplus. Mr. Arter discussed that the city is taking out more than it can replace. There is no additional anticipated revenue for next year. Council President Crespo explained that the surplus will be recouped with license fees, extra money sitting for expenditures from 2008. Mr. Arter discussed that the Mr. Stewart, the city's auditor had discussed that the state does not allow the city to plan. Mr. Arter discussed removing some funds from capital projects. Council President Crespo discussed that \$45,000 in the road projects was for Wheatley for the DOT project and that what was not used returns to surplus. Council President Crespo discussed that he is not comfortable taking the \$20,000 out for a police vehicle. The city needs to build a fund to replace the police vehicles on rotating bases and that by building the fund each year the city will not be hit hard in one particular year. Mr. Arter discussed cutting public building and grounds as the money was not used last year. Council President Crespo explained that city hall needs a new roof and that the extra funds would go to surplus at the end of the year. Mr. Arter discussed that the city needs to make sure that it does not repeat past mistakes. Mr. Newsome discussed that the city vehicles are an ongoing expenses and that the city needs to save each year towards the purchase. Mr. Newsome discussed that in the past few years funds have been set aside for road projects and it has allowed the city to complete some road work that would not have been completed with grant money. Many things are necessary, new computers in the tax/finance office are needed; the system needs to be updated to comply with the requests by the auditor. Mr. Arter inquired if the computers could be scaled back. Mr. Newsome explained that the majority of the cost is for new software. Council President Crespo discussed that the finance committee in 2007 did not anticipate any further revenues and that the surplus will be built up for next year. Mr. Arter discussed that in two years the city will be short in surplus. Council President Crespo discussed that the departments are tightening their belts and not spending just because the funds are there. Council President Crespo inquired as to what exactly Mr. Arter was requesting? Mr. Arter explained that he had listed the items that needed to be cut in the budget and is the roof going to be done this year. Mayor Cook discussed that the finance committee did a lot of work on the budget. Resolution No. 2009-62, Resolution Adopting The 2009 Budget. The resolution was read by title. Mr. Newsome made a motion to adopt the resolution, Mr. Robertson second the motion. At the call of the roll, the vote was:

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

NAYES: Mr. Arter.

## OLD BUSINESS.

A. Resolution No. 2009-57, Resolution Authorizing An Agreement Between The City of Beverly and the Communications Workers of America Local 1034. The resolution was read by title. Mr. Robertson discussed that he had talked to Mr. Reale about page 9, article x, section B the new plan must be substantially equal to or better than the current NJ State Health Plan. Mr. Robertson inquired as to the definition of substantially and that it should read equal to or greater

than. Mr. Robertson is concern that the language would not hold up in court. Does the language mean 90% or 80% of the current contract? Mr. Williams explained plans can be a lot of different of options and that two plans side by side can have the same benefits but offer different options for those benefits. Mr. Reale explained that an employer may change health care provider through the course of a contract and the plan may offer the same benefits but can be different options. The wording in each plan does not have to match word for word. The language in contracts is standard. Mr. Robertson inquired as to whom makes the decisions. Mr. Reale explained that city council and the bargaining units make the decisions. Mr. Williams explained that he does not have a problem with the language in the contract and that it gives flexibility. Mr. Arter inquired if Article 13B on page 11 was amended. Mr. Reale explained that after further reviewed it was determined that State laws govern the section and trump the contract. Mr. Williams 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. Williams, Mr. Arter, Mr. Hitchner, Mr. Desjardins, Council President Crespo.

NAYES: None.

ABSTAIN: Mr. Robertson.

### **NEW BUSINESS.**

A. **Resolution No. 2009- 61, Resolution Authorizing Renewal Of Liquor Licenses For The 2009-2010 Year.** The resolution was read by title. Mr. Newsome made a motion to approve the resolution, Mr. Williams second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins, Council President Crespo.

NAYES: None.

B. **Resolution No. 2009-63, Resolution Authorizing A Lien For 64 Church Street, Beverly NJ.** The resolution was read by title. Mr. Newsome made a motion to approve the resolution, Mr. Desjardins second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins, Council President Crespo.

NAYES: None.

C. **Payment of the Bills.** Council President Crespo discussed line #7 from CGP & H and that there is a concern about the charges. Mr. Desjardins discussed holding the bill until it could be further reviewed. Mr. Newsome discussed the amount on #9 for line systems and that the previous balance was paid and should be removed. Mr. Newsome also discussed line #48 for the Courier Times and if the previous balance was paid or not. Council President Crespo discussed that line #83 for the animal control officer was discussed at the last meeting and the contract reads that they do not pick up animals unless they are confined after 4:30pm. Mr. Hitchner inquired about the legal bill on line #73 for Brown and Connery. Mr. Reale explained that the city has a different attorney for redevelopment. Mr. Williams made a motion to approve the bill list, Mr. Newsome second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr.

Desjardins, Council President Crespo.

NAYES: None.

ABSTAIN: Council President Crespo abstained from #7 and #100 dealing with Beverly Commons.

**OTHER NEW BUSINESS:**

**SOLICITORS REPORT.** Mr. Reale has discussions for executive's session.

**MAYOR'S REMARKS.**

Mayor Cook read the resolution to support the continuance of the Municipal Drug and Alcohol Alliance into the record. Mr. Williams made a motion to approve Resolution No. 2009- 65, Resolution of Support of The Continuation of the Current Municipal Alliance Structure, Mr. Desjardins second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins, Council President Crespo.

NAYES: None.

Mayor Cook discussed that the fishing derby was held and that hot dogs were provided by Dietz and Watson, prizes were donated by the Sewerage Authority and 7-11 stores. Mayor Cook discussed that representatives from COAH toured the city and that the City will received its certification on June 10 from COAH.

Council President Crespo announced that Joe Hayes donated fishing poles from the Municipal Drug Alliance for the fishing derby, Bob Lowden the rolls for the hot dogs, Barry Merrill coordinator the derby and John Newsome donated the tent. Council President Crespo thanked all the volunteers for the fishing derby.

Mr. Williams discussed that he had talked to Mr. Livingston of the Burlington County Highway Department about the safety of the intersection at 5 points and that he will review additional signage to help with the intersection.

**PUBLIC SESSION AND PUBLIC SAFETY.**

Mrs. Richards-Broad Street inquired if there has been any discussions or meetings on the additional funding that the school is requesting? Council President Crespo discussed that as of yet a date for the school board of estimates has not been set and that it will be advertised. Mr. Arter inquired if there are any time restraints. Mr. Reale explained that Title 18A governs the procedures and process.

Mr. Bancroft-Melbourne Avenue inquired if someone is occupying the old FOP building on Cooper Street. Council President Crespo explained that it is owned by Cuff and Key Club. Mr. Bancroft suggested that someone check on the possible sale of liquor.

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

**EXECUTIVE SESSION. Resolution No. 2009-64, Resolution Setting The Time, Date and Place of An Executive Session From Which The General Public Shall Be Excluded.** The resolution was read by title. Mr. Robertson made a motion to approve the resolution, Mr. Williams second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins and Council President Crespo.

**NAYES:** None.

**GENERAL SESSION.** Council President requested a motion to reduce the hours in the Housing/Code Enforcement Office. Mr. Williams made a motion to reduce the hours in the Housing/Code Enforcement Office to four (4) days a week, Mr. Hitchner second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins and Council President Crespo.

**NAYES:** None.

Mr. Arter discussed that cuts need to be made in the budget across the board not just this dept.

**Resolution No. 2009-66, Resolution Removing Block 77, Lot 9 From The City of Beverly Tax Sale.** The resolution was introduced by title. Mr. Williams made a motion to approve the resolution, Mr. Newsome second the resolution. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins and Council President Crespo.

**NAYES:** None.

Mr. Williams made a motion to authorize the City Clerk and Mayor to sign the contract of sale between the City of Beverly and Vicki Heung Lam Chan for 306 Warren Street, Mr. Newsome second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins and Council President Crespo.

**NAYES:** None.

Mr. Arter made a motion to refer the letter from Director Morton to the Administrator, Police Committee and the Solicitor, Mr. Williams second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Desjardins and Council President Crespo.

**NAYES:** None.

Mr. Williams made a motion to refer the letter from the Board of Education to the Economic Development Committee, Mr. Desjardins second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Williams, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr.

**Desjardins and Council President Crespo.**

**NAYES: None.**

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