

## MINUTES

CITY OF BEVERLY

May 26, 2009

### 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 7, 2009 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. Newsome, Mr. Bass, Mr. Arter, Mr. Robertson, Mr. Desjardins, Council President Crespo, Mayor Cook, Barbara Sheipe, Administrator/Clerk, Michael Morton, Director of Public Safety and Skip Reale, Solicitor

**ABSENT:** Mr. Williams.

**MINUTES.** Mr. Newsome made a motion to approve the minutes of May 12, 2009. Mr. Robertson second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Bass, Mr. Robertson, Mr. Perkins, Mr. Desjardins, Council President Crespo,

**NAYES:** None.

**ABSTAIN:** Mr. Arter.

### COORESPONDENCE.

**Letter from Board of Education-** Mayor Cook read a letter from the Board of Education requesting a meeting with City Council and the School's Finance Committee for a discussion on funding issues for the Educational Facilities Construction and Financing for renovations and additions. The letter is attached and made a part of the minutes.

### INTERVIEWS FOR COUNCIL VACANCY.

Scott Hitchner appeared in front of city council for his interview to fill the unexpired term vacancy on City Council. Mr. Newsome inquired as to why Mr. Hitchner would like to be on City Council. Mr. Hitchner explained that he grew up in Beverly and attended Palmyra High School. Mr. Hitchner explained that he is active in the school and in the community. Mr. Arter discussed that he has known Mr. Hitcher for a long time and is comfortable with appointing him to city council. Mr. Arter made a motion to appoint Mr. Hitchner to fill the unexpired term on City Council, Mr.

Perkins second the motion. Mayor Cook discussed that she had previously spoken to Mr. Hitchner as a planning board member and that he is committed to the school. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Bass, Mr. Arter, Mr. Robertson, Mr. Perkins, Mr. Desjardins and Council President Crespo.

**NAYES:** None.

#### **ORDINANCE ON SECOND READING.**

A. **Ordinance No. 2009-8, An Ordinance Authorizing The Mayor and City Council to File A Petition With The Legislature of the State of New Jersey for the Adoption of a Special Law to Authorize the Reduction in the Amount of City Council Members from 9 to 5 and Increase the Terms of Office from 3 to 4 years and Provide for Transition Provisions.** The ordinance was read by title. Council President Crespo opened the ordinance for a public hearing. No one from the public wished to be heard, the public portion was closed. Mr. Arter discussed that when Mr. Kearns gave his presentation on changing the form of government and the city charter, he made it clear that it is very difficult to do. Mr. Arter discussed that the Republican committee had sent a letter to the Democratic committee discussing petitioning and the charter law to change the form of government. Mr. Arter discussed that the current form of government does not work in the current day and age. Mr. Arter discussed that the council should be elected at large and also by wards to better represent the city. Mr. Arter discussed that the city needs to do it in a way that will change the number of members and the form of government. Mr. Bass made a motion to adopt the ordinance on second and final reading, Mr. Robertson second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Bass, Mr. Robertson, Mr. Perkins, Mr. Desjardins and Council President Crespo.

**NAYES:** Mr. Arter,

**ABSTAIN:** Mr. Hitchner.

#### **OLD BUSINESS.**

A. **Resolution No. 2009-57, Resolution Authorizing An Agreement Between The City of Beverly and the Communications Workers of America Local 1034.** The resolution was read by title. Mr. Reale requested that this resolution be held until the next meeting due to some language changes that he would like to review. Mr. Bass made a motion to hold the resolution, Mr. Perkins second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Bass, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins and Council President Crespo.

**NAYES:** None.

#### **NEW BUSINESS.**

A. **Resolution No. 2009-58, Resolution Authorizing Award of the Cherry Street Improvement Projects.** The resolution was read by title. Mr. Kirchner discussed that this award would do the drainage work needed as well as paving on Cherry Street. The lowest bidder was Curb-Con. Mr. Newsome made a motion to approve the

resolution, Mr. Bass second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Bass, Mr. Arter, Mr. Robertson, Mr. Perkins, Mr. Desjardins and Council President Crespo.

NAYES: None.

ABSTAIN: Mr. Hitchner.

**B. Resolution No. 2009-59, Resolution Authorizing**

**Submission of a Grant Application And Executing a Grant Agreement with the New Jersey Department of Transportation for Roadway Improvements to Pine Street from Cooper Street to the Edgewater Park Municipal Boundary. The resolution was read by title. Mr. Kirchner explained that there was Small Cities monies that could be moved to this project, if the state agrees with the submission. This resolution would allow the city to also apply for Department of Transportation funding for the project. Mr. Arter inquired if this would cover paving as well. Mr. Kirchner explained that if all of the funding is obtained, the drainage and paving could be completed. Mr. Newsome made a motion to approve the resolution, Mr. Bass second the motion. At the call of the roll, the vote was:**

AYES: Mr. Newsome, Mr. Bass, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins and Council President Crespo.

NAYES: None.

**C. Treasurer's Report. Mr. Newsome discussed that the treasurers report has been a work in progress and the CFO has given council the 2009 budget status report, the 2009 monthly receipts report, and an explanation of the new numbering of accounts. The budget has been approved by the state and will be on the agenda for the next meeting. Mr. Newsome made a motion to accept the treasurers report, Mr. Desjardins second the motion. At the call of the roll, the vote was:**

AYES: Mr. Newsome, Mr. Bass, Mr. Arter, Mr. Robertson, Mr. Perkins, Mr. Desjardins and Council President Crespo.

NAYES: None.

ABSTAIN: Mr. Hitchner.

**OTHER NEW BUSINESS:**

Council President Crespo discussed that he would like council to consider paying a bill for Fisher Construction at this meeting. Council President Crespo explained that the bill had arrived to the city clerk to late for the last bill list and that the contractor was working on numerous homes for the RCA program. The project is past the half way completion mark and the procedure is to pay the contractor part of his money. Council President Crespo discussed that he felt that CGP was not getting the bills on time to the city and he had some concerns about the program. Mr. Robertson inquired if Mr. Reale had an opinion about paying a bill off cycle. Mr. Reale explained that council would be creating a precedent any time it acts. Mr. Arter discussed that no paperwork has been presented to council. Mr. Newsome explained that council used to pay bills twice a month and now only pay once a month. Council President Crespo requested a motion to pay the bill before the next bill list. Mr. Newsome explained that even though the city owes the money because the work has been done, he would like to see the bill appear on the next bill list and not set a precedent for other vendors.

## **SOLICITORS REPORT.**

**MAYOR'S REMARKS.** Mayor Cook thanked Mr. and Mrs. Delia, Mrs. Russell, Mr. Bent, Mr. Thibault, Mrs. Sheipe, Ms. Thompson and all other volunteers for their help with the parade. Mayor Cook discussed that she had attend and spoke at the DARE graduation and that Officer Davison is the DARE officer for the city. On May 15<sup>th</sup>, there was a Mock council meeting held with the students from the Beverly school. Mr. Arter discussed that the Mock council meetings are a good event and that he attend them when he was in high school. Mayor Cook announced that she had reappointed Shirley Scott to the school board and also appointed Marcus Smith to the school board for a 3 year term.

Mayor Cook discussed that in previous years there was a Mayors Award given by the Mayor using the funds collected from performing marriages. The state no longer allows a Mayor to charge a fee for performing a wedding so there currently is no money in the budget for the awards. Mr. Arter discussed that he understands that the history of the award money was from the marriage ceremony fees, but that the city cannot give money to the school except for certain projects. Mr. Arter discussed that last year the Division of Local Governments had told him that it was against the law to use the money for the awards. Mr. Newsome inquired as to how much money the awards were for? Mrs. Sheipe believed them to be about \$250. a student for the high school and \$125. for the eighth grade. Mr. Reale explained that he is not aware of any law prohibiting the city from giving award money. Mr. Reale explained that individuals can donate towards the awards and the city could do a dedication by rider to handle the funds. Mr. Reale discussed that the council could do a resolution at the next meeting.

## **COUNCIL REPORTS.**

Mr. Newsome explained that the state has approved the city's budget and it will be on the agenda for adoption on June 9<sup>th</sup>.

Mr. Robertson thanked everyone for the excellent parade.

## **PUBLIC SESSION AND PUBLIC SAFETY.**

Mrs. Russell-Manor Road discussed that in Delanco lesser amounts of money were being given by people for the awards. Mrs. Russell discussed that speeding is again a problem in the city. Cars are speeding down Manor Road. Director Morton will have the officers set up radar again during the rush hours.

Ms. Thompson-Wheatley Avenue discussed that she was under the impression that the only funds given to Palmyra was from the Drug Alliance for post prom parties.

Mrs. Bent-Warren Street thanked Mr. Newsome for the discussion on not setting a precedent with the bills. Mrs. Bent discussed that no one stops for the public at the crosswalk on Warren Street in front of the Methodist Church. Mrs. Bent thanked public works for the certified mulch on the playgrounds.

Mr. Bancroft-Melbourne Avenue discussed that he will donate towards the awards.

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

**EXECUTIVE SESSION. Resolution No. 2009-60** Resolution Setting The Time, Date and Place of An Executive Session From Which The General Public Shall Be Excused For The Discussion Of Contracts, Litigation and Agreements. The resolution was read by title. Mr. Bass made a motion to approve the resolution, Mr. Newsome second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Bass, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins and Council President Crespo.

**NAYES:** None.

**GENERAL SESSION.** City Council returned to public session. Mr. Robertson made a motion to have the solicitor, administrator and construction official take the necessary steps for public safety for 300-304 Broad Street, Mr. Desjardins second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Bass, Mr. Arter, Mr. Hitchner, Mr. Robertson, Mr. Perkins, Mr. Desjardins and Council President Crespo.

**NAYES:** None.

**ADJOURNMENT.** Mr. Bass made a motion to adjourn, Mr. Desjardins second the motion. All members present voted in favor of the motion.