

THE COMMON COUNCIL OF THE CITY OF BEVERLY
COUNCIL MEETING
MARCH 26, 2013
7:00PM

M I N U T E S

CALL TO ORDER

The meeting was Called to Order by Council President Bancroft at 7:05PM.

OPEN PUBLIC MEETINGS ACT STATEMENT

Mr. Bancroft read the following statement into the Minutes: *In compliance with the Open Public Meetings Act, NJSA 10:4-6, this is to announce that Adequate Notice of this meeting was provided in the following manner: On January 8, 2013, advance written notice of this meeting was posted on the Official Bulletin Board in the City Hall, was emailed to THE BURLINGTON COUNTY TIMES for publication and emailed to the CAMDEN COURIER POST for advise, was filed with the Municipal Clerk, and was mailed to all persons who requested and paid for such notice. The proceedings of all meetings are electronically and manually recorded, and the Minutes will be on file in the office of the Municipal Clerk.*

FLAG SALUTE

Mr. Bancroft led those present in the Flag Salute.

ROLL CALL

Present

Mayor: Randy H. Miller

Council President: Robert H. Bancroft

Council Members:

Luis M. Crespo

Robert E. Lowden, Jr.

Robert D. Thibault

Acting Administrator/Director of Public Safety: Richard Wolbert

Solicitor: Brian Guest

Municipal Clerk: Donna F. Snyder, RMC/CMR/CPM

Absent

Council Member Carlbom

Engineer: William H. Kirchner (Attendance not required.)

MINUTES

Regular Council Meeting: January 8, 2013
February 12, 2013
March 12, 2013

Executive Sessions: February 12, 2013
March 12, 2013

Motion to Approve as submitted the above Regular and Executive Session Minutes by Thibault; Second by Lowden. Roll Call Vote - All Ayes, except Crespo-Recuse on Regular Session January 8, 2013 Minutes due absent. Motion Carried.

ORDINANCES:

The following Ordinances were read by Title Only by Mr. Bancroft.

ORDINANCE 2013-2: FIRST READING/INTRODUCTION

An Ordinance adopting the International Property Maintenance Code, 2012 Edition, as the Property Maintenance Code for the City of Beverly and repealing inconsistent provisions. Motion to Approve on Introduction by Crespo; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

Ordinance 2013-3: FIRST READING/INTRODUCTION

An Ordinance to exceed the Municipal Budget Appropriation limits and to establish a CAP Bank (N.J.S.A. 40A:4-45.14). Motion to Approve on Introduction by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

ORDINANCE 2013-4: FIRST READING/INTRODUCTION

An Ordinance establishing the position of Code Enforcement Officer for Exterior Property Maintenance for the City of Beverly. Motion to Approve on Introduction by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

TAKE NOTICE that the above Ordinances 2013-2, 2013-3 and 2013-4 are Introduced on First Reading; same will come before Council for Second Reading/Public Hearing at their April 9, 2013 meeting to be held at 7PM at Beverly City Hall, at which time all those wishing to be heard on same will be so heard. Copies of said Ordinances are available for review at the Office of the Municipal Clerk, 446 Broad Street, Beverly, NJ 08010 during regular business hours, M-F, 9A-5P.

RESOLUTIONS:

RESOLUTION 2013-69A - CONSENT AGENDA

For approval of Resolutions 2013-70 through and including 2013-72 by "Consent Agenda". Consent Agenda items are not individually discussed. A Resolution approving the "Consent Agenda" (which may or may not include the reading of the list of items appearing on the Consent Agenda) is Moved, Seconded, and Voted upon as one item by the Governing Body. If any discussion is requested on same, it is removed from the "Consent Agenda" to the Regular Agenda.

RESOLUTION 2013-70

A Resolution appointing Richard A. Wolbert as the City's additional BURLCOJIF EPL/HELPLINE Contact Person for the 2013 Calendar Year.

Resolution 2013-71

A Resolution approving the Burlington County Municipal Joint Insurance Fund 2013 Safety Contract.

Resolution 2013-72

A Resolution adopting the BURLCOJIF "Wellness Policy" Program, indicating the Governing Body's commitment to wellness.

Motion to Approve Consent Agenda Resolutions 2013-70, 2013-71, and 2013-72 make by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-73

A Resolution authorizing and establishing a lien for Property Maintenance charges due to the City relative to Block 1171/Lot 5 in the City of Beverly. (Cooper Street Sewer Lateral Repair). Motion to Approve by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-74

A Resolution authorizing and establishing a lien for Property Maintenance charges due to the City relative to Block 1056/Lot 9 in the City of Beverly. (Tree removal on Laurel Street). Motion to Approve by Thibault; Second by Crespo. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-75 - HOLD FOR 4/9/13 COUNCIL MEETING DUE PAPERWORK.

A Resolution authorizing an Agreement between Willingboro Township and the City of Beverly for Certified Recycling Professional Services to review and submit to the State, Beverly City's 2012 Annual Recycling Tonnage Report.

Resolution 2013-76

A Resolution authorizing the cancellation of outstanding checks prior to January 31, 2013, which are no longer required, per the Beverly City CFO. Motion to Approve by Crespo; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-77

A Resolution approving the 2013 Vendor's Permit to Briant Geissler to operate a "Mr. Softee" Ice Cream Truck in the City of Beverly, serving Ice Cream, Milkshakes, Soda, and Bottled Water, conditioned upon all approval of all submitted required documentation by the Municipal Clerk. Motion to Approve by Crespo; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-78

A Resolution authorizing a five (5) year Maintenance Contract commencing on June 28, 2013, with the Otis Elevator Company for maintenance on the City's Otis Hydraulic Elevator #611370, in the amount of \$190.00 per month, according to the attached contract agreement. Motion to Approve by Thibault. Second by Crespo. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-79

A Resolution amending the 2013 Common Council Committee Assignments to reinstate the "Law and Ordinance" Committee with Chair and Member. Upon discussion, Motion to Approve by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-80

A Resolution authorizing continuance for the 2013 Calendar Year a Shared Service Agreement between Willingboro Township and the City of Beverly for Animal Control Services. Motion to Approve by Thibault; Second by Crespo. Roll Call Vote - All Ayes. Motion Carried.

OLD BUSINESS:

- WIPP Edmunds Software Program for Tax Office.
This topic will be held for Council's 4/9/13 Meeting.

NEW BUSINESS:

- Submission by the Auditor of the Beverly City 2012 Audit.
Upon discussion, Motion to Approve by Crespo; Second by Thibault.
Roll Call Vote - All Ayes. Motion Carried.

BILLS LIST

Upon review, Motion to Approve the 3/7/13 Bills List made by Crespo; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

CORRESPONDENCE

The Correspondence was read into the Minutes by Mayor Miller. Correspondence will be acted on/filed accordingly in the Office of the Municipal Clerk.

- **Beverly City School:** Notice of Front Entrance Construction to begin March 25, 2013.
- **Office of Senator Frank Lautenberg:** Foreclosure Prevention Forum announcement.
- **Burlington County Board of Taxation:** County Ratio at 100%.

COMMENTS/REPORTS**Mayor and Council**

Mayor Miller had no additional comments at this time.

Mr. Thibault gave updates on from the following Committees:

Parade: All is moving forward regarding organizing and soliciting. There is an open invitation to residents to spend that day at the waterfront and bring their own picnics.

Redevelopment: "China Warren" Restaurant has opened on Warren Street and has very good food, so stop in. We need to keep good businesses in the City.

Police: We continue to review the status of the Department.

Mr. Crespo - Mr. Crespo is not assigned to any Committee and has no additional comments at this time.

Mr. Lowden gave updates on the following:

River Route Committee - The Committee has several initiatives going at this time: Route 130 Safety regarding obtaining a grant; Buying Local; The River Route Plan was done in 1995 and an Update is forthcoming. A Public Forum will be held in late June; questionnaires will be formulated. For the future, it's hoped that Mr. Remsa can bring some people this way for economic development.

Finance: The Transitional Aid Application was delivered to the State last Friday, and we await their decision.

Board of Health - Mr. Lowden asked, relative to Vendor Permits being issues, if all County BOH paperwork had to be current prior to issuing. The Clerk responded that, yes, all County info had to be current as well as insurance coverage, certificate of liability, driver licenses, background checks, Beverly Police Department review, and fees paid.

Acting Administrator Rich Wolbert - Mr. Wolbert advised that he has submitted for the "Click-it or Ticket" Grant. Other Grants out there are being reviewed for applicability. SAGE will be cleared (prior users/passwords) to current.

Professionals

Solicitor Guest had no additional comments at this time.

Clerk

Ms. Snyder had no additional comments at this time.

Tax Collector - Monthly Report for February 2013.

This report was previously approved at Council's March 12, 22013 meeting.

PUBLIC COMMENTS

Public Comment was had by Mr. Ellsworth, Mr. Paice, and Mrs. Atkinson. Discussion was had relative to the following topics: Was the City Hall Elevator an ADA Mandate; Keeping Elizabeth Street clean especially from Railroad to Pine; Clarification on Ordinance 2013-4; Clarification on 2013-2 re new Code accessibility for residents.

There being no further Public Comment, same was closed at 7:55PM.

EXECUTIVE SESSION - 7:55PM

Resolution 2013-81:

A Resolution of the Common Council of the City of Beverly to hold Executive Session in accordance with the Open Public Meetings Act, P.L. 1975, Chapter 231, permitting the exclusion of the Public from a meeting in certain circumstances which the Governing Body deem now exist:

_____ **CONTRACTUAL**

_____ **LITIGATION**

_____ **X POSSIBLE LITIGATION**

_____ **PERSONNEL**

Motion to Move to Executive Session by Crespo; Second by Thibault.
All in Favor. Motion Carried.

ACTION TAKEN AFTER EXECUTIVE: X YES NO

Motion to Approve Executive Session Minutes from February 12, 2013 and March 12, 2013 made by Crespo; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

ADJOURNMENT

There being no further business, Motion to Adjourn at 8PM made by Crespo; Second by Thibault. All in Favor. Motion Carried.

Respectfully submitted,

Donna F. Snyder, RMC/CMR/CPM
Municipal Clerk

Date

APPROVED:

Randy H. Miller
Mayor

Date