

MINUTES

CITY OF BEVERLY

NOVEMBER 23, 2004

CALL TO ORDER. The regular meeting of the Common Council of the City of Beverly was called to order at 7:30pm, by Council President Bancroft on Tuesday, November 23, 2004, 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: Mr. Newsome, Dr. Cook, Ms. Kinniebrew, Mr. Krzykalski, Mrs. Richards, Council President Bancroft, Mayor Lowden (arrived late), Solicitor William Kearns, Director of Public Safety Mike Morton and Municipal Clerk/Administrator Barbara Sheipe.

ABSENT: Mr. Wolbert, Ms. Gillette, Mrs. Setikas.

MINUTES. Mrs. Richards made a motion to approve the minutes of November 9, 2004. Dr. Cook second the motion. All members approved the motion.

PUBLIC SAFETY.

No one from the public spoke.

COORESPONDENCE.

Letter from DCA-2004 Public Facilities Grant-Council President Bancroft read the letter from DCA explaining that the city did not meet the qualifications for the 2004 Public Facilities Grant.

Letter from the Thompson's, Wheatley Avenue requesting that stop signs be placed on the intersection of Putnam and Wheatley. The law and ordinance committee chaired by Mrs. Richards will review the matter.

OLD BUSINESS.

ORDINANCE ON SECOND READING.

Ordinance No. 2004-13, An Ordinance of the Common Council Of The City Of Beverly For Regional Contribution Agreement For Salary Year 2005. The ordinance was read by title. Mrs. Richards made a motion to open the public hearing on the ordinance, Mr. Newsome second the motion. All members voted in

favor of the motion. No one from the public wish to be heard on the ordinance. Mrs. Richards made a motion to close the public hearing, Mr. Newsome second the motion. Mrs. Richards moved to adopt Ordinance No. 2004-13 on second and final reading. Mr. Newsome second the motion. At the call of the roll, the vote was:

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

NAYES: None. The ordinance was adopted on second and final reading and will take effective twenty days after publication.

Ordinance no. 2004-14, An Ordinance Of The City Of Beverly o Amend Chapter XI Traffic Section 11-2.3 Parking Time Limited (Municipal Lot).

Mrs. Richards made a motion to open the public hearing on the ordinance, Mr. Krzykalski second the motion. All members voted in favor of the motion.

Mary McCloskey-F & M Liquors discussed that it was a shock to her to hear that the city wanted to make the municipal lot no overnight parking. She has been at the location for 48 years and that it would be a hardship for her to have no overnight parking or limited time parking. The customers do not park in the lot because they do not feel safe. There is too much drug activity in the area near the lot and customers prefer to park on the street to stay safe. The employees and the residents park in the lot so that the parking spaces on the street are free for customers. Council President Bancroft explained that the city has no place for people coming to the city to park and that the municipal lot is needed for public parking.

Marie-245 Warren Street discussed that making the residents park on the side streets is not the way. Could the residents get a permit to park in the lot? People do not feel safe in the area and are afraid that their cars will be vandalize if parked on the street.

Deb Dudley-311 Cooper Street explained that she lives there and that she needs to park in the lot because she does not want to have her children near the drug activity on the street. She does not feel safe near the drug dealers. City Council should give residents permits to park in the lot if they want to control the parking.

James Stewart-311B Warren Street discussed that it is a safety issue and that he feels walking on the streets in that area is not safe due to the drug dealings. He is worried about cars being on the street. All the neighbors watch out their windows over the cars in the lot.

Mary McCloskey inquired as to what the lot would be used for since there is no businesses downtown. There are drugs and gangs hanging in the back of the lot and customers do not want to walk past them.

Dr. Cook inquired as to how many cars fit in the lot? Mr. Stewart stated that there are four tenants that park there and the employees for the restaurant, the checking cashing store and the liquor store.

Mrs. McCloskey discussed that the city needs to take care of the drug problem on Third Street and place more lights in the lot before changing the parking.

Trudi Desjardins-529 Melbourne Ave inquired as to why no one from the public brought up the drug problem when they had the opportunity to speak to Director Morton?

Mr. Stewart explained that he was not used to coming to city council meetings and did not know that he could speak about the drug problems in the beginning of the meeting. He was not sure what public safety questions meant.

Mr. Krzykalski discussed that the drugs and kids are a problem all over the city and that the parking lot has been discussed at council for the last few months. Residents need to attend the meetings so they are aware of what is going on. Mr. Krzykalski made a motion to table the ordinance for further review of permit parking.

Deb Dudley inquired as to what the police department is doing about the criminal activity on Third Street and Cooper Street? Director Morton explained that people are coming o court from that area and that the juveniles are going to county court.

Mrs. McCloskey explained that people are afraid to call for fear of repercussions. Director Morton explained that you do not have to give your name when calling in drug activity and that the police department needs residents to call when they see something going on.

Marie-Warren Street explained that when a patrol car is coming the dealers know and spread out. The patrol cars drive by and see only groups of people standing around and do not stop to investigate. She is also concern about the graffiti on the stores and the look of the city.

Mrs. McCloskey explained that she sweeps the sidewalk and cleans up the trash around the liquor store everyday. Owners of other buildings in the area near to be made to clean up their properties as well. Council President Bancroft explained that the city has made several owners appear in court for not maintaining their properties.

Mr. Krzykalski suggested that residents take pictures of the criminal activity and that they call the police as soon as they see something.

Mrs. Richards made a motion to close the public hearing, Dr. Cook second the motion.

Mr. Krzykalski moved to table Ordinance No. 2004-14. Dr. Cook second the motion. At the call of the roll, the vote was:

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

NAYES: None. The ordinance was tabled.

NEW BUSINESS. Items A through E 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. 2004-108, Resolution Directing The Distribution Of The City Of Beverly Net Returned Surplus Funds Held In Trust By The Burlington County Municipal Joint Insurance Fund.
- B. Resolution No. 2004-109, Resolution Authorizing A Refund (Beverly Fire Co. #1).
- C. Resolution No. 2004-110, Resolution Authorizing Transfers Among 2004 Budget Appropriations.
- D. Application for Raffle License-Knights of Columbus.
- E. Treasurer's Report.

Mrs. Richards moved to approve the consent agenda, Dr. Cook second the motion. At the call of the roll, the vote was:

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

NAYES: None.

ABSTAIN: Mr. Newsome abstain from the application for raffle licenses, Mrs. Richards abstain from Resolution No. 2004-109.

- F. Resolution No. 2004-111, Resolution Awarding The Railroad Avenue and Cherry Street Improvement Project.

William Kirchner, Environmental Engineers explained that when the bids came in for the project, they were higher than the budget amount. He applied to the state in the city's behalf for more funding. The DOT gave the city an additional \$24,000, which was enough to cover the base bid and the engineer's bills. There was an alternative to the bid to finish Cherry Street, but there is not money in the budget. The City Council would have to spend \$8,107.75 of the city's money to cover the alternative bid. Mrs. Richards explained that there is only one resident on that section of Cherry Street and that the city does not have \$8100. in the budget. Ms. Kinniebrew inquired as to why only two bids were received? Mr. Kirchner explained that more bid packages were sent out, but because there are a lot of larger road project going on, the city only received two bids for the work. Council President Bancroft explained that the contractor is willing to hold the price at the current bid level until the spring. Mr. Krzykalski discussed that the price of asphalt will rise with the economic so the city should lock in the bid now.

Mrs. Richards made a motion to approve Resolution No. 2004-111, Mr. Newsome second the motion. At the call of the roll, the vote was:

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

NAYES: None

G. Payment of Bills.

Mrs. Richards made a motion to approve the payment of the bills. Mr. Newsome second the motion. Item 31 the bill for the league of municipalities was pulled from the bill list and will be paid in 2005. At the call of the roll, the vote was:

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

NAYES: None

SOLICITOR'S REPORT.

MAYOR'S REPORT.

COUNCIL REPORTS

Mr. Newsome thanked the public for their comments on the parking ordinance and that it was a good decision to table the ordinance until more details with permits could be worked out.

Dr. Cook discussed that she was pleased that the community spoke about the parking ordinance and that council always welcomes the resident's input. Dr. Cook had attended Delanco's dedication to their new municipal building and that Delanco should be proud of their accomplishment. Dr. Cook discussed that cancer-screening program will be done from virtual Hospital and that she is looking into having seminars in the community. The Clean Communities program cleaned up the area around Bridge and Warren Street and that there were a lot of people just hanging out. Dr. Cook talked to a few of the people hanging out and they joined in the clean up. The residents helped wash off the sidewalks and haul heavy trash out. Dr. Cook would like to incorporate adults into the Clean Communities program. Everyone enjoyed a pizza party after the clean up. Dr. Cook is always looking for volunteers to help mentor the children in the program. The Clean Communities is a positive program for the city.

Mary from Warren Street discussed that the kids help clean up and that is wonderful to see the children involved. She discussed that if she needs help the drug dealers always lend a helping hand. They help take the trash out and move or unload heavy items.

Mr. Krzykalski would like to attend the seminar being offered by PSE & Gas on December 13 at Mercer County Community College. The seminar is on the Principles of Effective Municipal Economic Development. The cost is \$100. Dr. Cook discussed that she would like to attend as well. Council President Bancroft discussed that the city does encourage council members to attend seminars that benefit the city. Mrs. Richard made a motion to approve the \$100. registration fee, Mr. Newsome second the motion. All members voted in favor.

Mrs. Richards remind everyone of the Dec. 1st emergency management meeting. Mrs. Richards would like to introduce the ordinance on snow removal for first reading at this meeting. Ms. Kinniebrew discussed what the residents who have no front yard would do with their vehicle. Mrs. Richards suggested that the city allow the cars to be park in the city lots and parks during the snow removal time. Ms. Kinniebrew inquired as to how the lot would be plowed if cars are parked in it and how would residents get their cars out of the park after the snow. Mr. Krzykalski discussed that some residents would have to walk five blocks or more to park their cars. Mr. Kearns suggested that the ordinance be amended to have only notices issued instead of tickets until March 5 to allow the residents time to adjust to the new ordinance and also to include in the ordinance that there is parking available in the parks. Mrs. Richards discuss that this ordinance is needed to control the cost of the overtime for public works during snow removal. Mr. Krzykalski discussed that there are a lot of issues with the snow removal ordinance and that it is creating more parking issues. Ms. Kinniebrew inquired about the senior citizens and that they would not be able to walk to a park. Will exceptions be made? Mr. Kearns discussed that it always the opinion of the officer about the case by case. If the city feels that it is a burden on the residents, they can amend the ordinance.

Ordinance No. 2004-15, An Ordinance Providing For Emergency Parking Regulations And Providing For The Removal Of Vehicles From The Streets Of The City Of Beverly During Snow Storms And Permitting The Temporary Parking Of Vehicles On Unpaved Portions Of Properties During Snow Storms. The ordinance was read by title. Mrs. Richards made a motion to approve Ordinance No. 2004-15 on first reading. Ms. Kinniebrew second the motion. All members present voted in favor the ordinance will be heard on second reading at the December 14 meeting.

Council President Bancroft remind everyone that the elected officials dinner with the JIF was on November 30 at 6pm in Hainesport.

PUBLIC SESSION.

Beverly Haaf- 124 Riverbank inquired if under the discussion of the municipal lot the members of the audience were inferring that the same dealers that scare away their customers are also nice to them and help them. Mrs. Richards explained that the dealers that are residents are helpful but not the clientele that they bring in form other others.

Jeff Williams-128 Railroad discussed with council that his street is becoming a problem with parking due to the light rail. People using the light rail park along the street instead of using the lot across the racks because it is more convenient for them. Also many residents do not know that there is a lot across the street, there is no signage directing them. Mrs. Richards suggested contacting the light rail to have them place more signage. Mr. Newsome discussed that he has seen the parking problems and that several residents have complain. Mr. Newsome suggest a sign be place that states that light rail passengers vehicle must park in the lot. Mr. Kearns informed council that the sign would be enforceable since there was no ordinance governing the sign. Mr. Williams discussed that a dozen cars a day park on the street and leave behind their trash or blast their music. Dr. Cook inquired if the city could do residential parking on Railroad and Elizabeth for the residents. Mr. Krzykalski discussed that several communities have residential parking with permits due to the heavy volume of cars. Mr. Krzykalski discussed that this is another reason to control rentals. They add more vehicles on the street than a normal household. Mr. Kearns discuss sending a flyer to the various homes on Railroad and Elizabeth and asking them their opinion of residential permits. The residents can discuss what option they would like and if all of them want residential parking. There are several options that the council can look at for residential parking. You can have permits for certain days or time or for 24 hours a day. There is an option of guest passes also. Mr. Williams also inquired about the holes on Railroad Avenue and Elizabeth Street. There are problems with the drain on the corner and it overflows during heavy rains. Council President Bancroft explained that the city has applied for a grant to correct the drainage in the area and that they are awaiting word on the funding.

Diane Marshall-644 Cooper Street inquired if the city received the grant for the drainage? Mr. Kirchner explained that the drainage would be done in 2005 and than the city would apply for another grant form DOT in 2006 for the paving. Mrs. Marshall discussed that the buses cannot make the turn on Elizabeth due to the parking of the cars too close to the corner. Also she has a sign that says do not block driveway that needs to be replaced. There are people and buses that constantly park in front of the driveway. Mrs. Richards explained that the sign is not governed by an ordinance. Director Morton requested that when the driveway is blocked that the police department be called because there is a state statue that regulates the issue. The person can be issued a ticket. Mr. Krzykalski explained that it is also a DEP violation to let vehicles idle.

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

Mrs. Richards made a motion to go into executive session for the discussion of personnel matters. Dr. Cook second the motion. All members voted in favor.

Common Council returned to public session, no formal action was taken.

ADJOURNMENT. Mrs. Richards made a motion to adjourn, Mr. Newsome second the motion. All members were in favor.

Submitted by,

**Barbara A. Sheipe RMC
Municipal Clerk**