

MINUTES

CITY OF BEVERLY

May 10, 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, May 10, 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. Krzykalski, Mr. Wolbert, Mr. Newsome, Dr. Cook, Ms. Kinniebrew, Ms. Gillette, Mrs. Richards, Council President Bancroft, Mayor Lowden, Solicitor William Kearns, Director of Public Safety Mike Morton and Municipal Clerk/Administrator Barbara Sheipe.

ABSENT: Mrs. Setikas.

MINUTES. Minutes will be available for approval at the next meeting.

COORESPONDENCE. Mayor Lowden read a letter from the Beverly City Fire Co #1 into the record and also the city's respond. The letter concerned the fire company no longer wishing to participate as a polling place for the elections. Council President Bancroft explained that the county pays the polling places and the city has no control over them. Mrs. Richards discussed that the school is more handicapped accessible and maybe the polling place should be changed to the school. Mayor Lowden explained that the elections are only two days a year and that the fire company receives tax dollars through the fire district and is also paid \$40.00 for each election day. The only duties that they have to perform is to have the building opened or give the city a key and place out a few tables and chairs. It is against the voter's act of the federal government to deny the voters a place to vote. Dr. Cook discussed that the firehouse has been used as a polling place for over 60 years and she feels that it should continue for the convenience of the voters. Mayor Lowden discussed that when the library becomes handicapped accessible the polling place could be moved there.

Mayor Lowden reviewed a letter that he received concerning the catch basins and the stabilization along Cooper and Laurel Street at the river edge. There is a standard form to be filled out. Mr. Wolbert made a motion to have Environmental Resolutions handle the forms; Mrs. Richards second the motion with the request to have the engineers investigate expanding the area to include the Gazebo. At the call of the roll, the vote was:

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

NAYES: None.

PUBLIC SAFETY.

Pat Eckart-Broad Street discussed that she is having problems with tractor-trailers going down Putman Street making deliveries to Litho on Broad Street. She has constantly called the police department. They have talked to the drivers and for a while the truckers use the correct route and then return to using Putman Street. Mr. Wolbert inquired as to what time of day this usually occurs? Ms. Eckart explained that it starts about 7am-7:15am. The truckers run up the curbs and almost hit her vehicles. They will blow the horn for her to come move her car. Director Morton explained that he has spoken to the drivers several times and has advised them to not use Putman Street. Patrolman Boettger spoke to the driver this morning and instructed him not to use Putman Street. Director Morton will call the company and speak to the supervisor again.

Theresa Gillette discussed that near the Pizza Shop on Warren Street the teen-agers are running out in front of cars. She has had to stop due to them running out in front of her car. They do not care. Director Morton explained that it is a problem all over town and that he has instructed the officers to issue tickets to the kids in the streets. Ms. Gillette also discussed that vehicles are still blocking the driveway to the Post Office.

Ruby Dreher-Broad Street discussed that at 8am children walk into the street on their way to school and do not move.

OLD BUSINESS.

ORDINANCE ON SECOND READING.

a. Ordinance No. 2005-10, An Ordinance Amending The Code Of The City Of Beverly To Establish Regulations Relating To The Towing And Storage Of Motor Vehicles. The ordinance was read by title. Council President Bancroft opened the ordinance for public comment. No one wish to be heard on the ordinance, the public session was closed.

Mr. Wolbert inquired about #14 on page 4. Mr. Kearns explained that this gives the City Administrator or Director of Public Safety the opportunity to add to the application if they feel that something else is needed. Mr. Wolbert inquired if Section B page 8 talking about a rotation list would require an SOP for the police department. Mr. Kearns explained that it did not require a SOP, it would just be a matter of policy unless the Director felt that he needed a SOP. Council President Bancroft discussed the fees and some of the companies had suggested different fees. Mr. Kearns explained that the fees are the maximum allowed by the ordinance and the companies can charge less. Mrs. Richards inquire dif the ordinance covered abandon vehicles as well. Mr. Kearns discussed that this covers all vehicles. Mrs. Richards discussed the amount of money it cost the city to have the abandon vehicles towed. Mayor Lowden discussed that every cars has an owner and that the fees should be charged to the owner. Administor Barbara Sheipe explained that the officer could look up the vehicles identification numbers and go after the owner of the car. The City should be taking the owners to court to recover the price of the

tow. Mr. Kearns explained that these questions should have been addressed at first reading of the ordinance so that changes to the ordinance could have been made before the ordinance was published. Mr. Wolbert made a motion to adopt the ordinance on second and final reading. Ms. Kinniebrew second the ordinance. At the call of the roll, the vote was:

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

NAYES: None.

ABSTAIN: Mrs. Richards.

NEW BUSINESS.

Payment of Bills. Mrs. Richards inquired about the amount of the bill for M & R Wildlife Removal, Mr. Newsome explained that there were several additional pick-ups in the city. Mrs. Richards discussed that the animal control officer needs to pick up the animals on a more timely matter so as not to hold up the officers. Mr. Wolbert requested that line 13 for the public works expo is pulled since it was paid on a previous bill list. Mr. Wolbert also discussed that the landfill bill was high due to the storm clean up along the river and that the city had applied for FEMA funds. Mr. Newsome made a motion to approve the payment of bills with the corrections, Mr. Wolbert second the motion. At the call of the roll, the vote was:

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

NAYES: None.

SOLICITOR'S REPORT. Mr. Kearns will attend the COAH meeting for the city on May 11 in Trenton concerning the city's recertification.

MAYOR'S REPORT. Mayor Lowden discussed that the flag is at half staff due to the passing of a fire fighter in the state and also Congressman Peter Rodino, Jr. . The Planning Board will be hearing the application of Habitat for Humanity and Beverly Commons on May 18th .

COUNCIL REPORTS.

Mr. Wolbert informed council that the engineer has the certification for stormwater and will forward a copy to the city.

Dr. Cook reviewed the parade and the bike party for Memorial Day. There is a workshop on May 13 at 7pm and also on May 14 at 9am to gain input from the residents on the waterfront.

Ms. Gillette discussed that she has flyers on the parade and will hand them out in her neighborhood.

Mrs. Richards discussed Senate Bill No. 155 that permits municipalities to adopt school-time curfew ordinances for juveniles. She would like council to consider an ordinance for the city. Mr. Kearns explained that the city council would have to wait

until the bill is adopted in full by the state. Mrs. Richards requested that a letter of support of the bill be sent.

Council President Bancroft explained that Mrs. Setikas is in Germany visiting family.

PUBLIC SESSION.

Beverly Haaf-Riverbank inquired as to the status of the cat ordinance and if council had made any move on the ordinance. Mrs. Richards discussed that there needed to be two separate ordinances. One dealing with the cat colonies and the other dealing with the licensing and shots of cats. Mrs. Richards discussed that all cats are not domestic animals. Mrs. Haaf discussed that she felt that all cats whether they were strays or people pets were domestic animals. Mayor Lowden discussed that there is no leash law just a requirement for rabies shots and licenses. Mr. Krzykalski discussed that the ordinance for licensing of cats is on the books and that council needs to enforce the ordinance. Mrs. Dreher from the audience discussed that she has gone into homes that have 5 to 10 cats running around. Council President Bancroft discussed that only 3 animals total are allowed at each resident in the city. Mayor Lowden discussed that the residents need to be educated on the responsibilities of the cats. Mr. Krzykalski suggested starting with enforcing the ordinance. Mrs. Sheipe explained that the city would be doing a canvassing of the homes in the city in late June to check on unlicensed dogs. This is mandated by the State every two years. The city could also do cats at the same time. Mr. Newsome suggested doing the canvassing early evening so that more residents are at home. Council discussed enforcing the cats licensing with the next set of dog licensing and requiring all cats to have tags and shots for the 2006 year. The city has a free rabies clinic in January for dogs and cats.

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

EXECUTIVE SESSION. Mrs. Richards made a motion to have an executive session, Ms. Gillette second the motion. All members present voted in favor.

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

Submitted by,

Barbara A. Sheipe RMC
Municipal Clerk