

THE COMMON COUNCIL OF THE CITY OF BEVERLY

COUNCIL MEETING

FEBRUARY 12, 2013

7:00PM

M I N U T E S

CALL TO ORDER

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

OPEN PUBLIC MEETINGS 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

Acting Administrator/Director of Public Safety: Richard Wolbert

Solicitor: Brian Guest

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

Absent:

Engineer: William H. Kirchner (Attendance Not Required)

MINUTES

The January 23, 2013 Regular and Executive Session Minutes were presented for review and approval. The January 23, 2013 Regular Meeting Minutes were held for review for Council's February 26, 2013 meeting. Motion to Approve the January 23, 2013 Executive Session Minutes was made by Thibault; Second by Carlbon. Mr. Crespo requested to amend the Executive minutes; the Solicitor advised that an Amendment to Executive minutes should be done in Executive Session. Mr. Crespo requested the January 23, 2013 Executive minutes be moved to Executive Session for amendment. Mr. Thibault advised that the original Motion and Second will stand. Roll Call Vote - All Ayes, except Crespo-Nay. Motion Carried.

ORDINANCES:**ORDINANCE 2013-1: INTRODUCTION/FIRST READING**

An Ordinance of the Common Council amending the current Salary Ordinance 2012-3 to adjust the salary ranges for the positions of Administrator and Director of Public Safety. Said Ordinance will come before Council for Second Reading/Public Hearing at their next regular meeting to be held on February 26, 2013 at 7PM at Beverly City Hall, at which time anyone wishing to be heard on same will be so heard. Copies of this Ordinance are available for review at the office of the Municipal Clerk during regular business hours, M-F, 9AM-5PM. Motion to Approve on Introduction by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTIONS:**Resolution 2013-41**

A Resolution removing a Deed Restriction from Beverly City property Block 5/Lot 9, also known as 1014 Detwiler Avenue in conjunction with a Mount Laurel Regional Contribution Agreement. Motion to Approve by Thibault; Second by Crespo. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-42

A Resolution authorizing the cancelation of tax balances less than ten dollars (\$10.00) remaining from the 2012 Calendar Year. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-43

A Resolution voiding Resolution 2013-3 and appointing Richard Wolbert, Acting Administrator/Director of Public Safety, as the BURLCOJIF Fund Commissioner. **(See Resolution 2012-43 number change/correction below to 2013-43A.)**

Mr. Crespo advised that acceptance of a Letter of Resignation from Mr. Lowden if first needed, then the appointment of Mr. Wolbert should be made. All in agreement, the following Resolutions were presented:

RESOLUTION 2013-43

A Resolution accepting Robert E. Lowden's resignation as the BURLCOJIF Fund Commissioner. Motion to Approve by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2013-43A

A Resolution appointing Richard A. Wolbert as BURLCOJIF Fund Commissioner for the 2013 Calendar Year. Motion to Approve by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-44

A Resolution voiding Resolution 2013-13 and appointing Richard Wolbert, Acting Administrator/Director of Public Safety, as the Certifying Officer's Supervisor (required by N.J.S.A. 43:3C-15) for the New Jersey Employer Pension/Benefits Fund (PERS/PERC and DCRP) for the 2013 Calendar Year. **(See Resolution 2013-44 number change/correction below to 2013-44A.)**

Mr. Crespo advised the same paperwork procedure necessary for the above Resolution: Resolution 2013-44 will accept a Letter of Resignation from Donna Snyder, RMC, from said position and then Resolution 2013-44A appointing Richard A. Wolbert to same. All in agreement, the following Resolutions were presented:

RESOLUTION 2013-44

A Resolution accepting Donna F. Snyder's resignation as the Certifying Officer's Supervisor, required by N.J.S.A. 43:3C-15, for the New Jersey Employer Pension/Benefits Fund (PERS/PERC and DCRP) for the 2013 Calendar Year. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2013-44A

A Resolution appointing Richard A. Wolbert, Acting Administrator/Director of Public Safety, as the Certifying Officer's Supervisor, required by N.J.S.A. 43:3C-15, for the New Jersey Employer Pension/Benefits Fund (PERS/PERC/and DCRP) for the 2013 Calendar Year. Motion to Approve by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-45

A Resolution approving a new MELJIF Employment Practices Liability Deductible Buy-Down "Option D", lowering the City's total out-of-pocket cost per claim to \$5,000 at an additional Premium of \$4,159 effective February 9, 2013. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All ayes. Motion Carried.

Resolution 2013-46

A Resolution re-appointing Alfred Desjardins as Beverly City's Municipal Emergency Management Coordinator for a three-year term, January 1, 2013 through and including December 31, 2015. Motion to Approve by Crespo; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-47

A Resolution reimbursing an amount of \$35.00 to Mr. Isaiah Manning due to an inadvertent delay in his receiving a Motor Vehicle Release Form from the Beverly City Police Department. Motion to Approve by Carlbon; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-48

A Resolution appointing Detective Dean Allen as the Beverly City Police Department's "Public Information Officer". Motion to Approve by Thibault; Second by Crespo. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2013-49

A Resolution appointing Sgt. James Boettger as the Beverly City Police Department's "Megan's Law Officer". Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes, except Crespo-Recused. Motion Carried.

Resolution 2013-50

A Resolution appointing Officer Theresa Matthews as the Beverly City Police Department's "Juvenile Law Enforcement Officer". Motion to Approve by Carlbon; Second by Thibault. Roll Call Vote - All Ayes, except Crespo-Recused. Motion Carried.

RESOLUTION 2013-51

A Resolution requesting a Direct Grant from the Burlington County Bridge Commission for the Jetting/Cleaning/Video Inspection, and possible Lining of the Storm Sewer at Warren and Magnolia Streets in the City of Beverly. Motion to Approve by Thibault; Second by Crespo. Roll Call Vote - All Ayes. Motion Carried.

RESOLUITON 2012-52

A Resolution authorizing Beverly City Engineers, Environmental Resolutions, Inc., to complete a Survey at the intersection of Warren Street and VanSciver Street in an amount not to exceed \$2,000.00 based on Certification of Funds by the Beverly City CFO. Motion by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

OLD BUSINESS:

- Beverly City Recodification Project: Step One - Organizational Analysis. For Council immediate review and input. The Clerk updated Council regarding progress with Phase I and that the end date for said Phase had been extended to the end of March.
- Beverly City Confidentiality Agreements. Mr. Bancroft clarified the need for same for Beverly City Volunteer staff as well as other applicable personnel.
- Beverly City Polling Locations. The benefit of having one Polling Location (at Beverly City School) for the City was discussed by Council Motion to Approve, conditioned upon approval by Beverly Elementary School, was made by Thibault; Second by Lowden. Roll Call Vote - All Ayes, except Crespo-Nay. Motion Carried.

NEW BUSINESS:

- Ordinance 2003-7(5-8): Storage/Repair/Operation/Abandonment of Motor Vehicles. Discussion regarding Trailer and Recreation Vehicles. Update was given by the Acting Administrator. Research will continue along with updated language for same for one of Council's next meetings TBA.
- Ordinance 2011-13: Beverly City Fee Schedule. Discussion regarding amending of same. Council was advised by the Acting Administrator that the City is in need of a fully updated Fee Ordinance and that work has begun on same and will be presented to Council for review upon completion.
- Palmyra High School Post Prom Committee: Request for donation to help fund their 2013 Post Prom Party to be held on May 10, 2013. Last year's event was a great success with 98% of the students attending and staying out of harm's way. Discussion was had relative to the benefits of such a gathering with the following Resolution being proposed:

RESOLUTION 2013-53

A Resolution of the City of Beverly authorizing, upon Letter of Request by the Palmyra High School Post Prom Committee, to disburse \$200.00 to said Post Prom Committee to assist in the cost of the School's Alcohol/Drug Free Post Prom Party for their Graduating Seniors which includes Beverly City students. Said amount is to be made from the Beverly City "Community Events" Line Item, and is based on Certification of Funds by the Beverly City CFO/Treasurer. Motion to Approve by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

- Burlington County Youth Art: Chairperson request, on behalf of the Art Educators of New Jersey, for a Proclamation declaring March as "Youth Art Month" for presentation at the Burlington County Youth Art Month Awards Show. Mayor Miller said that he will handle same.
- 2013 BURLCOJIF Optional Safety Budget Program: Reimbursement Procedures for the 2013 Fund Year. The Clerk updated Council on the procedures for same.
- Survey for VanSciver/Warren Streets Intersection. Upon discussion, the **Resolution 2013-53** was offered (See above Resolution listing).

RESOLUTION 2013-52

A Resolution authorizing Environmental Resolutions, Inc. to conduct a Survey at VanSciver and Warren Streets in an amount not to exceed \$2,000.00, with Certification of Funds by the Beverly City CFO/Treasurer, relative to an existing issue with the alignment of VanSciver Street at 61 Warren Street that the City will, upon receipt of said Survey, correlate with Burlington County for possible correction. Motion to Approve by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

BILLS LIST

The 2/7/13 Bills List was reviewed with a Motion for Approval by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

CORRESPONDENCE

Mayor Miller read the following items into the Minutes. Said documents will be handled/filed accordingly by the Clerk's Office.

- Beverly Edgewater Park Emergency Squad 1/24/13 letter.
- NJ Local Boards of Health Association 1/18/13 letter.
- NJ Local Finance Board email 1/29/13 relative to a rule pertaining to local unit payment of bond or note obligations.
- Email notice relative to electronic filing of required Annual Financial Disclosure Forms.
- Storb Environmental Incorporated: Downstream Notifications and Public Notices.
- Environmental Resolutions: 2013 Engineering Costs.

COMMENTS/REPORTS

Mayor Miller advised that progress is being made with the Parade and that they continue to be interested in recreation projects for the kids and adults and to advise him of any suggestions.

Mr. Carlbon advised that the Clean Communities Clean-up Day is scheduled for May 18, 2013 with a "rain date" of May 25, 2013. There will be a dumpster placed at the Sewer Plant for two weeks; no electronics or construction debris is allowed. Beverly will be meeting with Edgewater Park soon. Mr. Wolbert will notify the County relative to Transit and Police.

Mr. Lowden advised that there will be an update by the Finance Committee at Council's next meeting. Additionally, there was a Mold Remediation class held February 7, 2013 at Long Beach Island.

Mr. Thibault advised that the Economic Development Committee met on January 27, 2013 and identified priorities. They are moving forward in a methodical manner, working with the County relative to Master Plan Review with Redevelopment Zone Overlays. He said that they reached out to Mr. Remsa at the County to come to their meeting. Mr. Thibault also stated that the Police Committee met regarding the Department functions with a review being done as to what can be done to upgrade same. He further stated that the Finance Committee discussed an informational letter from ERI regarding DOT Grants and the City Hall Project-Phase II. We can't move forward with this Phase as the City doesn't have the soft costs at this time. The Roads Project that is so important is also on "hold" at this time.

Mr. Lowden felt that the City should keep moving forward with DOT Grants.

Mr. Wolbert advised that relative to the ADA Grant for Phase II at City Hall - he spoke with the Program Manager regarding ERI's notice of non-funding. He stated that HVAC was not an eligible activity. He reminded Council that much of the State's Grant monies had gone towards Hurricane Sandy repairs.

Mr. Thibault reviewed the City's Shared Services status:
Animal Control - 2012 was \$5,200. We are waiting for their 2013 contract. With Snow Removal/the County - we're okay through 2015.
For Housing Inspection - we need updated language. Regarding Public Works - they're doing heavy truck/vehicle repair and we need a dollar amount for the new year. It was stated that Rich Wolbert and Bob Bancroft will go to Willingboro and return to Council with detailed information.

Mr. Wolbert stated that Council needs to discuss options for oversight of Property Maintenance Inspections. He reported on the following additional items in progress: The Auditor was in for two weeks gathering information for the 2012 Audit. On February 19, a meeting was held with NJDCA relative to Shared Services and Transitional Aid. He said that there are some applicants for Construction/Planning Board/Zoning Permits who are getting Certificates of Occupancy before everything has been taken care of. Mr. Wolbert will be setting up a form that will remediate this. He also spoke with the Hazard Mitigation Office relative to dollars to finish the interconnect on Broad Street; he will put in for same. Regarding Abandoned Properties - he will reach out to our Community Development Committee to assist. He said that Evesham is not holding Banks properly accountable for same. He further updated Council stating that he had met with Networks Plus to advise them that the City will be taking over the website after their final design; daily updates will be able to be done in-house. Lastly, he reported that he will take over all Road Opening Permits and Inspections (this was done prior by ERI).

Mr. Carlbon advised that he spoke with Ms. Nooney at the County several times regarding County Aerial Spraying for Mosquitoes. He said that the County only sprays at the end of Manor. He has read the toxicity info, and would like to table any decision by Council one more time. Spraying starts April 1 and runs through November each year. The City could also put it on the Website within 24 hours and we could also do the Global Calling.

Professional - Comments held for Executive Session.

Clerk - Nothing at this time.

Tax Collector - Monthly Report for January 2013. The Report was Motioned for Approval by Crespo; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

PUBLIC COMMENTS

Public Comment was had by Beverly/Edgewater Park EMT Squad Captain Paul Rush; Amy Bent; Mary Ellen Knudson. Discussion was had relative to Beverly/Edgewater Park EMT Squad status update; Tax Assessment Cards; Lien regarding tree taken down on Laurel Street; Items on the Bills List; Paying for the mailing of the Beverly Bee; Clarification on Resolutions 2013-42 and 45.

There being no further business, Motion to Move to Executive Session at 8:31PM by Thibault; Second by Carlbon. All in Favor - Aye. Motion Carried.

EXECUTIVE SESSION

Resolution 2013-53A:

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:

CONTRACTUAL

LITIGATION

PENDING LITIGATION

PERSONNEL

ACTION TAKEN AFTER EXECUTIVE: YES NO

Mayor Miller recommended that given the City's current situation that we look into identifying all expenses, and that the Finance Committee look into financing for Grant Applications for our Roads Projects. We can't delay. The expense is necessary.

ADJOURNMENT

There being no further business, Motion to Adjourn at 9:00PMPM was made by Carlbon; Second by Thibault. All in Favor - Aye. Motion Carried.

Respectfully submitted,

Donna F. Snyder, RMC/CMR/CPM

Date

APPROVED:

Randy H. Miller, Mayor

Date