

**THE COMMON COUNCIL OF THE CITY OF BEVERLY**

**APRIL 28, 2015**

**7:00PM**

**MINUTES**

**CALL TO ORDER**

The Meeting was Called to Order at 7:01PM by Council President Bob 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 9, 2015 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. Carlbom

Robert E. Lowden, Jr.

Mark A. Schwedes

Robert D. Thibault

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

Administrator/Director of Public Safety: Richard A. Wolbert

Solicitor: Brian M. Guest, Parker McCay

**Absent:**

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

*NOTE: In Ms. Snyder's absence, the Recording and Minutes of this meeting were completed by Administrator Rich Wolbert.*

**APPROVAL OF MINUTES** - April 14, 2015 Regular and Executive Sessions, and the March 24, 2015 Regular Session.

April 24, 2015 Regular and Executive Session Minutes: Motion to Approve by Thibault; Second by Carlbon with request to correct his April 14 Regular Minutes statement re "a dozen garbage cans ordered..." stating that he did not say "ordered" but instead that he was "going to order". Roll Call Vote: All Ayes. Motion Carried.

March 24, 2015 Regular Minutes: With notation that the "unidentified man" mentioned twice in Deputy Clerk Kennedy's transcription was Ron Paice, Motion to Approve by Schwedes; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

**PUBLIC COMMENT ON AGENDA ITEMS ONLY** - No Comments.

**ORDINANCES ON SECOND READING/PUBLIC HEARING/ADOPTION:**

**ORDINANCE 2015-4**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).**

Mr. Bancroft opened the floor to Public Comment at this time. John Haaf asked what "CAP Bank" meant. Mr. Wolbert clarified stating relative to the municipal budget, we can go up to 2% in any one year. Mr. Thibault asked if this "dies" or "rolls over" every year. Mr. Wolbert stated that whatever amount between what was raised and the 2% can be banked for use in the following year. There being no further comment, this portion of the meeting was closed. Motion to Adopt by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

**ORDINANCES ON FIRST READING/INTRODUCTION:**

**ORDINANCE 2015-5**

**AN ORDINANCE OF THE CITY OF BEVERLY CREATING CHAPTER 24 OF THE CODE OF THE CITY OF BEVERLY ENTITLED: BINGO AND RAFFLE LICENSES.**

Said Ordinance will come before Council for Second Reading, Public Hearing, and Adoption at their meeting to be held on May 12, 222015 at 7PM at City Hall, 446 Broad Street, Beverly, NJ 08010 at which place and time all wishing to be heard on same will be so heard. Copies of said Ordinance will be available at the Office of the Municipal Clerk at the above address during regular business hours, M-F, 9AM-5PM.

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

**ORDINANCE 2015-6 - NOTE: THIS ORDINANCE WAS "HELD" FOR REVISION. AND WILL BE PLACED ON COUNCIL'S NEXT AGENDA FOR INTRODUCTION.**

A BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF BEVERLY, COUNTY OF BURLINGTON, STATE OF NEW JERSEY; APPROPRIATING THE SUM OF \$448,000 THEREFOR; AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OR BOND ANTICIPATION NOTES OF THE CITY OF BEVERLY, COUNTY OF BURLINGTON, STATE OF NEW JERSEY, IN THE AGGREGATE PRINCIPAL AMOUNT OF UP TO \$61,750; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING. Said Ordinance will come before Council for Second Reading, Public Hearing, and Adoption at their meeting to be held on May 12, 2015 at 7PM at City Hall, 446 Broad Street, Beverly, NJ 08010 at which place and time all wishing to be heard on same will be so heard. Copies of said Ordinance will be available at the Office of the Municipal Clerk at the above address during regular business hours, M-F, 9AM-5PM.

**RESOLUTIONS:**

**RESOLUTION 2015-75**

**Adoption of the City of Beverly's 2015 Municipal Budget.** (Note that Introduction and First Reading of Resolution 2015-75 was held at Council's March 24, 2015 Meeting.)  
Motion to Adopt by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

**RESOLUTION 2015-86 - NOTE: THIS RESOLUTION IS "POSTPONED" AGAIN TO COUNCIL'S NEXT MEETING AGENDA.**

(Postponed from Council's 4/14/15 Meeting)  
A Resolution authorizing Award of Contract for the City of Beverly position of Regional Contribution Agreement (RCA) Administrator /Municipal Administrative Agent for the 2015 Calendar Year to:

**RESOLUTION 2015-89**

A Resolution voiding Beverly City Resolution 2015-79, authorizing refund of tax payments by Lien Holder (approved by Council on April 14, 2015) due to documentation error.  
Motion to Approve by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

**RESOLUTION 2015-90**

A Resolution authorizing the refund of tax payments paid by Lien Holder DSHC Enterprises, LLC, in the amount of \$1,922.87, relative to Block 1058/Lot 8, a/k/a/ Beverly City property 232 Walnut Street. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

**RESOLUTION 2015-91 - NOTE: THIS RESOLUTION WAS "PULLED" AND PLACED UNDER "NEW BUSINESS" ON THIS AGENDA.**

A Resolution entering into a Shared Services Agreement with the Board of Chosen Freeholders of the County of Burlington for Emergency Asphalt Pavement Repair Services.

**RESOLUTION 2015-92**

A Resolution voiding Beverly City Resolution 2015-82, "Authorizing expenditure for Shared Insurance Coverage for the 2015 Beverly City/Edgewater Park Memorial Day Parade" (approved by Council on April 14, 2015) due to request for single check payout per The Hartford Insurance Company. Motion to Approve by Carlbon; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

**RESOLUTION 2015-93**

A Resolution authorizing expenditure for Shared Insurance Coverage for the 2015 Beverly City/Edgewater Park Memorial Day Parade in the amount of \$610 in accordance with the stipulations of The Hartford Insurance Company, to be paid from the Beverly City/Edgewater Park Parade Account, with reimbursement of \$305 from Edgewater Park Township. Motion to Approve by Schwedes; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

**OLD BUSINESS** - None at this time.

**NEW BUSINESS**

The New Business discussed at this time was as follows:

Resolution 2015-91: Administrator Wolbert advised that this Resolution would be "voided" as the City will be participating in the County's Pothole Repair program, details of which will be forthcoming from the County.

New Jersey Transit: Mayor Miller advised that New Jersey Transit was looking to stop Bus service on routes that were not financially feasible to them; this would stop service on Bus Route 419 in Beverly. It was requested that letters be sent to Representatives Diane Allen and Troy Singleton re same. Additionally, it was requested that a "link" be added to the City's website for New Jersey Transit.

**BILL LIST**

Approval of the April 28, 2015 Bill List.

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

NJDOT: Notification of their Fiscal Year 2015 Municipal Aid Program for 2015 Grant Award to Beverly City for the Beverly City Road Improvements Project in the amount of \$196,000.

Burlington County Health Department: Notice of their new online Inspection Reporting results now available for Food Inspection Reports and Regular Inspection Reports for each Municipality.

Burlington County Board of Chosen Freeholders: Invitation for Council attendance at the 7<sup>th</sup> Annual County Memorial Day Ceremony on May 30, 2015 at 11:30AM at the Burlington County Memorial Park located on Old York Road, Burlington Township (see attached).

**COMMENTS/REPORTS**

Mayor - Nothing additional at this time.

Council

Mr. Thibault stated that Community Events is moving forward with signs being placed on the basketball fence soon. Law & Ordinance would like to see a copy of the Vacant Property Ordinance first. He also said that there was a concern about keeping the fence at Family Dollar. Administrator Wolbert will speak to Tim White re same. Mr. Thibault stated that T-Ball started and it went well and seems to be a good thing for now. Mr. Bancroft stated that it looked like it went well.

Mr. Carlbom asked how long plywood (used for boarding up) can be on a property before we can make them take it down, that for appearances sake there should be a time limit. Solicitor Guest advised that it depends - there's a difference between construction and vacant, and suggested the issue be sent to Law & Ordinance Committee.

Mr. Lowden - Nothing additional at this time.

Mr. Schwedes - Nothing additional at this time.

Administrator/Public Safety Director - Nothing additional at this time.

Professionals - Nothing additional at this time.

Municipal Clerk - (Absent)

**PUBLIC COMMENT**

*Please state your name and address clearly for the record.*

Public Comment was had by Dale Thompson, Barbara Russell, Sandy Buckley, and John Haaf.

Discussion included: State Licensing terms for Games of Chance at two years; Establishing a "Plywood Ordinance" in the City; Having "Shredding Events" in the City and what is involved; Excellent professionalism and Beverly City Police response time when called on an incident; Speeding and Tractor Trailer problems again on Manor Road; Beverly Youth Association having problems with several issues, namely, with Porto-Pot door not latching - with non-receipt of a copy of the list of businesses in the City - with not getting any cooperation from the City; the Beverly Youth Association looking at some point in time of doing an Awards Program; Structure on Cooper/Pine that is boarded up and right on the Parade route; Renewal for F&M Liquors and limiting their operation; Keeping Bus Route 419 perhaps being very important to the success of the new Family Dollar and the City's future.

There being no further comment, this portion of the meeting was closed.

**EXECUTIVE SESSION** - 8:14PM

**RESOLUTION 2015-93-A**

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 X N/A \_\_\_\_\_

**ADJOURNMENT**

There being no further business, Motion to Adjourn at 8:24PM was made by Thibault; Second by Carlbon. All in Favor. Motion Carried.

Respectfully submitted,  
(Minutes taken by Administrator Rich Wolbert in Clerk Snyder's absence.) Transcribed by:

\_\_\_\_\_  
Donna F. Snyder, RMC/CMR/CPM

\_\_\_\_\_  
Date

**APPROVED:**

\_\_\_\_\_  
Randy H. Miller, Mayor

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Date