

## MINUTES

CITY OF BEVERLY

MAY 23, 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, May 23, 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:** Ms. Kinniebrew, Mrs. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson, Council President Bancroft, Mayor Wetherill, Director of Public Safety Mike Morton, Solicitor Ellen Kearns and William Kearns and Barbara Sheipe, clerk/administrator.

**ABSENT:** Mr. Wolbert and Mrs. Foerster.

**MINUTES.** Mr. Newsome made a motion to approve the minutes of May 9, 2006, Dr. Cook second the motion. All members present voted in favor.

### **COORESPONDENCE.**

A. HOME Program-John Smith, Community Development Coordinator discussed with council the benefits to participating in the HOME program. The program allows successful Small Cities towns to participate in the HOME program without participating in the Community Development Block Grant. By joining the program it will not affect the Small Cities funding. The first time Homebuyer Program will be able to assist first time homebuyers and the HOME Affordable Housing Developer Program will be able to develop ownership units only. Developers can participate in the program as long as they follow the rules and regulations for home ownership. Mr. Krzykalski inquired if the homes could be rented after purchase. Mr. Smith explained that the homeowner must live in the home or pay back the money. There are no deductions for the number of years that a homeowner lives in the home. If the home is sold within the first six years, the money must be paid back in full. Mr. Robertson inquired as to who qualifies for the program. Mr. Smith discussed that the owners would have to be income qualified and meet the standard guidelines. The owners are referred by a real estate agent or a mortgage company. They must have good credit and working income. Ms. Kinniebrew explained that it is actually a grant to assist buyers with their closing costs. Everyone must qualify. Mr. Robertson inquired as to what is the hook? Mr. Smith explained that it is a 6-year program and than the loan is forgivable. If the home is sold before that time the entire amount is repaid. Mayor Wetherill inquired if it would affect the Block Grant? Mr. Smith explained that the city does not have to use Community Block Grant funds to

qualify for the program. Mr. Smith explained that since the program started in 1999, none of the homes have been foreclosed on. They usually look for a 3% down payment and also have other programs to help with down payments. Mr. Smith explained that four Small Cities municipalities joined last year for the funding. The next round of funding for the city would be for the 2007-2008 year. Dr. Cook inquired if there is a way to later option out of the program. Mr. Smith explained that at the city could decide at renewal time to opt out of the program. Mr. Krzykalski inquired as to who would monitor to make sure that the home did not become a rental unit. Mr. Smith explained that there are annual checks and balances through the tax system records to check the address of the owners. If the home is found to be a rental the loan is immediately recalled. This program does not provide credit towards the city's COAH requirements. Mr. Krzykalski inquired if the city is notified as to whom is in the program? Mr. Smith explained that council could be notified once a year so as to monitor also if they become rental units. Resident from audience inquired as to the responsibility of the developers in the program? Mr. Smith explained that the developer would have to comply with the zoning of the city. Also that Habitat had approach them about funding but it was not given to them yet. BCCAP was award money to rehab homes in other municipalities for homeownership. The program cannot be the only source of funding. Developers usually average \$45,000 of funding to build. Dr. Cook inquired as to how many homeowners remain in the homes. Mr. Smith explained that the homeowners usually remain for the 6 years or otherwise the loan has to be paid back. If the homeowner refinances the loan must also be paid back. Mr. Borden-Riverbank inquired if they were single-family homes. Mr. Smith explained that yes they would be single family homeownership homes. Council thanked Mr. Smith for his information on the program and will consider the resolution at the next council meeting.

#### **OLD BUSINESS.**

**NEW BUSINESS:** Items A through F 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. 2006-53,** Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 1014 Detweiler Avenue, Beverly.
- B. **Resolution No. 2006-54,** Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 403 Warren Street, Beverly.
- C. **Resolution No. 2006-55,** Resolution To Approve Senior Citizen Deduction For 2005 Taxes.
- D. **Resolution No. 2006-56,** Resolution Authorizing A Handicapped Space For 626 Elizabeth Street.
- E. **Resolution No. 2006-57,** Resolution of the City of Beverly Requesting The Approval of the Director of the Division of Local Government Services For The Insertion of a Special Item of Revenue In the City Budget for the Year 2006. (Gov-Connect)

F. Resolution No. 2006-58, Resolution of the City of Beverly Requesting The Approval of the Director of the Division of Local Government Services For The Insertion of a Special Item of Revenue In the City Budget for the Year 2006.  
(Market)

Mr. Newsome made a motion to adopt the consent agenda, Ms. Kinniebrew second the motion. At the call of the roll, the vote was:

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

NAYES: None.

G. Resolution No. 2006-59, Resolution of Need For Beverly Commons. Mr. Krzykalski made a motion to adopt

Resolution No. 2006-59, Mr. Robertson second the motion. At the call of the roll, the vote was:

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

NAYES: None.

H. Resolution No. 2006-60, Resolution of the Common Council of the City of Beverly Certification of the Annual

Audit. The Resolution was read by title. Mr. Newsome explained that the main findings of the audit were again that the city did not maintain a general ledger. With the hiring of Victoria Boras as the treasurer/tax collector, the city has started the process to correct the situation. Mr. Newsome made a motion to approve Resolution No. 2006-60, Dr. Cook second the motion. At the call of the roll, the vote was:

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

NAYES: None.

I. Payment of Bills, Ms. Kinniebrew inquired as to what the Beverly Home and School Association was? Mrs. Sheipe explained that it is similar to a Parent and Teacher Association-PTA. Mr. Newsome made a motion to approve the bill list. Ms. Kinniebrew second the motion. At the call of the roll, the vote was:

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

NAYES: None.

SOLICITORS REPORT. None.

MAYORS REPORT. Mayor Wetherill thanked Diane Marshall and her grandchildren for the Strings Program assembly that was present at the school. There will be lessons available in the summer. The city is still looking for instruments for the music program. Mayor Wetherill appointed Pearl Mooring of Laurel Street and Rebecca Jones of Church Street to the Board of Education for a 3-year term.

PUBLIC SAFETY.

Mr. Robertson-councilman thanked the officers for an excellent job on the handling of an elderly woman on Van Kirk Street.

Mrs. Esaia-Lee Avenue discussed that the Beverly City officers are upstanding and do an excellent job. Mrs. Dreher second Mrs. Esaia.

## **COUNCIL REPORTS.**

Mr. Newsome thanked everyone for coming and wished them a safe Memorial Day. Dr. Cook announced that the wreath service would be held at the Riverfront at noon on Memorial Day. Jason Thibault who just graduate from the Naval Academy will be present at the ceremony and also the Grand Marshall in the parade. Greg Burgess who has written a book and listed the National Ceremony will be at the river with copies of his book and tapes.

### **PUBLIC SESSION.**

Mr. Delia-Cramer Ave. inquired if the old Covent had obtain their permits yet. Council President Bancroft explained that they were issued some of the permits and can begin work.

Mr. Borden-Riverbank inquired about the audit and that the fund balance liability reserve did not seem to match with the fund balance. There seem to be the same difference in each year. Mr. Newsome will double check with the auditor.

Mr. Delia-Cramer Ave. inquired about the wording on Resolution No. 2006-59 and what it means when it says memorializing? Mr. Kearns explained that it is a legal term that is use to make a record. Mr. Delia inquired if a different word could be use since the average person would not understand the legal definition of the word. Mr. Kearns explained that there is format that is required by the state agencies that the city must follow.

Mrs. Dreher discussed that she had 2 brothers and a husband in the service and that she feels that the flags in the city are old and worn. Mrs. Sheipe explained that the flags were brand new last year and that she will take a look at them to make sure that the old flags were not put up.

Resident-525 Broad Street inquired about the status of the Cosden Site? Council President Bancroft explained that city council is still attempting to work out something.

Mr. Esaia-Lee Ave. discussed that if the council decides to fight the EPA that they should not use taxpayer money. Council President Bancroft discussed that he always watch spending taxpayer money for anything. He attempts to locate other funding.

Mr. Delia inquired if the tax collection rate had increase. Mrs. Sheipe explained that the monthly report would be handed in at the next meeting.

Mr. Esaia-Lee Ave. inquired if there was an attendance officer for the school? There are children taking the train to get to Beverly school. Council President Bancroft discussed that if the children are homeless and living in other towns, the city is responsible for them if they originally lived here. Council President Bancroft explained that the city is working with the school through Mrs. Haaf to find the children that are attending the school without residence here.

Mrs. Richards-Broad Street inquired how long the city has to pay for the student. Mrs. Sheipe explained that they pay until the children have a permanent residence in another town. Mayor Wetherill explained that several children have been found not to be legally attending the school.

**Residence-Broad Street inquired about the school budget? Council President Bancroft explained that the council is waiting for more information from the county school superintendent.**

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

**EXECUTIVE SESSION. Mr. Krzykalski made a motion to go into closed session, Mrs. Setikas second the motion. All members voted in favor.**

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

**Submitted by,**

**Barbara A. Sheipe RMC  
Municipal Clerk**