

THE COMMON COUNCIL OF THE CITY OF BEVERLY

MAY 12, 2015

7:00PM

MINUTES

CALL TO ORDER

The meeting was Called to Order at 7PM 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

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 M. Guest, Parker McCay

Absent:

Mayor: Randy H. Miller (Present at 7:50PM)

APPROVAL OF MINUTES - April 28, 2015 Regular and Executive Session Minutes. Motion to Approve the Regular and Executive Session Minutes as submitted by Thibault; Second by Carlbon. Roll Call Vote - All ayes. Motion Carried.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

Public Comment was had by Mary Ellen Knudson and Ron Paice. Discussion was had relative to the process for Bingo/Raffle Licensing; the City setting an example with properties owned by the City. There being no further comment, this portion of the meeting was closed.

ORDINANCES ON SECOND READING/PUBLIC HEARING/ADOPTION:

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.

There being no Public Comment, Motion to Adopt by Thibault; Second by Schwedes. Roll Call Vote - All ayes. Motion Carried.

ORDINANCES ON FIRST READING/INTRODUCTION:

N.B.: Ordinance 2015-6 will be "Held" for Introduction at Council's May 26, 2015 Meeting for the receipt of the City's revised Supplemental Debt Statement.

ORDINANCE 2015-6 (Held from Council's 4/28/15 Meeting)

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 TH 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 26, 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.

ORDINANCE 2015-7

AN ORDINANCE REGARDING PROPERTY MAINTENANCE IN THE CITY OF BEVERLY.

Said Ordinance will come before Council for Second Reading, Public Hearing, and Adoption at their meeting to be held on May 26, 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. Motion to Approve on Introduction by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

ORDINANCE 2015-8

AN ORDINANCE ESTABLISHING A SYSTEM OF ANNUAL REGISTRATION FOR AND MAINTENANCE OF VACANT PROPERTIES AND PROVIDING PENALTIES FOR VIOLATIONS.

Said Ordinance will come before Council for Second Reading, Public Hearing, and Adoption at their meeting to be held on May 26, 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. Motion to Approve on Introduction by Carlbon; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTIONS:

RESOLUTION 2015-86 (Postponed from Council's 4/28/15 Meeting)

NOTE: This Resolution will be held for Executive Session.

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: (See Adoption of Resolution after Executive Session.)

RESOLUTION 2015-94

A Resolution ***Voiding*** Beverly City Resolution 2015-91, "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", as the City of Beverly will be participating in the County's Pothole Mitigation Program, in lieu of the aforementioned, details of which will be forthcoming from the County. Motion to Approve by Thibault; Second by Schwedes. Roll call Vote - All Ayes. Motion Carried.

RESOLUTION 2015-95

A Resolution authorizing an Agreement for Early Termination of the "2013 Transitional Aid Memorandum of Understanding By and Between the City of Beverly and the Division of Local Government Services". Motion to Approve by Carlbon; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2015-96

A Resolution authorizing a Discharge of Mortgage for Beverly City property formerly Block 73/Lot 4.02 (currently Block 1273/Lot 4.02), also known as 513 Laurel Street, Beverly, NJ 08010, a City of Beverly Regional Contribution Agreement with Mt. Laurel Township. Motion to Approve by Thibault; Second by Schwedes. Roll Call Vote - All Ayes, except Lowden-No. Motion Carried.

RESOLUTION 2015-97

A Resolution approving award of contract **to Winzinger Incorporated**, 1704 Marne Highway, Hainesport, NJ (609-267-8600), in the amount of \$13,800.00 for the Demolition of the former Water Company Building at Broad and Front Streets in the City of Beverly, this being based on review of submissions by Environmental Resolutions, Inc. and Certification of Funds by the Beverly City CFO. Motion to Approve by Thibault; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2015-98

A Resolution approving a no-fee Veteran's status "Peddler, Vendor, Solicitor's License" to Elliott Duritz, 3901 Conshohocken Avenue, Philadelphia, PA 19131, to sell Soft Pretzels and Cold Water from a Mobile Cart during the Beverly City/Edgewater Park 2015 Memorial Day Parade, all documentation being in order. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All ayes. Motion Carried.

OLD BUSINESS

N.B.: As the Architect is revising plans for both items shown below, both will be held for Council's May 26, 2015 meeting.

Environmental Resolutions, Inc.: Presentation by Bill Kirchner of plans for the Concession Stand and Pavilion at Lauinger Field.

Environmental Resolutions, Inc.: Review of Engineer Bill Kirchner's 4/28/15 information relative to the Beverly City Elementary School Traffic Concerns.

NEW BUSINESS

Administrator Wolbert advised that the Federal "COPS" Grant is now open for application for hiring or retaining Police Officers, paying 75% of the Police salaries for a 3 year period. Community Grants and Planning said that they would assist us with same at no charge. The City had participated in and benefited from this Grant back in the early 2000's. Council felt that we should make application for same.

BILL LIST

Approval of the May 12, 2015 Bill List.
Upon discussion and clarification by the Administrator, Motion to Approve by Schwedes; Second by Thibault. 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.)*
In the Mayor's absence, Clerk Snyder read the Correspondence listed into the Minutes. See attached.

Burlington County Board of Taxation: 5/1/15 letter advising approval of their Resolution 2015-5 authorizing the Tax Board to strike and certify Tax Rates.

The Beverly Free Library: Letter of invite received 5/4/15 for the Third Annual Mardi Gras in May event to be held 5/9/15.

COMMENTS/REPORTS

Mayor - Absent

Council

Mr. Thibault reported on Community Events stating that efforts are continuing and sponsorships are still coming in. He also spoke of the need, even with the City's limited resources, to set a good example relative to property maintenance on City property. Also we need to engage a Street Sweeper before the Parade. Administrator Wolbert will handle same. Regarding the business in the center of town, even though legal issues are involved, we need to work to help this situation. Additionally, Mr. Thibault thanked John Haaf for help with the lift.

Mr. Carlbon reported on Clean Communities Day on 5/23/15, with a Rain Date of 5/24/15. There are ten Scouts who will be coming out this Saturday to assist. Thanks to Mr. Knudson for helping.

Mr. Schwedes commented on the City's excellence regarding the Budget and getting back into line. He stated he had seen this progress before with the School, and sent kudos to Rich Wolbert and Staff. He further stated that he was very appreciative and that this is a big deal! He also suggested that perhaps descriptions of adopted Ordinances could be placed in the Beverly Bee for everyone's update.

Mr. Lowden asked if the Flag Donations that are coming in are going to the City. Mr. Wolbert advised that, no, it goes to the appropriate Committee for costs, and that we've received almost \$400. Additionally, it's not too late to donate. Mr. Lowden will advise those who questioned him re same. Mr. Lowden asked about the demo of the Bank Building. Mr. Wolbert advised that there will be no demo until the fence is up. Mr. Lowden also recommended that we get RFP's for the Riverfront property.

NOTE: Mayor Miller is now Present at 7:50PM

Mr. Wolbert advised that the State is still interested in helping us. Mr. Thibault stated that there needs to be a piece of the Riverfront property that stays a part of Beverly. Mr. Wolbert advised that, yes, we need to maintain public access.

Administrator/Public Safety Director

Administrator Wolbert stated that he has comments for Executive Session. He also stated that we need to start looking at replacing Police vehicles. Every three years we should be looking at this. Additionally, SUV's are bondable, but sedans are not.

Professionals - Nothing additional at this time.

Municipal Clerk - Nothing additional at this time.

Municipal Court Administrator:

April 2015 Court Report for acceptance. Motion to Accept by Thibault; Second by Schwedes. All in Favor. Motion Carried.

PUBLIC COMMENT

Please state your name and address clearly for the record.

Public Comment was had by Rick Knudson and Mary Ellen Knudson. Discussion included location of a spot for consolidating all items relative to Community Events; Congratulations for coming out of Transitional Aid; Hopefully Council will do whatever they can to restrict activities re business in the City's downtown area.

Mr. Lowden then added that once the Riverfront property is sold, whatever goes into the Sewer Plant will be accessible only to Public Works. No one is allowed access due Homeland Security relative to going in and out.

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

EXECUTIVE SESSION - 8:03PM

RESOLUTION 2015-99

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 Approve by Thibault; Second by Schwedes. All in Favor. Motion Carried.

ACTION TAKEN AFTER EXECUTIVE: Yes No N/A

RESOLUTION 2015-86 (Postponed from Council's 4/28/15 Meeting)

NOTE: This Resolution will be held for Executive Session.

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: (See Adoption of Resolution after Executive Session.)

Motion to **Approve RESOLUTION 2015-86** for the Award of Contract to **Community Grants, Planning & Housing (CGP&H)** as Regional Contribution Agreement (RCA) Administrator/Municipal Administrative Agent for the City of Beverly for the 2015 Calendar Year made by Thibault; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

ADJOURNMENT

There being no further business, Motion to Adjourn at 8:31PM was made by Thibault; Second by Schwedes. All in Favor. Motion Carried.

Respectfully submitted,

Donna F. Snyder, RMC/CMR/CPM

Date

APPROVED:

Randy H. Miller, Mayor

Date