

MINUTES

BEVERLY CITY COMMON COUNCIL Meeting of November 22, 2011 7PM

CALL TO ORDER

Council President Luis Crespo called the Meeting to order at 7:02PM.

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 January 4, 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 the minutes will be on file in the office of the City Clerk.***

FLAG SALUTE

Mr. Crespo led those present in the Flag Salute.

SWEARING IN:

Martin V. Bass, III - 1 Year Unexpired Term

Mr. Bass is absent this evening and will be sworn-in at Council's December 13, 2011 Meeting.

Harold Robertson - Filling 1 Year Unexpired Term vacated by Mr. Bass.

Mr. Robertson was sworn-in by Mayor Cook, with the Bible held by Council Member Scott Williams.

ROLL CALL

Present:

Council President: Luis Crespo.

Council Members: Scott Williams, Hal Robertson, Alfred Desjardins, Barbara Kelly, Mayor Gail G. Cook.

Solicitor: Albert K. Marmero.

Engineer: Bill Kirchner.

Administrator: Ken Gerber, CPM

Municipal Clerk: Donna Snyder, RMC/CPM

Absent:

Council Members: Martin Bass and Brian Perkins.

MINUTES

All will be completed and submitted for approval by Council's 12/27/11 meeting.

PRESENTATION - 7:07PM

Mr. Spencer Broad - Colonial Life Insurance: Discussion/review of Chapter 78/Cafeteria Plan.

Mr. Broad completed his presentation and responded to all questions from Council as well as the audience. Upon Attorney review of the documents, Council decided to move forward with Colonial Life's Chapter 78/Cafeteria Plan for approval of finalized agreement at Council's December 13, 2011 Meeting, with a Motion by Robertson; Second by Kelly. Roll Call Vote - All Ayes, except Bass and Perkins-Absent. Motion Carried.

DISCUSSION - 7:20PM

Mr. Michael Reese - Beverly/Edgewater Park Emergency Squad

Deputy Chief Reese along with Acting Treasurer John Fine gave an update on the Squad's revamping. They stated that a Letter for Funding along with their Audit for 2010 had already been submitted to Council for consideration. They stated that announcement had gone out for the next Chief and Staff to be had by December 5, 2011 and at that time they will have Volunteers with trucks on the street. By mid-January 2012 a full redo shall be completed. They are working according to plan relative to putting new procedures, policies and technologies in place. They also made a correction to a newspaper article and wanted to make it very clear that the Squad shut themselves down, not the State.

Council praised the efforts of the team that took charge for the Squad's reorganization, noting that they remain on task according to their timelines and are doing an outstanding job for a much organizationally improved Squad to assist the residents of Beverly and the surrounding communities. Mr. Fine said that they would keep Council updated as they progressed.

RESOLUTIONS

RESOLUTION 2011-256

A Resolution of the Common Council of the City of Beverly authorizing Cancellation of Outstanding Checks. Motion to Approve by Robertson; Second by Desjardins. Roll Call Vote - All Ayes, except Bass and Perkins-Absent. Motion Carried.

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CONSENT AGENDA: *Resolutions 2011-257 through and including Resolution 2011-259 will be done by Consent Agenda, noting that required Safety Training will be given prior to new employees going on the road. There is a 60-day Probationary Period for new employees. These Public Works new hires will be CWA employees, falling under all rules consistent with CWA. Hours will be averaged and set.

***RESOLUTION 2011-257**

A Resolution of the Common Council of the City of Beverly authorizing the hire of Bret Williams as On-Call, Part-time, Seasonal Public Works employee effective upon Background Check clearance

***RESOLUTION 2011-258**

A Resolution of the Common Council of the City of Beverly authorizing the hire of William M. Ciechanowski as Part-time, Seasonal Public Works employee effective upon Background Check clearance.

***RESOLUTION 2011-259**

A Resolution of the Common Council of the City of Beverly authorizing the hire of Patrick S. Conrey as Part-time, Seasonal Public Works employee effective upon Background Check clearance.

***Relative to the above CONSENT AGENDA: Motion to Approve Resolutions 2011-257 through and including Resolution 2011-259 made by Robertson; Second Williams. Roll Call Vote - All Ayes, except Bass and Perkins-Absent. Motion Carried.**

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RESOLUTION 2011-260

A Resolution of the Common Council of the City of Beverly authorizing payout for Change Order #1/Pay Estimate #2 in the amount of \$20,365.00 to Landberg Construction, POB 280, Mays Landing, NJ 08330, per review and recommendation by Beverly City Engineers, Environmental Resolutions, Inc. Motion to Approve by Williams; Second by Kelly. Roll Call Vote - All Ayes, except Bass and Perkins-Absent. Motion Carried.

RESOLUTION 2011-261

A Resolution of the Common Council of the City of Beverly authorizing Environmental Resolutions, Inc. to move forward with additional soil testing in the contained area of the City's UST removal, in an amount not to exceed \$6,000.00. Motion to Approve by Kelly; Second by Robertson. Roll Call Vote - All Ayes, except Bass and Perkins-Absent. Motion Carried.

BILLS LIST

The 11/22/11 Bills List was reviewed with Motion to Approve by Robertson; Second by Desjardins. Roll Call Vote - All Ayes, except Bass and Perkins-Absent. Motion Carried.

CORRESPONDENCE

Unless otherwise noted, all Correspondence is reviewed by Council and filed accordingly.

Mayor Cook read the following statements for Correspondence into the Minutes:

1. **Palmyra High School** - 2012 Graduation Awards - Request for Continuation. The Mayor noted that these Awards given by the City each year are done with donations from Council Members only.
2. **Catholic Charities** - Request for \$70/per client served x 4 = \$280.00. This request is still on hold for review.
3. **Resident Elizabeth Stellwag** - Regarding Road Work on Pine Street.
4. **JIF** - Elected Officials Seminar - See attached schedule.
5. **NJSLOM** - Newly Elected Officials Seminars - See attached schedule.
6. **NJDEP** - NJPDES Permit Program 2012 Annual Fee Report and Assessment of Fees Public Hearing information.
7. **NJSLOM** - November 2011 Legislative Bulletin
8. **NJ American Water** - Petition for Rate Increase; Public Hearing scheduled December 6, 2011 - See attached.
9. **Reminder:** Holiday Trash and Recycling Schedule: Pickup on 11/25/2011.
10. **Reminder:** "Meals of Love" Thanksgiving Dinner, 11/24/11, 1PM at the Beverly United Methodist Church, 133 Warren Street.

Note that all Correspondence is on file in the Clerk's Office for review.

COMMENTS/REPORTS

ADMINISTRATOR

Mr. Gerber reported that the ADA Project is moving forward. During this period, the Police Department will be housed in the former Court area; Council and Planning Board Meetings will be held at the Beverly Housing Authority Building at 101 Magnolia Street in Beverly; Municipal Court sessions will be held either in Delanco or Edgewater Park. Everything will be advertised and posted as soon as confirmations are received.

With the ongoing renovations and having to move the Public Works shop, thoughts were given to renting a 40' trailer at \$75.00 per month plus \$50.00 for delivery and pickup. This would just be one option.

Relative to the City's underground storage tank removal, the contractor is digging the area and replacing dirt in some other areas. There is additional testing that needs to be completed as well.

SOLICITOR

Mr. Marmero reported that relative to the last FOP Meeting, it appears that the Police Committee has finalized the contract for the next three years. This will go from the Police Committee to Council, and then be forwarded to the FOP for signatures, etc. The Solicitor then stated that he has other comments reserved for Executive Session.

ENGINEER

Mr. Kirchner stated that relative to the UST removal, we have to define how much/type of contamination we would be talking about. Additional testing needs to be done. Worst case dollar amount would be not to exceed \$5,000.00 - \$6,000.00. Excavation would be within the next two-to-three weeks, but authorization is needed now.

Mr. Kirchner also mentioned that he had contacted the County regarding the six-foot area that property owner Mr. Loy Ellsworth had been speaking about, and they are about to cover that.

COUNCIL MEMBERS

Mayor Cook informed everyone that the Veteran's Day remembrance ceremony at the cemetery went very well even though the weather was bitter cold. She also again reminded everyone that notice will go to the paper regarding Council's temporary relocation during renovations.

Hal Robertson stated that work on derelict properties is in progress as stated by the Administrator. Council is receiving a paper report on a monthly basis. The part-time Public Works new hires will be aiding in getting cleanup completed.

Barbara Kelly, as Chair of the Public Relations Committee, reminded everyone about the Holiday Celebration to take place at City Hall on December 9, 2011 at 6PM. A meeting is scheduled for Wednesday, November 30 for Volunteers. Additionally, she stated that she's still looking for a "Santa". Also, as construction is ongoing at City Hall, that area will be fenced off and our Front Entrance will be used.

Al Desjardins gave a sincere thanks to Council for supporting the Squad and their efforts.

CLERK

No comment at this time.

PUBLIC COMMENT: 8:40PM

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/Property Owners Amy Bent and Quincy Leith relative to explanation on several Bill List items; Leaf pickup schedule; fixing potholes and bad road areas; Reval update; Request for a street light at an area on Lee Street.

There being no further comments, Public Session was closed and **Motion to go into Executive Session** at 8:47PM was made by Robertson; Second by Williams. All in Favor. Motion Carried.

EXECUTIVE SESSION

Resolution 2011-262:

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.

Council moved back into Open Session at 9:06PM.

ACTION AFTER EXECUTIVE SESSION: YES____ (See below) NO__X__

ADJOURNMENT

There being no further business, Motion to Adjourn at 9:07PM was made by Robertson; Second by Kelly. All in Favor. Motion Carried.

Respectfully submitted,

Donna Snyder, RMC/CMR/CPM

Date

APPROVED:

Council President Luis Crespo

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.

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

Most recent Annual Financial Statements and Audits.

Notifications for Solicitation of Bids and RFP's.

Employee Contact Information.

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

2. Is your municipality's computer information backed up regularly, pursuant to a written backup policy and is data stored offsite.

NOTE: Offsite Backup contracted with Networks Plus. Policy in progress.

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

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).

****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.