

MINUTES

CITY OF BEVERLY

MARCH 28, 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, March 28, 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, Mr. Krzykalski, Mr. Robertson, Council President Bancroft, Mayor Wetherill, Director of Public Safety Mike Morton, Solicitor William Kearns and Barbara Sheipe, clerk/administrator.

ABSENT: none.

MINUTES. Ms. Setikas made a motion to approve the minutes of March 14, 2006. Mr. Newsome second the motion. All members present voted in favor.

EXECUTIVE SESSION. Ms. Setikas made a motion to go into executive session for the discussion of legation and personnel. Mr. Wolbert second the motion. At the call of the roll, the vote was:

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

NAYES: None.

City Council returned to general session at 7:45pm.

COORESPONDENCE.

A. Council President Bancroft read a letter from Democratic Committee nominating three names for the vacancy seating of Theresa Gillette. Council President Bancroft requested that the council interview the three names on the list before making a decision. City Council has thirty days to make the appointment.

OLD BUSINESS.

A. Ordinance to accept redevelopment plan for Block 10, Lot 18(Cosden). Council discussed that this would be the next step in the redevelopment of the site. Mr. Thibault of Wheatley Avenue discussed that he had read the plan and would like to know if it required a change in the zoning ordinance. Mr. Kearns explained that a redevelopment plan could become an overlay of the zoning. Resident inquired if it was a superfund site. Council President Bancroft explained that it is still listed as a superfund site, but that the majority of the site has been cleaned up. The site must be cleaned up according to EPA standards. Mr. Thibault inquired if council was pushing for residential on the site and if there was an alternative plan by the developer. Council President Bancroft explained that the developer has a more

efficient and new procedure to do the clean up and it would not cost the taxpayers any additional money. Mr. Thibault inquired if the site could be built on without all of the area being cleaned and what is the developer building? Mrs. Sheipe responded that the developer would have to appear in front of the planning board with a site plan for approval before he can build anything. Also the city council would first have to enter into a developer's agreement for the site with city council. Mr. Thibault inquired if the developer was going to build multiple units? Dr. Cook discussed that right now the clean up is at the top of the priority list. Mr. Thibault discussed that he does not want rental units or apartments located there and how much input will the public be allowed. Mr. Krzykalski explained that the agreement has to be present at a public meeting of council and that the planning board will have a public session when the site plan is present. There also needs to be EPA approval of any plan. Dr. Cook discussed that the community will be involved in the final outcome. Mr. Thibault inquired if there is a time line? Mayor Wetherill explained that the city needs to obtain control of the property and that there are liens that need to be abated. Mr. Kearns explained that with the redevelopment plan there is framework for the city to obtain title to the property. Mr. Thibault inquired if the city would sell the property. Council President Bancroft explained that the site has a negative value due to the superfund and that the city would work with the developer to clean up the site and build on the site. The entire clean up would be paid for by the developers. Mr. Krzykalski discussed that it is a distortion to look into the future and that the planning issues are farther along in the process. The first step is the clean up. Mr. Kearns discussed that there are plans with the EPA to negotiate the clean up. Council President Bancroft explained that the city has been working on the site due to the EPA wanting to now do the clean up and it could tie up the site for 10-15 years before the city could build. Council President Bancroft explained that this is the first developer with the expertise and funding to clean up the site. The public hearing will be on April 25 and the surrounding towns as well as the neighbors will be notified. Mr. Thibault inquired if the redevelopment plan for the site included the waterfront. Mrs. Sheipe explained that the waterfront has already been declared an area in need of redevelopment and that the plan only involves the Cosden site. Council President Bancroft explained that the city along with Edgewater Park has a planner through a grant to help the city and the township to figure out what is best suited along the Riverline. Dr. Cook made a motion to adopt Ordinance No. 2006-3 on first reading, Mr. Wolbert second the motion. At the call of the roll, the vote was:

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

NAYES: None. The ordinance was adopted on first reading and will be heard on second and final reading at the regular council meeting of April 25, 2006.

NEW BUSINESS Item A through D 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. 2006-37, Resolution To Cancel Property Taxes For Disabled Veteran (Block 60, Lot 10).
- B. Resolution No. 2006-38, Resolution Creating Temporary Emergency Appropriations.
- C. Resolution No. 2006-39, Resolution To Apply For A Grant Through GovConnect.
- D. Treasurer's Report.

Mr. Wolbert made a motion to approve the consent agenda Items A through D, 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, Mr. Krzykalski, Mr. Robertson, Council President Bancroft.

NAYES: None.

- E. Resolution No. 2006-40, Resolution Awarding Professional Services For Engineering For Stormwater Prevention Plan.

This resolution was to handle the revised changes required in the stormwater management plan. Mr. Wolbert made a motion to approve the resolution, Ms. Kinniebrew second the motion. At the call of the roll, the vote was:

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

NAYES: None.

- F. Resolution No. 2006-41, Resolution Awarding Contract For Paving Of Railroad Avenue.

Mr. Wolbert made a motion to approve the resolution, Ms. Kinniebrew second the motion. At the call of the roll, the vote was:

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

NAYES: None.

- G. Resolution No. 2006-42, Resolution Opposing Senate Bill S1219 and S366. Mr. Kearns explained that this was to oppose

some of changes that were being discussed to the open public records and also to change some of the regulations for open public meetings. Dr. Cook made a motion to approve the resolution, 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, Mr. Krzykalski, Mr. Robertson, Council President Bancroft.

NAYES: None

- H. Payment of Bills.

Payment of Bills, Mr. Newsome made a motion to approve the bills, Mr. Wolbert second the motion. Mr. Wolbert requested that line 4 be changed to the charges coming from the DUI account and also to remove line 8 as it is a duplicate of line 44. At the call of the roll, the vote was:

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

NAYES: None.

SOLICITORS REPORT.

MAYORS REPORT.

PUBLIC SAFETY.

Mrs. Dreher-Laurel Street discussed that she had read about gangs in the different towns and that the problem is quickly growing in the state. Mrs. Dreher inquired as to what the Beverly police were doing to keep the gangs out of Beverly. Director Morton explained that they are constantly monitoring the teens and also the officers are going through training to help recognize signs and activities for gangs. Mrs. Dreher discussed that it would be a good idea to show some type of movie to the school age children about gang life and also to have some ex members of gangs talk to the students. Director Morton will talk to the school about it.

COUNCIL REPORTS.

Mr. Wolbert reported that at the planning board meeting there was an informal discussion about a property on Railroad Avenue and the possibility of creating a new road. The engineer recommends discussing with council whether they wanted the responsibility of a new road for trash removal and snow removal. Council President Bancroft discussed that they had room on the lot for driveways off of the street. Mr. Wolbert requested that the matter be scheduled for a work session. Mr. Newsome reported that he had attend the JIF Fund Commissioner meeting.

PUBLIC SESSION.

Stacy-613 Cooper Street inquired if the city had a website. Mrs. Sheipe explained that a private resident was working on a site about the city, but that it was currently under construction.

Mr. Borden-Riverbank inquired in the final analysis what is going on the Cosden site and if a study was done about the impact. Council President Bancroft explained that there was not much of an impact expected and that it would help the city to have the property back on the tax rolls.

Mr. Arter-123 Warren Street discussed that council not consider a new road off of Railroad Avenue. It will be hard to place four new homes on the lot. New properties should cover the cost of services. Mr. Wolbert explained that he brought up the issue to allow the council to discuss the matter and that he was not in favor of any new roads in that area.

Mr. Haaf-Riverbank discussed that council needs to increase the number of school board members. Council President Bancroft explained that the number was decrease several years ago due to the lack of resident wishing to be on the board. Mr. Haaf inquired if there is a list of when the members were appointed and how many are on the board? Mr. Kearns explained that the members have to be appointed by May and that it is for a three-year term.

Mr. Thibault-Wheatley Avenue inquired if the plan for Cosdens considers the downtown. Mrs. Sheipe explained that all of the plans for the waterfront and the rail line including the downtown as well.

WORKSESSION.

A. Discussion on Salary Ordinances For RCA/COAH- Mr. Wolbert discussed that he would consider a raise similar to the other employees of 2.5% for the position. The information on the sheets given show different amounts for administration being taken and he is concern about the administration funds. It looks like the majority of the funds are taken out of Evesham. Council President Bancroft discussed that he is concerned because there are still a lot of homes in the program and only a few have been completed recently. Mr. Wolbert discussed that the salary is only a portion of the administration budget and that he is concerned that they are overspending the administration in some of the agreements. Council President Bancroft discussed that in the beginning the program was presented that the large part of the administration would be taken at first, but than the amounts and salaries would go down as the program dwindle down. The salaries have continued to rise and the numbers of homes have dwindled. Mr. Newsome discussed that the administration cost cannot be recover for funds for transfers and refinancing and that if the money for administration is used up who pays for the salaries. Mr. Wolbert discussed that it looks like they exceed the 20% in the first year for administration. Mr. Newsome discussed that the administration cost should actually decrease each year since the majority of the supplies and equipment should have been purchased in the beginning. Mr. Wolbert discussed that the money that is paid back to the city for loans in the program go towards additional rehabs. Mr. Borden inquired if the work is being scaled down, than the salary should be also. Ms. Marshall inquired as to why the city does not have all of the money now from the agreements with the other towns. Mr. Kearns explained that the money is given to Beverly by the other towns when they received their money from the developer building their homes. If the homes are not built in another town there is no money due. Mr. Thibault inquired as to the percentage spent on administration? Mr. Wolbert explained that it could be upto 20%. Mr. Newsome inquired if the other position that is held by the person was given the 2.5% raise. Mrs. Sheipe explained that they received a 2.5% increase. Mr. Borden inquired if there was a time limit on repaying the money. Mr. Wolbert explained that it is a 10-year loan and that a percentage has to be paid back for every year that the owner does not own the home. Council President Bancroft discussed that since the program has slowed down the salary should not go any higher. Mr. Thibault inquired if the money that was not spent had to be sent back. Council President Bancroft explained that they would have to discuss the issue with the state. Mr. Newsome discussed that he is not in favor of giving a raise at this time and that the administration money should be saved to complete the program. Council President Bancroft explained that the person does a good job for the city, but that city council was promised that the administration salaries would go down. Mr. Wolbert discussed that he also is not in favor of a raise in that position. Mr. Wolbert made a motion to not approve a raise for the RCA/COAH program for salaries, 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, Mr. Krzykalski and Council President Bancroft.

NAYES: None.

B. Ordinance on Amending Recycling Collection. This ordinance is to update the requirements by the county for recycling in the individual towns. Ms. Kinniebrew made a motion to adopt Ordinance No. 2006-4 on first 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, Mr. Krzykalski and Council President Bancroft.

NAYES: None.

C. Discussion on resale of 526 Second Street this is for a property that the city foreclosed on and would like to resell. The church would like to acquire the property for additional parking spaces, the neighbor adjacent to the property would like to make the lot part of his lot and build a new home. Council discussed that they would to find out the market rate of the lot and also to have the lot remain on the tax rolls. The lot would have to be cleaned up within a certain number of days. Ms. Kinniebrew will attempt to get the market rate value of the land so that council can come up with a price for the lot. There is already \$3,000 of legal bills toward the lot.

EXECUTIVE SESSION. Mrs. Setikas made a motion to have an executive session for the discussion of contracts. Mr. Wolbert second the motion. All members voted in favor.

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

Submitted by,

**Barbara A. Sheipe RMC
Municipal Clerk**