

THE COMMON COUNCIL OF THE CITY OF BEVERLY
COUNCIL MEETING
MARCH 11, 2014
7:00PM
MINUTES

CALL TO ORDER

The Meeting was Called to Order at 7:07PM 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
Solicitor: Brian Guest - Parker, McCay, P.A.

Absent:

Council Member: Lawrence F. Carlbon

LETTER OF COMMENDATION: Michael Dennis Healy, Jr., Troop 24
Attainment of "Eagle Scout" Designation
Mayor Miller read the Council's Letter of Commendation for Eagle Scout Michael Dennis Healy, Jr. into the Minutes (see attached).

APPROVAL OF MINUTES - February 11 and February 25, 2014 Regular and Executive Session Minutes.

The Regular Minutes from February 11 and 25 along with the Executive Session Minutes from February 11, 2014 were Approved with a Motion by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried. The Executive Session Minutes from February 25, 2014 were held for review of one item for this evening's Executive Session.

ORDINANCES

ORDINANCE 2014-3: FIRST READING/INTRODUCTION

AN ORDINANCE AMENDING THE GENERAL PENALTY PROVISIONS OF THE CITY CODE, SECTION 1-7 ENTITLED "PENALTY". Motion to Approve on Introduction by Lownds; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

ORDINANCE 2014-4: FIRST READING/INTRODUCTION

AN ORDINANCE REPEALING ORDINANCE 2011-6 REGARDING BACKGROUND CHECKS. Motion to Approve on Introduction by Thibault; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

TAKE NOTICE that the above Ordinances 2014-3 and 2014-4 are Introduced on First Reading at this meeting. Same will come before Council for Second Reading/Public Hearing at their March 25, 2014 meeting to be held at 7PM at Beverly City Hall, at which time all those wishing to be heard on same will be so heard. Copies of said Ordinances are available for review at the Office of the Municipal Clerk, 446 Broad Street, Beverly, NJ 08010 during regular business hours, M-F, 9A-5P.

ORDINANCE 2014-5: FIRST READING/INTRODUCTION

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14). Motion to Approve on Introduction by Thibault; Second by Lownds. Roll Call Vote - All Ayes. Motion Carried.

TAKE NOTICE that the above Ordinance 2014-5 is Introduced on First Reading at this meeting. Same will come before Council for Second Reading/Public Hearing/Adoption at their April 22, 2014 meeting to be held at 7PM at Beverly City Hall, at which time all those wishing to be heard on same will be so heard. Copies of said Ordinance is available for review at the Office of the Municipal Clerk, 446 Broad Street, Beverly, NJ 08010 during regular business hours, M-F, 9A-5P.

RESOLUTIONS

RESOLUTION 2014-56

A Resolution for Introduction of the 2014 Municipal Budget.

Motion to Approve on Introduction by Lowden; Second by Thibault. Roll Call Vote - All ayes. Motion Carried.

Note: While the Budget is referred to as a "Budget Resolution", it requires two readings, similar to an Ordinance. All Budgets must be Approved, Amended, and Adopted by Resolution. Each Resolution must be passed by not less than a Majority of the Full Membership of the Governing Body.

On March 18, 2014, a copy of the 2014 Budget, approved on Introduction, will be available for Public inspection at the following locations:

Beverly City Municipal Clerk's Office
446 Broad Street
Beverly, NJ 08010
609-387-1881, X100
Monday through Friday 9AM-5PM

The Beverly City Free Library
441 Cooper Street
Beverly, NJ 08010
609-387-1259
(Call for Days and Hours of operation)

The Burlington County Library
5 Pioneer Boulevard
Westampton, NJ 08060
609-267-9660
(Call for Days and Hours of operation)

Said Budget will be advertised according to law in the Burlington County Times on March 21, 2014, and forwarded to the Courier Post for advice only.

Second Reading, Public Hearing, and Adoption will be held at Council's **April 22, 2014** Meeting to be held at 7PM at Beverly City Hall, 446 Broad Street, Beverly, NJ 08010 at which time all those wishing to be heard on same will be so heard.

RESOLUTION 2014-57

A Resolution authorizing the Beverly City Certified Financial Officer, Administrator, and Registered Municipal Accountant to finalize all required documentation and submit same to the State of New Jersey Division of Local Government Services relative to the City of Beverly's 2014 Transitional Aid Application. Motion to Approve by Thibault; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-58

A Resolution canceling taxes due to Assessor Adjustment on Beverly City property Block 1280/Lot 4, also known as 625 Cooper Street. Motion to Approve by Lowden; Second by Bancroft. Upon discussion and clarification on the role of the Tax Assessor by Mr. Wolbert, Roll Call Vote - All Ayes, except Thibault-No. Motion Carried.

RESOLUTION 2014-59

A Resolution accepting the retirement of Police Sergeant Anthony J. Pearce. Mr. Schwedes recused himself from the dais relative to this proceeding. Motion to Accept by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

OLD BUSINESS

1. Beverly Bee

Mr. Wolbert related to Council his conversation with the Editor and that he was able to negotiate the City's annual \$3,000 payment down to \$2,500.

NEW BUSINESS

1. Burlington County Board of Chosen Freeholders - Cooperative Agreement for Pothole Mitigation.

Mr. Wolbert clarified the City's participation, stating that the County was now using acceptable patch. He advised that 32 potholes on the County road were done today. Warren Street was scheduled for repaving today.

BILL LIST

Review and Approval of the March 6, 2014 and March 10, 2014 Add-on Bill Lists.

Upon review, Motion to Approve by Thibault; Second by Lowden. 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 Correspondence at this time.

COMMENTS/REPORTS

Mayor - Nothing at this time.

Council

Mr. Thibault stated that relative to his discussion on Resolution 2014-58, he wasn't questioning Tax Assessor Robinson's credentials, but rather the process. He further updated Council that the Community Events Committee is moving forward and making progress. He also made a statement thanking the County for paving under the underpass on Warren Street.

Mr. Schwedes echoed Mr. Thibault's comment relative to the County paving. He stated that Community Events has a number of fund-raising events coming up and that everyone should try to help to promote same.

Mr. Lowden read the Satisfactory Health Department report we received from the County for Sunny Food Market, and that the store has come a long way.

Administrator/Public Safety Director

Mr. Wolbert reminded Council and those present that although the 2014 Budget is back before Council on April 22 for Adoption, we can't approve same until we receive State approval due Transitional Aid. Additionally, our Flags were out for dry cleaning which is why there is a temporary larger one presently in the Court.

Professionals - Nothing at this time.

Clerk - Nothing at this time.

Court Administrator - Acceptance of the January and February 2014 Reports submitted.

Motion to Accept same by Lowden; Second by Thibault. All in Favor. Motion Carried.

Tax Collector - Acceptance of the March 1, 2014 Report submitted.

Motion to Accept same by Lowden; Second by Schwedes. All in Favor. Motion Carried.

PUBLIC COMMENT - 7:55PM

Please state you name and address clearly for the record.

Public Comment was had by Dale Thompson; Ron Paice; Amy Bent; Pat Piryliis; Mary Ellen Knudson;

Discussion topics included: Additional potholes that need repair; Clarification of the CAP Bank Ordinance; Availability online for the Tax Assessor Manual; Concern regarding the City's continued use of the Beverly Bee, which is a private business, as an advertising mechanism; Continued discussion on the perceived inequity of the process utilized by the Tax Assessor regarding Resolution 2014-58; Clarification of Ordinance 2014-3; Concern that we continue to use the Beverly Bee at the \$2,500 rate because it's cheaper than any other type of mailing and that the cost pays for itself.

There being no further discussion, Motion to close Open Session at 8:15PM was made by Thibault; Second by Lowden. All in Favor. Motion Carried.

EXECUTIVE SESSION

Resolution 2014-60:

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

Motion to Approve the February 25, 2014 Executive Session Minutes with a change in Paragraph 1 to 2% made by Thibault; Second by Schwedes. All in Favor. Motion Carried.

ADJOURNMENT

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

Respectfully submitted,

Donna F. Snyder, RMC/CMR/CPM

Date

APPROVED:

Randy H. Miller, Mayor

Date

