

**THE COMMON COUNCIL OF THE CITY OF BEVERLY**  
**SEPTEMBER 22, 2015**  
**MINUTES**

**CALL TO ORDER**

The meeting was called to order by Council President Bancroft at 7:02 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. Read by Council President Bancroft.*

**FLAG SALUTE**

Council President Bancroft led in the Salute to the Flag. Mr. Bancroft asked for a Moment of Silence for the passing of Kevin Tuno.

**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: Kaitlyn McElmoyl of Parker & McCay

**APPROVAL OF MINUTES** - September 8, 2015 Regular Session Minutes

**MOTION** - Mr. Schwedes made a motion to approve the above referenced minutes, seconded by Mr. Thibault. Mr. Schwedes pointed out that Mr. Lowden was not absent (under Roll Call). Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**PUBLIC COMMENT ON AGENDA ITEMS ONLY**

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

Mary Ellen Knudson, 433 Jennings, asked for an explanation of Resolution 2015-143. Mr. Wolbert explained that the City subordinated the mortgage;

however, it never went to closing by the mortgage company and they sent it back to the City.

Being no further comment, Chairman Bancroft closed the public comment.

**INCIDENTAL MOTION** - Richard Wolbert asked if Resolution 2015-147, DISCHARGE OF MORTGAGE, RAHILLY could be an add-on to the agenda.

**MOTION** - Mr. Schwedes made a motion to authorize Resolution 2015-147 being added to the agenda, seconded by Mr. Thibault, and unanimously carried.

**INTRODUCTION - ORDINANCE 2015-11 ~ LATE FILING OF A CLAIM FOR REAL PROPERTY TAX EXEMPTION PURSUANT TO N.J.S.A. 54:4-3.6c (BETHEL AME CHURCH)**

**MOTION** - Mr. Thibault made a motion to introduce Ordinance 2015-11, with public hearing to be October 13, 2015, seconded by Mr. Lowden.

Mr. Thibault asked if this would encompass all the late taxes or a payment plan. Mr. Wolbert explained that this is the first step. This ordinance exempts the church for 2014 and 2015 allowing for a late filing of their exemption. The repayment agreement for the taxes due for 2013 will be next. Mr. Schwedes asked if they have to make any payments now, to which Mr. Wolbert replied that the Church is going to start making payments. It will be a one year payback. Ayes - Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**RESOLUTION 2015-143 ~ RESCIND RESOLUTION 2013-115 171 WARREN STREET "SUBORDINATION OF MORTGAGE"**

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-143, seconded by Mr. Carlbon. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**RESOLUTION 2015-144 ~ MERCANTILE LICENSE APPLICATION T/A NIPPINS AUTOMOTIVE (710 WARREN STREET)**

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-144, seconded by Mr. Lowden. Mr. Thibault asked who they are. Mr. Wolbert explained that they took over Maugeri's Automotive shop. Mr. Schwedes asked when they are opening, to which Mr. Wolbert advised him they are starting now. The City can take their vehicles there. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**RESOLUTION 2015-145 ~ AUTHORIZING 2015 MUNICIPAL PARK DEVELOPMENT PROGRAM APPLICATION**

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-145, seconded by Mr. Carlbon. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**RESOLUTION 2015-146 ~ ACCEPTING SGT. JAMES BOETTGER'S LETTER OF RETIREMENT EFFECTIVE SEPTEMBER 30, 2015**

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-146, seconded by Mr. Schwedes. Mr. Thibault stated that Sgt. Boettger gave many years of service to Beverly and wished him the very best. Ayes - Carlbon, Lowden, Schwedes, Thibault, Bancroft. Nays - None. Motion carried.

**RESOLUTION 2015-147 ~ DISCHARGE OF MORTGAGE ON THE PROPERTY KNOWN AS  
BLOCK 307, LOT 6 F/K/A BLOCK 7, LOT 6 A/K/A 403 WHEATLEY AVENUE**

**MOTION** - Mr. Lowden made a motion to adopt Resolution 2015-147, seconded by Mr. Thibault.

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

**OLD BUSINESS**

There was none.

**NEW BUSINESS**

There was none.

**BILL LIST**

Approval of the September 22, 2015 Bill List

**MOTION** - Mr. Lowden made a motion to approve the bills as listed on the bill list, seconded by Mr. Thibault.

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.)*

- Ordinance from Edgewater Park - "Vehicles and Traffic" Weight Limits for Specific Streets

Read by Mayor Miller.

**COMMENTS/REPORTS**

Mayor

Mayor Miller congratulated Sgt. Boettger on his retirement and thanked him for his many years of service.

Council

Mr. Thibault announced that the big event is here. The t-shirts are done and will be sold at Community Day; they have a lot of bands, games for the children, vendors, cars, food vendors. He thanked Mr. Paice and Bill and Carol Moore. Mr. Moore had the history of Dunk's Ferry and thought maybe next year, he could do an assembly at the school. The crossing was 1696. Sgt. Boettger will leave a whole in the schedule that will have to be filled.

Mr. Carlbon thanked Mr. Boettger for all his years of service. The Farmers Market is still going until October. The garbage cans down at the waterfront are working. People are recycling and it is doing very well.

Mr. Schwedes also thanked Sgt. Boettger for his years of service. The trash cans have helped since the City added the extra ones.

Mr. Lowden also thanked Sgt. Boettger. He helped stabilize the police department and the City is in good hands with the Police Director. The other Sergeant is doing a good job with the department. Mr. Lowden

advised Council that he will not be at Community Day as the Pope will be in Philadelphia and Mr. Lowden must be there. The news reported there will be no school and half the bus routes will not run. The school children will have their computers and will be doing work from home. The Walt Whitman Bridge will be open.

Administrator/Public Safety Director

Mr. Wolbert reported that CGP&H have been going through the RCA files, making order of them. They should be completed within a week or so, with about 55 files to go. There should be about 160 discharges of mortgages. Council will be able to make one motion with a list of all the properties for discharge of mortgages.

There are some issues with traffic circulation; signage needs to be updated for parking, stopping, standing. They will make their recommendations to Council for an ordinance update.

The County is working on Warren Street and should be completing the handicap ramps. The Northwest project is on Ashton and just finished Wheatley. There will be two groups since their other projects are on hold during the Papal visit. One of the trees on Bentley grew around a 13,000 volt line and they had to contact PSEG. Next they will be working on Bentley Avenue with drainage, shutting down one side at a time. Drainage on Wheatley should be starting this week, then Bentley.

The old American Water Company building has been demolished. They are now on punch list items. They put the fence back up; however, didn't put concrete in the posts.

Some young adults decided to do some origami with the railing at the river. Public Works bent it back in place and shut it down until it can be fixed.

Code Enforcement 13 vacant properties registered in the program, with 82 properties listed in the system. 161 site visits have been performed; 7 summonses have been issued.

The County has not given their final approval on the Family Dollar. The County says they have issues with circulation plan on Perkins Street. Mr. Wolbert will reach out to the County Planning Board Engineer to find out what the issues are.

Mr. Wolbert has one item for executive session (a good thing).

Mr. Bancroft asked if the City should reach out to Diane Allen to help resolve this problem. Mr. Thibault said the pole will also have to be moved. Mr. Wolbert will speak with the Engineer first.

Professionals - No report

Municipal Clerk

Municipal Court Administrator:

AUGUST 2015 Court Report for acceptance

**MOTION** - Mr. Thibault made a motion to accept the August 2015 Court report, seconded by Mr. Lowden. Ayes - Carlson, 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.

Melissa Reitenauer, 513 Bentley, asked why every tree on the 500 block of Bentley is being taken down. President Bancroft advised her that it is tearing up the street and the curb. She thought it would take away the charm to remove all those trees. President Bancroft said he believed it was an option; however, it would be the responsibility of the homeowner to keep the trees in good shape. Richard Wolbert responded that the center of the tree is rotted out. The other problem is that the tree roots grow to the sewer lines, causing problems. Mr. Carlbon asked how many trees are being removed, to which Mr. Wolbert responded that all ten of them in the right-of-way are to be removed. Ms. Reitenauer felt that the curbs on Bentley were no worse than any other curbs and many neighbors are upset. Mr. Wolbert explained that Ms. Reitenauer can plant a tree on her property, just not in the park strip. Mr. Lowden advised her that all the trees on Cooper in the right-of-way were removed when they did the overlay. There are no trees between the curb and the sidewalk. Mr. Carlson advised Council that there was just a study done that towns that have tree lined streets, the people are healthier, happier, and more relaxed. If you rip out all the trees, you have to go to a park for trees. There is a list of trees you can plant; however, Mr. Wolbert interjected that they cannot be planted in the park strip as this is against the City ordinance. Mr. Thibault said that there are no trees in the park street on his street. Unfortunately, these trees were put in many years ago and they do break up the sidewalks, curbs. They should never have allowed trees in the park strip. It is a tough decision; however, the Council must look to the future and what these trees can do. Mr. Carlbon thought that in future projects, Council should have a longer discussion about striping these trees. Mr. Wolbert advised him that there is an ordinance in place to remove these trees and would have to be amended if they were to allow the trees to remain in the park strip. Mr. Schwedes asked if there were places to direct these people to so they could purchase saplings, to which Mr. Wolbert said Council adopted Community Forestry in the late 90s which was never completed. He has a list of street trees. Mr. Schwedes asked if something could be done to advise residents for any future projects. Mr. Wolbert said he would put something on the website.

Barbara Russell, 608 Manor Road, said that the driveway for the Family Dollar doesn't look wide enough for a car coming in and a car going out. Mr. Wolbert will talk with the Engineer. Ms. Russell also said that in the past two weeks at 7:15 a.m. vehicles are driving from Warren to the highway and speeding. A white dump truck, without license plates also is not doing 25 mph. There were seven tractor trailers. Mr. Wolbert advised her that the police ticketed four vehicles speeding on Manor Road. Ms. Russell said she watched for four hours and didn't see one officer. She also asked why our officers are coming from Delanco. She asked if we could get help from the County or State Police. President Bancroft advised her they cannot get any help from the County or the State Police. Mr. Wolbert advised her that the City has a mutual aid agreement with the other municipalities. They also come in to help the City.

Ms. Russell asked if there is an ordinance on hot tubs, to which Mr. Wolbert responded that he didn't know, but imagined that it would be the same as a pool. If it's over

Dale Thompson, 612 Wheatley Avenue, thanked the Council for the loitering ordinance as it seems to be working. President Bancroft advised her it just had to be rewritten for purposes. Ms. Thompson said there are times when she cannot drive down the road to the river because cars are blocking the road doing business in the middle of the day. There are five or six cars and pedestrians coming to those cars. President Bancroft advised her that if they are blocking the road, she should call Central. Mr. Carlbon said that does not work (calling Central) for several reasons. Mr. Wolbert answered that it does work. Mr. Carlbon said there is an app advising these individuals that police are coming and they scatter. He said that it is intimidating to pick up the phone. It is not as easy as it sounds. Mr. Wolbert advised that it is easy and Council should be supportive of that. Mr. Wolbert said it doesn't do any good to advise him three days or three weeks after an incident. They need to call Central @ 267-8300, giving a description of the person, the vehicle, etc. Mr. Thibault agreed with Mr. Wolbert that the City needs eyes and ears down there. If it is an emergency or non-emergency, call either 9-1-1 or Central. The residents have to call it in. The police can't be everywhere.

Mary Ellen Knudson questioned the bill for the car wash, to which Mr. Wolbert advised her it is for the police vehicles. She asked about the animal control bill and what does that get us. Mr. Wolbert explained that they are contractual and this is a once a year bill. They pick up strays. She asked if they would pick up skunks, to which Mr. Wolbert advised that they would only do this if it was rabid. President Bancroft added that they would rent a person a trap.

Ronald Plaice asked if our schools could get computes to work from home if they had to close the schools.

#### **RESOLUTION 2015-148 ~ EXECUTIVE SESSION**

**MOTION** - Mr. Thibault made a motion to adopt Resolution 2015-148, seconded by Mr. Schwedes, and unanimously carried. The Council, Kaitlyn McElmoyl, and Deputy Clerk entered executive session at 8:01 p.m.

#### **RECONVENE TO REGULAR SESSION**

Council President Bancroft reconvened the meeting to regular session at 8:27 p.m.

#### **ADJOURNMENT**

Mr. Thibault made a motion to adjourn, seconded by Mr. Schwedes, and unanimously carried. The meeting was adjourned at 8:28 p.m.

Respectfully submitted,

Elaine B. Kennedy, RMC/CMC  
Deputy Municipal Clerk

