

**THE COMMON COUNCIL OF THE CITY OF BEVERLY**  
**COUNCIL MEETING**  
**MAY 14, 2013**  
**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 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

Administrator/Director of Public Safety: Richard Wolbert

Solicitor: Brian Guest

Engineer: William H. Kirchner (Attendance not required.)

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

**CERTIFICATE OF APPRECIATION:** Presented by Council President Bancroft  
to Beverly City Resident John Haaf.

As Mr. Haaf was unable to attend, his wife Beverly Haaf accepted

**MINUTES**

Regular Council Meeting: 4/23/13;

*From 2012: 3/27; 6/12; 7/24.*

Executive Session Meeting: 4/23/13; *From 2012: 1/10; 3/13; 6/12; 7/24.*

The Regular Council Meeting Minutes from 4/23/13 were Approved as Submitted with a Motion by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

The Regular Council Meeting 2012 Minutes from 3/27, 6/12, and 7/24 were Accepted by Mr. Crespo and Mr. Thibault, as the only two currently seated Council Members who were seated in 2012.

Executive Session Minutes will be Motioned for Approval after review in Executive Session this evening.

**ORDINANCE 2013-5 - SECOND READING/PUBLIC HEARING**

An Ordinance amending Ordinance 2012-1 clarifying and establishing the Duties and Responsibilities of the Public Safety Director for the City of Beverly. Upon Second Reading/Public Hearing and clarification on the amendment by the Solicitor, Motion to Approve by Crespo; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

**RESOLUTIONS:**

**RESOLUTION 2013-95A - CONSENT AGENDA**

*For approval of **Resolutions 2013-95, 96, 98, 99, 100, 101, and 102** by "Consent Agenda". Consent Agenda items are not individually discussed. A Resolution approving the "Consent Agenda" (which may or may not include the reading of the list of items appearing on the Consent Agenda) is Moved, Seconded, and Voted upon as one item by the Governing Body. If any discussion is requested on same, it is removed from the "Consent Agenda" to the Regular Agenda. Motion to Approve by Lowden; Second by Crespo. All in Favor. Motion Carried.*

**RESOLUTION 2013-95**

A Resolution for Route 130/Delaware River Corridor Municipalities to adopt in support of a Pedestrian and Bicycle Safety Study for the Highway.

**RESOLUTION 2013-96**

A Resolution for a new Subordination Agreement for Beverly City property known as 519, 520, and 521 Third Street, Beverly, NJ 08010.

**RESOLUTION 2013-98**

A Resolution Certifying Municipal Affordable Housing Trust Fund Status.

**RESOLUTION 2013-99**

A Resolution authorizing a Handicapped Parking Space at 644 Manor Road, site inspection having been completed and all required paperwork in order.

**RESOLUTION 2013-100**

A Resolution opposing A-1196, in conjunction with the BURLCOMEL and NJ League of Municipalities, which would increase Worker's Compensation Benefits for Spouses of deceased Police Officers and Fire Fighters.

**RESOLUTION 2013-101**

A Resolution opposing A-2756, in conjunction with the BURLCOMEL and NJ League of Municipalities, which creates a presumption that cancer and other diseases suffered by First Responders are caused by on the job exposure.

**RESOLUTION 2013-102**

**A Resolution re-appointing Sarah Richards to the Housing Authority of the City of Beverly for a new five-year term effective June 1, 2013 through and including May 31, 2018.**

**Motion to Approve Resolutions 2013-95, 96, 98, 99, 100, 101, and 102 By Lowden; Second by Thibault. Roll Call Vote - All Ayes, except Lowden-Abstain on 2013-102. Motion Carried**

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**OLD BUSINESS:**

New Jersey American Water Company Waterfront Property. This topic is for Executive Session this evening.

Law and Ordinance Committee regarding Recodification. The Committee was reminded that it was imperative that they meet relative to the Recodification process currently underway.

**NEW BUSINESS:**

Council's acceptance of the following Letters of Resignation:  
~Patrolman Justin Zeuner (as of May 20, 2013)

*~Patrolman Robert J. Raditz (as of May 14, 2013)*  
*~Detective Dean Allen (as of May 20, 2013)*

Motion to Approve the above Letters of Resignation made by Thibault;  
Second by Carlbom. Roll Call Vote - All Ayes, except Crespo-No.  
Motion Carried.

#### **BILLS LIST**

Review of the 5/13/13 Bills List for approval. Motion to Approve by  
Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion  
Carried.

#### **CORRESPONDENCE**

Mayor Miller read the following correspondence aloud. All  
correspondence will be handled/filed accordingly in the Office of the  
Municipal Clerk.

~Library "Mardi Gras" Information

~Early Voting Bill Vetoed by Governor.

~NJDEP Clean Communities Grant Award to Beverly City: \$5,383.46

~NJDOT Fiscal Year 2013 Municipal Aid Program Award to Beverly City:  
\$200,000 for the Beverly City Road Improvement Project.

#### **COMMENTS/REPORTS**

**Mayor** - Nothing additional at this time.

#### **Council**

Mr. Thibault updated everyone on the Memorial Day Parade events for  
May 27, 2013. Relative to Economic Development, he stated that he has  
Executive Session material re Mr. Raia and COAH/RCA's. Additionally  
he stated that he had a status update with Mr. Wolbert re Beaunit  
Mills.

Mr. Carlbom reminded all re "Cleanup Day" on May 18, and stated that  
Volunteers are also needed to walk in the Parade. He also reminded  
all re the "Community Day" Fundraiser on 8/16/13, Camden Riversharks,  
7:05PM. We have 100 tickets at \$12.00 each. There will be fireworks  
after the game. Tickets are available at City Hall or see Pat  
Pirylis.

Mr. Crespo questioned the Police Committee as to what the scheduling  
plan is now that three officers have resigned. Mr. Wolbert advised  
that there will be a bit of overtime, but he has reached out to the

County for support between 6P-Midnight at \$55.00 per hour. A Rice List has been obtained from Civil Service and notifications have gone out to submit resumes.

Mr. Lowden questioned re a late Train run on 8/16/13 for the Riversharks event. Mr. Thibault is waiting for a callback re same and

will advise. Mr. Lowden also advised that that notice has been received from the County re Animal Rabies Cases in New Jersey. He stated that there has been an increase of rabbits, raccoons, and fox down by the dunes, and stated that the Police should be called if anything is seen. Mr. Lowden advised that the BURLCOJIF Loss Control Report was received with an overall good report and with only a few minor issues for correction. Relative to recent COAH updates, the City never had a "Trust Fund, so there are no issues relative to same. The Solicitor interjected at this point that the Injunction went into effect today, i.e., the COAH issue is being held up in Court. Mr. Lowden advised that he will not be able to attend "Cleanup Day" as he will be attending the New Jersey 23<sup>rd</sup> in South Jersey. He will report next month on same.

**Administrator/Public Safety Director**

Mr. Wolbert read a Letter of Commendation for Officer Sean Mickle from Delanco's Police Chief for a job well done. Joint congratulations were expressed by Council for Officer Mickle's assistance to Delanco.

He reported that "Operation Take-Back" took in 15 pounds of prescription meds which were disposed of properly and given to the DEP for their proper disposal.

Street sweeping will take place on May 22, with a Rain Date of 5/23 for the Memorial Day Parade on May 27.

Mr. Wolbert advised that at the last Board of Education Meeting he was advised that the School has a mower that they are no longer using and would donate same to the City. Additionally, the City will get a copy of the School's Surplus Equipment List on a cooperative effort to keep costs down for the municipality.

The "Click It Or Ticket" grant will be submitted for next year. We will also be applying for cameras for all three vehicles; the Prosecutor's Office likes the Digital Format.

A special "Thank You" was given out to Resident Ryan Atkinson for spotting corrections on our Tonnage Grant. His assistance was much appreciated.

Mr. Wolbert advised that he is working diligently on Property Maintenance issues, with a listing of 35 properties currently; calls are being made to the Banks re same.

A "Thank You" to Resident Ron Paice for info from Trenton re new Police vehicles.

Lastly, \$200,000 has been received for the 2013 Roads Program which will incorporate all of Nichols, Wheatley to the River; and Bentley before the School. This Grant will be in next year's Budget.

**Professionals** - comments for Executive Session.

**Clerk**

Ms. Snyder gave a detailed update on the BURLCOJIF Planning Retreat that she attended as Safety Coordinator. Copies of the slide presentation were distributed to Council with specific notations on Sections II, IV, VIII, and IX.

She also advised re the April 17, 2013 Safety Meeting which was attended by all Department reps, Mr. Wolbert, Council President Bancroft, Council Member Crespo, and Debby Schiffer, Wellness Program Director. She advised that wellness questionnaires were being tallied and once completed would be reviewed relative to putting together a wellness program for the employees utilizing some of the Safety Monies attained by the City from the JIF.

Ms. Snyder stated that she is working with a rep from Rite-Aid Drug Stores to hold a Flu Clinic for the City employees this coming August. She will keep Council apprised of same.

**PUBLIC COMMENT**

*This portion of the meeting provides the public with an opportunity to ask questions of City Council concerning the City, or to address questions to the Administrator/Director of Public Safety. **Please state you name and address for the record.***

Public Comment was had by Daughter of Resident Marian Dove, Ron Paice, and Paul Bush. Topics discussed included Tax Sale List concerns; Thank you to the City for the Basketball backboard being repaired; Updates from the EMT Squad relative to CPR training for residents w/photo ID (see flyers) - update on Defibrillator and employee training - Response time to Beverly now under 4 minutes.

**Linda Galella:** Pending Litigation, for Executive Session.

**EXECUTIVE SESSION**

**Resolution 2013-103:**

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:

  x             **CONTRACTUAL**

  x             **LITIGATION**

             **POSSIBLE LITIGATION**

             **PERSONNEL**

**ACTION TAKEN AFTER EXECUTIVE:**         x   YES                  NO

After Executive Session, the Solicitor was instructed to check the status of the Cooper Street Revitalization Project with RCA/COAH. Motion to Approve by Lowden; Second by Thibault. All in Favor. Motion Carried.

**RESOLUTION 2013-97**

A Resolution authorizing the execution of a Purchase Agreement and Acquisition of Title of Property owned by New Jersey American Water Company for purposes of Redevelopment. Motion to Approve by Lowden; Second by Crespo. Roll Call Vote - All Ayes, except Carlbon - No. Motion Carried.

Council at this time accepted the termination/resignation of prior Public Works employee Brett Williams, via his call-in message to Administrator Wolbert. Motion to Approve by Thibault; Second by Crespo. Roll Call Vote - All Ayes. Motion Carried. Additionally, CWA will be contacted tomorrow.

**ADJOURNMENT**

There being no further business, Motion to Adjourn at 9:30PM by Crespo; Second by Lowden. All in Favor. Motion Carried.

Respectfully submitted,

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Donna F. Snyder, RMC/CMR/CPM

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Date

**APPROVED:**

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Randy H. Miller, Mayor

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Date