

THE COMMON COUNCIL OF THE CITY OF BEVERLY

FEBRUARY 9, 2016

7:00PM

MINUTES

CALL TO ORDER

Council President Bancroft called the meeting to Order at 7PM.

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 6, 2016 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 (published on January 11, 2016) 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 recorded electronically and manually, 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:

Robert E. Lowden, Jr.

Mark A. Schwedes

Robert D. Thibault

Solicitor: Thomas J. Coleman, III

Raymond/Coleman/Heinold/Norman, LLP

Engineer: William H. Kirchner (Attendance not required)

Administrator/Director of Public Safety: Richard A. Wolbert

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

Absent:

Council Member: Lawrence F. Carlbon

APPROVAL OF MINUTES - Motion by Schwedes to Approve the January 26, 2016 Regular Session Minutes (there was no Executive Session); Second by Lowden. Roll Call Vote - All Ayes, except Bancroft-Abstain. Motion Carried.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

Please state your name and address clearly for the record.

Public Comment was had by Mary Ellen Knudson regarding Resolution 2016-61 (Discharge of Mortgage), and the Post Prom Committee request for a 2016 donation. Administrator Wolbert clarified the Discharges relative to the RCA Program. He further clarified the annual Post Prom Committee request with Mr. Bancroft stating that this would be discussed in detail under "New Business" this evening.

There was no further comment on Agenda items at this time.

ORDINANCES ON SECOND READING/PUBLIC HEARING:

ORDINANCE 2016-2

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXI, SECTION 3.1 ENTITLED "ANIMALS" ADDING REGULATIONS FOR "TETHERING OF DOGS".

Motion to Approve by Thibault; Second by Schwedes. Public Comment was had by Mary Ellen Knudson and clarified by both the Administrator and Solicitor relative to BCSPCA and ACOs, tethering length, removing the animal from the owner, the amount an offender can be charged and enforcement of same according to law. There was no additional Public Comment. Roll Call Vote - All Ayes. Motion Carried.

ORDINANCE ON FIRST READING/INTRODUCTION:

ORDINANCE 2016-3

AN ORDINANCE AMENDING CHAPTER V OF THE CITY OF BEVERLY CODE TO INCLUDE PROVISIONS PROHIBITING ACTS DEFINED AS A "PUBLIC NUISANCE". Said Ordinance will come before Council for Second Reading, Public Hearing, and Adoption, at their February 23, 2016 meeting to be held at 7PM at Beverly City Hall, 446 Broad Street, Beverly, NJ 08010 at which time all those wishing to be heard on same will be so heard. Copies of this Ordinance are available for review 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 Lowden; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTIONS

RESOLUTION 2016-58

A Resolution approving 2015-16 Mercantile License to Newsome Tax and Accounting Service, all paperwork having been submitted and all fees having been paid. Motion to Approve by Schwedes; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2016-59

A Resolution approving 2015-16 Mercantile License to Tent-Tations, LLC, all paperwork having been submitted and all fees having been paid. Motion to Approve by Lowden; Second by Thibault. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2016-60

A Resolution entering into a Shared Services Agreement with the County of Burlington for Snow Removal and Salting for the period of January 1, 2016 through and including December 31, 2018. Motion to Approve by Thibault; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

RESOLUTION 2016-61

A Resolution authorizing Discharges of Mortgage according to the attached listing. Whereas the program lien period has now expired on these mortgages, they are now canceled and void and are to be Discharged of Record with the Burlington County Clerk's Office. Motion to Approve by Thibault; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

OLD BUSINESS

Mr. Thibault advised that he would like to see Council move on his previously submitted new City Logo. Council agreed that Mr. Thibault would "tweak" his submission and then re-submit to the Economic Development Committee for review. All in Favor.

NEW BUSINESS

Palmyra High School Post Prom Committee: Request for a \$200 donation to support their 22nd Annual Post Prom Party, the goal of which is to provide a safe, drug and alcohol-free place for students to gather after the Prom. There was concern by the Public as to whether or not the Police or the Board of Education makes any contribution. The Administrator will check with both the Police and Board of Ed and advise Council at our next meeting.

Beverly Sewerage Authority Report of Audit for the Fiscal Years ended September 30, 2015 and September 30, 2014. Clerk Snyder advised that said report will be on file in her office. Motion to Accept the submitted report made by Lowden; Second by Schwedes. All in Favor.

BILL LIST

Approval of the February 9, 2016 Bill List. Motion to Approve by Schwedes; Second by Thibault. Roll Call Vote - All Ayes, except Schwedes-Abstain from approval on Check #16-00055. Motion Carried.

CORRESPONDENCE - (Note that all Correspondence will be handled/filed by and in the Office of the Municipal Clerk.)
There was no additional Correspondence at this time.

COMMENTS/REPORTS

Mayor

Mayor Miller had no additional comments at this time other than for everyone to "stay healthy"!

Council

Per Mr. Thibault and relative to Public Works during our last snowfall, the City might want to re-consider adopting a one-side of the street parking ordinance during snowfall for ease of plowing. Additionally, the Fire Department has already requested one-sided parking for Pine and Putnam. Administrator Wolbert advised that regulations are already in place. He will speak to our Engineer re the feasibility of same, and report back to Council. All were in Favor. Mayor Miller asked how many ADA spaces we have in the City. The Administrator advised approximately 54, and that a letter would be going out to holders of same advising them of their annual renewal responsibilities for same.

Regarding Community Events, Mr. Thibault stated that all are working hard on planning events for this year. July and August will see a concert at the waterfront.

Mr. Schwedes stated that he was hoping for not too much more snow!

Mr. Lowden advised that the City is working on getting the Budget together so as to Introduce.

Administrator/Public Safety Director

Administrator Wolbert advised that Public Works salted three times today, and that all of our equipment is back and operational. Regarding the condition of sidewalks around our parks - the School will be donating to the City equipment they were going to auction off, specifically, a Snow Thrower, Riding Tractor, and a Plow attachment. The Administrator also advised that our Deputy Clerk, Elaine Kennedy, is in helping with our Re-Codification process, and that progress is being made.

He also advised that he and our Engineer are working with our new Architect of Record on the Boiler Replacement Plans and Building Improvements.

Professionals

Solicitor Coleman advised that he is working on memorializing some Low/Mod agreements that the City has.

Municipal Clerk

Clerk Snyder reminded Council that Resolution 2016-53, postponed from Council's January 26, 2016 meeting, needs to go back on the Agenda so that the County can be notified. Council agreed to place same on their February 23, 2016 Agenda. She also reviewed her memo to all Committee Chairs regarding advising her office re names for each Committee's membership, including Volunteers, as well as a writing report coming to Council re each Committee's meetings.

Municipal Court Administrator - Accepting January 2016 Report. Motion to Accept by Thibault; Second by Schwedes. All in Favor.

PUBLIC COMMENT

Please state your name and address clearly for the record.

Administrator Wolbert clarified Ordinance 2016-3 for Mrs. Knudson.

Mrs. Lagerman discussed concerns regarding Curb Lines at Stop Signs, and neighboring Property Maintenance issues. The Administrator advised that he and the Code Enforcement Officer would check on same. Mrs. Lagerman stated that Code Enforcement had permission to go on her property to view the problem area.

As there was no further comment, Public Comment was closed at 7:50PM.

EXECUTIVE SESSION

RESOLUTION 2016-62

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 at 7:50PM by Thibault; Second by Schwedes. All in Favor.

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

ADJOURNMENT

There being no further business, Motion to Adjourn at 8:05PM by
Thibault; Second by Schwedes. All in Favor.

Respectfully submitted,

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

Date