

MINUTES

CITY OF BEVERLY

SEPTEMBER 14, 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, September 14, 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, Mr. Williams, Ms. Gillette, Mr. Krzykalski, Mrs. Richards, Council President Bancroft, Mayor Robert Lowden, Solicitor William Kearns, Director of Public Safety Mike Morton and Municipal Clerk/Administrator Barbara Sheipe.

ABSENT: Dr. Cook, Mrs. Setikas.

MINUTES. Mr. Wolbert made a motion to approve the minutes of August 24, 2004. Mrs. Richards second the motion. All members approve the motion.

PUBLIC SAFETY.

Janet Lowe inquired about properties that were boarded up in the city and if there where no trespassing would the police officers response to a call and remove the person. Director Morton explained that with the permission of the owner the police department enforces the no trespassing regulations and removes people from the properties.

COORESPONDENCE.

Letter from the Shirley Hammell-thanking the clean communities program for the wreath and honoring her home. She was away on vacation and was unable to attend the awards presentation.

Resolution From Willingboro- Mayor Lowden read the title of a resolution requesting Governor McGreevey and the state legislature to implement a state sponsored financial aid program for military reservists and national guard members deployed in the global war on terror (GWO). Mayor Lowden explained that this is a resolution requesting the Governor and the state legislature to work with the Department of Banking and Insurance, Department of Military and Veteran Affairs, Department of the Treasury to implement a financial aid program for our reservists and guard members. The other municipalities are asking that all municipalities in the State of New Jersey pass similar resolutions. Mrs. Richards

made a motion for city council to adopt Resolution No. 2004-96, Ms. Gillette second the motion. All members present voted in favor of the motion.

OLD BUSINESS.

ORDINANCE ON SECOND READING.

A. **Ordinance No. 2004-07, An Ordinance Of The City Of Beverly Amending Chapter XIII Of The Code Of The City Of Beverly.** (alarms). The ordinance was read by title. Mrs. Richards made a motion to open the ordinance for a public hearing. Mr. Wolbert second the motion.

John Borden inquired if the entire wording was correct and remains the same. Council President Bancroft explained that everything was corrected before publication and the ordinance is completed. No one else from the public wish to be heard, the public portion was closed.

Mrs. Richards made a motion to adopt Ordinance No. 2004-7 on second reading. Mr. Wolbert second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Mr. Williams, Ms. Gillette, Mr. Krzykalski, Mrs. Richards and Council President Bancroft.

NAYES: None. The ordinance was passed on second reading and final reading and will become effect twenty days after publication according to law.

B. **Ordinance No. 2004-9, An Ordinance Establishing Certain Traffic Control Regulations Including Stop Signs For The City of Beverly.** The ordinance was read by title. Mrs. Richards made a motion to open the ordinance for a public hearing, Mr. Williams second the motion. No one from the public wished to be heard. Mr. Williams made a motion to adopt the ordinance on second reading, Mrs. Richards second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Mr. Williams, Ms. Gillette, Mr. Krzykalski, Mrs. Richards and Council President Bancroft.

NAYES: None. The ordinance was passed on second and final reading and will become effective twenty days after publication according to law.

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. 2004-90,** Resolution Authorizing A Property Maintenance Lien (444 Cooper).

B. **Resolution No. 2004-91,** Resolution Authorizing A Property Maintenance Lien (513 Warren).

C. **Resolution No. 2004-92,** Resolution Authorizing A Property Maintenance Lien (625 Cooper).

D. Resolution No. 2004-93, Resolution Of The City Of Beverly Authorizing Entry Into A Subordination Agreement With Respect To 529 Melbourne Avenue, Beverly NJ.

E. Approval of Raffle License-Rotary.

Mrs. Richards questioned the amount of the bill on Item C, Mr. Wolbert explained that a machine had to be rented to remove the weeds and grass, from now on the public works department will be cutting the grass for the property maintenance department and the money will be placed back into the city's budget as the liens are paid back.

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

AYES: Mr. Wolbert, Mr. Newsome, Mr. Williams, Ms. Gillette (abstain on Item E), Mr. Krzykalski, Mrs. Richards and Council President Bancroft.

NAYES: None.

F. Resolution No.2004-94, Resolution Of The City Of Beverly Authorizing A Handicapped Space For 463 Cooper Street.

Mr. Krzykalski discussed the need for the handicapped spot for 463 Cooper Street and what would happen if the person lived across the street. They would take a spot in front of someone home for their handicapped spot. Mr. Krzykalski discussed how handicapped is a person if they can walk a distance to their car and is it fair to take parking on street from other neighbors who also need that spot to park. Mrs. Richards inquired if the residents could not enter from the back of the property and use a driveway in the back. Mayor Lowden did not feel that there was enough room in the back for handicap accessible. Mr. Krzykalski is concerned that other neighbors will want handicap spots as well and that will leave few regular parking spots. Mr. Williams made a motion to approve Resolution No. 2004-94, Ms. Gillette second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Mr. Williams, Ms. Gillette, Mr. Krzykalski, Mrs. Richards and Council President Bancroft.

NAYES: None.

Resolution No. 2004-95, Resolution Appointing Special Law Enforcement Officers, Dean Allen and Sean Burrough, Mr. Wolbert made a motion to approve the resolution, Mr. Williams second the motion. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Mr. Williams, Ms. Gillette, Mr. Krzykalski and Council President Bancroft.

NAYES: None.

ABSTAIN: Mrs. Richards.

G. Payment of Bills. Mr. Wolbert moved to approve the bills, Mrs. Richards second the motion. Mr. Wolbert requested that line item #9 be pulled until the bill can be clarified and that the amount on line # 28 should be \$600. Mrs. Richards question the bills for animals on lines 44, 45 and 46. Council

would like to see how the bills compare to what surrounding towns pay. At the call of the roll, the vote was:

AYES: Mr. Wolbert, Mr. Newsome, Mr. Williams, Ms. Gillette, Mr. Krzykalski, Mrs. Richards and Council President Bancroft.

NAYES: None.

WORK SESSION.

- A. **Resolution No. 2004-97**, Resolution for Handicapped Space for 630 Laurel Street. Mr. Krzykalski inquired if this was the resident that was next to the industrial site and if the resident also owned the industrial site as well. Mr. Williams inquired if the resident had to go through the gate to enter the home. Mr. Krzykalski also requested that a proper doctor notes be provide and a copy of a handicap placard card or handicap plates proof be provide to the director. Mrs. Richards made a motion to approve the resolution on the condition that proof of handicap plates is shown. Mr. Wolbert second the motion. All members present voted in favor of the resolution.
- B. **Ordinance No. 2004-** Ordinance for Municipal Parking Lot-Mr. Newsome discussed leaving the lot open for business during the day and allowing residents to park in the lot overnight. Mrs. Richards discussed that the apartments over the liquor store needed overnight parking and if they cannot park in the lot they will just take the parking in the street. Mayor Lowden feels that no one uses the lot to shop downtown anyway; it is mainly used by residents for parking. Mr. Newsome inquired as to who owns the lot on the corner of Broad and Warren Street. Mayor Lowden explained that Gary Centinaro owns the lot and that the city tried to get the post office to purchase the lot, but with no luck. Andrew Stow-98 Pine Street inquired if parking meters would work in the downtown area. Mr. Kearns explained that most city have removed their meters due to collection and maintenance problem. Mr. Wooters-Van Kirk Street inquired if council felt that there was a parking problem on Warren Street? Mr. Wooters also discussed that he was under the impression that the officers were told not to enforce the parking regulations on Warren Street. Mayor Lowden discussed that the parking is enforced along the area near the post office, but not as strict further down the street. The law and ordinance committee will meet and review the ordinance and have a final draft for first reading for the September 25 meeting.
- C. **Discussion on RCA/COAH-** Mr. Wolbert discussed that the program has helped 170 homes in the city but that it is time to seek alternative ways to improve the housing stock and the businesses. Mr. Wolbert discussed that it is his understanding that if a home is sold the money is paid back to the city for homeownership, but if a landlord receives the money the property is deed restricted to low and moderate income even after it is sold. Mrs. Richards discussed that the city has always had control over the choice whether it is for rentals or homeownership. The City did not have to accept as a council any agreement that included rental properties. Mr. Wolbert would like to see multiple family homes convert to single-family homes and find a program to help achieve that fact. Council President Bancroft explained that in the beginning he was for the program because it helps the homeowners who were residents of Beverly. Now the program has become a way for investor's to buy and fix houses in the city. Mr. Wolbert explained that with the program doing

170 homes that equals to about 16% of the homes using the program. Mrs. Richards would like to see the program continue, it has begun to spread to West Beverly and that the homes in that section are homeownership. Mayor Lowden explained that as the homes are sold the money comes back into the program to use for other homes. There are seven (7) homes on his street that have taken advantage of the program. It has improved the housing stock and there are many more homes that need the help. Mr. Wolbert discussed that when people talked about an affordable place to live they mention Beverly because of the programs and the low housing. The city needs to encourage homeownership. Mrs. Richards talked about the abandon properties that were in the city before the COAH program and how people bought the properties and fixed them up using the money from the program and their own money as well. Mr. Krzykalski discussed that 15 years ago the market was different and today people are buying the older homes and fixing them up on their own because they have more money in their pockets. The RCA's were great in the past, but now the thing is to get the apartments converted to homes and find new routes to convince residents to convert. John Haaf-Riverbank discussed that the Mayor makes a good case for home ownership, but that there is a reason Moorestown, Mount Laurel, and Evesham did not want the homes in their towns. The City needs to stop thinking like a poor community and take pride in itself and the city. Council President Bancroft discussed that he was involved in the beginning with the program and that the city needed help. The trend has now changed. Investors come in looking for handouts and that COAH has made most of the agreements rentals, the program has outlived its usefulness. The majority of council was that council did not want to invest any more time into the RCA/COAH; rather they would like to explore alternatives to convert multiple units into single family.

MAYOR'S REPORT.

Mayor Lowden discussed that on Wednesday September 8 there was a Cross-Acceptance meeting. Robert Kull and James Reid from the Burlington Economic Development had attended and present the plans for the Cross Acceptance Team. Mrs. Sheipe, Mr. Wolbert, Mrs. Van Hoy, Mr. Van Sciver, Mr. Haaf, Dr. Cook were present at the meeting. The meeting discussed the state map for the city and the vision of the team for the city for the next five years. There were questions and answers from the county. There will be a meeting with the Mayor and Mr. Van Sciver on September 22 at 7pm to put together the answer for the county for part 1. Mayor Lowden discussed that the planning board will meet for a small sub division on Melbourne Avenue. Mayor Lowden also requested that council should consider removing the question concerning the police department from the ballot. He has spoken to a few residents and they are not in favor of having the state police in the city instead the city police department. Council President Bancroft explained that it is not about abolish the police department, but more for budget reasons.

COUNCIL REPORTS

Mr. Williams discussed that he was still working on the streetlights with public service.

Ms. Gillette discussed that she was working with the county to get residents to register to vote and will continue to do so.

Mr. Krzykalski discussed that the Board of Health has concluded its survey and that the study will now bring together different departments.

PUBLIC SESSION.

Joseph Wooters-Van Kirk discussed that there needs to be an incentive to get people to create a single family home. Also he would like to know the status of the lawsuit against the City by Carole Moore? Mr. Kearns explained that the city is being defended in the lawsuit. Mr. Wooters inquired about the demolished of the building on the corner of Broad and Railroad? Council President Bancroft explained that the city is waiting to hear about grant money.

Victor Vittorino, Mayor of Delanco discussed that when the Mount Laurel decision was made it was a good idea that got out of control. Mr. Vittorino believes that the money should stay in the town. The programs do have a major impact on the schools systems.

Andrew Stow-98 Pine Street discussed that he senses a split in council on the COAH issue with regards to the city helping residents fix up their homes. Helping people is a good thing, keeping the program and working in the guidelines of homeownership should be the priority. The city should make it more expensive to be a landlord. Council President Bancroft explained that council is working on an ordinance to licensing landlord similar to business that would require them to pay a fee every year to the city to run a business. Mayor Lowden discussed that there has been no new apartments built in the city since 1980. The RCA/COAH program has not created any new apartments in town. It has rental homes instead of individual apartments.

Beverly Haaf-Zoning Officer discussed that the rental restriction limit the occupancy of an apartment unit per square footage. Andrew Stow discussed that a large duplex near him has a large number of cars in the yard.

Beverly Haaf-124 Riverbank announced on October 21 at 7pm-9pm that there would be a Candidates Night for everyone running for election. Everyone is welcome to attend. This is not affiliate with city council in any way; the committee is just using the council room for the night.

Theresa Gillette inquired about overcrowding of animals. Beverly Haaf explained that the city has an ordinance that only allows three animals per residence in the city limits. Ms. Gillette inquired if this included ferrets as well.

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

EXECUTIVE SESSION.

Mr. Wolbert made a motion to go into executive session for personnel contracts, Mrs. Richards the motion. All members present voted in favor.

City Council went into executive session for the discussion of personnel issues.

City Council return to public session, Mrs. Richards requested that a resolution be drafted that required all purchases orders or purchases over a certain amount be pre-approved by the finance committee or administrator before processed.

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

Submitted by,

**Barbara A. Sheipe RMC
Municipal Clerk**