

THE COMMON COUNCIL OF THE CITY OF BEVERLY
MAY 13, 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.

MOMENT OF SILENCE - TRUDI DESJARDINS

Mr. Bancroft asked that all remain standing after the Flag Salute for a Moment of Silence commemorating the passing of Trudi Desjardins as he read the following into the Minutes:

*WE HONOR THE MEMORY OF **TRUDI DESJARDINS**, WHO PASSED IN APRIL. TRUDI WAS KNOWN BY ALL AND SERVED THIS COMMUNITY OVER THE YEARS IN THE POSITIONS OF ACTING CLERK, DEPUTY CLERK, REGISTRAR, PLANNING BOARD MEMBER, COUNCIL MEMBER, AND BEVERLY FIRE DEPARTMENT LADIES' AUXILARY MEMBER. SHE IS MISSED BY ALL.*

ROLL CALL

Present:

Council President: Robert H. Bancroft

Council Members:

Lawrence F. Carlbon

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:

Mayor: Randy H. Miller

APPROVAL OF MINUTES

The April 22, 2014 Regular Minutes were approved as submitted with a Motion by Lowden; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried. There was no Executive Session.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

None initially. However, Mr. Thibault requested to see the surrounding area comp spreadsheet prepared by Ms. Cronin relative to the Land Use Fee Schedule update, under "New Business". This will be provided for the next Council meeting. Additionally, clarification was given on the "Application for Park/Facility Use" Form, relative to questions/input from Mr. Thibault and residents Amy Bent and Ron Paice.

ORDINANCES**ORDINANCE 2014-6: SECOND READING/PUBLIC HEARING/ADOPTION**

An Ordinance regulating the payment of Fire Insurance Claims pursuant to the Provisions of N.J.S.A. 17:36-6 et seq. Motion to Adopt by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTIONS**RESOLUTION 2014-81**

A Resolution authorizing the Tax Collector to prepare and mail estimated Tax Bills in accordance with P.L. 1994, C.72. Motion to Approve by Thibault; Second by Schwedes. Roll call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-82

A Resolution confirming the N.J. Department of Community Affairs/Division of Local Government Services' authorization for the Part-time/Temporary hiring of Beverly Morgan to the Unclassified position of Payroll and Accounts Receivable Clerk in conjunction with Resolution 2014-74 approved at Council's April 22, 2014 meeting. Motion to Approve by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-83

A Resolution authorizing payout OF \$79,713.20 TO Gower's, Inc., Contractor for the Rehabilitation of Playgrounds: Talbot Hall and Farnum Parks Project, in conjunction with the attached Pay Estimate #1 and the attached signed Payment Voucher. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-84

A Resolution authorizing and confirming a Repayment Agreement between the Municipal Excess Liability Joint Insurance Fund ("MEL") and the City of Beverly which calls for installment payment of \$20,730.56 to the MEL for the next three years (2014, 2015, 2016) thereby repaying to the MEL the balance due of \$62,190.77 relative to the Theresa Matthews v. City of Beverly, et al litigation according to the attached documentation. Motion to Approve by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion carried.

RESOLUTION 2014-85

A Resolution assigning Council Committee positions for the 2014 Calendar Year. Motion to Approve by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-86

A Resolution appointing Yvonne Bullock to the unclassified position of Certified Municipal Finance Officer (CMFO)/Treasurer, and Certifying Officer for NJ Division of Pensions and Benefits: Part-time at a minimum of four (4) hours per week, no Benefits, effective immediately, at a salary of \$17,500 per year, having received final confirmation by the NJ Department of Community Affairs/Division of Local Government Services due Beverly City Transitional Aid status. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2014-87

A Resolution approving, upon Police review, Vendor Permit to Bryant Geissler to operate a "**Mr. Softee**" truck through the City of Beverly selling soft-serve ice cream, milkshakes, soda, and bottled water, all fees being paid and all required paperwork being submitted. Motion to Approve by Lowden; Second by Thibault. Roll call Vote - All Ayes. Motion Carried.

OLD BUSINESS

1. NJDOT -Confirmation of \$195,000.00 in funding from the NJDOT Fiscal Year 2014 Municipal Aid Program for 2014 Road Improvements Project. Clarified by Mr. Wolbert for those present that this project covers all of Nichols, all of Ashton, all of Wheatley, Bentley from Putnam to Pine, and Putnam from Magnolia to Broad.

NEW BUSINESS

1. Joint Land Use Board Draft Ordinance - Fee Ordinance Update for Council review. Council will review same for their next meeting on May 27, 2014.

2. Council review of "Application for Park/Facility Use" Form. Mr. Wolbert related clarifications from Hardenberg Insurance, the City's Risk Management Consultant. Motion to Approve by Thibault;

Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried as **Resolution 2014- 88.**

BILL LIST

The May 13, 2014 bills were Approved for payment at this time with a Motion by Thibault; Second by Schwedes. Roll Call Vote - All Ayes. Review and Approval of the May 13, 2014 Bill List.

CORRESPONDENCE - *(Note that all Correspondence will be handled/filed by and in the Office of the Municipal Clerk.)* In the Mayor's absence, the Correspondence was read into the Minutes by Ms. Snyder.

1. Beverly Commons: 2013 Independent Audit Report
2. Beverly Free Library: "Mardi Gras in May" - Invitation to the Governing Body for Saturday, 5/24/14, 5-8PM at St. Stephen's Episcopal Church, Conklin Hall.
3. NJDEP: Announcing State History Fair - Saturday, 5/10/14 at Washington Crossing State Park.
4. Patrick F. McAndrew, Esq. (Attorney for Applicant): Edgewater Park Township Planning Board re Block 1201/Lot 7, 4307 Route 130 South, Edgewater Park, NJ.
5. Burlington County Board of Taxation: Regarding Certification of 2014 Tax Rates.
6. Burlington County Board of Health: Spay/Neuter Clinic - Sunday, 6/1/14.

COMMENTS/REPORTS

Mayor - Absent.

Council

Mr. Thibault advised re an update on the Community Events Committee. The Ad Campaign as brought in approximately \$3,000 in revenue with 19 participant commitments. He brought in samples for viewing. Ads would be posted on the Basketball Yard Fence 6/1 through 10/31. Mr. Thibault also remembered Trudi Desjardins by saying she was always most gracious and was part of the town works for a very long time. He was advised by the Solicitor that any comments re the Comcast Franchise Renewal would have to be done in Closed Session as the topic is Contractual.

Mr. Carlbon stated that the Clean Communities event to be held on May 24, 2014 has 15 participants at this point; there are T-Shirts and Food; Scouts will be helping, and there are forms in City Hall. Signup sheets were sent to Beverly School. All will meet 9AM-12Noon at the Park across from City Hall. Also, a Dumpster will be placed at the Sewer Authority May 24 through the following weekend for residents.

Mr. Lowden humorously commented that with the warmer weather his grandson was extremely happy to see the "Mr. Softee" truck making its rounds!

Administrator/Public Safety Director

Mr. Wolbert advised that he held a meeting with a Recycling vendor relative to handling recycling needs that are not currently being handled by anyone else. They would collect tires (City charge - \$1.00/ea. and Resident charge - \$3.00/ea.); Computers; TVs, etc. and they would provide us with a report for our annual Tonnage Report due to the State. The County will go to Single Stream this fall. Said Recycling vendor would be able to recycle rigid plastics to cart away and document destruction. Responding to a question re having a "Shredder Event" in town, he stated that the County OTC runs those and he would see about requesting the truck for same. Mr. Wolbert also informed Council that the manholes on Warren Street had been repaired by the County. Additionally, the Beverly Free Library is requesting a Liaison from Council to the Library. Mr. Lowden volunteered for same. Mr. Wolbert will advise the Library of same. He also mentioned that Edgewater Park Township has requested that insurance for the Parade be split between both participating towns, making Beverly's share \$250 for this year. Motion to approve same by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried as **Resolution 2014-89**.

As Safety Director, Mr. Wolbert reported that there had been an issue this past Saturday evening. All came out to help as well as the State Police. All was resolved with no injuries, and the investigation is ongoing.

Professionals - Nothing at this time.

Clerk - Nothing at this time.

Municipal Court Administrator: Acceptance of April 2014 Report. Motion to Accept by Thibault; Second by Carlbon. All in Favor. Motion Carried. Mr. Wolbert also advised that the County is impressed with the reduction in our backlog in the Court.

PUBLIC COMMENT

Please state your name and address clearly for the record.

Public Comment was had by Rick Knudson; Mary Ellen Knudson, Amy Bent, Ron Paice, Paula Tiexiera, and Ryan Atkinson. Topics discussed included items that can be place in the Dumpster on Clean Communities Day; clarification on Resolution 2014-85; speeding at Five Points; the availability of Grants; clarification on the new Parks/Facility Use Form relative to number of tables, etc. and the Parks being able to be utilized by more than one family hosting an event; the Curfew Ordinance; the need for a right-hand turn lane at Broad and Warren; Emergency Squad Events Schedule.

There being no further input, Public Comment was closed at 8:35PM.

EXECUTIVE SESSION - None.

Resolution 2014-_____ :

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 8:35PM by Thibault; Second by Carlbon. All in Favor. Motion Carried.

Council
Minutes 5/13/14

Respectfully submitted,

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

DATE

APPROVED:

RANDY H. MILLER, MAYOR

DATE