

**THE COMMON COUNCIL OF THE CITY OF BEVERLY**  
**JULY 28, 2015**  
**MINUTES**

**CALL TO ORDER**

The meeting was called to order by Council President Bancroft at 7:04 p.m.

**OPEN PUBLIC MEETINGS ACT STATEMENT**

*"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."* Read by Council President Bancroft.

**FLAG SALUTE**

Council President Bancroft led in the Salute to the Flag.

**ROLL CALL**

Those present upon roll call:

Mayor: Randy H. Miller

Council President: Robert H. Bancroft

Council Members:

Lawrence F. Carlbon

Robert E. Lowden, Jr.

Mark A. Schwedes

Robert D. Thibault

Engineer: William H. Kirchner (not present)

Deputy Municipal Clerk: Elaine B. Kennedy, RMC/CMC

Administrator/Director of Public Safety: Richard A. Wolbert

Solicitor: Brian M. Guest, Parker McCay

**APPROVAL OF MINUTES** - July 14, 2015 Regular Session Minutes

**MOTION** - Mr. Schwedes made a motion to approve the above referenced minutes, seconded by Mr. Thibault, and unanimously carried.

**PUBLIC COMMENT ON AGENDA ITEMS ONLY**

Chairman Bancroft opened the meeting to public comment on agenda items only.

Being none, Chairman Bancroft closed the public comment.

**RESOLUTION 2015-126 ~ DISCHARGE OF MORTGAGE BLOCK 1056, LOT 2**

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-126, seconded by Mr. Carlbon. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**RESOLUTION 2015-127 ~ THIRD QUARTER TAX BILL DUE DATE**

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-127, seconded by Mr. Lowden. Mr. Thibault asked why this was necessary, to which Mr. Wolbert explained that the County was late and the tax bills were just mailed this morning.

Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**RESOLUTION 2015-128 ~ APPOINTMENT MICHAEL A. ESPENSCHIED AS A RECRUIT TO ATTEND THE POLICE ACADEMY**

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-128, seconded by Mr. Lowden. Mr. Carlbon asked about the gentleman's background. Mr. Wolbert responded this applicant was in the service, was corrections officer, an EMT, Volunteer Fire fighter, etc.

Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**RESOLUTION 2015-129 ~ RENEWAL RETAIL FOOD LICENSES**

**MOTION** - Mr. Carlbon made a motion to adopt Resolution 2015-129, seconded by Mr. Thibault. Mr. Lowden asked why F & M needed a food handler's license, to which the Deputy explained they sell snacks at the liquor store.

Ayes - Carlbon, Lowden, Thibault, Bancroft. Nays - Lowden. Abstain - Schwedes. Motion carried.

**OLD BUSINESS**

Discussion Bethel's Request for Tax Exemption and Payment Plan.

Mr. Wolbert explained that the church has rented their building (which had been exempt) to bring in revenue in 2013. It was reverted back in 2014; however, no one applied for exempt status. They have been taxed and have not paid any taxes on the building. Brian Guest advised the Council they have the authority to exempt the property and can go back three years. They cannot exempt 2013. Mr. Thibault suggested modifying the 2013 tax amount due and forgo 2014 and 2015. Mr. Guest advised the Council they would have to adopt an ordinance for the late exemption in 2014 and 2015. They cannot exempt 2013. They can; however, have the property taken off the tax sale list. After much discussion, it was determined to take the property off the tax sale list and the consensus was to authorized Mr. Guest to draft an ordinance to exempt the property for 2014 and 2015.

**RESOLUTION 2015-131 ~ REMOVAL OF BETHAL A.M.E. CHURCH FROM TAX SALE LIST**

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-131, seconded by Mr. Schwedes. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**OLD BUSINESS ~ CONTINUED**

Mr. Schwedes requested an update on the storm drain issue. Mr. Wolbert questioned if this was on Magnolia, and was told it was. The project has been back burned' for now and Mr. Wolbert will provide an update to Council.

**NEW BUSINESS**

Mr. Thibault felt that other towns have tighter property code enforcements and felt Beverly should tighten up on code violations. Mr. Wolbert suggested that the Law and Ordinance Committee should discuss this with Mr. Guest.

**BILL LIST**

Approval of the July 28, 2015 Bill List

Mr. Schwedes questioned that there was no bill from Line Systems for the telephone. Mr. Wolbert explained they are only paid once a month. He does have another company bidding for the phones and will probably have prices at the next meeting.

**MOTION** - Mr. Thibault made a motion to approve the bills as listed on the bill list, seconded by Mr. Lowden. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

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

- DOT 2015 Road Improvement Project - received the executed copy of the agreement in the amount of \$196,000.00. Read by Mayor Miller.

**COMMENTS/REPORTS**

Mayor

Mayor Miller advised that he continues to commend Public Works and the Administrator for the great job they are doing.

Council

Mr. Thibault suggested sending thank you letters to those who do take care of their property. Mr. Thibault had a conversation with Mr. Carlbon concerning the garbage cans. The sports association would appreciate it if they could also get new garbage cans like the ones down at the waterfront for the basketball courts.

Mr. Thibault said that September 26<sup>th</sup> is Community Day.

Mr. Carlbon advised everyone that the Farmers' Market is open every Thursday from 2:30 to 6:00 p.m. He added signage this weekend for the trash cans at the waterfront for recycling and garbage. Mr. Carlbon advised Mr. Thibault that the trash cans are too small for the games. He suggested that Mr. Thibault could pull the blue containers from behind the municipal building on game nights. Mr. Carlbon thanked those who helped clean up Warren Street.

Mr. Schwedes said that the Farmers Market is doing well. As far as Public Works, the Administrator is doing a great job.

Mr. Lowden advised that he will not be in attendance at the next council meeting. He has only missed one meeting in 12 years.

#### Administrator/Public Safety Director

Mr. Wolbert reported that the State came and inspected our facility and determined that the boiler can no longer be used. Mr. Wolbert reported that Public Works is shorthanded, as well as other departments. He will be advertising for crossing guards and public works. There were a several streets lights out, which Mr. Wolbert reported to PSE&G and now most have been replaced.

Northwest road project bids will be received August 5<sup>th</sup>. Mr. Wolbert is working on the phone system. Winner Ford was out with their SUV. The city is looking for two vehicles for the PD. Detwiler Ave. will be re-rolled July 30<sup>th</sup> to correct the deficiencies from the overlay previously done.

#### Professionals

Nothing at this time.

#### Municipal Clerk

Nothing at this time.

#### Municipal Court Administrator:

JUNE 2015 Court Report for acceptance

**MOTION** - Mr. Thibault made a motion to accept the June 2015 Court report, seconded by Mr. Carlbon. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

#### **PUBLIC COMMENT**

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

Chairman Bancroft opened the meeting to public comment.

Mary Ellen Knudson, 433 Jennings questioned Resolution 2015-129 asking if this was their liquor license. She was advised that this is not the liquor license; it is for the snacks. Ms. Knudson asked if the liquor license was renewed, and, if so, were there conditions. Mr. Wolbert explained that the liquor license was renewed at a previous meeting and there were no conditions.

The Pastor of the Bethel AME Church thanked the council for their consideration concerning the taxes.

Jackie Bryan said she is a member of Clean Communities. They would like to Adopt-a-Road. They did Warren and are going to do Cooper Street tomorrow. They will be meeting at Church and Cooper tomorrow at 6:30 p.m.

Being no further public comment, Chairman Bancroft closed this portion.

**RESOLUTION 2015-130 ~ EXECUTIVE SESSION**

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:

- a.   X   Attorney Client Privilege
- b.        Contractual Matters
- c.   X   Current and/or Possible Litigation
- d.        Personnel Matters
- e.        Review of Executive Session Minutes

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-130, seconded by Mr. Schwedes, and unanimously carried. The Council, Administrator, Attorney, and Deputy Clerk entered executive session at 7:42 p.m.

**RECONVENE TO REGULAR SESSION**

Chairman Bancroft reconvened the meeting to regular session at 8:14 p.m.

**ADJOURNMENT**

Mr. Thibault made a motion to adjourn, seconded by Mr. Schwedes, and unanimously carried. The meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Elaine B. Kennedy, RMC/CMC  
Deputy Municipal Clerk