

THE COMMON COUNCIL OF THE CITY OF BEVERLY
JUNE 24, 2014
7:00PM

MINUTES

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 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

Present:

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

Absent:

Council Member: Lawrence F. Carlbon

APPROVAL OF MINUTES - June 10, 2014 Regular Minutes were Approved as amended with a Motion by Schwedes; Second by Lowden. Motion Carried. There was no Executive Session. Note that amendment included typo correction and completion of statement for Resolution 2014-103.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

There was no comment at this time.

ORDINANCES

ORDINANCE 2014-8 - SECOND READING/PUBLIC HEARING - Postponed

An Ordinance of the City of Beverly amending the Fees applicable to the Beverly City Joint Land Use Board as contained in the Code of the City of Beverly, Section 21-7, entitled "Schedule of Fees". Due to delay in publication date, said Ordinance will come before Council for Second Reading/Public Hearing/Adoption at their meeting to be held at 7PM on July 8, 2014 at Beverly City Hall, 446 Broad Street, Beverly, NJ 08010. Copies of said Ordinance are available for review at the Office of the Municipal Clerk during regular business hours, M-F 9AM-5PM.

RESOLUTIONS

RESOLUTION 2014-103 (Held from Council's 6-10-14 Meeting)

A Resolution authorizing renewal of 2014-2015 Liquor Licensing Year to The Athletic Club of Beverly, Inc., Club License Number 0302-31-004-004. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-105

A Resolution canceling outstanding/stale-dated checks issued from the Beverly Municipal Court General Account, according to applicable law. Motion to Approve by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-106

A Resolution approving Assignment of Tax Sale Certificate Certification relative to Beverly City property known as Block 1171/Lot 9, located at 528 Cooper Street, Beverly, NJ 08010. Solicitor Guest responded to a question by Mr. Thibault stating that DSHC was a company that invested in Tax Sale Certificates. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All ayes. Motion Carried.

RESOLUTION 2014-107

A Resolution authorizing renewal of 2014-2015 Liquor Licensing Year to Satyam Shivam, Inc., d/b/a F&M Liquors, Plenary Retail Consumption License w/Broad Package Privilege, License Number 0302-32-001-003. Motion to Approve by Thibault; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-108

A Resolution approving the following Mercantile Licenses for the 2014-2015 Calendar year, all required fees being paid, pending Prior Approval authorizations:

- A. BEVERLY CHIROPRACTIC
- B. CHEX CASHING SERVICES
- C. DON MORGAN HOME IMPROVEMENTS
- D. F&M LIQUORS
- E. RIVER COVE PRODUCTIONS, LLC

Motion to Approve by Thibault; Second by Lowden. Roll call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-109

A Resolution approving the following Retail Food Licenses for the 2014-2015 Calendar year, all required fees being paid, pending Prior Approval authorizations:

- A. F&M LIQUORS

Clarification was given to Mr. Schwedes by the Clerk stating that a Retail Food License was needed for this business because they sold pre-packaged snack foods and dairy products that had "Expiration Dates" that were monitored by the County, copies of which must come to the Clerk.

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

OLD BUSINESS

There was no Old Business at this time.

NEW BUSINESS

1. Draft Ordinance for Cable Franchise Renewal. Prior to the opportunity for Public Comment, the Solicitor clarified once again that this draft is for a 10 year Franchise Renewal period with Comcast for Cable; it grants them a non-exclusive right to use our right-of-ways. Any other company can come in at any time to provide like services. Said Ordinance is part of the Comcast Cable Franchise Renewal process.

2. Draft Ordinance Revising and Amending Chapter VIII, "Taxicabs" of the Revised General Ordinances of the City of Beverly. The Solicitor advised that he had submitted the Draft Ordinance for review by Council, but will also now take and review the Owner and Driver Application Forms that were prepared by the Clerk.

Recommendations from Hardenbergh for required Insurance Coverage will be reviewed as well.

3. Notification of the Option to Participate with Burlington County in the HOME Investment Partnership Programs for Fiscal Years 2015, 2016, and 2017.

This program was clarified to Council and those present by the Administrator. Participation will not affect the City's capability of applying for Small Cities Grants as had been the case in the past. Ron Morgan, COAH/RCA Specialist at Parker McCay, has stated that we have met our obligations in this area and that Council should consider being a part of the program. Mr. Lowden advised that the City was involved with Small Cities years ago and people were upset that we couldn't use this Program. He said he would like to thank the County for now allowing participation.

4. June 11, 2014 Municipal Court in-Session Visitation Report - Letter from Richard E. Andronici, JMC, relative to same.

5. League of Municipalities Annual Conference November 18, 19, 20, 2014. Educational information is available on the League's Website at www.njslom.com Please advise the Clerk by Council's July 8, 2014 meeting if you want to be Registered for this year's Conference and whether or not you will be staying over and want hotel reservations to be made for you for which you would reimburse the City. Those wishing to attend classes during the League must submit a written request to the Administrator by July 31, 2014.

BILL LIST

Review and Approval of the June 24, 2014 Bill List. Motion to Approve by Thibault; Second by Schwedes. Roll Call Vote - All ayes. Motion Carried.

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

There was no additional Correspondence at this time.

COMMENTS/REPORTS

Mayor

Mayor Miller stated that the overall direction of the City was extremely positive in all areas, from the Volunteerism to the EMT Response and activities.

Council

Mr. Thibault advised that all was well: The River Sharks game will be held on August 23; Community Day is scheduled for September 27. The Law and Ordinance Committee had its second meeting with the Solicitor

and we are very close to presenting for First Reading/Introduction. He also stated he would like to thank everyone for their participation.

Mr. Schwedes advised that even people from out of town are saying how good the City looks, as well as the positive atmosphere and good press.

Mr. Lowden advised that the Economic Development Committee and the Joint Land Use Board are finalizing the Master Plan Re-examination. There is one more meeting and then there's a break for the summer. There are some interesting items for Cooper and Warren and the Riverfront. As Health Committee Chair, he advised that the Macedonia AME Church kitchen received a Satisfactory rating from the Burlington County Board of Health.

Mr. Bancroft wished to thank the Fishing Tournament Volunteers, with great thanks to Barry and Sherry Merrill, recognizing them for what they do every year! Additional thanks to all who assisted, including but not limited to the EMT Squad, Paula Tiexiera, and Mary Ellen and Rick Knudson. He also reminded those who use our Park areas to remove your trash, as the trash cans were overloaded. If you bring it with you, take it home with you.

Administrator/Public Safety Director

Mr. Wolbert advised that relative to the Sidewalk Ordinance, 2014-7, upon checking with our Risk Management Consultant, definitions for "Unfit/Unsafe" are not usually defined due to insurance purposes. The Solicitor stated that reliance is usually placed on the good faith of your Enforcement Officials.

The Administrator also advised that a letter had been received from the Beverly Free Library requesting funding of \$3,500. Mr. Wolbert had composed a letter of reply which he read to Council stating the City's position under Transitional Aid. It was agreed that this would be sent.

Additionally, Mr. Wolbert advised that the Master Plan Re-examination meeting will be held tomorrow night. Also, there are still issues with the Police Department computers that are being addressed. Also, we are currently short one Officer.

Professionals - Nothing additional at this time.

Municipal Clerk

Ms. Snyder advised Council that notification had been received from the League of Municipalities regarding their 99th Annual Conference schedule for November 18, 19, and 20 in Atlantic City. The Municipal Clerk coordinates all reservations for all officials in the community. Anyone requesting hotel reservations is responsible for reimbursement to the City. The City picks up the Registration Fee for each official. Please advise ASAP re your attendance. Educational class information is posted online at the League's Website:

www.njslom.com

PUBLIC COMMENT

Please state you name and address clearly for the record.

Public Comment was had by Mary Ellen and Rick Knudson, Marcus Edwards, and John Haaf. Topics discussed included clarification of the Home Investment Partnership Program; Comcast Cable Renewal Franchise and use of rights-of-way as clarified again by the Solicitor; additional clarification on Mr. Edward's neighborhood children's sports schedules and requirements for same as well as a request from Mr. Edwards for financial volunteers to back the programs; questioning whether or not background checks had been done on the coaches involved in the sports program with clarification that the City had only received certification of insurance for same; reminder of the Farmers' Market this Thursday from 3-7PM in St. Joe's parking lot.

Mr. Wolbert advised that long-time resident Jan D'Elia had passed and that he had spoken with her husband Frank at eh viewing. He stated that Frank asked if the City would consider televising the Council meetings. He said he told Frank that the City can't afford to do that, but that as soon as it's free, we'd be sure to put it up!

Mr. Lowden added that it was really good to see Mr. Haaf return to the meeting audience.

Mr. Wolbert also updated Council on the new Slogan for the City saying that the cut-off will be continued a bit longer as the Burlington County Times article helped fire additional input.

There being no further input, Public Session was closed.

EXECUTIVE SESSION - Yes. (7:55PM)

Resolution 2014-111:

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 Approve 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 8:35PM was made by Lowden; Second by Thibault. All in Favor. Motion Carried.

Respectfully submitted,

DONNA F. SNYDER, RMC/CMR/CPM
MUNICIPAL CLERK

DATE

APPROVED:

RANDY H. MILLER, MAYOR

DATE