

**THE COMMON COUNCIL OF THE CITY OF BEVERLY**  
**COUNCIL MEETING**  
**AUGUST 27, 2013**  
**7:00PM**

**MINUTES**

**CALL TO ORDER**

The meeting was Called to Order at 7PM by Council President Bancroft.

**ACT STATEMENT**

Mr. Bancroft read the following statement into the Minutes: *In compliance with the Open Public Meetings Act, NJSA 10:4-6, this is to announce that Adequate Notice of this meeting was provided in the following manner: On January 8, 2013, advance written notice of this meeting was posted on the Official Bulletin Board in the City Hall, was emailed to THE BURLINGTON COUNTY TIMES for publication and emailed to the CAMDEN COURIER POST for advise, was filed with the Municipal Clerk, and was mailed to all persons who requested and paid for such notice. The proceedings of all meetings are electronically and manually recorded, and the Minutes will be on file in the office of the Municipal Clerk.*

**FLAG SALUTE**

Mr. Bancroft led those present in the Flag Salute.

**ROLL CALL**

**Present:**

Mayor: Randy H. Miller  
Council President: Robert H. Bancroft  
Council Members:  
Lawrence F. Carlbon  
Luis M. Crespo  
Robert E. Lowden, Jr.  
Robert D. Thibault  
Municipal Clerk: Donna F. Snyder, RMC/CMR/CPM  
Administrator/Director of Public Safety: Richard A. Wolbert  
Solicitor: George Morris (in for Brian Guest)-Parker, McCay, P.A.

**Absent:**

Engineer: William H. Kirchner (Attendance not required.)

**MINUTES**

Regular Session Council Meeting: 7/23/13  
Special Council Executive Session Meeting: 8/13/13  
Executive Session: 7/23/13; 8/13/13  
All Minutes listed were Approved as submitted with a Motion by Crespo;  
Second by Carlbon. Roll Call Vote - All In Favor. Motion Carried.

**PRESENTATION**

"Safety on the Agenda" - Hardenbergh Insurance Group - Risk Management Consultant for the City of Beverly. Joe Henry and Bonnie Rick presenting.

Ms. Rick reviewed the ongoing safety efforts in the City relative to meeting the requirements of the BURLCOJIF. (See attached Presentation packet.)

**ORDINANCES:****ORDINANCE 2013-7: SECOND READING/PUBLIC HEARING**

An Ordinance establishing a four-way Stop Sign controlled intersection at Bentley Avenue and Pine Street pursuant to the authority of N.J.S.A. 39:4-197. There being no Public Comment on this Ordinance, Motion to Adopt by Crespo; Second by Thibault. Roll Call Vote - All ayes. Motion Carried.

**RESOLUTIONS****RESOLUTION 2013-138A - CONSENT AGENDA**

For approval of Resolutions 2013-138 through and including 2013-143, and Resolutions 2013-146 and 2013-148 by "Consent Agenda". *Note that Consent Agenda items are not individually discussed. A Resolution approving the "Consent Agenda" (which may or may not include the reading of the list of items appearing on the Consent Agenda) is Moved, Seconded, and Voted upon as one item by the Governing Body. If any discussion is requested on same, it is removed from the "Consent Agenda" to the Regular Agenda.* After being read by title, Motion to Approve Resolutions as stated above made by Crespo; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried

**RESOLUTION 2013-138:** A Resolution permanently appointing Donna S. McIlvaine in her position as Beverly City Municipal Court Administrator effective this date, continuing the current office schedule of three(3) eight(8)-hour days on Tuesday, Wednesday, and Thursday, no Benefits, at an annual salary of \$32,000 with On-Call Services included, based on Certification of Funds by the Beverly City CFO.

**RESOLUTION 2013-139:**

A Resolution approving price proposal for Engineering Design, Bidding, and Optional Constructional Services for Mulch Replacement at Talbot Hall Park and Farnum Park (see attached).

**RESOLUTION 2013-140**

A Resolution approving Mercantile License Renewals for the 2013-14 Licensing Year to Newsome Tax and Accounting Service located at 121 Walnut Street, Beverly, NJ 08010, conditioned upon all paperwork being submitted, all fees being paid, and all taxes being current.

**RESOLUTION 2013-141**

A Resolution approving Mercantile License Renewals for the 2013-14 Licensing Year to Tent-Tations, LLC, located at 121 Walnut Street, Beverly, NJ 08010, conditioned upon all paperwork being submitted, all fees being paid, and all taxes being current.

**RESOLUTION 2013-142**

A Resolution approving Mercantile License Renewal for the 2013-13 Licensing Year to Langscapes, LLC, 331 Putnam Street, Beverly, NJ 08010, conditioned upon all paperwork being submitted, all fees being paid, and all taxes being current.

**RESOLUTION 2013-143**

A Resolution approving Raffle License Application #2013-RA-1 to Jesus, The Good Shepherd Church, 101 Middleton Street, Riverside, NJ 08075, for Off-Premise Raffle to be held on Sunday, September 22, 2013 at 3:30PM at St. Joseph's Church, 805 Warren Street, Beverly, NJ 08010, conditioned upon all fees being paid, all prior approvals being received, and all required documentation being in order.

**RESOLUTION 2013-146**

A Resolution authorizing entrance into a Memorandum of Understanding between the State of New Jersey Office of Emergency Management and the City of Beverly.

**RESOLUTION 2013-148**

A Resolution authorizing the Beverly City Administrator to complete and submit the City's Hazard Mitigation Plan to the New Jersey State Office of Emergency Management.

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**RESOLUTION 2013-144**

A Resolution approving Discharge of Mortgage on Beverly City Property Block 739/Lot 6, also known as 529 Melbourne Avenue (RCA-Evesham #1). Discussion was had relative to Mr. Crespo's concern that Council would be setting a precedent in using the date of "signing" as opposed to the date of "completion" for said RCA; whether or not the bank foreclosed, they should be held accountable for the final three months. Mr. Thibault felt that our Attorney had already reviewed and

stated his approval for Discharge and we should go with his recommendation. Motion to Approve by Lowden; Second by Thibault. Roll Call Vote ~ All Ayes, except Crespo and Carlbon - No. Motion Carried.

**RESOLUTION 2013-145**

A Resolution to approve new Beverly City Community Events Forms. Discussion was had on said forms (see attached). The Clerk voiced her concern that no prior review/approvals were included, and no notation was being made that these forms were in conjunction with the already Council approved "Peddlers/Vendors/Solicitors" Permit form. It was stated by the Solicitor that these being only informational record keeping forms they should be fine. The Administrator will check with Hardenbergh relative to any insurance concerns. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes

**RESOLUTION 2013-147**

A Resolution authorizing entrance into a Memorandum of Understanding between the State of New Jersey Division of Local Government Services and the City of Beverly relative to the award of Transition Aid. Upon review and clarification by the Administrator, Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

**OLD BUSINESS:**

NJ League of Municipalities 98<sup>th</sup> Annual Convention Update.

The Clerk took a count on those requiring Registration for the League at \$55.00 per Registration paid by the City. She also took count for anyone requiring hotel reservations which would be paid for by the attendee. Those employees requesting attendance for CEU's towards their respective Certifications are to have a memo to the Administrator re same. She will distribute any additional updates as they come.

Comcast Cable Franchise Renewal Update. The Clerk advised re the Cable Franchise Renewal Timetable that's closing in. The City's contract is up in September of 2014 and there are certain requirements that must be met. The Solicitor will review the packet that will be forwarded to him for same and advise Council.

**NEW BUSINESS:**

Auction, through Willingboro Township, of the Beverly City 122 Police Vehicle and the Beverly City 1996 Public Works Truck. Upon discussion and with the completion of the required paperwork as:

**RESOLUTION 2013-149**

Motion to Approve by Crespo; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

**BILL LISTS**

Review and Approval of the August 14 and 27, 2013 Bill Lists.  
 Upon review and discussion, Motion to Approve by Crespo; Second by Thibault. Roll Call Vote - All Ayes, except Crespo Abstain on #1322. Motion Carried.

**CORRESPONDENCE**

*(Note that all Correspondence will be handled/filed by and in the Office of the Municipal Clerk.)*

Mayor Miller read the following Correspondence to those in attendance: Burlington County - Bicycle Facilities Inventory; NJ League of Municipalities - Legislative Bulletin; Clean Communities - Re 9/21/13 International Coastal Cleanup Info. He also advised re the following add-ons: Delanco's meeting on their Ordinance 2013-9 relative to their Land Use issues; Meals on Wheels info from Burlington County.

**COMMENTS/REPORTS****Mayor**

Mayor Miller praised Administrator/Public Safety Director Wolbert for spearheading the publicized party event that was to take place at a Beverly City vacant residence this past weekend. Mr. Wolbert adeptly handled the situation, notifying surrounding towns, the State Police, NJ Division of Alcoholic Beverage Control, etc., so that the event was shut down before it began. Congratulations to Mr. Wolbert and all Police involved.

**Council**

Mr. Thibault stated that the Public has a right to address Council individually or as a body both publically or privately if confidential regarding the performance of our Council or Administration, and that they should please feel free to do so. Mr. Thibault additionally stated that Mr. Wolbert did an amazing job relative to the event this past weekend and that the City Hall Staff did a good job.

Mr. Carlbon thanked Administrator Wolbert and the Police relative to the "Project X" event. Without his handling, this would have been a real disaster. He additionally stated that Volunteers are needed for rides, games, and directing traffic for Community Day on September 28. Contact him or Mary Ellen Knudson for more information.

Mr. Lowden advised that a Satisfactory Report was given to the Bethel AME Church kitchen and Youth Camp as reported by the Burlington County Board of Health. Additionally, September is National Immunization Month, so relative to same - check with the County by calling 609-826-

4860 for more information. He also reminded everyone to talk to Council if there are questions on any issues.

Administrator/Public Safety Director

Mr. Wolbert updated Council and those present on the following:

~ He introduced Court Administrator Donna McIlvaine whom he said has already been an asset to the City by cleaning up adjudications. She has already had a training session with the Beverly Police as well, opening up important lines of communication. Her in office hours are every Tuesday, Wednesday, and Thursday 9A-5P.

~ The "Project X" event that was to take place on Saturday, August 24, was originally planned for Riverside, the moved to Beverly. Deterrence coordination was a team effort via the County Intelligence Agency; ABC contact via the Clerk; Emergency Squad; Fire Department. Supposedly another event is planned for August 31. All have been so advised, but there has been no further information re same.

~ The City now has two new Officers fully outfitted and on the street.

~ Re the Northwest Roads - the curbs and aprons are done. Nothing can be done on Wheatley at this time. NJDOT is allowing us to leave this grant open and roll it into next year's grant (\$40,000.00).

~ Warren Street - Arawak says they are done but are working with the County as there are still issues.

~ Reminder that School opens September 5, 2013.

~ Mr. Wolbert is working on completion of two Memorandums of Understanding, one for Transition Aid and one for the Office of Emergency Management (relative to future receipt of FEMA dollars).

~ Advise was given re the need for the repair of the storm drain down Magnolia. Replacement is needed to the outfall at the river. A combination of grants will be used to attempt to limit out of pocket expense.

Professionals - Nothing additional at this time.

Clerk - Nothing additional at this time.

Tax Collector - Report for July, 2013. Motion to Approve the July 2013 Tax Report made by Crespo; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried. Mr. Wolbert advised that the Tax Collector advised today that the City is 90% posted as of today!

**PUBLIC COMMENT**

***Please state your name and address clearly for the record.***

Public Comment was had by Mrs. Russell; Mrs. Carlbon; Mr. Murphy; Mr. Atkinson. Topics were discussed and clarifications given on various items including truck traffic and signs on Manor Road; the City Community Garden; Clean Communities Cleanup schedule for October 12; Coastal cleanup along the waterfront; request for copy of Group Home Variance Application to the Planning Board of Adjustment; maintenance on Public Works vehicles; the possibility of cleanup of grass growing between pavers on Cooper Street.

**EXECUTIVE SESSION - NO EXECUTIVE SESSION WAS REQUIRED.**

**Resolution 2013-** :

A Resolution of the Common Council of the City of Beverly to hold Executive Session in accordance with the Open Public Meetings Act, P.L. 1975, Chapter 231, permitting the exclusion of the Public from a meeting in certain circumstances which the Governing Body deem now exist:

- Attorney Client Privilege**
- Contractual Matters**
- Current and/or Possible Litigation**
- Personnel Matters**
- Review of Executive Session Minutes**

**ACTION TAKEN AFTER EXECUTIVE:**       YES       NO       N/A

**ADJOURNMENT**

There being no further business, Motion to Adjourn at 8:50PM was made by Crespo; Second by Thibault. All in Favor. Motion Carried.

**Respectfully submitted,**

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Donna F. Snyder, RMC/CMR/CPM  
Municipal Clerk

\_\_\_\_\_  
Date

**APPROVED:**

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Randy H. Miller, Mayor

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Date