

MINUTES

CITY OF BEVERLY

MARCH 8, 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 8, 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, Council President Bancroft, Mayor Lowden, Solicitor William Kearns, Director of Public Safety Mike Morton and Municipal Clerk/Administrator Barbara Sheipe.

ABSENT: Ms. Kinniebrew, Mrs. Richards and Mrs. Setikas.

MINUTES. Mr. Wolbert made a motion to approve the minutes of February 22, 2005, Ms. Gillette second the motion. All members present voted in favor.

PRESENTATIONS.

- A. Memorial Day-Chairman Charles Napolitan, Burlington County American Legion Committee discussed that there will be a special ceremony at noon at the River and the parade will start at 1pm on Franklin Avenue in Edgewater Park at the cemetery. There will be a brief ceremony at Memorial Field, Beverly Free Library and then the Beverly National Cemetery. There will be an ice cream party on Sunday, May 29, 2005 at the Broad Street Firehouse where the kids can decorate their bikes for free for the parade. An adult must accompany all children. The NJ Transit will provide a bagpipe band and transit police for the parade.
- B. Presentation from Dr. Gordon Stull, V.M.D. on Feral and Stray Cat populations in Burlington County. Dr. Stull and Nature's Refuge, a non-profit animal-welfare education organization received a grant from the Geraldine R. Dodge Foundation for the development and implementation of a countywide Trap-Neuter-Return program in Burlington County. Animal surveys were sent out to the residents with a quick response of 240 out of 850 in about a week's time. Dr. Stull discussed the results of the survey and that most of the residents were either dissatisfied or did not know that the city had an animal control officer. Dr. Stull would like to have a mobile spay/neuter unit come to the city and help with the feral cat population. The program would help reduce the city's costs of the animal control by not having as many cats

taken to the shelter. Each cat would be vaccinated against rabies and be spay/neutered. They would also have a chip placed in their ear that would allow by a scanner the animal control officer or the shelter to know that they were a feral cat. The city would pass an ordinance to permit the managed care of feral cats. This ordinance would give responsibilities to owners of domesticated cats as well. The feral cat colonies would be permitted and caregivers would be entitled to maintain them in accordance with the conditions of the ordinance and after training. Janet Lowe of Laurel Street informed Dr. Stull that residents on her block did not receive the survey. Dr. Stull discussed that he had dropped them off at the post office and they were addressed to postal customers of Beverly City. Dr. Stull will have more surveys dropped off at city hall and residents can still mail them back to him. He will include them in an update of the results. Josh from the Burlington County Times inquired if this idea was tried anywhere else. Dr. Stull explained that the Board of Freeholders endorsed and supported the program, but that the City of Beverly was the first in the County to attempt the program. Josh inquired as to how much the grant was for? Dr. Stull explained that it was for \$50,000. Dr. Cook inquired about the environment that feral cats live in. Feral cats are not seen at night and usually only come out at night. They have never been touch by a human and have a fear of human. Dr. Cook inquired as to how many are in the City of Beverly? It depends on the food source. They can constantly reproduce. Diane Marshall –Cooper Street discussed that she has worked with the animal control officer and has succeed. Ms. Marshall thanked Dr. Stull for his presentation and that it is a breathe of fresh air and needed in the city. Dr. Stull discussed that the city needs to pass an ordinance to get start on process. Council President Bancroft recommends that the Health Committee review the ordinance and information first and report back to council. Mayor Lowden thanked DR. Stull for his work and the public education. Dr. Stull discussed that he believes that the Trap-Neuter-Return program is the only way to reduce population.

PUBLIC SAFETY.

John Haaf-Riverbank discussed that the school board stated that they would inform the police department when the students are suspend if the police request the information. Director Morton explained that they have requested this information several times from Dr. Gray and have yet to receive it. Palmyra High School usually notifies the police. Mayor Lowden suggested that a letter be sent to Randy Miller from the school board and request that the names are turned over to the police department.

COORESPONDENCE.

OLD BUSINESS.

ORDINANCE ON FIRST READING.

- A. **Ordinance No. 2005-4,** Ordinance Establishing Proper Disposal Of Pet Waste.
- B. **Ordinance No. 2005-5,** Ordinance Prohibiting The Feeding Of Wildlife.
- C. **Ordinance No. 2005-6,** Ordinance To Prohibit The Improper Disposal of Waste.
- D. **Ordinance No. 2005-7,** Ordinance To Establish A Yard Waste Collection Program.
- E. **Ordinance No. 2005-8,** Ordinance To Establish Containerized A Yard Waste Collection Program.
- F. **Ordinance No. 2005-9,** Ordinance To Prohibit Illicit Connections To Municipal Separate Storm Sewer System.

Mr. Wolbert explained that the ordinances were needed for the stormwater management for the state. Mr. Krzykalski discussed if yard waste from leaf blowers could go down the street or if it needed to be bagged. Mr. Wolbert explained that it needs to be kept away from the storm drain and that leaves should be placed between the street and sidewalk. Ms. Gillette inquired if the ordinance on pets covered animals running at loose. The city has a separate ordinance to control animals.

Mr. Wolbert made a motion to adopt Ordinance No. 2005-4-2005-9 on first 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, Council President Bancroft.

NAYES: None. The ordinance was adopted on first reading and will be heard on second reading at the regular council meeting of March 22, 2005.

NEW BUSINESS.

A. Public Hearing on Municipal Budget-2005.

Council President Bancroft opened the hearing on the municipal budget.

John Borden inquired if the budget was the 6.2 cents increase. Council President Bancroft explained that the city budget was 6.2 cents but did not include the fire district or the school taxes. Mr. Bancroft discussed that the residents of the city needed a rest on the large increases of the previous years. Mayor Lowden discussed that the council and the employees of the city worked hard to keep expenses down and that it help with extra funds for this year's budget.

Mr. Newsome made a motion to adopt the 2005 Municipal Budget pending approval from the state. 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, Council President Bancroft.

NAYES: None.

- B. Resolution No. 2005-30, Resolution To Refund Overpayment Of Taxes.
- C. Resolution No. 2005-31, Resolution Authorizing A Handicapped Space For 640 Manor Road.
- D. Resolution No. 2005-32, Resolution Authorizing Submission Of Application For State Transportation Trust Funds For Roadway Improvements To Railroad Avenue East From Cooper Street To The Township Line.

Mr. Krzykalski made a motion to approve Resolution No. 2005-30, Resolution No. 2005-31 and Resolution No. 2005-32, 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 and Council President Bancroft.

NAYES: None.

E. Payment of Bills. Mr. Wolbert made a motion to approve with the addition of Maugeri Automotive for the Tahoe in the amount of \$1,307.30 the bill list. Mr. Newsome second the motion. At the call of the roll, the vote was:

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

NAYES: None.

SOLICITOR'S REPORT.

MAYOR'S REPORT.

Mayor Lowden reported that the stencil could not be located at the school. Also that there are sign ups for the Beverly City Baseball at Riccardo's this Saturday. The younger children will play in Delanco and the Babe Ruth will play in Beverly.

COUNCIL REPORTS.

Mr. Wolbert discussed that the new police vehicle is here and has the crime tip telephone number on the side. There was a neighborhood watch and the Director Morton showed a tape on home security. Mr. Wolbert reviewed the stormwater management conference with the county and DEP and that the county will be doing some of the street sweeping for the city. Mayor Lowden discussed that the wastewater is also getting stricter and that it will cause rates to go up. The Clean Water Act from the Federal Government is behind the stricter enforcement. Mr. Wolbert explained that the county would review the city's stormwater plan.

Mr. Newsome reported that the finance committee needs to meet to discuss the audit report. Also that he and Dr. Cook went to Trenton to attend the meeting on the Demolition Loan Fund for unsafe buildings.

Dr. Cook discussed that there were 77 municipalities eligible for the loan program in Trenton. Dr. Cook thanked Assemblyman Conway for attending the dedication of the new police vehicle.

Ms. Gillette would like to sponsor a child in the baseball league if he or she is unable to provide the registration fee. Also Catholic Charities is collecting candy for the Easter Holiday.

Mr. Krzykalski reported that the County Freeholders is holding the next environmental health meeting in April. Also that Robert Kulp of the County Regional Planning Board scheduled the Cross Acceptance Plan meetings for March and April.

Council President Bancroft reviewed the newspaper article that he handed out to council members about shared services. He would like to have council members consider some of the suggestions made in the article.

PUBLIC SESSION.

John Borden-Riverbank inquired about the bill for the brakes on the vehicle and that it seemed expensive. Director Morton explained that it was all four wheels and a complete job that could not be held off until the new vehicles arrived. Mr. Borden inquired about the city school becoming an Abbott District. Mayor Lowden explained that he had approached Senator Diane Allen about changes to the law and that she did not have much success. The city actually receives a higher percentage than an Abbott district according to the Senator's findings. Council President Bancroft explained that he has been reviewing information from Senator's Allen's office about students riding the train to the high school. The word train would have to be insert into the law. Mr. Borden inquired if the design of the storm stencil was decided and that perhaps the city should looked into doing shared services with other towns for the stencils. Most of the storms drains are clogged with trash and bottles. Mr. Wolbert explained that with the new design the trash would not be able to enter the drains. Council President Bancroft suggested that Mr. Borden look at the new drains on Railroad and Cherry, all the drains in the city will be changed by 2008.

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

EXECUTIVE SESSION. Mr. Krzykalski made a motion to go into executive session for the discussion of police personnel. Mr. Wolbert second the motion. All members voted in favor.

City council returned to public session. No formal action was taken.

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

Submitted by,

**Barbara A. Sheipe RMC
Municipal Clerk**