

**THE COMMON COUNCIL OF THE CITY OF BEVERLY**  
**JULY 22, 2014**  
**7:00PM**

**MINUTES**

**CALL TO ORDER**

The meeting was Called to Order at 7:05PM 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 12, 2014 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 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**

Mayor: Randy H. Miller  
Council President: Robert H. Bancroft  
Council Members:  
Robert E. Lowden, Jr.  
Mark A. Schwedes  
Robert D. Thibault  
Engineer: William H. Kirchner (Attendance not required.)  
Municipal Clerk: Donna F. Snyder, RMC/CMR/CPM  
Administrator/Director of Public Safety: Richard A. Wolbert  
Solicitor: George Morris - Parker McCay (Sub for Brian Guest)

**APPROVAL OF MINUTES -**

The July 8, 2014 Regular Meeting Minutes were Motioned by Lowden and Seconded by Thibault to Approve as Amended to include Vote for Resolutions listed. Roll Call Vote - All Ayes. There was no Executive Session.

**N.B.** Upon review of the above, the Clerk hereby advises that **NO AMENDMENT** was required relative to the Resolutions as the Resolutions were **COMBINED** under **CONSENT AGENDA** and the Vote was so stated in the July 8, 2014 Minutes on Page 3, Center Page, Bolded. Vote to Approve stands.

**PUBLIC COMMENT ON AGENDA ITEMS ONLY**

There was no Public Comment at this time.

**PRESENTATION:** "Safety on the Agenda" (See Attached)

Presenting: Bonnie Rick, Hardenbergh Risk Management  
Chris Fifis, Hardenbergh Risk Management

Ms. Rick' Slide Presentation reviewed the 2014 Core Elements of the City's Safety Program, as well as the 2013 Results of the Program. She additionally covered the Risk Management requirements for holding Special Events. Mr. Thibault extended the invitation to Ms. Rick to attend the next Community Events Planning Meeting and give input. Ms. Rick stated that she would attend.

**ORDINANCES**

**ORDINANCE 2014-1 - INTRODUCTION/FIRST READING** (Tabled from 1/28/14 and 2/25/14)

**AN ORDINANCE OF THE CITY OF BEVERLY ESTABLISHING A ROGRAM PURSUANT TO N.J.S.A. 40A:21-1 ET SEQ. FOR CERTAIN ABATEMENT OF REAL PROPERTY TAXES IN AREAS IN NEED OF REHABILITATION OR REDEVELOPMENT.** Said Ordinance will come before Council for Second Reading/Public Hearing/Adoption at their meeting to be held on August 12, 2014 at 7PM at Beverly City Hall, 446 Broad Street, Beverly, NJ at which time all those 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 at the aforementioned address during normal business hours, Monday through Friday, 9AM-5PM. Motion to Approve by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

**ORDINANCE 2014-7 - INTRODUCTION/FIRST READING** (Tabled from 5/27/14)

**AN ORDINANCE REGARDING THE CONSTRUCTION, REPAIR AND MAINTENANCE OF SIDEWALKS AND REGULATION OF TREES ADJACENT TO SIDEWALKS IN THE CITY OF BEVERLY.** Said Ordinance will come before Council for Second Reading/Public Hearing/Adoption at their meeting to be held on August 12, 2014 at 7PM at Beverly City Hall, 446 Broad Street, Beverly, NJ at which time all those 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 at the aforementioned address during normal business hours, Monday through Friday, 9AM-5PM. Mr. Schwedes stated that Deeds don't include Sidewalks. Mr. Wolbert advised that the Municipality can assign that responsibility to the Homeowner. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

**ORDINANCE 2014-9 - INTRODUCTION/FIRST READING****AN ORDINANCE REPEALING ORDINANCE 2011-2 REGARDING THE "DOWNTOWN COMMERCIAL PARKING TRUST"**

Said Ordinance will come before Council for Second Reading/Public Hearing/Adoption at their meeting to be held on August 12, 2014 at 7PM at Beverly City Hall, 446 Broad Street, Beverly, NJ at which time all those 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 at the aforementioned address during normal business hours, Monday through Friday, 9AM-5PM. Mr. Wolbert clarified that the City's prior Ordinance was unenforceable; this was actually an Impact Fee. While well-intentioned at the time, it was illegal. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

**RESOLUTIONS****RESOLUTION 2014-117**

A Resolution approving the Report of Audit of Financial Statements for the Year Ended December 31, 2013, as submitted by Beverly City Auditor Inverso & Stewart, LLC. Mr. Wolbert requested Council's attention to Page 71 of the Audit, "Schedule of Findings and Recommendations for the Year Ended December 31, 2013" relative to "Findings", noting that Escrows are now "un-comingled" with proper accounts in place, and the Dedication by Rider account for Parking Offenses Adjudication Act funds has also been established with State notification completed. The Auditor advises us that we are in better shape this year than last with a \$75,000 fund balance. We are watching all spending and we are doing better. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All ayes. Motion Carried.

**RESOLUTION 2014-118**

A Resolution of the Common Council of the City of Beverly stating that it has complied with N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by Resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, at a minimum, the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the **Group Affidavit** form of the Governing Body attached hereto. Motion to Approve by Lowden; Second by Schwedes. Roll Call Vote - All ayes. Motion Carried.

**RESOLUTION 2014-119**

A Resolution approving Mercantile License for the 2014-2015 Licensing Year to "Wang's Asian Restaurant", 313 Warren Street, Beverly, NJ, all required fees being paid and pending Prior Approval compliance.

Motion to Approve by Lowden; Second by Schwedes. Roll Call Vote - All ayes. Motion Carried.

**RESOLUTION 2014-120**

A Resolution authorizing the refund of a deposit to the City of Beverly Sewerage Authority. Motion to Approve by Thibault; Second by Schwedes. Roll Call Vote - All Ayes, except Lowden and Bancroft - Abstain. Motion Carried.

**OLD BUSINESS**

1. 2014 League Conference Educational Classes to date. The Clerk reminded those Council members who will be attending the League Conference in November this year to intermittently pull up the Leagues website [www.njslom.com](http://www.njslom.com) for updated educational sessions that will be available during this year's session.

**NEW BUSINESS**

Mr. Wolbert advised that he had received a letter from a resident regarding the City's current local Towing Ordinance. He said that he had reviewed same with the resident and had further discussed options with Solicitor Guest. Mr. Wolbert stated that while Towing regulations mandate a "rotation" be utilized, that a revised Ordinance will be forthcoming that will limit this rotation to three vendors.

**BILL LIST**

Review and Approval of the July 22, 2014 Bill List. Said Bill List was Approved as submitted with a Motion by Thibault; Second by Lowden. Roll Call Vote - All Ayes, except Schwedes - Abstain to item #00270. 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 received Correspondence into the Minutes:

1. State of NJ Department of Community Affairs - 2014 Transitional Aid Award \$300,000.
2. Hambro & Mitchell - Public Notice regarding Application by Verizon Wireless for Use Variance and Preliminary and Final Site Plan Approval at 703 Van Rossum Avenue, Block 620/Lots 3 and 4.01.

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

Mayor Miller advised that it has been a good year thus far, and he trusts that it will continue in that light.

**Council**

Mr. Thibault advised that progress continues to be made relative to Community Day to be held on 9/27/14 aided now by Hardenbergh Risk Management attending the Committee's next planning meeting, along with a meeting with Emergency services to advise them relative to what would be scheduled for that day.

Regarding the Joint Land Use Board - the City is now moving forward with "Family Dollar". We now have a National Retailer establishing in Beverly!

Mr. Schwedes advised that everyone should visit "Wang's Asian Fusion" restaurant on Warren Street. He said that the food was excellent. The restaurant has a totally different atmosphere that the business that was there previously. It's very upscale and even has a Sushi Bar.

He also reminded everyone about the fundraisers taking place: the 9/7/14 Renault Winery Tour/Resorts Casino Bus Trip; cut-off date for reservations is 8/18/14. Flyers are upstairs on the table outside the Clerk's office. Additionally, there are still "Camden Riversharks" Baseball tickets still available in the Clerk's office at \$12 each for Saturday, 8/23/14, 5:45PM. The evening game also includes Fireworks.

Mr. Lowden reminded those present that the County's "Single Stream" Recycling Collection starts in Beverly City on Thursday, September 11. He also stated that it was good to see "Wang's Asian Fusion" Restaurant doing so well.

**Administrator/Public Safety Director**

Mr. Wolbert advised re "Family Dollar" coming to Beverly at Five Points, Warren and Cooper Streets. It's an 8,300 square foot facility that will provide the community with twelve jobs. There's enough traffic for them to do business at this location! Also, "Wang's Asian Fusion" Restaurant continues to do well.

Mr. Wolbert stated that he had a second meeting with the Court and he was told that the County will be making changes to other Courts based on how well the Beverly Court is conducted! Day Court is on for tomorrow at 8:30AM.

Mr. Wolbert said that he and Mr. Bancroft will be attending a meeting at the County Library between 10AM-Noon tomorrow regarding the Economic Opportunity Act.

Council was also advised by Mr. Wolbert regarding expenditures that the boiler has to be replaced. We will have to look to replace or upgrade to a more efficient design, and this will be in the \$150,000 range.

The City's CFO is doing a wonderful job, making needed corrections and change ups to our procedures. Our new Tax Collector is on the same path relative to correcting prior processes. Residents are adjusting to the Tax and Finance Departments' new part-time schedules.

Additionally, the County will be upgrading all of their communications equipment because of interference with digital signals. We need to plan for that in case we have to incur any of the cost. Also, we are having some radar issues with our Police cars that need to be taken care of.

**Professionals** - Nothing at this time.

**Municipal Clerk**

Ms. Snyder reminded Council members to remain after the meeting to sign the Audit Resolution which had to be sent to the State. Additionally, she informed Council regarding information obtained at the Recycling meeting she attended on 7/17 regarding the September start to "Single Stream" Recycling pickup.

**Municipal Court Administrator** - Accepting Court Report for June 2014 Motion to Accept said report by Lowden; Second by Thibault. All in Favor. Motion Carried.

**PUBLIC COMMENT**

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

Public Comment was had by Mary Ellen Knudson. Topics covered included a problem during the Saturday BBQ that Mr. Wolbert advised could not be discussed as it was still under investigation. Ms. Knudson was also advised that Dorothea Jones had not been with the City since April 10 of this year. Yvonne Bullock was our new part-time CFO working 8AM-Noon on Tuesdays, and nights/weekends as applicable. Shari Phillips is our new part-time Tax Collector working on Tuesday meeting nights, every other Tuesday or Wednesday, and Sundays. Regarding Transitional Aid, the City requested \$303,300 and we were given \$300,000.

As there were no further questions, Public Comment was closed at 8:02PM.

**EXECUTIVE SESSION**

**Resolution 2014-121:**

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**

Motion to go into Executive Session at 8:02PM made by Thibault; Second by Lowden. All in Favor. Motion Carried.

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

**ADJOURNMENT**

There being no further business, Motion to Adjourn at 8:20PM made by Thibault; Second by Schwedes. All in Favor. Motion Carried.

Respectfully submitted,

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

\_\_\_\_\_  
Date

**APPROVED:**

\_\_\_\_\_  
Robert H. Bancroft

\_\_\_\_\_  
Date

