

THE COMMON COUNCIL OF THE CITY OF BEVERLY
June 14, 2016
7:00PM

MINUTES

(Amended to show Council Member Lowden "Abstain" on Ordinance 2016-7 Introduction/First Reading. DS)

CALL TO ORDER

In the absence of Council President Bob Bancroft due to vacation, Council President Pro-Tem Bob Thibault called the meeting to order at 7:02PM.

OPEN PUBLIC MEETINGS ACT STATEMENT

Mr. Thibault 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 and MOMENT OF SILENCE

Mr. Thibault requested that all present remain standing after the Flag Salute in a Moment of Silence for the victims and families of those affected by the gun violence in Orlando, Florida this past week.

ROLL CALL

Present:

Mayor: Randy H. Miller

Council President Pro-Tem: Robert D. Thibault

Council Members:

Lawrence F. Carlbom

Robert E. Lowden, Jr. (Present at 7:25PM)

Mark A. Schwedes

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 President: Robert H. Bancroft

CLEAN COMMUNITIES POSTER CONTEST PRESENTATION

Clean Communities Co-Chair Jackie Bryan summarized this year's Poster Contest, and the fact that there were approximately 290 submissions this year from the Beverly School Children. Assisting Ms. Bryan were Clean Communities members Georgine Sarro and Loretta Kimber. Art Teacher Sarah Louis read the names of the winners from each class. Those students who could be present came to the front of the meeting room and held their posters for all to see. Winners were as follows:

Pre-K	Lianna Pawlicki
Kindergarten	Egypt Cash
1 st Grade	Jaela Harmon
2 nd Grade	Matthew Metivier
3 rd Grade	Kayla Caffee
4 th Grade	KyJah Spears
5 th Grade	Keyla Martel
6 th Grade	Jordyn Glenn
7 th Grade	Khalisah Randolph
8 th Grade	Jewelle Price

Gift Bags were given to all winners, and flowers were given to Art Teacher Sarah Louis for her efforts in having so many students participate. Congratulations and applause ended the presentation.

APPROVAL OF MINUTES

The May 24, 2016 Regular Session Minutes submitted for approval were Motioned for Approval by Schwedes; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried. There was no Executive Session.

At this time, Administrator Wolbert requested that Resolutions 2016-103, 104, and 105 be moved to Executive Session under Contractual, with Action to be taken after said Session. Motion for same by Schwedes; Second by Carlbon. All in Favor. Motion Carried.

PUBLIC COMMENT ON AGENDA ITEMS ONLY

Please state your name and address clearly for the record.
John Haaf asked for an explanation for Executive Session for Resolutions 103 through 105. Mr. Wolbert and the Solicitor advised that discussion was moving to Executive under Contractual to see if any clarification was needed by Council. It was stated that Action may be taken after said Session.

There being no further comment, this portion of the meeting was closed.

ORDINANCES**Ordinance 2016-6 - Second Reading/Public Hearing/Adoption**

An Ordinance of the Common Council of the City of Beverly establishing the Beverly City Green Team in accordance with the requirements for Sustainable Jersey Certification. As there was no Public comment during Public Hearing, Motion to Approve by Carlbon; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

Ordinance 2016-7 - First Reading/Introduction

An Ordinance amending Ordinance 2015-8 which established a system of Annual Registration for and Maintenance of Vacant Properties requiring Additional Postings and Clarifying Definitions. Said Ordinance will come before Council for Second Reading, Public Hearing, and Adoption at their June 28, 2016 meeting, at 7PM, at the Beverly City Hall, 446 Broad Street, Beverly, NJ 08010 at which time and place all those wishing to be heard on same will be so heard. Copies of said Ordinance are available for review at the Office of the Municipal Clerk, at the aforementioned location, during regular business hours, M-F, 9AM-5PM.

(Note: Mr. Lowden in at 7:25PM)

Upon discussion and clarifications, Motion to Approve upon First Reading/Introduction made by Schwedes; Second by Carlbon. Roll Call Vote - All Ayes except Lowden-Abstain. Motion Carried.

RESOLUTIONS**Resolution 2016-99**

A Resolution in conjunction with Ordinance 2016-6 appointing members to the City of Beverly Green Team Advisory Committee. Motion to Approve by Carlbon; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2016-100

A Resolution approving a 2016-2017 Mercantile License to Family Dollar Stores of New Jersey, LLC, #11360, located at 246 Warren Street, Beverly, NJ, all required documentation submitted, and New license fee paid. Motion to Approve by Lowden; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2016-101

A Resolution approving a 2016-2017 Mercantile License to George S. Stevenson & Son, Inc., located at 516 Lee Avenue, Beverly, NJ, all required documentation submitted, and Renewal fee paid.

Motion to Approve by Lowden; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

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Resolution 2016-102

A Resolution authorizing the Beverly City CMFO to refund the amount of \$55.45, per the attached receipt, to Wiley B. Kelvin, 816 Warren Street, Beverly, NJ 08010 due to the applicant being issued the incorrect form.

Motion to Approve by Carlbon; Second by Lowden. Roll Call Vote - All Ayes. Motion Carried.

OLD BUSINESS - None at this time.

NEW BUSINESS

Mr. Wolbert advised that issues at the Waterfront would be discussed at Council's next meeting on June 28, 2016.

Code Compliance Appeal: Rhonda Salter, 419 Bentley Avenue, Beverly, NJ - Tree Removal.

Administrator/Public Safety Director Wolbert summarized and gave the chronology of the issues necessitating the tree removal at said property for compliance with the City's Ordinance 2014-7. Solicitor Coleman had the Clerk accept Ms. Salter's Site Plan into evidence as "Exhibit A". Ms. Salter gave testimony as to why she felt said tree removal should be the responsibility of the City. Upon further discussion and clarifications, Council advised that Ms. Salter's request would be taken under consideration and that Council would respond to this Appeal by Resolution at their next meeting on June 28, 2016.

BILL LIST

Approval of the June 14, 2016 Bill List. Motion to Approve by Lowden. Second by Schwedes. 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.)*

Mayor Miller advised that the Audit Report below would be on file in the Clerk's Office should anyone choose to peruse same.

1. Beverly City Fire District #1 - Report of Audit for the Year Ending 12/31/15.

COMMENTS/REPORTSMayor

Mayor Miller stated that it would be wonderful to have more Poster Contests, given all the children and parents present!

Council

Mr. Carlbom advised that the Farmer's Market is going strong. He stated that they now have, along with the vegetables, crafts, stained glass, jewelry, jams, and chicken and ribs!

Mr. Schwedes stated that, relative to Community Events, the Fishing Derby was a lot of fun and that it was great to watch all the kids enjoying themselves. He extended thanks to all who participated.

Mr. Lowden said that the Economic Development Committee was meeting, with more information to come at Council's next meeting.

Mr. Thibault

Mr. Thibault advised that the Fishing Derby had 36 kids who caught 52 fish! A good time was had by all. There was great weather, hot dogs for lunch, and the Emergency Squad and the Fire Company was there. There were great prizes and it was just a great community event. He thanked all who helped, stating that Rich (Wolbert) came out very early and did his part. He mentioned further that there will be upcoming music events in July and August, and Community Day in September, and that the Committee is working very hard on all.

Administrator/Public Safety Director - Nothing additional at this time.

Professionals - Nothing additional at this time.

Municipal Clerk - Nothing additional at this time.

PUBLIC COMMENT

Please state your name and address clearly for the record.

Public Comment was had by Mary Ellen Knudson and John Haaf. Clarifications were given by the Administrator to Ms. Knudson relative to Family Dollar moving forward and opening by the end of June, and to the line item on the Bill List regarding Ammunition. Clarifications were given to Mr. Haaf by both the Administrator and Solicitor relative to the need for Executive Session (Contractual) for Resolutions 2016-103, 104, and 105, as the discussion to be had may impact Council's decision.

There being no further comment, Public Comment was closed at 7:55PM.

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A five minute recess was had at this time, Motioned by Schwedes; Second by Lowden. All in Favor.

Out of Recess and back into Council Meeting at 8:00PM.

At this time, Mr. Wolbert advised that quotes were in for the electric at the Waterfront: Gazebo - \$3,400 and fixing the Utility Pole - \$500. He said that the problem at the pole was an exposed jacket that will be replaced. He also explained how the lighting would be done in general, stating that the Gazebo will have locking receptacles.

EXECUTIVE SESSION - RESOLUTION 2016-106 (8:35PM)

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**

ACTION TAKEN AFTER EXECUTIVE: (8:52PM) Yes No N/A

Resolution 2016-103

A Resolution amending Resolution 2016-82 to authorize modifications to a Developer's Agreement between the City of Beverly and the Beverly Revitalization Group, LLC. Motion to Approve by Lowden; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2016-104

A Resolution approving Affordable Housing Agreements with Beverly Commons, LLC, and authorizing execution of Documents related to same. Motion to Approve by Lowden; Second by Schwedes. Roll Call Vote - All Ayes. Motion Carried.

Resolution 2016-105

A Resolution authorizing a Developer's Agreement with Beverly Commons, LLC. Motion to Approve by Schwedes; Second by Carlbon. Roll Call Vote - All Ayes. Motion Carried.

ADJOURNMENT

There being no further business, Motion to Adjourn was made at 8:52PM by Carlbon; Second by Schwedes. All in Favor. Motion Carried.

Respectfully submitted,

Donna F. Snyder, RMC/CMR/CPM

Date