

THE COMMON COUNCIL OF THE CITY OF BEVERLY
COUNCIL MEETING
SEPTEMBER 10, 2013
7:00PM

MINUTES

CALL TO ORDER

The meeting was Called to Order at 7:08PM 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:
Luis M. Crespo
Robert E. Lowden, Jr.
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

MINUTES

Regular Session Council Meeting Minutes for 8/27/13 were Approved as Submitted with a Motion by Crespo; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried. Note: There was no Executive Session Held at the 8/27/13 meeting.

PROCLAMATION: IN REMEMBRANCE OF SEPTEMBER 11, 2001

Ms. Snyder read the City's "Proclamation In Remembrance of September 11, 2001" into the Minutes (see attached). Upon completion, a Moment of Silence was requested by Council President Bancroft.

RESOLUTIONS**RESOLUTION 2013-150**

A Resolution authorizing implementation of a Litigation Settlement Agreement relative to the Theresa Matthews litigation. Motion of Approve by Thibault. Mr. Crespo stated that, upon advice of his attorney, discussion be had in Executive regarding this Resolution. Council and Solicitor felt that there was really nothing to discuss as the Settlement was completed. Second to Approve by Lowden. Roll Call Vote - All Ayes, except Crespo-No, per his attorney's recommendation. Motion Carried.

RESOLUTION 2013-151

A Resolution ratifying the Communication Workers of America, AFL-CIO Local 1036 Collective Bargaining Agreement between the City of Beverly and the White Collar and Blue Collar Employees and the School Crossing Guards, for the period January 1, 2012 through and including December 31, 2015. Mr. Wolbert advised that this Contract was negotiated in good faith last year by then Administrator Ken Gerber and then Council President Crespo and, therefore needs ratification by Council. Mr. Crespo asked if this ratification would be in compliance with the terms of the City's Transitional Aid. Mr. Wolbert advised that he had reviewed same with the Solicitor and that all should be in compliance with the law. Motion to Approve by Crespo; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2013-152

A Resolution waiving fees, one time only, for registered Vendors for their participation at the "Beverly City Community Day" event scheduled for Saturday, September 28, 2013. It was clarified that this waiver was for this one-time event this year only - as a "draw" for vendors. Fees would be picked up again with next year's event. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2013-153

A Resolution authorizing Environmental Resolutions to complete and submit the 2014 New Jersey Department of Transportation Municipal Aid Grant for the City of Beverly. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

BILL LISTS

Upon review and clarifications, Motion to Approve the September 9, 2013 Bills List made by Crespo; 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.)

The Mayor advised that there was no additional Correspondence at this time.

COMMENTS/REPORTS

Mayor - Nothing additional at this time.

Council

Mr. Thibault advised that "Beverly Day" should be a great day; the Burlington County Times and the Beverly Bee are doing publicity for same.

Mr. Lowden advised re "Single Stream" recycling coming soon (see attached Memo).

Administrator/Public Safety Director

Mr. Wolbert advised that Alice Breen is back working in Court as the City's Deputy Court Administrator and we are happy to see her return. Re the Northwest Roads project-the milling on Detwiler will be done at the end of the week, and top paving on Monday. The City's Leaf Collections schedule will be posted with a map on the Website; collection will go through January 2014. Daytime meeting availability dates are needed by the Negotiation Team for the Police Contract. Council was requested to advise Mr. Wolbert as soon as possible re their interest/availability.

Professionals

Clerk - Nothing additional at this time.

Tax Collector - Report for August 2013

The Administrator advised that the Collector advised we are now at a 92% Collection rate. Upon review, Motion to Approve said Report by Crespo; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

PUBLIC COMMENT - 7:28PM

Please state you name and address clearly for the record.

Public Comment was had by Ron Pace, Jack Israel, Mark Schwedes, Amy Bent, Loy Ellsworth, and Barbara Russell. Discussion topics included: Resolution clarifications; Kudos to Police Department and Staff

relative to early detection and prevention of the "Project X" party that was to take place at Mr. Israel's property--he will donate furniture to the City/Police Department in gratitude for same; Status of payouts re current litigation; Status of the American Water Company property as well as of the City's Bonds; Property maintenance at various Beverly City locations; Clarification on the Light Rail station being relocated; Update on the Group Home application that went before the Planning Board.

There being no further input, Mr. Bancroft closed Public Comment.

EXECUTIVE SESSION - Yes.

Resolution 2013-154:

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 Approved Resolution 2013-154 by Thibault; Second by Lowden. All in Favor. Motion Carried.

ACTION TAKEN AFTER EXECUTIVE: YES NO

ADJOURNMENT

There being no further business, Motion to Adjourn at 8PM was made by Crespo; 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