

MINUTES

CITY OF BEVERLY

MARCH 13, 2007

CALL TO ORDER. The regular meeting of the Common Council of the City of Beverly was called to order at 7:00pm, by President Arter on Tuesday, March 13, 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, Mr. Robertson, 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 a change to the amount under work session be corrected from \$10,000 to \$100,000. Mr. Esaia requested that the minutes be corrected on page 1 to show that the explanation of a bill from last meeting was on vehicle repair. The minutes will be corrected to show that the name under public session should be Mr. Entwistle instead of Mr. Broad. Mr. Germer made a motion to approve the minutes, Mr. Esaia second the motion. At the call of the roll, the vote was:

AYES: Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

ABSTAIN: Mr. Bancroft.

DISCUSSION ON BUDGET. Mr. Robert Stewart the city auditor discussed that the city budget is about a 1.1-cent increase over last years. There is about \$731,000 in surplus; the city has used about \$580,000 in this budget. The budget is \$4,700 under cap. There is a capital budget that includes \$200,000 for road repair, \$11,000 for computers and \$100,000 for the abandon properties. Mr. Stewart cautioned council that the budget laws for next year are being changed and that the cap will be based on the city's tax levy. The base of the taxes should be raised higher than the council has introduced to help build the tax levy for next year. With the new laws, the city's budget will only be able to be increase about \$45,000 next year. Mr. Newsome inquired if the new laws for the increase are based on the amount of taxes collected or the actual tax base. Mr. Stewart explained that it deals with the actual tax base and not the amount of taxes collected. Mr. Stewart discussed that if the city wants to do things this year, they should include them in this budget to help next year. Mr. Newsome discussed that if the budget increase stays at 1.1 cent, than the city can only increase by \$45,000 and that the operating expenses in the 2006 to the 2007 was

an increase of \$73,000. Mr. Germer inquired if the assessments went up will the tax revenue increase? Mr. Stewart explained that what ever is on the tax assessor books by October 1 will increase the tax levy. Mr. Germer discussed that as redevelopment moves along in the city the tax levy will go up with the new building of homes and that he thinks that the new homes will increase the tax levy instead of council raising the taxes higher this year. Mr. Germer explained that the planning board approved the building of nine in the last few months. Mr. Bancroft inquired if Mr. Stewart was recommending an additional 1-cent increase? Mr. Stewart explained that he is just informing council of the new laws that will be in effect for next year and that it is council's decision whether to add an additional increase. Mr. Bancroft discussed that the city has struggled to hold the tax increases down, but is it better to increase this budget by an additional cent, than to have to work with lower amounts next year. Mr. Stewart explained that it is a council decision. Mr. Stewart explained that if council introduces the budget tonight, the public hearing would be held sometime in April and that council can amend the budget after the public hearing at the same council meeting. Mr. Germer inquired as what the R's meant next to some line items. Mr. Stewart explained that they were required items and could not be changed by council. Mayor Wetherill inquired if the council placed a higher amount in the road project would that help next years budget? Mr. Stewart explained that council could increase that amount to increase the \$45,000 for next years budget. Mayor Wetherill discussed that the road improvements are needed now. Mr. Newsome discussed that most roads are funded by state grants from DOT, the \$200,000 will be funded through the city for the roads that are not available for state grants. Mr. Germer inquired as to why such a large increase in police and public pensions. Mr. Stewart explained that the state was in trouble and passed the cost along to the municipalities. Each year the cost will go for the pensions and after the 5th year it will level off. Council President Arter inquired if Mr. Stewart knew what the increase for next year would be? Mr. Stewart explained that the cost should double. Mrs. Sheipe explained that the contracts for the police departments and unions are expiring this year and that the \$45,000 will have to include any raises or costs association with the renewal of the contracts. Mr. Germer inquired if the school does not increase their tax rate would it lower the city's amount. Mr. Stewart explained that the only time the city's rate is effect is by the amount of uncollected taxes. Council President Arter inquired if Mr. Stewart knew the amount of total amount of salaries involved with the employees of the city. Mr. Stewart explained that the budget lists the total for the police department, but that he would have to figure out the other departments as they are listed individually. The police department alone would increase about \$22,000 at the current rate of 3.75%, but also the cost of insurance for everything will increase next year. Council President Arter thanked Mr. Stewart for his time on the budget process.

CORRESPONDENCE.

- A. Clean Communities Grant Award-Council President Arter read a letter that the Mayor had received awarding the city for clean communities the amount of \$4,000.

- B. Beverly City Birthday Celebration-Council President Arter informed everyone that there would be an event on March 20th at 7pm to kick off the birthday celebration for the year.
- C. Letter to the Beverly City Housing Authority. Council President Arter explained that this is a follow up letter to request that the housing authority investigate allowing WIC to be held at the Learning Center once a month.

OLD BUSINESS.

ORDINANCES ON SECOND READING.

- a. Ordinance No. 2007-4, An Ordinance Amending Chapter 2 Of The Code Of The City Of Beverly Entitled “ Administration” Creating A New Combined Administrative Position Of Code Enforcement Officer, Housing Inspector And Deputy Zoning Officer, Setting The Salary And Terms Of Such Position And Abolishing the Position Of Housing Inspector. The ordinance was read by title. Council President Arter opened the ordinance for a public hearing.

Mrs. Haaf-Riverbank inquired if this person would be the zoning officer in the future. Mr. Crespo explained that it is the intent.

Mr. Haaf-Riverbank inquired if the salary in the ordinance would require the city to change the ordinance each year that there was an increase. Mr. Baxter explained that it could be a simple amendment to the ordinance, or the city could place it in the next salary ordinance.

Mr. Entwistle-Broad Street inquired as to why no fringe benefits. Mr. Crespo explained that it would be part time with no health benefits. Council President Arter explained that in section 2C it explains that the city is still required to pay into pension.

Mr. Schwedes-Wheatley explained that part time employees do enroll in the pension system and that the city has to contribute as well as the member.

No one else from the public, the public portion was closed.

Mr. Germer made a motion to adopt the ordinance on second and final reading.

Mr. Crespo second the motion. At the call of the roll, the vote was:

AYES. Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr.. Arter, Council President Arter.

NAYES: None.

ABSTAIN: Mr. Bancroft. The ordinance was adopted on second and final reading and will become effect after publication as according to law.

ORDINANCES ON FIRST READING.

B. Ordinance No. 2007-5, An Ordinance Prohibiting The Accumulation Of Brush, Weeds And Debris And Requiring The Maintenance Of

Trees On Private Property. The ordinance was read by title. Mr. Baxter explained that he had made the changes to the ordinance that council had requested before the ordinance was published. Mr. Baxter also added at Mr. Germer's request an administrative fee of \$65.00 to the ordinance. Mr. Bancroft inquired about the section with the unsightly grass and the height; what determines the height? Mr. Germer explained that a height limit on grass would be hard to enforce. Mr. Baxter explained that the code enforcement officer would be the one to enforce the ordinance. Mr. Robertson discussed that not every thing that will occur can be written into an ordinance and that it will take common sense of the inspector to enforce. Mr. Baxter discussed that council may want to change the wording about a fine for the ordinance under section three, to state that each offense to a fine not exceeding that set forth in the Beverly Code Section 1-7.1. Mr. Arter made a motion to adopt the ordinance with the changes suggested by the solicitor, Mr. Robertson 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, Mr. Robertson, Mr.. Arter, Council President Arter.

NAYES: None. The ordinance was adopted on first reading and will heard for a public hearing on March 27, 2007.

C. Ordinance No. 2007-6, An Ordinance Amending Chapter XXI Of The Code Of The City Of Beverly Entitle "Schedule Of Fees" Specifically The Fees Listed Under Section 21-3.1 Regarding The Costs For Inspection And Issuance Of A Certificate Of Occupancy And The Cost Of Reinspection (s) And Repealing Inconsistent Provisions. The ordinance was read by title. Mr. Crespo inquired as to how law and order arrived at the fees? Mr. Germer explained that the committee had requested from the auditor the fees and that Mr. Stewart gave the amount of \$154 for the annual inspection. Mr. Arter explained that it also includes the salary, social security, and unemployment, as well as the pension cost. Mr. Arter explained that with the additional cost to the salary of \$32,000 it would actual be \$36,000 and if you divide that by the number of rental units of 254 it equals \$133. Mr. Arter explained that the annual inspection fee should at least cover the salary. Mr. Arter discussed that since there is no inspections done of the rental units at this time, it is hard to judge the cost and time of an inspection. Mr. Arter explained at the fee of \$95.00 it is only 75% of the cost, not including gas and vehicle maintenance. Mr. Arter explained that the committee felt that the fees were reasonable and next year they can be adjusted if needed. Mr. Crespo discussed that the \$32,000, plus additional \$4200. for salary expenses equals \$36,200 for the entire position and that the fees are for the inspection of rental units and the job is a three-part position. Mr. Crespo inquired if that was explained to Mr. Stewart before he made his determination. Mr. Stewart explained that he based his numbers on the information that he was providing for the inspector position as 100%. Mr. Arter explained that the committee realized when deciding on the lower figure that the salary would be split. Mr. Crespo inquired if the committee thought that the fee would justify 2/3rds of the salary. Mr. Arter explained that the committee felt that the fee is justified since they have no previous figures to go by. Mr. Crespo discussed that he feels that \$75.00 is more reasonable. Mr. Germer discussed that every time a tenant is changed there is more time that the inspector spends on the unit that was not

include in the calculations. Mr. Germer explained that there is also a charge of \$50.00 for a reinsertion if the unit fails. Mr. Stewart explained that the time is not 100% of the position, than the \$95.00 is suitable if the position requires 2/3rds of the job and \$80.00 is the positions requires 1/2 of the job. The number will be adjusted at the end of the year. Mr. Bancroft inquired if the committee checked with the surrounding towns on their fees. Mr. Arter explained that he is not concerned with the surrounding towns; he is concern with the city. Mr. Bancroft discussed that if the committee talk to other towns, they could get a time estimate on the inspections. Mr. Germer explained that Willingboro charges a \$100.00 and that when he bought his house it took the inspector upto three hours for a full inspection before allowing settlement. Mr. Robertson discussed that he understands the concerns over the fee amounts, but that ordinances are needed for rentals and that council needs to get the laws into the books. Mr. Germer made a motion to adopt the ordinance, Mr. Robertson second the motion. At the call of the roll, the vote was:

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

NAYES: Mr. Crespo. The ordinance was adopted on first reading and will heard for public hearing at the council meeting of March 27, 2007.

C. Ordinance No. 2007-7, An Ordinance Amending Chapter XXI Of The Code Of The City Of Beverly Entitled "General Code" Allowing For Consistency Of Fines Generally Levied Under The Code. The ordinance was read by title. Mr. Baxter explained that he reviewed the ordinances for penalties and that the city had adopted the International Property Maintenance Code. Mr. Baxter recommends that council set a penalty for this ordinance. Mr. Crespo inquired if Ordinance No. 2006-15 covers the same penalty, since it covers all of the city's ordinances. Mr. Baxter explained that there are no penalty provisions in the property code listed. Mr. Crespo discussed that the ordinance should read that the penalty is upto or not to exceed the state statue, so that the ordinance did not have to be amend if the penalty increased. Mr. Baxter explained that he would change the ordinance to allow the penalty increase according to state statues. Mr. Arter made a motion to adopt the ordinance on first reading, 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, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None, the ordinance was adopted on first reading and will be heard for a public hearing on March 27,2007.

D. Ordinance No. 2007-8, An Ordinance Amending Chapter IV Of The Code Of the City Of Beverly Entitled "Construction, Buildings and Housing" Amending The Timeframes Within Which Certificate Of Occupancy Inspections Shall Take Place And When Such Certificates Shall Issue And Repealing Inconsistent Provisions. The ordinance was read by title. Mr. Baxter discussed that this ordinance was created at the request of the law and ordinance committee to place restrictions on the timeframes for inspection for the housing inspector. Mr. Germer discussed that the ordinance was at the request of Mr. Mickle, the housing inspector. Mr. Crespo discussed that he did not see the need for the ordinance and that the inspector can say no, if someone insists on an immediate inspection and

there is not time to do the inspection. Mr. Baxter explained that if a landlord cannot get the inspection, sometimes they will move in the tenants without the CO and that this ordinance gives the city the authority to regulate the request of the inspections. Mr. Crespo explained that he is concerned about the cost of the ordinance to the city, including the publication cost. Mr. Baxter explained that the cost of the publication is about \$50. a page for the ordinance and an additional \$10. for the cost of the publication for the second reading. Council President Arter discussed that she feels that the ordinance is protection for the inspector and gives the inspector the legal backing. Mr. Arter discussed that the law and ordinance has the task to establish policy and that this was a request from the employee. Mr. Arter made a motion adopt the ordinance on first reading, Mr. Robertson 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, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None, the ordinance was adopted on first reading and will be heard for a public hearing on March 27,2007.

NEW BUSINESS.

A. Resolution No. 2007-35, Resolution Authorizing Participation In The Burlington County Shared Services Forum. The resolution was read by title Mr. Newsome inquired as to why Resolutions 2007-37, is sent to the Maple Shade? Mrs. Sheipe explained that the manager of Maple Shade sits on the committee. Mr. Bancroft made a motion to approve the resolution, 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, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

B. Resolution No. 2007-36, Resolution of the Common Council of the City of Beverly Adopting A Ride Along Program For Council Members. The resolution was read by title. Mr. Newsome made a motion to approve 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, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

C. Resolution No. 2007-37, Resolution Of The Common Council Of The City Of Beverly Appointing A Public Officer As Defined In Section 1 Of Beverly City Ordinance No. 2006-16. The resolution was read by

title. Mr. Crespo discussed that he felt that this ordinance takes the oversight from council of the abandon properties. Mr. Baxter explained that the ordinance allows the owners to appeal from anyone's decision on their property. Also that city council can remove any property from the list for reasons of the criteria. Mr. Crespo inquired if council approves the list. Mr. Wolbert discussed that the housing inspector adds the property to the list, but council can also request adding the properties. Mr. Baxter discussed that council could

form a subcommittee by resolution to review the abandon list. Mr. Wolbert discussed that the property committee could be added by resolution. Mr. Arter explained that the current form has to be signed off by the tax collector and city clerk before the property is listed. Mr. Wolbert explained that the public officers is designated and gives him the authorization. Mr. Arter inquired if the property committee can be added to the resolution. Mr. Baxter replied that the committee could be added as the public officer. Mr. Arter made a motion to the resolution, Mr. Philip 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, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

- a. Resolution No. 2007-38, Resolution of The City of Beverly For Approval Of 6% Year End Penalty. The resolution was read by title. Mr.

Germer made a motion to approve the resolution, 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, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None

- b. Resolution No. 2007-39, Resolution of Temporary Emergency Appropriations. The

Resolution was read by title. Mr. Esaia explained that the resolution was needed due to not having enough money in the temporary budget. Mr. Germer inquired as to where does the money? Mr. Newsome answered that the money is actually in the formal budget. Mr. Arter made a motion to approve 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, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None

- c. Resolution No. 2007-40, Resolution To Adopt The Municipal 2007 Budget. The resolution was

Read by title. Mr. Bancroft thanked the finance committee for an excellent job on the budget. Mr. Bancroft made a motion to approve the resolution, 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, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

Mr. Germer made a motion to hold the public hearing on the budget on April 24 at 7pm. Mr. Crespo discussed that the public hearing could be held on April 10th, Mr. Germer explained that April 10th is during Easter vacation and that a lot of the residents may not be in the city. Mr. Newsome discussed that he prefer April 10th as well. Mr. Robertson second Mr. Germer motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Germer, Dr. Cook, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: Mr. Crespo, Mr. Newsome and Mr. Esaia.

- d. Appointment to Public Affairs Committee.

Council President Arter appointed Janet Lowe and Pat Pirylyis to the public affairs committee. Mr. Crespo made a motion to accept the appointments, Mr. Germer second the motion. All members present voted in favor of the appointments.

Payment of Bills Mr. Newsome made a motion to pay the bills, Mr. Germer second the motion. At the call of the roll, the bill was:

AYES. Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Dr. Cook, Mr. Robertson, Mr.. Arter, Council President Arter.

NAYES: None.

OTHER NEW BUSINESS.

SOLICITOR REPORT. Mr. Baxter discussed that he is working on the ordinance for fix fines and that he will be on vacation for the March 27th meeting and will have a draft when he returns.

MAYOR'S REPORT. Mayor Wetherill discussed that the school is always looking for someone to read a book to the children, now that the events for Dr. Seuss month are ending.

COUNCIL REPORTS.

- A. **Public Affairs Committee-**Mr. Arter discussed that the city is getting ready for the 150th birthday celebration kick off on March 21 and that Dr. Cook has lined up Dr. Townsend to appear from the past. Mr. Arter thanked Janet Lowe for handing out the invitations for the event all over the city and to the school children. Dr. Cook advised everyone that the city website has all of the information and that the committee is working on a commemorative booklet. The committee will be accepting donations for the booklet from businesses.
- B. **Law and Ordinance Committee-**Mr. Germer reported that the law and ordinance committee has been working with the solicitor for the fix fines.
- C. **River Route Committee-**Mr. Crespo discussed that the advisory board to the River Route is putting together a local magazine that would be for all of the towns along the Route to help attract businesses and people. The committee would like to have any events from the towns listed in the magazine. Mr. Robertson requested if they could nudge the committee to clean up the rails. Mr. Crespo explained that the committee is actually for Route 130. Mr. Robertson stated that he want to have the tracks clean up any way that he could. Dr. Cook suggested sending a letter to the Light Rail about the trash. Mr. Crespo inquired as to where the property line is on Railroad between transit and the city? Mr. Pirylyis advised council that ACCENT was going to work on the bushes with Edgewater Park and also on working in getting the area cleaned up. There are a lot of procedures that need to be done to get the permission of the NJ Transit to allow someone to work along the tracks.
- D. **Police Committee-**Mr. Esaia reported that the police committee met and are reviewing the current police contract for the upcoming renewal. The committee is working on the courtroom relocation. Mr. Crespo explained that it maybe possible to take one of the public works storage rooms as a record storage for the police department.

PUBLIC SAFETY.

Ms. Marshall- Cooper Street thank the police department for the handling of the teen-agers. Also that this morning an elderly gentleman fell and was helped up but could not cross the street. An officer came and helps the gentleman across the street with extreme care and kindness. Ms. Marshall expressed her gratitude for the kindness that the officer showed. Director Morton will express her appreciation to Officer Boettger.

Ms. Dreher-Delacove Homes informed council that the family of the boy killed last year on Warren Street would like to hold a memorial on the corner lot next to the home. Mrs. Sheipe explained that the lot is not city property and that they should obtain insurance and permission from the owner. Also if the memorial was going to use the street or sidewalk they should notify the police department.

Mr. Germer discussed that the figures on the police report do not match and that it states 480 on the report but under theft it states 484. Director Morton will check for the correct figure.

WORK SESSION.

A. Letter from Mark Asselta-assignment of 625 Cooper Street. Mr. Crespo discussed doing a resolution to assign the tax certificates to Mr. Bernardi for 625 Cooper Street, the final amount as of March 31, 2007 would be \$45, 3000. Mr. Bernardi than would be responsible to foreclose on the property. Council discussed placing restrictions on the resolution with conditions for the property. Mr. Baxter discussed that on private sales, restrictions could be place. Mrs. Sheipe explained that Mr. Asselta would be willing to do the resolution as the redevelop attorney for the city and that council would just have to let him know what the restrictions would be. Mr. Crespo discussed that the mortgage is held by HUD. Mr. Baxter explained that the developer would have to satisfy HUD as well as pay off the tax liens. Council President Arter inquired if Mr. Baxter would like to prepare the resolution. Mr. Arter discussed that any stipulations would have to go through the abandon property list committee. Mr. Crespo explained that the abandon properties have not been approved by council as of yet and that the resolution should allow the restrictions. Mr. Arter discussed that the economic development committee should meet and decide on the restrictions. Mr. Crespo recommends that the committee meet and the resolution should be done by March 27th meeting.

PUBLIC SESSION.

Mrs. Robertson-Warren Street discussed that more copies of the agenda need to be available. Mrs. Robertson also discussed that the city need to find a way to require residents to remove their Christmas decorations. It is also spring and people still have Christmas decorations up.

Mr. Haaf-Riverbank inquired about Ordinance No. 2007-6 and if the rental licenses were in addition to the registration fee. Mr. Baxter explained that the ordinance covers a registration and the CO. Mr. Haaf discussed that the price of an ordinance is more than just the advertising fee; there is also the fee for the legal work for preparing the ordinance. Mr. Haaf asked Mr. Baxter about the charge for ordinance for the legal fees? Mr. Baxter explained that the fees depend on the work

and that some ordinances are time sensitive or require research would be a higher fee.

Ms. Ridgeway-Wheatley Avenue advised council that there are sinkholes by the Cosden site on Cherry Street. Ms. Ridgway inquired about the trash on the tracks from Broad to Cooper and if the tracks would be cleaned to Manor Road? Mr. Pirylys explained that it would cost about \$7,000 just for the landscaping near the station. Mr. Crespo suggested that she contact NJ Transit. Mr. Bancroft explained that he used to call to have them cut the grass along the tracks. The city used to cut the grass, but NJ Transit will not allow public works to cut the grass since they are not trained in working near the rail line. Mr. Germer proposed that a letter be sent to the local newspapers about the trash on the tracks and that NJ Transit is not cleaning it up.

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

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

PUBLIC SESSION. City Council returned to public session. Mr. Bancroft made a motion to accept the recommendation of Director Morton to hire Daniel Heron, Mr. Germer second the motion. All members present voted in favor, except Mr. Esaia abstained from the vote.

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

Submitted by,

Barbara A. Sheipe RMC
Municipal Clerk