

MINUTES

CITY OF BEVERLY

OCTOBER 26, 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, October 26, 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. Wolbert, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mrs. Richards, Mrs. Setikas, Council President Bancroft, Mayor Lowden, Solicitor William Kearns, Director of Public Safety Mike Morton and Municipal Clerk/Administrator Barbara Sheipe.

ABSENT: Ms. Gillette.

MINUTES. Mrs. Richards made a motion to approve the minutes of October 12, 2004. Mrs. Setikas second the motion. All members approved the motion.

PUBLIC SAFETY.

D. Astemborski-420 Lee Avenue inquired about what is being done to help control the vandalizes and graffiti that is occurring on Cooper Street. Last week an 8-year-old child wrote on the windows and also windows in the downtown area have been broken. Director Morton explained that the juveniles are turned over to the county court system and that the city is rarely given restitution for their crimes.

Andrew Stoe-98 Pine Street inquired about Mischief Night? Director Morton explained that the entire department will be on duty and that the City of Beverly has had very little trouble the last several years on mischief night. Mayor Lowden explained that he couldn't remember the last time that the city had a major incident occur on mischief night.

John Haaf-Riverbank thanked Director Morton for responding to his questions from a previous matter quickly.

COORESPONDENCE.

Common Council of the City of Beverly received a letter from John Haaf requesting that his name be considered for the position of Deputy Tax Collector. The City council accept Mr. Haaf's letter.

W. A. Cortright Jr. Post 115 sent a letter to the City of Beverly and to Edgewater Park Township Council to express their sorrow that they will be unable to conduct or sponsor the annual Memorial Day parade this year due to declining membership and increasing age and physical inabilities. City Council will work with the Edgewater Park recreation committee to continue the tradition of the Memorial Day parade.

OLD BUSINESS.

ORDINANCE ON SECOND READING.

Ordinance No. 2004-12, An Ordinance Of The Common Council Of The City Of Beverly For Non-Union Employees For Salary Years 2004-2005. The ordinance was read by title. Mrs. Richards made a motion to open the public hearing on the ordinance, Mr. Williams 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. Wolbert second the motion. All members present voted in favor. Mrs. Richards moved to adopt Ordinance No. 2004-12 on second and final reading. Mrs. Setikas second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Dr. Cook, Mr. Williams, Mr. Krzykalski, Mrs. Setikas, 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.

NEW BUSINESS. Items A through C 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. 2004-106**, Resolution of the Common Council of the City of Beverly Adopting The Buckle Up South Jersey, 2004 Project.
- B. **Resolution No. 2004-107**, Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 1071 Detweiler Avenue.
- C. **Treasurer's Report.**

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

AYES: Mr. Wolbert, Mr. Newsome, Dr. Cook, Mr. Williams, Mr. Krzykalski, Mrs. Setikas, Mrs. Richards and Council President Bancroft.

NAYES: None.

D.Payment of Bills. Mr. Wolbert moved to approve the bills, Mrs. Richards second the motion.

At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Dr. Cook, Mr. Williams, Mr. Krzykalski, Mrs. Setikas, Mrs. Richards and Council President Bancroft.

NAYES: None.

SOLICITOR'S REPORT.

MAYOR'S REPORT.

Mayor Lowden announced that a copy of the Emergency Management Plan for Beverly/Edgewater Park was available for review in the mayor's office and that there would be an emergency management meeting at city hall in the Mayor's office on December 1st at 7pm. Mayor Lowden discussed that he agreed with the salary ordinance and that it was for the 2005 year also. The Mayor thanked Mr. Wolbert for the finance committee's early start on the budget process. Mayor Lowden discussed a letter that the city had received from Department of Community Affairs informing the city that there was grant money available for Greyfield's. The state defines Greyfield's as previously developed, economically underutilized properties with mixed-use development potential located in an urban area, on a highway corridor or in an inner-suburb ring. There are four grants state wide available to use for planning purposes. City Council will have the city engineer take a look at applying for the grant. Mayor Lowden remind everyone to go vote on Election Day.

COUNCIL REPORTS

Mr. Wolbert welcome everyone to the meeting. The planning board continued the application of BCCAP for their property on Broad Street due to their lack of proper notification to the newspapers and property owners. Also at the planning board the application of Hall's bus service for Cooper Street was continue until the December 15 meeting at the request of the applicant's attorney. Mr. Wolbert explained the new treasurer's report that he handed out to council and that this report would take affect in January. This will allow the department heads to see exactly where their budget stands each month. Mr. Wolbert requested an executive session for the discussion of personnel matters.

Mr. Newsome thanked everyone for coming and welcomed the new members to the public. Mr. Newsome discussed that he had attend a meeting with Habitat for Humanity last Tuesday at city hall. They would like to work further with the city to buy and rehab more properties in the city. Mr. Newsome discussed that he will review each property on a case-by-case basis.

Dr. Cook discussed that she had attend the meeting with Habitat also and that she was in favor of reviewing their request as a case-by-case basis. Dr. Cook discussed that no one will come into the city and take over full control of properties. There are new developers coming into the city and that the city should not rush into any agreement with anyone. Clean Communities program with the children will start

the second week of November. Dr. Cook and Mayor Lowden will be going with Mark Remsa to Rutgers tomorrow to visit with the senior class to review their projects on the waterfront that they have completed.

Mr. Krzykalski discussed that as the chairman of health and safety he is looking into a grant to get bike helmets and car safety seats for the children in the City of Beverly. There is money available from the Division of Highway Safety.

Mrs. Setikas discussed that the library winter market went well. She would like to make the city look better. Mrs. Setikas inquired about what the city could do about people dancing on the roof in back of a property on Warren Street that faces Bridge Street. Mrs. Richards discussed that she has witness this also and that there are children out there too. Director Morton explained that the police department couldn't arrest someone for being on their own roof. Mr. Williams discussed that a roof is not a place to dance or fool around on. Mr. Kearns explained that being on a roof is not against the law and that if a resident wants to watch the stars or dance on their own roof they have the right to do so. It is probably unsafe, but it is not against the law. The owner has the right to post the property that no one is allowed to be on the roof and sign a complaint against anyone is in violation.

Mr. Bancroft thanked everyone for his or her concern and apologized for not attending the meet the candidate's night, but due to illness he was unable to attend.

PUBLIC SESSION.

Janet Lowe-Laurel Street discussed that when a police car drives by and see children on the roof they warn the children to get down, but they do not make them get down. Director Morton explained that the officers can advise the children and parents that it is unsafe to be on the roof and to get down, but there is no law to make them get down. Ms. Lowe discussed that the owner has placed no trespassing signs and that the officers do not enforce them. Mr. Kearns explained that an officer couldn't arrest someone just because that person is on the property. The officer must know who is allowed and who is not. The owner must call and sign a complaint against the person who is trespassing. If no one is allowed on the property than the officer can remove the person by the owner's permission. The owner should notify the individual people that they do not wish to have on their property by letter.

Andrew Stoe-98 Pine Street discussed that as a matter of safety most porch roof is not built to hold the weight of people sitting on them. Mr. Stoe inquired if on the salary ordinance some of the positions held multiple jobs. Mrs. Sheipe explained that most employees hold several titles. Mr. Stoe inquired from Mayor Lowden if the Greyfield grant was for \$50,000? Mayor Lowden explained that there were four grants available upto \$50,000.

John Haaf discussed that he has seen children hanging out the windows in the middle of the day on Bridge and Warren Street. Mr. Haaf discussed that perhaps the school should be notified to see why the children are at home.

Mr. Wilson-116 Cooper Street inquired what could be done about the kids walking down the middle of the street instead of using the sidewalks. Director Morton explained that the officers have started writing tickets to the children and that the word is getting out to walk on the sidewalk. The police department is attempting to control the children walking out in the middle of the street.

Mrs. Wilson discussed that parking is a problem at the corner of Warren and Cooper and also at Broad and Warren. It is difficult to see traffic coming due to park cars. Director Morton explained that signs are being put up for no parking and that resident's run into the post office and leave their cars out front.

Mr. Wilson discussed that Bridge Street needed to be cleaned up. Council President Bancroft explained that city council has been working on Bridge Street for a long time and that it is turning around. The city has cleaned up several properties and the resident's are cleaning up their areas as well. Mayor Lowden explained Habitat for Humanity is looking at a property on Laurel Street to purchase and that it should also help clean up the area.

D. Astemborksi-420 Lee Avenue inquired what the city is doing to attract new business or keep existing businesses? Council President Bancroft discussed that council is working on getting development along the river and the railroad, which should help restart the downtown. The council is constantly attempting to attract new developer and has done several plans to help with planning development. Mayor Lowden discussed that Well's pharmacy on Cooper Street will be closing in April 2005. All of the prescriptions will be transferred to the Rite-Aid in Edgewater Park.

Ms. Wilson-Cooper Street discussed that Domenic's business on Warren Street is nice and that if the liquor store could be made to look that way out front it would improve the city. Mr. Wilson inquired about the Chinese restaurant on the corner of Warren and Cooper. Mr. Bancroft explained that it is supposed to reopen in January and that the owners do work with the police department to keep the trash and loitering to a limit.

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. Mrs. Setikas second the motion. All members voted in favor.

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

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

Submitted by,

**Barbara A. Sheipe RMC
Municipal Clerk**