

## MINUTES

CITY OF BEVERLY

MARCH 22, 2005

**CALL TO ORDER.** The regular meeting of the Common Council of the City of Beverly was called to order at 7:00pm, by Council President Bancroft on Tuesday, March 22, 2005, 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, Ms. Gillette, Mr. Krzykalski, Mrs. Richards, Mrs. Setikas, Council President Bancroft, Mayor Lowden, Solicitor William Kearns, Director of Public Safety Mike Morton and Municipal Clerk/Administrator Barbara Sheipe.

**ABSENT:** Ms. Kinniebrew.

**MINUTES.** Mr. Wolbert made a motion to approve the minutes of March 8, 2005, Ms. Gillette second the motion. All members present voted in favor.

**COORESPONDENCE.** Mayor Lowden discussed a letter that the city received from Vince Farias, Board of Chosen Freeholders of the County informing council that the marketing plan for the Burlington County River Route is being presented to local communities. Michael Willman of WMSH Marketing, Liz Thomas and Carla Reinas of Thomas-Boyd Communications and Mark Remsa, Director of County Economic Development will make the presentations at the city council meeting of April 12 at 7pm.

### **PUBLIC SAFETY.**

John Haaf-Riverbank inquired if the Director had received the names of the students that were not in school during the day from the elementary school. Director Morton discussed that he has called and is still waiting for the names. The Director will make a personal visit to the school to obtain the names.

Karen VanHoy-Warren Street inquired if a performance report was completed on the officers. Director Morton explained that one is done every six months, but that no rewards are given for an excellent review. The performance report is gone over with each officer and if there is a problem area, training is provided. Ms. Van Hoy inquired what procedure is used if the performance is poor and does not improve. Director Morton explained that the police officer could be also brought in front of the police committee for review and a hearing. Ruby Dreher discussed that two officers assistance a resident who had locked herself out of a house with her infant

child inside and that she has high respect for the officers. Ms. Gillette inquired if the problem with obtaining the names was just with the elementary school or if it involved the high school also. Director Morton explained that he has excellent communications with the high school. Mrs. Richards clarified that with the civil service rules it is extremely difficult to fire an officer for his performance report and that certain guidelines have to be followed. Council held a discussion on the civil service rules and regulations on the hiring and firing of officers.

## **OLD BUSINESS.**

### **ORDINANCE ON SECOND READING.**

**A. Ordinance No. 2005-4, Ordinance Establishing Proper Disposal Of Pet Waste.** The ordinance was open for a public hearing. No one from the public wish to be heard, the public portion was closed. Mrs. Richards made a motion to adopt Ordinance No. 2005-4 on second and final reading. Mr. Wolbert second the motion. At the call of the roll the vote was:

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

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

**B. Ordinance No. 2005-5, Ordinance Prohibiting The Feeding Of Wildlife.** The ordinance was open for a public hearing. No one from the public wish to be heard, the public portion was closed. Mrs. Richards made a motion to adopt Ordinance No. 2005-5 on second and final reading. Ms. Gillette second the motion. At the call of the roll the vote was:

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

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

**C. Ordinance No. 2005-6, Ordinance To Prohibit The Improper Disposal of Waste.** The ordinance was open for a public hearing. John Borden-Riverbank requested a clarification of Section IV, if the ordinance now allowed for the car washing water of residents and the driveway washing to run into the roads. Council President Bancroft explained that there have been several restrictions lifted on the ordinances since the very beginning of storm water management. John Haaf-Riverbank inquired how much of a change to the existing lifestyle would this ordinance create. Mr. Wolbert explained that no one could blow leaves into the street any longer and that there would be no feeding of wildlife in public waterways. It would require everyone to place the leaves on the grass strip in front of their homes or to bag their leaves. Ruby Dreher discussed that the trash in the street causes the birds to sit and eat and also that the trash company throws the cans in the street and does not place them back on the curb. No one else from the public wishing to be heard the public portion was closed. Mrs. Richards made a motion to adopt Ordinance No. 2005-6 on second and final reading. Ms. Gillette second the motion. At the call of the roll the vote was:

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

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

**D. Ordinance No. 2005-7, Ordinance To Establish A Yard Waste Collection Program. The ordinance was open to**

the public. No one from the public wish to be heard. Mrs. Richards made a motion to adopt Ordinance No. 2005-7 on second and final reading. Mrs. Setikas second the motion. At the call of the roll the vote was:

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

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

**E. Ordinance No. 2005-8, Ordinance To Establish Containerized A Yard Waste Collection Program. The**

ordinance was open to the public. No one from the public wish to be heard. Mrs. Richards made a motion to adopt Ordinance No. 2005-8 on second and final reading. Ms. Gillette second the motion. At the call of the roll the vote was:

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

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

**F. Ordinance No. 2005-9, Ordinance To Prohibit Illicit Connections To Municipal Separate Storm Sewer System.**

The ordinance was open to the public. Mrs. Richards made a motion to adopt Ordinance No. 2005-9 on second and final reading. Mrs. Setikas second the motion. At the call of the roll the vote was:

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

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

**NEW BUSINESS.**

**A. Resolution No. 2005-33, Resolution To Adopt Municipal Budget-2005.**

**B. Resolution No. 2005-34, Resolution Authorizing Transfers Among 2004 Budget Appropriations.**

**C. Resolution No. 2005-35, Resolution 2004 Tonnage Grant Report.**

**D. Treasurer's Report.**

Mrs. Richards made a motion to approve Items A-D, Ms. Gillette second the motion. At the call of the roll, the vote was:

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

**NAYES: None.**

**E. Payment of Bills. Mr. Newsome made a motion to approve payment of bills, Mr. Wolbert second the motion with some corrections Line 16 for South Jersey Sanitation was corrected to \$6,597.43 and**

line 3 was corrected to \$363.93. At the call of the roll, the vote was:

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

**NAYES:** None.

### **SOLICITOR'S REPORT.**

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

Mayor Lowden requested that the Resolution for the 2005 Burlington County Municipal Alliance Plan be approved. This allows the city to run the Camp Fire Girls program at the school for Drug Abuse Awareness, Post Prom Party at the high school and the pharmacy program for seniors.

**Resolution No. 2005-36,** Resolution To Enter Into An Agreement With Burlington Board of Chosen Freeholders and the City of Beverly For the 2005 Municipal Alliance Plan. Mrs. Richards made a motion to approve Resolution No. 2005-36, Ms. Gillette second the motion. At the call of the roll, the vote was:

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

**NAYES:** None.

Mayor Lowden announced that there would be a School Board of Estimates meeting on March 23 at 7:30 for the school budget. Also that the planning board passed the resolution for the Hall's Bus Service on Cooper Street.

### **COUNCIL REPORTS.**

Mr. Wolbert discussed that the stormwater plan with Kevin Becicia had been presented to the planning board at the March meeting and would be present as a public meeting on April 20<sup>th</sup> for public input.

Mr. Newsome discussed that the municipal rate will only be 3.1, which does not include the school tax, fire tax or library tax.

Dr. Cook informed everyone about the ice cream party on May 29 at the firehouse on Broad Street and that everyone is working hard on the parade.

Ms. Gillette wished everyone a Happy Easter and that she has forms for anyone that is disabled or a senior citizen that needs help with their electric bill. If they think that they might qualify, they can call Ms. Gillette at home for the forms.

Mr. Krzykalski discussed that the animal survey is on the table upstairs for anyone who has not filled one out. Stone Harbor is pushing to adopt the program. Mr. Krzykalski also discussed that on April 15 there is a meeting on Historic Preservation and Redevelopment-Smart Cities-Blending Old and New. The city should have someone attend to help preserve the historic charm of the older homes in the city. There is a cost involved to attend the all day seminar. Mrs. Richards

made a motion to approve allowing Mr. Krzykalski to attend the seminar, Ms. Gillette second the motion. All members voted in favor.

Council President Bancroft discussed that 61 properties were sold last year in the city and that the prices of homes are rising. The Housing Authority has given the city a check in the amount of \$17,000 in lieu of taxes. The Housing Authority will also be doing some improvements to the front of the property.

#### **PUBLIC SESSION.**

John Borden-Riverbank inquired if any progress was made on requesting more money for the services the city provides for the housing authority. Mr. Haaf explained that the Federal government would not give a definite answer and that years ago when the city accept the agreement for the housing authority the impact should have been determined. Mr. Borden discussed an article in the newspaper about Pennsgrove and that the city needed to make sure that things come about. The city needs to seize the brass ring when it comes but make sure that it is the right ring. Dr. Cook explained that things are happening and moving along. The council has to follow legal procedures before appointing developers.

John Haaf-Riverbank inquired if any action was taken about the RFP process? Dr. Cook explained that a meeting has been schedule and that council is reviewing samples of RFP.

Karen Van Hoy-Warren Street inquired about the school board of estimates. Mayor Lowden explained that Bob Bancroft, John Newsome, Randy Miller, Sue Legnani and himself are on the Board of Estimates.

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

**EXECUTIVE SESSION.** Dr. Cook made a motion to go into executive session for the discussion of litigation and personnel. Mrs. Richards second the motion. All members voted in favor.

City council returned to public session. Council discussed applying for a demolition loan fund that would allow the city to acquire funds from the state to demo condemns properties in the city. This would be a loan that would have to be paid back. The application is due by April 4, 2005 to the State. The city is under no obligation to accept the loan if the council decides that it is not beneficial to the city.

Mrs. Richards made a motion to approve Resolution No. 2005-37, Resolution Authorizing The City Of Beverly To Apply For A Demolition Loan Fund. Mrs. Setikas second the motion. At the call of the roll the vote was:

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

NAYES: None.

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

**Submitted by,**

**Barbara A. Sheipe RMC  
Municipal Clerk**