

## MINUTES

CITY OF BEVERLY

MAY 22, 2007

### CALL TO ORDER.

**Verification of Notice- OPEN PUBLIC MEETINGS ACT. (N.J.S.A. 10:4-6)** In compliance with the Open Public Meetings Act, this is to announce that adequate notice of this meeting was provided in the following manner. On January 5, 2007 advance written notice of this meeting was posted on the public bulletin board in the City Hall; was mailed to the **THE BURLINGTON COUNTY TIMES AND TO THE CAMDEN COURIER POST;** was filed with the City Clerk and was mailed to all persons who requested and paid for such notice. The proceedings of this meeting are being electronically recorded and the tape will be on file in the office of the City Clerk.

### FLAG SALUTE.

### ROLL CALL:

**PRESENT:** Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Mr. Robertson, Mr. Arter, Council President Arter, Mayor Wetherill, Barbara Sheipe, Administrator/Clerk and Director of Public Safety Michael Morton.

**ABSENT:** Dr. Cook.

**MINUTES:** Mr. Bancroft requested that the complete title be in the minutes for Public Sessions and Public Safety since council has placed them together on the agenda. Mr. Arter requested that bill number 34 be listed also under his request to have the two of the bills pulled. Mr. Bancroft made a motion to approve the minutes for May 8, 2007, Mr. Germer second the motion. All members present voted in favor.

### CORRESPONDENCE.

- A. **Presentation of Appreciation.** Mr. Esaia, Chairman of the Police Department presented Corporal James Boettger with a Certificate of Appreciation for his community policing. Several residents have addressed council about the kindness and express the helpfulness that Corporal Boettger shows to the residents of the city. Corporal Boettger thanked everyone for the certificate.
- B. **Cosden Chemical Site.** Frank Angelo, Tom Barthlow and Reuben Wade of the Army Corp of Engineers discussed with council the time frame of the construction going on at the Cosden Site. They presented council with the time schedule which is attached and part of the minutes. Mr. Borden-Riverbank inquired if once the water goes through the processor is it returned to the ground. Mr. Angelo explained that the water will be cleaned and returned to the ground, this set up does not include taking away the water. The contaminated water is not being hauled away. The process that is in place allows for the water to be returned to the ground. Mr. Wade explained that the water is being treated on site, and that the water is too valuable to take away. Mr. Entwistle-Broad

Street inquired as to how long it will take to clean the site? Mr. Angelo explained that it could be years, 15 or longer there is no way to know how long. Mr. Delia discussed that the contractors are doing damage to the drains and the streets with their trucks and equipment. Mr. Angelo explained that they have recordings and pictures of before and that they will take after pictures. They will repair any damage that has occurred due to the contractors. Mr. Delia explained that the drain is sinking and that heavy trucks continue to run over the drains. Mayor Wetherill discussed that she would like to see the repairs done in a timely fashion. Mr. Angelo explained that the contractor had clean out the French drain and that it seemed to help with the flooding. Mr. Angelo explained that he will have his engineers contact the city engineers and look at the site. Mr. Heifet-Cramer Avenue discussed that the workers are courteous and that it is a nice site. Mr. Haaf-Riverbank inquired as to who tests the water for progress. Mr. Angelo explained that the testing is done over a long period of time by laboratories. Mr. Haaf inquired if the city can perform their own test? Mr. Angelo replied that the city can test the water if they wish, but that all of the testing done on the site is a matter of public record and available. Mr. Haaf inquired as to whom to contact for a copy of the test? Mr. Angelo explained that he will have the EPA mail copies to the city and that there is always an annual report available. Mr. Wade explained that the results are not available on the web. Ms. Rogers inquired if any long term projects have been completed? Mr. Wade explained that the oldest project is in its 16<sup>th</sup> year and that it is still running. Mr. Germer discussed that one of the sites is about 20 years and is not completed yet. Mr. Wade replied that the site was unusual and that it is deeply rooted in a landfill. Mr. Germer inquired about the percentage of the area that has been cleaned on that site. Mr. Wade explained that they have greatly reduced the contaminated and that they are always looking at other options instead of pump and treat to clean faster. Mr. Newsome discussed that the landfill site is several hundred areas and that the Cosden site is extremely small in comparison. Mr. Entwistle inquired if the pumps will run 24 hours a day. Mr. Angelo explained that the wells that are being pumped into the plant run through a filter to be clean. The pumps and fans will run 24 hours. Mr. Entwistle inquired if the noise will be able to be heard by the neighbors. Mr. Angelo explained that the noise level should be contained in the building, but there may be a slight noise of humming. Mr. Entwistle discussed that before the EPA started the clean up there was a contractor talking to the city about a new process and that it would take 2 or 3 years to clean up the site and that the EPA is saying 10 to 15 years. Mr. Entwistle inquired in Mr. Angelo's opinion if the developer had gone ahead and started his process would the site have been cleaned in a few years. Mr. Heifet discussed that District 1 residents should have the say over the Cosden Site and that the rest of the city should stay out of development of the site. Mr. Heifet discussed that council was elected on the site staying as it is now and not being developed. Mr. Angelo explained that the DEP and EPA take samples from the site and know how to treat the soil and water. The issue on any site is how long it will take and that it is unknown. Mr. Schwedes inquired if when completed there would be provisions made to pull the pipes and abandon the wells. Mr. Angelo explained that there is a state requirement for abandonment of the wells that must be followed and that the contracts will be done by the EPA. Mr. Wade explained that since 1985 no site has been turned back over to a city or an owner. Mr. Bancroft thanked them for cutting the grass along Manor Road, but that the area between Railroad and the trees on the site needs to be taken care of also the ditch area needs to be clean with cooperation of NJ Transit and their property. Mr. Angelo replied that they will cut and care of everything on their property line. Council President Arter thanked Mr. Angelo, Mr. Wade and Mr. Barthlow for coming to the meeting and that council would like to be kept informed about the progress on the site.

- C. Appointment to the Planning Board. Mayor Wetherill appointed Bruce Ubel as the alternate #2 to the Planning Board.

**NEW BUSINESS.**

- A. Resolution No. 2007-56, Resolution Appointing A Redevelopment Advisory Council Pursuant To N.J.S.A. 40A:12A-42. The resolution was read by title. Mr. Robertson discussed that in Section 3, it discussed that a written report be done and that written minutes shall be provide after the meeting in conjunction with a written report to city council. Mr. Robertson inquired if it would be the same report. Mr. Germer discussed that the Chairman of the Committee would answer questions to council. Mr. Germer made a motion to approve the resolution, Mr. Robertson second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

- B. Resolution No. 2007-57, Corrective Action To The Recommendations Of The 2006 Of The Audit Findings. The resolution was read by title. Mr. Arter made a motion to approve the resolution. Mr. Esaia second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

- C. Resolution No. 2007-58, Resolution Awarding A Contract For Video Surveillance. The resolution was read by title. Mr. Bancroft requested that the word contract be added to the resolution title on the agenda. Mr. Crespo made a motion to approve the resolution. Mr. Germer second the motion. At the call of the roll, the vote was:

AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Mr. Robertson, Mr. Arter and Council President Arter.

NAYES: None.

- D. Resolution No. 2007-59, Motion to hire a clerk typist for the housing/code department. Mr. Baxter advised council that a resolution was needed. Mr. Crespo discussed that this was at the request of Mr. Thompson to hire a part time clerk for about 10 hours a week to handle the paper work and the input of information on the computer. Mr. Thompson discussed with council that the program requires time to enter the information and that council is not getting their bang for their buck. If he stays in the office for paperwork, that is less time out in the street looking for code violations and working on rentals. Mr. Thompson also explained that the program will help with court cases as back up with pictures and summons. Mr. Arter made a motion to approve the resolution, Mr. Crespo second the motion. At the call of the roll, the vote was:

**AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Mr. Robertson, Mr. Arter and Council President Arter.**

**NAYES: None.**

- E. Payment of Bills. Mr. Baxter requested that the amount of his bill be reduced to \$2,204.00, since the original bill included the last bill. Mr. Esaia inquired if Mr. Bernardi had approved the payment of the bills in line #38 and #39? Mrs. Sheipe explained that Mr. Bernardi had approval the payment of the bills. Mr. Newsome discussed that he would like to approve #14, but hold the payment of the bill until the invoice is received. Mr. Germer made a motion to approve the payment of the bills, Mr. Crespo second the motion. At the call of the roll, the vote was:**

**AYES: Mr. Bancroft, Mr. Crespo, Mr. Germer, Mr. Newsome, Mr. Esaia, Mr. Robertson, Mr. Arter and Council President Arter.**

**NAYES: None.**

**SOLICITOR REPORT. Mr. Baxter discussed that he had talked to Judge Goldman about the approval of the fixed fine ordinance and that Judge Andronici and Judge Sweeney needed to sign the ordinance for approval. Mr. Baxter explained that after a conversation with Judge Goldman there seem to be an overlap with the state and the city with the littering concerning motor vehicles. Mr. Germer discussed that the law and ordinance committee will look at repealing the ordinance.**

**MAYOR'S REMARKS.**

**Mayor Wetherill discussed that the Farmers Market has been a wonderful success and that the next one will be held on June 9. The market is opened to anyone with crafts and food to sell. Mayor Wetherill announced that the school children will be planting flowers at the Gazebo, city hall and the library for the Memorial Day Parade.**

**COUNCIL COMMITTEE REPORTS.**

**Mr. Crespo reported for the Public Works Committee that there was a bike auction on Saturday and some of the bikes were left out front for anyone who needed them. The county street sweeper will be coming into the city to sweep Cooper, Broad and Warren Street for the parade. Mr. Crespo requested an executive session.**

**Mr. Newsome reported for the finance committee on the corrective action plan and that the general ledger has been started and is a work in progress. The city needs to do an inventory of all city own property in the building and create a fixed asset list.**

**Mr. Germer reported for the public affairs committee on the fishing tournament to be held on June 9 and that on July 14 there will be Beverly City day at the Camden Riversharks. On September 8 and 9<sup>th</sup> the city will hold Birthday celebrations with fireworks. Mr. Arter explained that ticket locations will be announced.**

**PUBLIC SESSION AND PUBLIC SAFETY.**

**Mr. Heifet-Cramer Avenue requested to make a motion to council for notice of recall of Mr. Crespo. Mr. Baxter explained that there are statues governing the process and that a council member must serve at least one year before the recall election and no proceedings of the recall can**

occur until 50 days before the end of the year. Mr. Crespo cautioned Mr. Heifet to be careful in statements concerning slander. Mr. Heifet advised Mr. Crespo not to threaten him.

Mrs. Elliot-Nicholas Avenue inquired if employees will be able to apply for the position of clerk typist? Mrs. Sheipe explained that the position will be posted in city hall before being publically advertised.

Mrs. Spinogatti-Laurel Street discussed that she had heard that the city was going to build 50 townhomes on Beaunit Mills property. Council President Arter explained that nothing has been presented formally from the redeveloper. At this stage the redeveloper has purchased additional tax liens that were on the lot. Council President Arter explained that Mr. Bernardi will have to present his plans to the committee and also be given planning board approval. Mrs. Spinogatti discussed that she is afraid to continue to do work on her home in case she is being bought out by the developer or the city. She does not want to invest in the home, if she is going to have to move. Council President Arter explained that any properties slated for eminent domain would have to be listed in the redevelopment plan. Council President Arter discussed that Mrs. Spinogatti should attend the next open meeting of the economic committee for redevelopment. Council President Arter explained that Mr. Bernardi is interested in townhomes with parking in the back. The number of homes is premature. Mrs. Spinogatti inquired as to when the next public economic committee will be. Mr. Crespo explained that the committee will be scheduling meetings soon and the list will be advertised. Mr. Germer discussed that the entire plan would have to also go to the planning board and the neighbors would be given notice about the meeting.

Mr. Entwistle-Broad Street inquired as to when Mr. Thompson was hired, if council had considered who would do the work of the clerk typist that is now being required. Mr. Crespo explained that the matter was given consideration to existing employees to see if it could be a combination with other positions. Mr. Entwistle discussed that a 10 hour a week usually turns into a 20 or more position and that it will increase the taxes. Mr. Arter explained that it will stay 10 hours for the remainder of 2007, if there is a need for increase of hours next year it would have to be submitted in during the budget process. The positions hours will depend on the funds included for the year. Mr. Arter explained that the committee had met with Mr. Thompson and he discussed that the paperwork was tying his hands by keeping him in the office. Mr. Arter discussed that the council will make sound decision on the budget. Mr. Entwistle inquired as to why the public is told about the position after the fact? Mr. Robertson discussed that council had to consider if the additional work in the housing inspector office was worth the clerk typist. There was discussion in the committees about the need for the typist and council has decided to hire a part time person.

Dawn-Laurel Street inquired if the redevelopment plan that is on line was adopted? Council President Arter explained that the planning board heard the plan in April and that council will hold public hearings on the plan after council considers the redevelopment of the dunes. There is legal wording that needs to be complete for the planning board resolution to request council to consider placing the dune area in the redevelopment area. Dawn inquired if there is a particular age group target for the townhomes planned on Beaunit Mills. She had heard that the homes would be for senior citizen and young couples. Mr. Thibault explained that the plan is not set in stone.

Mr. Haaf-Riverbank requested that council send a formal letter to the EPA for request for the water reports. Mayor Wetherill will send an email to the EPA requesting the information. Mr. Haaf inquired if the business on Cooper Street had a liquor license? Mrs. Sheipe explained that they do not have a liquor license since a club must be in existence for three years to qualify.

Mrs. Dreher-Delacove Homes inquired if anyone knew why Decoration Day was changed to Memorial Day. Mr. Germer explained that Congress adopted an actual law to change Decoration

Day to Memorial Day. Mr. Germer discussed that Memorial Day in the morning is to honor the fallen soldiers and in the afternoon it is to celebrate the soldiers. Mrs. Dreher inquired as to why the name had to be changed? Mr. Germer explained that Memorial Day emphasis the day's meaning.

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

**EXECUTIVE SESSION.** Mr. Crespo made a motion to go into executive session for contracts.

**GENERAL SESSION.**

Council returned to general session. Mr. Crespo discussed that he would like to start the renovations to the court as soon as possible. The county has agreed to the plan. Mr. Germer made a motion to start the work on the court room as soon as the engineer reviewed the plans. Mr. Crespo second the motion. All members voted in favor. The city will be buying the materials and volunteers will do the work.

Mr. Haaf-Riverbank inquired as to why the executive session? Mr. Crespo explained that he had some questions for council and the solicitor concerning conflicts. Mr. Baxter explained that an executive session can be held for legal opinions for council.

**ADJOURNMENT.**

Mr. Robertson made a motion to adjourn. Mr. Germer second the motion. All members presented vote in favor.