

THE COMMON COUNCIL OF THE CITY OF BEVERLY
JUNE 9, 2015

MINUTES

CALL TO ORDER

The meeting was called to Order at 7:01 p.m. 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:

Council President: Robert H. Bancroft

Council Members:

Lawrence F. Carlbon

Robert E. Lowden, Jr.

Mark A. Schwedes

Robert D. Thibault

Mayor: Randy H. Miller

Engineer: William H. Kirchner (Attendance not required)

Municipal Clerk: Elaine B. Kennedy, Deputy Municipal Clerk

Administrator/Director of Public Safety: Richard A. Wolbert

Solicitor: Katelyn M. McElmoyl, Esq. in for Brian M. Guest,

Parker McCay

PRESENTING OF PROCLAMATION FOR MONUMENT CEMETARY

Read by Mayor Miller.

APPROVAL OF MINUTES - May 26, 2015 Regular and Executive Session Minutes.

MOTION - Mr. Schwedes made a motion to approve the regular and executive session minutes as submitted, seconded by Mr. Thibault. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion Carried.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

Mr. Haaf thanked the Mayor for the Proclamation and invited everyone to the open house one to four. There being no further comment, this portion of the meeting was closed.

ORDINANCE 2015-06

BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF BEVERLY, COUNTY OF BURLINGTON, STATE OF NEW JERSEY; APPROPRIATING THE SUM OF \$675,000 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 \$675,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING.

Chairman Bancroft opened the meeting to public comment on Ordinance 2015-06. There was none. Chairman Bancroft closed public comment.

ADOPTION - ORDINANCE 2015-06

MOTION - Councilman Thibault made a motion to adopt Ordinance 2015-06, seconded by Councilman Carlbon. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

ORDINANCE 2015-09

AN ORDINANCE AMENDING AND REVISING THE REGULATION OF THE OBSTRUCTION OF PUBLIC ROADS, SIDEWALKS AND OTHER FACILITIES, LOITERING AND OTHER PUBLIC CONDUCT IN THE CITY OF BEVERLY.

MOTION - Mr. Carlbon made a motion to introduce Ordinance 2015-09, with public hearing to be held June 23, 2015, seconded by Mr. Thibault. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

ORDINANCE 2015-10

AN ORDINANCE AMENDING AND REVISING REGULATIONS NOISE IN THE CITY OF BEVERLY

MOTION - Mr. Thibault made a motion to introduce Ordinance 2015-09, with public hearing to be held June 23, 2015, seconded by Mr. Carlbon. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

RESOLUTIONS:

RESOLUTION 2015-104

A RESOLUTION REFUNDING TO ROBERT D. THIBAUT HIS \$100 DONATION MADE TO THE 2015 BEVERLY/EDGEWATER PARK MEMORIAL DAY PARADE.

MOTION - Mr. Lowden made a motion to adopt Resolution 2015-104, seconded by Mr. Schwedes. Ayes - Carlbon, Lowden, Schwedes, Bancroft. Abstain - Thibault. Motion Carried.

RESOLUTION 2015-105

A RESOLUTION APPOINTING SUBSTITUTE BEVERLY CITY CROSSING GUARD HARRIET ALKINS TO THE POSITION OF REGULAR BEVERLY CITY CROSSING GUARD AT THE SAME HOURLY RATE IN ACCORDANCE WITH THE CURRENT CWA CONTRACT.

MOTION - Mr. Schwedes made a motion to adopt Resolution 2015-105, seconded by Mr. Thibault. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

OLD BUSINESS

There was none.

NEW BUSINESS

RESOLUTION 2015-107

FARMERS MARKET AGREEMENT

MOTION - Mr. Thibault made a motion to adopt Resolution 2015-107, seconded by Mr. Schwedes. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion Carried.

Reverend Bailey - Bethel AME Church Parsonage Tax Exemption

Reverend Bailey advised the council the church is faced with a tax bill for the parsonage of \$11,000. This occurred prior to her arrival when the parsonage was rented to help keep up with the church bills. The church has 17 active members. The Reverend requested to either have the taxes due forgiven or lessened. Richard Wolbert recommended having Legal Counsel look into this matter. This property is up for tax sale on August 18th.

MOTION - Mr. Schwedes moved to authorize Legal Counsel to look into this matter, seconded by Mr. Thibault. Mr. Thibault questioned the taxing of the church, to which Mr. Wolbert responded that it is the parsonage that is taxed due to the fact that it was rented out. Mr. Lowden asked if the Reverend was living there, to which Rev. Bailey responded that it will be her intent. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

ERI: Miscellaneous Storm TV Inspections on Manor Road, Dory Court, Second Street, and John's Court

Richard Wolbert advised the Council that ERI did the TV inspections and found sinkholes at Dory Court and John's Court. Mr. Wolbert advised them that Dory Ct and John's Court need to be fixed; however, the others will have to wait as it is not in the budget. Mr. Schwedes asked how old the pipes are, to which Mr. Wolbert advised they might be forty years old.

BILL LIST

Approval of the June 9, 2015 Bill List

Question of the ROTC bill, clarified as marching band. Mr. Thibault asked if this amount for Raditz and Allen was the

maximum for the out-of-pocket cost for insurance, to which Mr. Wolbert said it was. Mr. Carlbon stated that ERI has been busy, to which Mr. Wolbert explained that the cost was for the sinkholes television.

MOTION - Mr. Thibault made a motion to approve the bills from the June 9, 2015 bill list, seconded by Mr. Schwedes. 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.)*

Beverly Housing Authority Comparative Financial Statements and Supplementary Information for the years ended September 30, 2013 and 2014.

ERI: 2014 Annual Inspection Report for the City of Beverly RC&D Shoreline Stabilization, Delaware River Shoreline stabilization between Cooper and Laurel Streets.

League of Municipalities 2015 Conference: November 17, 18, and 19. Please advise the Clerk's Office regarding your intention to attend.

Judge Andronici: Municipal Court Visitation Report for Beverly City.

COMMENTS/REPORTS

Mayor

Mayor Miller commended everyone at City Hall for working effectively.

Council

Mr. Thibault advised everyone that the fishing event is this Saturday from 8 to noon. Mr. Thibault also reported that the two ordinances the Council had for first reading this evening are good for our town. Mr. Thibault clarified the refund he was receiving. He contributed to the parade on behalf of Youth Sports for the picnic after the parade and the picnic was canceled. Mr. Thibault thanked Reverend Bailey for attending this evening.

Mr. Carlbon advised everyone that the farmers market opened last Thursday. The Community Garden has been worked on by the youths of Burlington City and Fort Dix. The water company installed the lines for the water to the gardens. President Bancroft suggested bring the Council and public up to date on the Land Use Board in the future.

Mr. Schwedes empathized with the church.

Mr. Lowden reported that he and President Bancroft attended the Burlington County Memorial Day Ceremony on May 30th. Ours was the only wreath with fresh flowers and the one that was left there. They met the Commander from the Joint Base.

Administrator/Public Safety Director

Mr. Wolbert reported they held the first joint fire, EMS, police departments meeting. It was a good beginning.

Mr. Wolbert needs a list of volunteers on the various committees with their names and the name of the committee they are a part of for the JIF.

Mr. Wolbert reported that Donna Snyder is going in for surgery tomorrow and asked to have her in their thoughts.

Professionals - Nothing additional at this time.

Municipal Clerk - Nothing at this time

PUBLIC COMMENT

Please state your name and address clearly for the record.

Mr. Buckley, 611 Melbourne Ave asked to have trash and recycling buckets by the basketball courts, plus port-o-pots. Mr. Thibault asked how long they would be needed, to which Mr. Buckley reposted that they are beginning June 9th, lasting approximately a month. Mr. Lowden suggested getting the port-o-pots from the Authority. Mr. Buckley asked where they could store the equipment while the concession stand is being re-built. Mr. Wolbert advised him they could find a place.

As there was no additional Public Comment, this portion of the meeting was closed.

EXECUTIVE SESSION - RESOLUTION 2015-106

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 - Mr. Thibault made a motion to adopt Resolution 2015-106, seconded by Mr. Schwedes, and unanimously carried. Motion Carried. The Council, Administrator, Deputy Clerk, Solicitors (Brian Guest had arrived during the meeting) entered executive session at 8:00 p.m.

RECONVENE TO REGULAR SESSION

Council President Bancroft reconvened the meeting to regular session at 8:32 p.m.

ACTION TAKEN AFTER EXECUTIVE: Yes _____ No __X__ N/A

ADJOURNMENT

There being no further business, Mr. Thibault made a motion to adjourn, seconded by Mr. Carlbon, and unanimously carried. Motion Carried. The meeting was adjourned at 8:33 p.m.

Respectfully submitted,

Elaine B. Kennedy, RMC/CMC
Deputy Municipal Clerk

Date