

MINUTES

CITY OF BEVERLY

September 23, 2008

CALL TO ORDER.

**Verification of Notice- OPEN PUBLIC MEETINGS ACT. (N.J.S.A. 10:4-6)** 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 January 6, 2008 advance written notice of this meeting was posted on the public bulletin board in the City Hall; was mailed to the 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. The proceedings of this meeting are being electronically recorded and the tape will be on file in the office of the City Clerk.

FLAG SALUTE.

ROLL CALL:

**PRESENT:** Mr. Newsome, Mr. Heifet, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Schwedes, Mr. Bass, Council President Crespo, Mayor Wetherill, Barbara Sheipe, Clerk/Administrator, Skip Reale, Solicitor.

**ABSENT:** None.

MINUTES.

Mrs. Arter requested that on page 3 in the minutes of August 26<sup>th</sup>, under section H the name of the company be corrected to Brown and Connery. Also on page 3 under Ordinance No. 2008-10 the second reading should be listed as September 9<sup>th</sup>. Mrs. Arter requested that in the minutes of September 9<sup>th</sup> under council reports that the word disturbing is change to distribute. Dr. Cook requested that in the minutes of September 9<sup>th</sup> under council reports it should be noted that the Mayor was given a certificate and that she had also discussed that it was the 40<sup>th</sup> anniversary of Martin Luther King's, I have a Dream speech. Mr. Newsome made a motion to approve the minutes of August 26, 2008 and September 9, 2008. Dr. Cook second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Heifet, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Schwedes, Mr. Bass, Council President Crespo.

**NAYES:** None.

COORESPONDENCE.

A. **Proclamation for Mary Prince.** Mayor Wetherill presented Mrs. Prince with a Proclamation for her years of service to the City of Beverly as the Court Administrator upon her retirement.

B. **Resolution No. 2008-81,** Resolution Appointing A Sergeant To The Beverly City Police Department. The resolution was read by title. Dr. Cook made a motion to approve the resolution, Mr. Bass second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Heifet, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Schwedes, Mr. Bass, Council President Crespo.

**NAYES:** None.

Mayor Wetherill swore in James Boettger as a Sergeant in the Police Department.

**C. Resolution No. 2008-82, Resolution Appointing A Court Administrator.** The resolution was read by title. Dr. Cook made a motion to appoint Lorraine Lingle as the new Court Administrator, Mr. Arter second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Heifet, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Schwedes, Mr. Bass, Council President Crespo.

**NAYES:** None.

Mayor Wetherill swore in Lorraine Lingle as Court Administrator for the City of Beverly.

### **OLD BUSINESS.**

Council President Crespo discussed the donation of the light bar to the Beverly City Fire Department. Council President Crespo explained that he would like to hold the donation until the city has purchased a new vehicle as the light bar maybe able to be used on the vehicle. Director Morton will contact vendors that are state contract for pricing of new vehicles.

Mrs. Arter inquired if Mr. Robinson had any information on the recycling bank that was discussed at the last meeting. Mr. Robertson explained that the program was at a cost to the city. The cost would be about \$60,000 with the county paying 50%. The cost could be spread out over 3 years. The city has to put up approximately \$10,000 a year for the service. The public works crew of two would have to pick up the buckets and take them to a centralized location. Mr. Robertson explained that on Friday he is meeting with a company to discuss recycling the electronics in the City. Mr. Robertson discussed that Dale Thompson, Robert Bancroft and himself would be meeting with the county to discuss the recycling program. Mrs. Arter inquired if the city would receive enough money back to pay for the program. Mr. Robertson discussed the program requires a minimum of 1100 units to be included.

Mrs. Arter inquired if any progress was made on the issue of the trees that was addressed by Mrs. Barr. Mr. Heifet explained that the trees were being cut back. Mr. Robertson explained that the tree limbs were wrapped around the wires and that Public Service was removing them.

Mrs. Arter inquired if the backstop down at the river was salvable? Mr. Robertson explained that it was being restored as best as possible. A section of fence was removed so that a tree could be cut down and that there are more tree roots that need to be removed. Mr. Robertson explained that the backstop is rusty and needs a good power washing and painting.

Mr. Schwedes discussed that the holes on Wheatley need to be repaired. Council President Crespo explained that public works has placed crushed concrete in the pot holes. Mr. Schwedes discussed the pot holes in the 500 and 600 block of Wheatley were not filled in.

### **NEW BUSINESS.**

#### **A. Discussion by Mark Remsa on the Third Round COAH**

Regulations. Council President Crespo requested that the discussion be held as Mark Remsa, County Economic Development was unable to attend this evening.

B. Resolution No. 2008-83, Resolution of the City of Beverly Authorizing Entry into a Subordination Agreement with Respect to 501 Spruce Street, Beverly, NJ. The resolution was read by title. Mr. Newsome made a motion to approve the resolution, Dr. Cook second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Heifet, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Schwedes, Mr. Bass, Council President Crespo.

NAYES: None.

C. Treasurer's Report. Mrs. Arter inquired about when the outstanding encumbrance would be appearing in the treasurer's report. Mr. Newsome explained that Ms. Boras is working on it, but right now the majority of time is taken with processing tax payments. Mr. Arter inquired if the city had heard on the Dedication by Rider for the Special Event fund? Mrs. Sheipe replied that she had not heard back from the state. Mr. Newsome made a motion to approve the treasurer's report, Dr. Cook second the motion. At the call of the roll, the vote was:

AYES: Mr. Newsome, Mr. Heifet, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Schwedes, Mr. Bass, Council President Crespo.

NAYES: None.

D. Payment of Bills. Mrs. Arter inquired if the bill from Providence House was for Beverly residents. Mrs. Sheipe replied that the addresses have been confirm. Mrs. Arter inquired as to why the bills for Brown and Connery were so high and also why some of the fees were being charged to the administration other expenses? Council President Crespo explained that the redeveloper was unhappy with the way things were proceeding and is not paying the legal fees for several of the projects. Council President Crespo discussed that council had made a motion to have Mr. Bernardi approve the legal bills before they were charged to his escrow. Mrs. Arter discussed that she is concerned with the high rate of spending. Council President Crespo explained that the economic development committee has stopped work on the other agreements, after Mr. Bernardi informed council that he would not pay for the legal fees. Mrs. Arter discussed that line #75 for legal fees is charged to administration other expenses and is there enough funds in the budget to pay for the fees, council had reduced the other expenses in the budget process. Dr. Cook discussed that Mr. Bernardi was going to pay for all of the legal expenses until the bills were questioned by council and that there was an impass with council and that Mr. Bernardi was unhappy and stopped paying for the legal fees. Mrs. Arter inquired if the committee has an idea of when Mr. Bernardi will sign the agreements? Dr. Cook explained that she has a meeting with Mark Remsa of the Economic Development from Burlington County and will also meet with Mark Asselta. Dr. Cook explained that there will be a full meeting of council to discuss the Beaunit Mills agreement. Mr. Arter inquired as what other redevelopment agreements are being worked on? Dr. Cook explained that the committee was working on an agreement concerning the housing and sewerage authority. Council President Crespo explained that the economic committee has copies of the agreements. Mr. Arter requested that Mrs. Sheipe forward all council members copies of the agreements. Mrs. Arter inquired as to how much money the economic development committee is willing to spend on legal fees and are they looking at the budget to see how much the city can afford. Dr. Cook explained that the committee did not spend any money until Mr. Bernardi decided not to pay and that council members can call Mr. Bernardi and discuss it with him. Mr. Heifet made a motion to pay the bills, Mr. Newsome second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Heifet, Dr. Cook, Mr. Robertson, Mr. Bass and Council President Crespo.

**NAYES:** Mr. Arter explained that he was voting no because he did not have the opportunity to finish his questions. Mr. Arter discussed that he is concerned about the bills for community day, when there has been no approval of the dedication by rider from the state. Mrs. Arter and Mr. Schwedes voted no.

**ABSTAIN:** Council President Crespo abstained from line # 84-Beverly Commons.

**E. Other New Business.**

**Al Desjardins-Emergency Management Coordinator-** discussed that council needs to adopt by resolution the hazardous mitigation plan. There is grant money available. Mr. Desjardins discussed that the sewer plant is directly in line to be affected by flooding. The evacuation routes for the city are flooded in the neighboring towns and the plan discusses improvements to those areas. Mrs. Arter inquired if Mr. Desjardins would attend the next council meeting when the resolution is on the agenda to answer any questions from the public or council. Mr. Schwedes discussed the backup generator for the school. Mr. Desjardins explained that he is meeting with the school superintendent to review the emergency plan.

**ORDINANCE ON SECOND READING. (public hearings).**

**a. Ordinance No. 2008-13, An Ordinance of the Common Council of the City of Beverly For Non-Union Employees For Salary Years 2008 and 2009.** The ordinance was read by title. Council President Crespo opened the ordinance for a public hearing. No one from the public wishing to be heard, the public portion was closed. Mrs. Arter made a motion to adopt the ordinance, Mr. Robertson second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Heifet, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Schwedes, Mr. Bass, Council President Crespo.

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

**ORDINANCE ON FIRST READING.**

**A. Ordinance No. 2008-15, Requiring The Registration and Licensing of All Rental Property within the City of Beverly: Requiring Certain Inspections on a Periodic Basic To Qualify for the Registration License.** The ordinance was read by title. Mr. Reale explained that this ordinance reflects the changes that council requested at the last meeting. The wording for change of occupancy has been amended to read change of tenant and a defined phase has been put in the ordinance. Mrs. Arter inquired if there was anything that Mr. Thompson, the housing inspector wanted to add to the ordinance? Mr. Thompson discussed that he is satisfied with the ordinance as written. Dr. Cook discussed the grammar in Section 14 and 16. Mr. Reale explained that it is standard language used in ordinances. Mr. Arter discussed that he had a concern about the fees and wants to make sure that the City's cost is covered. Mr. Arter explained that he supports an increase in the staff for the housing/code enforcement office. Mr. Arter discussed that Mr. Thompson does an excellent job for the city and wants to continue to give him

the support that he needs from council. Mr. Thompson discussed that his assistant is very competent and that the work load in his office is being handled. Council President Crespo inquired if Mr. Thompson was satisfied with his current budget. Mr. Thompson explained that he can work with his current budget and that he does not see the need to raise the fees, there are good landlords in the city as well as the bad and everyone should not be punished. Council President Crespo discussed that the rental ordinance fees only go to the rental enforcement part of Mr. Thompson job, not the code enforcement part. Mr. Robertson inquired as to the steps if council decided to amend the fees later. Mr. Reale explained that council can do an amendment ordinance for the fees without changing the full ordinance. Mr. Reale explained that there is no set reinspection fee in the ordinance; it is a council decision to decide tonight the fee. Council President Crespo discussed that the fee ordinance was amended last spring and included a \$95. Reinspection fee. Mr. Heifet made a motion to adopt the ordinance on first reading, Mr. Bass second the motion. At the call of the roll, the vote was:

**AYES:** Mr. Newsome, Mr. Heifet, Mr. Arter, Dr. Cook, Mr. Robertson, Mrs. Arter, Mr. Schwedes, Mr. Bass, Council President Crespo.

**NAYES:** None. The ordinance was passed on first reading and will be heard on second and final reading at the council meeting of October 14<sup>th</sup>.

#### **SOLICITOR'S REPORT.**

Mr. Reale discussed that there was a presentation sent to council members last week dealing with the National discussion on signage. There are no set issues on the regulations of political signs.

#### **MAYOR'S REPORT.**

Mayor Wetherill reported that she and her grandson Zack attend the New Jersey council Of Mayors seafood feast. Mayor Wetherill also discussed that she is working on having a contest for a pin to represent Beverly. The residents and the school children will be given a chance to design the pin and a prize of \$100. will be award for the design chosen.

#### **COUNCIL REPORTS.**

Mrs. Sheipe reported that she had attend the monthly JIF Commissioners meeting and that JIF had adopted a resolution requiring all RISK Management Consultants appointed by city council to sign an agreement of confidential in participating in the Fund Commissioners meeting. The RISK Management Consultants are not allowed to solicitor their own private business to any member of the JIF.

Mrs. Arter discussed that the Mayor, Mrs. Sheipe, Ms. Boras and herself had attended the Burlington County Bridge Commission meeting. The meeting was on the new COAH regulations and that Mark Remsa spoke at the meeting and will inform council at the next meeting. Mrs. Arter discussed that it was an informative meeting.

#### **PUBLIC SESSION AND PUBLIC SAFETY.**

Mr. Planter-Laurel Street discussed that Laurel Street is dark near Pine Street and that Public Service has cut some of the limbs of the trees off the wires. There is a need for another light in the area. Mr. Robertson discussed that he will contact Public Service about upgrading the wattage of the lights. Mr. Planter discussed that he is trying to clean up the street area and that the drainage on the corner is clogged with trash and leaves.

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

**ADJOURNMENT.**

**Mr. Newsome made a motion to adjourn. Dr. Cook seconded the motion. All members presented vote in favor.**