

## MINUTES

CITY OF BEVERLY

SEPTEMBER 12, 2006

**CALL TO ORDER.** The regular meeting of the Common Council of the City of Beverly was called to order at 7:00pm, by President Bancroft on Tuesday, September 12, 2006, 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, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson, Council President Bancroft, Director of Public Safety Mike Morton, Solicitor William Kearns and Barbara Sheipe, clerk/administrator.

**ABSENT:** Ms. Foerster.

**APPROVAL OF MINUTES.** Mr. Wolbert made a motion to approve the minutes, Dr. Cook second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson and Council President Bancroft.

**NAYES:** None.

### **CORRESPONDENCE.**

- A. **Letter of Appreciation for Police Department.** Mayor Wetherill read a letter thanking Sgt. Pearce, Patrolman Meyers, Patrolman Mickle and Patrolman Dean Allen for their participation in the coverage of the prayer vigil in Riverside on August 20, 2006 from Chief Tursi of Riverside Township.
- B. **Letter of Request.** City Council received a letter of request for the Tiger Scouts of Beverly to adopt Talbot C. Hall Park for cleaning up. Dr. Cook made a motion to allow Tiger Scout Pack 33 to adopt the park, Mr. Wolbert second the motion. All members present voted in favor.
- C. **Proclamation for Constitution Week.** Mayor Wetherill read a proclamation declaring the week of Sept 17, 2006 as Constitution Week.

### **OLD BUSINESS.**

### **ORDINANCE ON FIRST READING.**

- A. **Ordinance No. 2006-13,** An Ordinance To Amend Ordinance No. 2006-1, An Ordinance of the Common Council of the City of Beverly For Non-Union Employees for Salary Years 2006 and 2007. The ordinance was read by title. Mr. Wolbert made a motion

to adopt the ordinance on first reading, Ms. Kinniebrew second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson and Council President Bancroft.

**NAYES:** None. The ordinance was adopted on first reading and will be hear on second and final reading at the council meeting of September 26,2006.

### **NEW BUSINESS.**

Item A through D 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. Mr. Wolbert discussed that 2006-87 and the treasurer's report be removed from the consent agenda and that Resolution 2006-88, the resolution for the municipal alliance grant be added.

A. **Resolution No. 2006-85,** Resolution of the City of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 426-428 Bridge Street, Beverly NJ. 08010.

B. **Resolution No.2006-86,** Resolution To Reappoint Municipal Clerk.

Mr. Wolbert made a motion to approve Resolution No. 2006-85, Resolution No. 2006-86 and Resolution No. 2006-88, Mr. Newsome second the motion. At the call of the roll the vote was:

**AYES:** Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson and Council President Bancroft.

**NAYES:** None.

C. **Resolution No. 2006-87,** Resolution Of Approval for Interlocal Service Agreement Between Burlington County Bridge Commission and City of Beverly. Mr.

Wolbert inquired if Mr. Kearns had reviewed the draft agreement and was comfortable with the changes. Mr. Kearns explained that everything had been changed to his satisfaction. Dr. Cook made a motion to approve the resolution. At the call of the roll, the vote was:

**AYES:** Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson and Council President Bancroft.

**NAYES:** None.

D. **Treasurer's Report.** June and July 2006. Mr. Wolbert Requested that the approval for the reports be held due to some errors in the public works and police figures. There is a difference in some of the figures and the treasurer will be issuing a new report with the corrections. Mr. Wolbert made a motion to hold the reports, Mr. Newsome second the motion. At the call of the roll, the vote was:

**AYES: Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson and Council President Bancroft.**

**NAYES: None.**

**E. Payment of Bills. Mr. Wolbert requested that Line #2 Changed to police other expense and that line 8 be changed to uniform allowance. Mr. Newsome inquired about the escrow accounts and if money was available to pay them. Also if engineering bill was covered by an escrow. Mrs. Sheipe explained that the escrow bills could be approved so that when the money is paid to the city, the treasurer can issue a check without waiting for bill approval. Mr. Wolbert made a motion to approve the bill list, Mr. Newsome second the motion. At the call of the roll, the vote was:**

**AYES: Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson and Council President Bancroft.**

**NAYES: None.**

#### **MAYORS REMARKS.**

Mayor Wetherill discussed that it is nice to return to cooler weather and that her office needs an air conditioner.

#### **SOLICITOR REPORT.**

#### **PUBLIC SAFETY.**

Mr. Newsome discussed that the vehicles are still not waiting for the lights to stop blinking at the train crossings and that some drivers get impatient waiting. Director Morton explained that many tickets have been issued for drivers crossing before the lights have stopped blinking.

Director Morton thanked Janet Lowe for her hard work on National Night Out and that there was a lot of things for the kids as well as the adults. Mr. Wolbert discussed that he had attend Night Out and that Janet did a magnificent job.

#### **WORKSESSION.**

Request for third party lien (RCA). Council President Bancroft explained that a resolution is done to allow residents with the RCA program to refinance their homes for lower interest without paying the city the amount due and that it does not affect the amount of money owed the city. There is a property that is doing a reverse mortgage and would like the city to become the third lien holder; the lien was placed on the property about 4 years ago. Mr. Wolbert inquired if COAH agreed to the third position? Council President Bancroft discussed that they do not have a problem with it as long as the money is recouped by the property if it is sold before the forgivable time is up. Dr. Cook made a motion to approve the third party lien, Ms. Setikas second the motion. At the call of the roll, the vote was:

**AYES: Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson and Council President Bancroft.**

**NAYES: None.**

Request for computer from Emergency Management Coordinator. Alfred Desjardins explained to council that a grant was given for the office of emergency management and that he would like to use some of the money for a computer for the emergency management. Mr. Krzykalski inquired if there is enough in the grant to cover the entire purchase? Mr. Desjardins explained that there is enough money to cover the expense and then some. Dr. Cook made a motion to approve the purchase, Ms. Setikas second the motion. At the call of the roll, the vote was:

**AYES: Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson and Council President Bancroft.**

**NAYES: None.**

### **COUNCIL REPORTS.**

Mr. Wolbert discussed that there had been a meeting with Mr. Newsome, Mrs. Sheipe and Mr. Kearns to discuss the abandon property ordinance and that council would be receiving information to review the material for discussion at the October 10<sup>th</sup> meeting. Mr. Wolbert thanked ACCENT for the hard work at the Gazebo. Also he will be sending out notices to the business owners in the city for the October 19<sup>th</sup> seminar.

Ms. Kinniebrew discussed leaf pick up and stormwater management.

Mr. Newsome reminded everyone that there would be brief presentations on Sept. 13 in Edgewater Park and on Sept. 14 in Beverly for the TOD grants study.

Dr. Cook thanked everyone for coming out and also ACCENT for the work at the Gazebo.

Mr. Robertson discussed that he would like to have a letter sent to the Board of Education requesting them to have their attorney present at their meetings. Mr. Robertson felt that their solicitor should be present so that some of the legal questions the public and school board members have can be answered. Mr. Robertson made a motion to have the letter sent, Mr. Wolbert second the motion. At the call of the roll, the vote was:

**AYES: Mr. Wolbert, Ms. Kinniebrew, Ms. Setikas, Mr. Newsome, Dr. Cook, Mr. Krzykalski, Mr. Robertson and Council President Bancroft.**

**NAYES: None.**

### **PUBLIC SESSION.**

**Ms. Thompson-Wheatley discussed that the school board members will be discussing at their upcoming meeting the question of having their solicitor present.**

**Mr. Crespo inquired about the plan for the Beaunit Mill property? Mrs. Sheipe explained that the meeting on September 13 and 14 will discuss the property as part of the overall plan for the rail line.**

**Ms. Desjardins-Melbourne thanked city council for the reappointment of Barbara Sheipe as clerk/administrator.**

**Mr. Thibault-Wheatley handed out Constitution Books to the council members and to the audience. Mr. Thibault inquired about the sign lease for the school and is it not than illegal for the students to be attending St. Joe's. Council President Bancroft explained that the school board members could request a sign copy as well as the city. Mr. Thibault discussed that the school board closes the meeting to the public as soon as a member of the public decides to speak. Mr. Haaf explained that they do not and that they allow the public to speak. Mr. Thibault inquired about the bill list and is it provided to the members. Council President Bancroft explained that the school board is a separate entity from city council and that the school provides their members with list of the bills. Mr. Thibault requested a correction to the minutes of August 22, 2006 and that he responded to Council President Bancroft that he would be happy to volunteer for a position.**

**Mrs. Dreher thanked ACCENT for the Gazebo and that it is looking good. It just goes to show that the City can pull together and do a project.**

**Mr. Wooters-Van Kirk St. inquired if anyone had approached Saint Joseph's about the request for a signed lease. Ms. Thompson discussed that she had contacted the Diocese and they gave her Community Property and that the person in charge was not sure that they could release the information.**

**Resident-inquired as to what was the problem? Mayor Wetherill explained that it is difficult to go through the proper procedures. Resident inquired if a public request of records was done. Mr. Wolbert explained that a second request had been mailed and a lease was returned but unsigned.**

**Mr. Di Leo-Cramer Avenue inquired about the Cosden Site and the progress. Council President Bancroft explained that they are driving in the wells and laying pipe.**

**Mr. Germer-Pine Street discussed that since the school is spending public money can the city stop giving the school the money until the lease is produced. Mr. Kearns explained that the council has no authority over the school and that by law the money collect through taxes must be turned over to the school. Council President Bancroft discussed that the new members need to be given a chance to learn and change things.**

**Mr. Thibault-Wheatley inquired as to whom would have a copy of Dr. Gray's contract? Mr. Kearns explained that the school board would review his contract and a copy would be on file at the school.**

**Mrs. Russell-Manor Road discussed the overgrown weeds and also the speed limit.**

**Mr. Wooters-Van Kirk inquired as to what the cost of the water company's property would be? Council President Bancroft explained that a cost would be determined after a market rate assessment was completed.**

**Mrs. Robertson-Warren discussed that the Post Office needs to maintain their shrubs and keep the grass cut.**

**Mr. Wooters-Van Kirk discussed that there is a van park on the grass next to the bank's parking lot on a lot owned by the bank. Ms. Setikas discussed that the owner does not have permission from the bank to park there and she will contact the owner.**

**Mr. Germer inquired about a trash dumpster on Jennings Street? Council President Bancroft explained that a home on Cooper Street was having some work done and the best location for the dumpster was in back of the home and that it should be removed in a few days.**

**Mr. Thibault-Wheatley discussed that there is a home on Laurel Street with a lot of people living in it. Council President Bancroft explained that the housing inspector has already had a discussion with the owner and it is a duplex and all of the tenants are legally registered on the lease. Mr. Thibault inquired as to what the legal number of residents was? Council President Bancroft explained that it goes by the square footage of the units or rooms. Director Morton explained that the police department is aware of the area and is monitoring any activity.**

**Ms. Dreher discussed that there was a family reunion at the Riverfront and parts of the large tree that was taken down still remain at the park. Council President Bancroft explained that the water company had taken down a tree and were supposed to return to pick up the debris.**

**Mr. Desjardins-Emergency Management discussed that there is literature and concerns available from the health department as well as emergency management for the pandemic flu. Also he is working on grant money for emergency management. Mr. Desjardins discussed that the sewerage plant where it now sits could be in trouble if the area was hit with a major storm. It would be flooded out and there would be no sewer service to Beverly or Delanco. Council President Bancroft discussed that city hall need a new generator for emergencies. Mr. Desjardins will place that in the grant information and also that city hall should be fully availability for emergency evacuations. Ms. Kinniebrew inquired if there is a plan in the event of a disaster. Mr. Desjardins explained that every three years the committee updates the plan and a copy of the plan is on file in the city clerk's office. The plan is for both Beverly and Edgewater Park.**

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

**EXECUTIVE SESSION. Mr. Wolbert made a motion to have an executive session for the discussion of personnel. Ms. Kinniebrew second the motion. All members presented voted in favor.**

**ADJOURNMENT. Mr. Newsome made a motion to adjourn, Mrs. Setikas second the motion. All members voted in favor.**

**Submitted by,**

**Barbara A. Sheipe RMC  
Municipal Clerk**