

MINUTES

BEVERLY CITY COMMON COUNCIL

Meeting of November 8, 2012

7PM

CALL TO ORDER

Council President Crespo called the meeting to order at 7:10PM.

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. **Additional Notice of change in meeting location back to City Hall was so Noticed to THE BURLINGTON COUNTY TIMES on June 22, 2012; published in the same paper on June 24, 2012; and so posted. Notice of change in meeting date from November 13, 2012 to November 8, 2012 was advertised in THE BURLINGTON COUNTY TIMES on October 22, 2012 and was Noticed to the CAMDEN COURIER POST same, and was so posted. 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

Present:

Council President: Luis Crespo

Council Members: Brian Perkins, Hal Robertson, Robert Thibault

Solicitor: Albert K. Marmero

Administrator: Ken Gerber, CPM

Municipal Clerk: Donna Snyder, RMC/CMR/CPM

Absent:

Mayor: Randy H. Miller

Council Member: Barbara Kelly

Engineer: William H. Kirchner (Attendance not required-No Engineering issues.)

MINUTES

The Regular Council Meeting Minutes of October 23, 2012 were Approved with a Motion by Thibault, Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

The Executive Session Minutes of October 23, 2012 were Approved with a Motion by Thibault, Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

BILLS LIST

The Bills List of November 8, 2012 was moved to the end of the Resolution Section of the Agenda to accommodate inclusion of same for voting.

RESOLUTIONS

RESOLUTION 2012-254

A Resolution authorizing year-end payment in lieu of Employee Medical/Dental Insurance, in the set annual amount of \$1,040.50 as provided by the City of Beverly and in accordance with the Beverly City Employee Handbook and in compliance with the current CWA Contractual Agreement, for the following employees who are covered by their own Insurance, and have provided the required documentation for same. These payments are made with Certification of Funds by the Beverly City CFO.

Donna F. Snyder	-	\$1,040.50
Kenneth C. Gerber	-	\$1,040.50

Upon discussion relative to the savings incurred by the City, Motion to Approve was made by Thibault, Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-255

A Resolution authorizing payback for 40 hours of prior accumulated Vacation Time to the employees as listed below, in the amounts as stipulated, and as provided for in the Beverly City Employee Handbook and the current CWA Contractual Agreement, payable at the first pay period of December 2012. These payments are made with Certification of Funds by the Beverly City CFO.

Kenneth C. Gerber	\$33.65/hr. x 31 hrs.	\$1,043.15
Dorothea M. Jones	\$22.97/hr. x 40 hrs.	\$ 918.80
Sheldon Merritt	\$14.34/hr. x 40 hrs.	\$ 573.58
Daniel Schoen	\$19.01/hr. x 40 hrs.	\$ 760.55
Donna F. Snyder	\$26.44/hr. x 40 hrs.	\$1,057.60

Motion to Approve by Thibault, Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-256

A Resolution authorizing advanced Vacation Pay, in accordance with the requirements of the Beverly City Employee Handbook, Page 50, to Kenneth C. Gerber, Director of Public Safety/Administrator, and further requesting said payment on December 4, 2012 as a separate paycheck, vacation being taken December 3 through and including December 14, 2012. This payment is made with Certification of Funds by the Beverly City CFO. Motion to Approve by Thibault, Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-257

A Resolution authorizing the request for carry-over of 144 Vacation hours into 2013 for Donna F. Snyder, RMC/CMR/CPM, Beverly City Municipal Clerk/Registrar/JIF Claims Coordinator/JIF Safety Coordinator, in compliance with written request requirement per Beverly City Employee Handbook, Page 30, Section B. Carry-over is requested due to limited staffing and volume of workload. Motion to Approve by Thibault, Second by Perkins. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-258

A Resolution authorizing payment of \$1,500.00 to Beverly City employee Daniel Schoen as partial satisfaction of the Judgment in the matter known as "Daniel Schoen V. City of Beverly". This payment is made with Certification of Funds by the Beverly City CFO. Motion to Approve by Thibault, Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2012-259

A Resolution authorizing a Disabled Parking Space at 511 Warren Street (corner of Locust and Warren-space actually on Locust), all required documentation being submitted and inspection of site completed by the Director of Public Safety. Motion to Approve by Title Only, pending the Administrator contacting the Engineer for verification of compliance with current Traffic rules and regulations, made by Thibault, Second by Robertson. Roll Call Vote - All Ayes. Motion Carried.

In correlation with Resolution 2012-259, the following Ordinance is placed on the Agenda by Title, pending Engineering input:

ORDINANCE 2012-11

An Ordinance of the Common Council of the City of Beverly regarding parking on Locust Street, and restricting parking to only the West Side of Locust throughout the 300 Block. Said Ordinance will come before

Council at their meeting on December 11, 2012 at 7PM at City Hall for Second Reading/Public Hearing, at which time all those wishing to be heard on same will be so heard. Copies of said Ordinance are available in the office of the Municipal Clerk, 446 Broad Street, Beverly, NJ 08010 during regular business hours M-F, 9A-5P. Motion to Approve on First Reading/Introduction by Thibault, Second by Perkins. Roll Call Vote - All Ayes, except Robertson-Abstain. Motion Carried.

RESOLUTION 2012-260

A Resolution authorizing Discharge of Mortgage on Beverly City property known as 231 Walnut Street, Block 1057/Lot 8, conditioned upon all appropriate documentation being received and processed. Motion to Approve by Robertson, Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

NEW BUSINESS

Ms. Snyder advised the following: The League of Municipalities Conference cancelled due to effects of Hurricane Sandy. All Room reservations have been cancelled and municipalities will be contacted regarding dates for refunds on same. State Registrar classes which were to be held all day on Tuesday, November 13, will now be rescheduled for January/February 2013. Municipal Registrars will be advised of the timing for same.

OLD BUSINESS

None at this time.

CORRESPONDENCE

In the absence of Mayor Miller, Correspondence as follows was read by Ms. Snyder, and will be processed/filed accordingly in the office of the Municipal Clerk:

The League of Municipalities "Budget Update Sessions" have been set. See the Clerk for Registration information.

A 200' Notice was received from Edgewater Park Land Use Department regarding application by the Greater Victory Ministries for use of a portion of the premises as a house of worship at the Park Plaza Shopping Center, 4313 S. Rte. 130, Edgewater Park. The change is a permitted Conditional Use in the zone. Public Hearing will be held 11/15/12 at 7PM at the Edgewater Park Municipal Facility.

The United Way sign-up sheets for contribution are available in the Clerk's office. This can be done through Payroll deduction or a one-time contribution.

COMMENTS/REPORTS**ADMINISTRATOR**

Mr. Gerber thanked all Emergency Management Staff and Volunteers who worked through Hurricane Sandy. The City had some trees and wires down, but Edgewater Park took most of the hit. Per FEMA request, all local businesses were called re losses suffered, and our initial report has been sent to FEMA. The netting on top of the Leaf Vac needs replacing. We received a quote of \$1,400 however our Shared Services Agreement with Willingboro Township re Maintenance/Repair will save the City approximately \$800 as they will do the repair for \$600. The City's Housing Inspections also fall under a Shared Services Agreement with Willingboro. A new Inspector will be assigned shortly.

SOLICITOR

Mr. Marmero advised that he felt it would be beneficial to meet unofficially with the three newly elected Council Members who will take office in January 2013 to update them on Executive Items. They would sign a Confidentiality Statement, and the meeting would be with them, Administrator Gerber and Mr. Marmero. There is no requirement to advertise said meeting as the individuals are not yet sworn in Council Members. A date will be coordinated and advised.

ENGINEER - Attendance not required at this meeting.**COUNCIL MEMBERS**

Mr. Thibault asked about current Police staffing. It was reported that two out of the three out were back, with the third returning to work on Friday. Mr. Thibault stated that he stopped by the Fire House during Hurricane Sandy And that all were handling the emergency well. He stated that several residents had asked why nothing was up on the City Website about the Hurricane status. Mr. Gerber responded by stating that Emergency Management was handling everything through "Robo Calls" and that it was felt it should be left at that for the most current information.

Mr. Robertson reported that the new "Blue Carts" for recycling were being assembled on Monday, 11/26, and would be delivered on Tuesday, 11/27. The week of 11/19, "Door Hangers" were to be delivered to the City for distribution to applicable residences informing them of delivery. All were reminded that the Carts go with the property. He also advised that the dangling "shoes" were to be removed from the high wires by PSE&G.

CLERK

To better meet time constraints due to scheduled Council meeting dates and the State approval waiting period, Ms. Snyder requested authorization from Council, as is legally permissible, to have Bingo and Raffle Applications approved and submitted to the State by the Municipal Clerk in accordance with Legalized Games of Chance rules and regulations. Motion to Approve by Thibault; Second by Robertson. All in Favor. Motion Carried.

PUBLIC COMMENT - 7:59PM

*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 Ms. Bent, Mr. Schwedes, Ms. Thompson, and Mr. Atkinson relative to trash can removal from streets; the Leaf Pickup schedule; the Air Conditioner that remains in the City Hall parking lot area; the Tax Collector's report; "Blue Carts" for paper/cardboard now-"Single Stream" to be advised probably the first half of 2013; the possibility of the new carts being stolen and who is responsible financially for replacement; upcoming changes in the Housing Ordinance to reflect that the carts go "with the property"; Settlement payment amount re Dan Schoen.

There being no further Public Comment, Motion for Executive Session was made at 8:15PM by Thibault; Second by Perkins. All in Favor. Motion Carried.

EXECUTIVE SESSION

Resolution 2012-261:

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 AFTER EXECUTIVE SESSION: YES____ (See below) NO X____

ADJOURNMENT

There being no further business, Motion to Adjourn was made at 8:28PM by Thibault and Seconded by Robertson. All In Favor - Aye. Motion Carried.

Respectfully submitted,

Donna F. Snyder, RMC/CMR/CPM

Date

APPROVED:

Randy H. Miller, Mayor

Date

Governor's Best Practices Toolbox-2012:

"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 & Medicare 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.