

MINUTES

BEVERLY CITY COMMON COUNCIL

Meeting of May 22, 2012

7PM

Held at the Beverly Housing Authority Building

CALL TO ORDER

Council President Crespo called the meeting to order at 7:04PM.

OPEN PUBLIC MEETINGS ACT (NJSA 10:4-6)

Mr. Crespo read the following statement into the Minutes: *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 December 29, 2011, advance written notice of this meeting was posted on the public bulletin board in the City Hall; was mailed to 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 all meetings are typically electronically recorded and are also being manually recorded. The Minutes will be on file in the office of the City Clerk.***

FLAG SALUTE

Mr. Crespo led those present in the Flag Salute.

ROLL CALL - ALL PRESENT

Mayor: Randy H. Miller

Council President: Luis Crespo

Council Members: Barbara Kelly, Brian Perkins, Hal Robertson, Robert Thibault

Solicitor: Albert K. Marmero

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

Administrator: Ken Gerber, CPM

Deputy Municipal Clerk: Donna Snyder, RMC/CMR/CPM

MINUTES

The May 8 and April 10, 2012 Minutes were approved as submitted with a motion by Robertson and a Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

BILLS LIST

The May 17, 2012 Bills List was approved as submitted after discussion with a Motion by Thibault and a Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTIONS**RESOLUTION 2012-144**

A Resolution accepting the Report of Audits of Financial Statements For The Year Ended December 31, 2011 as submitted by Beverly City Auditors, Inverso & Stewart, LLC. Beverly City Auditor Bob Stewart was present to respond to any questions by Council. Topics reviewed included expenditures being cut to get a budget the State would accept without exceeding the Tax Levy rate the State allows; discussion regarding serious consideration for a Referendum to increase the Tax Levy CAP so that the dollars are at least there if need be; Shared Services with other towns being a positive or negative depending on how it would be set up, noting that Shared Services is best with departments that don't bring in revenue; the County would hopefully cut the Tax Rate in July. Motion to Approve by Thibault and Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-145 2012 BUDGET INTRODUCTION

A Resolution of the Common Council of the City of Beverly Introducing the 2012 Municipal Budget.

Note: *While the Budget is referred to as a "Budget Resolution", it requires two readings, similar to an Ordinance. All Budgets must be Approved/Amended/Adopted by Resolution. Each Resolution must be passed by not less than a Majority of the Full Membership of the Governing Body.*

Beginning the week of June 4, 2012, a copy of the approved 2012 Budget will be available for Public inspection at the following locations:

Beverly City Municipal Clerk's Office

446 Broad Street

Beverly, NJ 08010

609-387-1881, X100

Tuesday thru Thursday 9AM-5PM

The Beverly City Free Library

441 Cooper Street

Beverly, NJ 08010

609-387-1259

(Call for Days and Hours of operation)

The Burlington County Library

5 Pioneer Boulevard

Westampton, NJ 08060

609-267-9660

(Call for Days and Hours of operation)

Second Reading and Public Hearing will be held at Council's Meeting to be held on **June 26, 2012** at 7PM at the Beverly Housing Authority Building, at which time all those wishing to be heard will be so heard on same. Motion to Approve by Thibault; Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-146

A Resolution authorizing Release of Lien (RCA-Moorestown) on the property known as 417 Broad Street, Beverly, NJ 08010. Motion to Approve by Thibault; Second by Perkins. Roll Call vote - All Ayes. Motion Carried.

RESOLUTION 2012-147

A Resolution approving the re-issue of Vendor's License to Wade McDaniels, III for "Wade's Sno Cones", all applicable paperwork being reviewed and in order. Motion to Approve by Thibault; Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-148

A Resolution accepting Dawn Robertson Emmons' May 7, 2012 Letter of Resignation as Beverly City Chief Financial Officer effective May 31, 2012. Motion to Accept by Thibault; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-149

A Resolution accepting Kathleen M. Elliott's May 4, 2012 Letter of Retirement effective May 7, 2012 as Beverly City Police Secretary/Police Matron/Substitute Crossing Guard, and approving Beverly Treasurer's payroll calculations of pro-rated monies due back to Ms. Elliott up to said retirement date. Motion to Accept by Perkins; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-150

A Resolution approving Raffle Application #RA-2012-1 for Jesus the Good Shepherd/St. Joseph's Church, 805 Warren Street, Beverly, NJ 08010 for an "Off-Premise Raffle Draw" to be held October 5, 2012 at Barna Hall/St. Joseph's Church, all applicable paperwork being having been submitted, and pending approval by NJ Legalized Games of Chance Control Commission. Motion to Approve by Thibault; Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-151

A Resolution acknowledging **Beverly Haaf** as the recipient of the Burlington County Historic Preservation Recognition and History

Recognition Award for **The Beverly Bee**, as submitted to the County for consideration by Council Member Barbara Kelly. Motion to Approve by Thibault; Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-152

A Resolution approving Application for Public Assembly by Pastor Winston P. Pierre of the St. James Baptist Church for their Annual International Community Day to be held on Saturday, July 21, 2012 beginning at 3PM, pending submission of current Certificate of Liability Insurance. Motion to Approve by Thibault; Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-153

A Resolution approving Eileen Herbert as Beverly City Municipal Court Recorder on an as-needed basis at the CWA Union contract amount of \$54.64 per session. Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

NEW BUSINESS

"Rice Notice" - Officer Dean Allen. This will be moved to Executive Session, with Officer Allen choosing not to be present.

OLD BUSINESS - N/A

CORRESPONDENCE

Unless otherwise noted, Correspondence is read into the Minutes by the Mayor and filed accordingly in the Clerk's office.

1. Beverly City Tax Assessor Joe Robinson: 5/8/12 Memo advising of the Beverly City Tax Appeals Schedule as Friday, July 27, 2012 at 9AM in Mt. Holly.
2. Parker McCay: 5/18/12 Memo regarding the Beverly City Bond Anticipation Notes Financing Schedule.
3. Senior Citizens United Community Services, Inc.: 5/7/12 Memo regarding Notice of Public Hearing on an application of funds to NJ Transit under the NJ Senior Citizens and Disabled Residents Transportation Assistance Program (SCDRTAP) as 6/11/2012 at 1PM in Lecture Hall A at the Burlington County Human Services Facility, 795 Woodlane Road in Mt. Holly.

4. Burlington County Health Department Inspection Reports:
Beverly City Recycling Center - In Compliance.
Sunny Food Mart - Satisfactory Evaluation.
200 Cooper Street - Environmental Request: Situation abated.

COMMENTS/REPORTS

MAYOR - No additional comments at this time.

ADMINISTRATOR

As Administrator, Mr. Gerber advised that this is the season for high grass and letters have gone out to violators. There are problematic time issues with abandoned properties and contacting mortgage companies, but progress is being made. It was suggested that Council should consider strengthening the 2007 Ordinance. Thanks were extended to Willingboro for their help with getting our Flag pole painted and removing the pine tree. Cleanup is continuing behind the Municipal Building and paving/patch work will be taking place, and we are down to the very end of the punch list for the ADA project. Officers are now working out of the newly renovated Police Department downstairs. An Auction list is being put together. A Safety Meeting was had this week with two specific issues being reviewed and clarified to the departments involved.

SOLICITOR - Comments reserved for Executive Session.

ENGINEER - Attendance not required at this meeting.

COUNCIL MEMBERS

Mr. Thibault advised that Al Desjardins/Emergency Management was contacted re the Dow Chemical fire and odors that were prevalent. If there happen to be any health issues, there are contact numbers available. Additionally, Bob Gogats is retiring from the County Board of Health on June 1 after many years of service to all Burlington County communities. Mr. Thibault stated that there are Feral Cat Posters available for placement should the need arise. He also advised that he attended the Fire Commissioner's meeting on May 21 and that all was extremely friendly and cordial. There was good dialogue, and that the EMS/Fire/Emergency Squads are all professional and in good operation. The meeting was quick, thorough, and efficient. Discussion was had relative to the designation of the lane know as "Riverbank" - is it officially a "private" road? The Commissioners would like a

letter from the Council that the lane is officially "private". Access to the road is the issue - the fire trucks can't get on there and make a turn. The Administrator advised that there could be insurance issues involved with Residents re upkeep. Mayor Miller suggested a meeting with Residents to explain.

Mr. Robertson advised that relative to Recodification, information and a quote has been received from one of the companies and we are waiting on the second to respond. He discussed the Paper Cart Program (County Recycling) and advised that we are short financially to become involved now. In 2014 the County will be going "Single Stream". Numbers were reviewed for same. All updates will be forthcoming.

Ms. Kelly thanked everyone for their participation the City-Wide Yard Sale, and said that we should be having another one in the fall. She reminded everyone about Dunks Ferry on Sunday, and the Memorial Day Parade on Monday.

CLERK - No additional comments at this time.

PUBLIC COMMENT

*This portion of the meeting provides the public with an opportunity to ask questions of City Council concerning the City, or to address questions to the Administrator/Director of Public Safety. **Please state your name and address for the record.***

Public Comment was had by Residents Barbara and Andrew Russell, Dale Thompson, Jeffrey Iaia, Tiffany(Delacove Homes), Amy Bent, Ron Murphy, Scott Williams, Mary Ellen Knudson, Bob Lowden, and Ryan Atkinson. Topics covered were: speeding issues; Proper Signage; Recycling Bucket Program/Clean Communities; Skunk removal; Grant Applications; Relocation options for the Broad Street Basketball Courts; Other town's kids coming to the River in Beverly to fight/Group-Gang fighting/Gardens trashed/Cars Dented and other night-time rowdiness; Slowness of Police to respond to such incidents; Posting of appropriate Ordinances around town to warn about penalties relative to gang and fighting and property destruction incidents; Gang activity relative to the River Line; Neighborhood Watch re-establishment; Website status; Any updates on Dredging; Several days of chemical odors from Dow Chemical which the County BOH stated as a "temporary irritant with no safety hazard to NJ residents; Discussion re redevelopment and foreclosures in town due to abandonment; City-wide Yard Sale advertising issues and the need to draw people in from outside the City; the City's 2011 Pay to Play Ordinance taken from the DCA entire model; No tax breaks given to RCAs.

There being no further issues to discuss, Motion to close Public Session and move to Executive session at 9:05PM by Thibault; Second by Robertson. All in Favor. Motion Carried.

EXECUTIVE SESSION

Resolution 2012-154:

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: Discussion to be had on Personnel, Litigation, and Contractual matters.

ACTION TAKEN AFTER EXECUTIVE: X YES NO

RESOLUTION 2012-155

A Resolution memorializing contract and fee schedule as attached to **Parker McCay** for Bond Attorney services. Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-156

A Resolution approving, upon the recommendation of the Beverly City Director of Public Safety, the **Title with Assignment of "Detective" to Officer Dean Allen** effective immediately, with no change in salary structure, and in accord with the current Police Contract with the City of Beverly. Motion to Approve by Thibault; Second by Kelly. Roll Call Vote - All Ayes. Motion Carried.

ADJOURNMENT

There being no further business, Motion to Adjourn at 9:40PM was made by Robertson; Second by Kelly. All in Favor. Motion Carried.

Respectfully submitted,

Donna Snyder, RMC/CMR/CPM

Date

APPROVED:

Randy H. Miller, Mayor

Date

Governor's Best Practices Toolbox:

"Prospective" Items for Continued Discussion, Monitoring, and Update:

1. Does your municipality maintain an up-to-date municipal website containing, but not limited to:

Past 3 years adopted Budgets. YES.

Current year proposed Budget including the full adopted Budget for current year when approved by the Governing Body. TBA

Most recent Annual Financial Statements and Audits. YES

Notifications for Solicitation of Bids and RFP's. TBA LINC TO ENGINEER.

Employee Contact Information. TO BE UPDATED.

Governing Body, Boards, and Commission Meeting Dates, Minutes, and Agendas. TBA

2. Is your municipality's computer information backed up regularly, pursuant to a written backup policy and is data stored offsite. YES. BEVERLY CITY IS BACKED-UP REGULARLY AND STORED OFFSITE PURSUANT TO A WRITTEN BACKUP POLICY BY NETWORKS PLUS.

3. Are Ordinances codified on an annual basis and made available electronically and/or in an existing Ordinance book for the public. TBA

4. If your municipality is a member of the SHBP, have you transitioned from Chapter 88 (lifelong retirement benefits & Medicate Part B payouts) to Chapter 48 (healthcare cafeteria and select cost-saving provisions for all current and future employees). YES. A "CAFETERIA PLAN" WAS ADVISED TO ALL CITY EMPLOYEES AND HAS COMMENCED.

****Note "No" Items for Monitoring:**

Is your municipality's Police Department accredited by the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA), or have Senior officers had advanced training through professional agencies/academies.

Updated 2/24/12