

**City of Beverly
Burlington County
July 14, 2020 – 5:00PM
Regular Session**

MINUTES

The Regular Meeting of the Common Council of the City of Beverly, County of Burlington, and State of New Jersey was held on the aforementioned date via conference call with the following in attendance: Mayor Randy H. Miller, Council President Robert H. Bancroft, Councilman Robert E. Lowden, Jr., Councilman Mark Schwedes, Councilwoman Bernadine Williams, City Administrator/Public Safety Director Richard Wolbert, City Solicitor Thomas Coleman, City Engineer Bill Kirchner, and Municipal Clerk Caitlin Midgette. Councilwoman Grace M. Heron was absent from tonight’s meeting.

Council President Bancroft called the meeting to order at 5:02PM.

The following opening statement was read by City Clerk Midgette:

“The Provisions of the Open Public Meetings Act have been met. Notice of this meeting, Resolution 2020-1, was posted on the Official Bulletin Board in City Hall, published in The Burlington County Times on January 12, 2020, transmitted to the Camden Courier Post, filed with the Municipal Clerk on January 12, 2020 and was mailed to all persons requesting and paying for same. Notice that this meeting will be held via conference call at 5:00PM was published in The Burlington County Times on May 3, 2020, transmitted to the Courier Post, posted on the City’s official website, and sent to all persons requesting same.”

The above was followed by the Flag Salute, moment of silence, and Roll Call.

APPROVAL OF MINUTES

• Regular Session: June 23, 2020

A motion was offered by Councilman Schwedes and seconded by Councilman Lowden to approve the above listed set of minutes. Motion carried on a Roll Call Vote, as follows:

Aye: Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent: Heron

PUBLIC COMMENT ON AGENDA ITEMS ONLY

There being no comments, a motion was offered by Councilman Schwedes and seconded by Councilman Lowden to close the preliminary public comment on agenda items only. Motion carried.

OLD BUSINESS

- School trailers/property line issue

City Administrator Wolbert summarized the property line issue between the City and the School District as it relates to the placement of three classrooms trailers as discussed at the prior Council Meeting. Mr. Wolbert explained that though the Land Use Board determined that the installation of said trailers is consistent with the City's Master Plan, the School District still needs permission from the City for the trailer placement as one or more of the same will rest on City property, and cross easements may need to be established due to shared utilities. Currently, the City Engineer has been instructed to perform a property survey on the area and determine the metes and bounds to record a property line to rectify this issue.

City Solicitor Coleman stated that once the property line issue is resolved, the City and School District may have to enter into an easement agreement. Additionally, there may be a sewer line in the area of the proposed trailer placements, which may require an easement agreement with the Beverly Sewerage Authority as well.

City Engineer Bill Kirchner confirmed that there is a sewer line in the area, and noted that there are also two manholes in the area of the proposed trailer placements, which is why one of the trailers will be placed at an angle to avoid covering one of the manholes to ensure the same can still be serviced as necessary.

Councilman Schwedes inquired if any of the costs related to same will be the responsibility of the City. Mr. Wolbert responded that the City will only be responsible for funding the property survey, metes and bounds determination, and the filing of deeds to record the new property line.

Brian Savage, Staff Accountant/School Board Secretary, stated that the School District will be receiving grant money from the federal government to help fund the aforementioned improvements.

Council President Bancroft suggested that the property line should fall to the back of the two playgrounds, except that ownership of the concession stand should stay with the City. If this can be achieved, it will allow for the angled trailer to be straightened in relation to the other two trailers, and the manhole that will be covered from this new layout can be moved to another location. City Engineer Kirchner stated that the relocation of said manhole is possible, but it will require the involvement of the Beverly Sewerage Authority as the manhole will be moved out of the area specified within the current sewer easement agreement. Further discussion ensued on the matter.

City Solicitor Coleman inquired as to when the School District plans to have the trailers installed. Mr. Savage stated that the School District would like to have the trailers delivered as soon as possible to prepare for the start of the new school year in September. Mr. Coleman noted that the property line issue, potential updated trailer layout, and the potential relocation of one of the manholes will not be resolved within the next few weeks. Accordingly, Mr. Coleman recommended that the Council give permission for the School District to place all three trailers on the City's property, and that a general approval should be given rather than approval of a specific plan.

Resolution 2020-68: A Resolution Authorizing the Beverly City School District to Temporarily Place Three Classroom Trailers on City Property

City Solicitor Coleman stated that this approval will be temporary until such time that all property line issues and easement agreements have been determined and approved.

A motion was offered by Councilman Lowden and seconded by Councilman Schwedes to adopt Resolution 2020-68. Motion carried on a Roll Call Vote, as follows:

Aye: Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent: Heron

Elizabeth Giacobbe, School Superintendent, thanked the Council for its approval of the trailer placements, as the School District is in need of additional classroom space, and the trailers will help with social distancing protocols during the current public health crisis.

Brian Savage, Staff Account/School Board Secretary, thanked the Council, and noted that it has been a positive experience working in conjunction with other municipal entities to ensure the best for Beverly's students.

NEW BUSINESS

No new business presented.

ORDINANCE – FIRST READING

Ordinance 2020-6: An Ordinance Amending Chapter BH:1 and Establishing Section BH:1-8 Entitled “Keeping of Chickens”

Council President Bancroft stated that consideration of the above ordinance is due to public interest in the ability to keep chicken.

Councilman Schwedes inquired that if a property does not meet the setback requirements as stipulated in the ordinance, if the property owner would have to apply for a variance with the Land Use Board.

A motion was offered by Councilman Lowden and seconded by Councilman Schwedes to introduce Ordinance 2020-6.

Mayor Miller suggested that the keeping of chickens should only apply to owner-occupied properties, not rental properties. This was agreed upon by Councilwoman Williams and Councilman Schwedes. Councilman Lowden questioned which City official would be responsible for enforcing the ordinance. City Administrator Wolbert stated that the Zoning Official will be responsible for enforcing the setback requirements, and all other concerns will be enforced by the Code Enforcement Officer. To allow said employees to have access to properties for onsite inspections, Mr. Wolbert stated that the ordinance can have a requirement that

residents must allow for same. Mayor Miller agreed that onsite inspections should be a requirement to ensure the health and safety of the chickens and property. City Solicitor Coleman suggested that a registration process should be included within the ordinance. Furthermore, Mr. Wolbert inquired if the Council would also like to permit other barnyard fowl, such as quail. Councilman Schwedes and Councilman Lowden concurred with the approval of quail keeping. Finally, Mr. Wolbert inquired if the Council would consider the sale of eggs produced by the keeping of chickens or quail. Council agreed that the selling of eggs will be prohibited, and that eggs shall only be used for personal use and consumption. Mr. Wolbert noted that once the ordinance is passed by introduction, it will need to go to the Land Use Board for Master Plan consistency review.

Given the above considered changes to Ordinance 2020-6, Councilman Lowden rescinded his previous motion to introduce same.

A motion was offered by Councilman Schwedes and seconded by Councilwoman Williams to table the introduction of Ordinance 2020-6 until the subsequent meeting of July 28th to provide for amendments to same. Motion carried.

ORDINANCE –SECOND READING

Ordinance 2020-5: An Ordinance of the Common Council Determining Wage and Salary Ranges for Employees of the City of Beverly

Council President Bancroft opened the public hearing on Ordinance 2020-5. There being no comments, a motion was offered by Councilman Schwedes and seconded by Councilwoman Williams to close the public hearing. Motion carried.

A motion was offered by Councilwoman Williams and seconded by Councilman Schwedes to adopt Ordinance 2020-5. Motion carried on a Roll Call Vote, as follows:

Aye: Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent: Heron

RESOLUTIONS

Resolution 2020-66: A Resolution of the Common Council of the City of Beverly Authorizing Renewal of the Plenary Retail Consumption License with Broad C Liquor License to Tulsi Beverly, Inc., D/B/A “F&M Liquors” for the 2020-2021 Licensing Year

City Administrator Wolbert stated that the above resolution should include the special conditions as previously provided for in past years.

A motion was offered by Councilman Schwedes and seconded by Councilwoman Williams to adopt Resolution 2020-66. Motion carried on a Roll Call Vote, as follows:

Aye: Lowden, Schwedes, Williams, Bancroft
Nay:
Abstain:
Absent: Heron

Resolution 2020-67: A Resolution of the Common Council of the City of Beverly Authorizing Renewal of a Club Liquor License to the Athletic Club of Beverly, Inc. for the 2020-2021 Licensing Year

A motion was offered by Councilman Lowden and seconded by Councilman Schwedes to adopt Resolution 2020-67. Motion carried on a Roll Call Vote, as follows:

Aye: Lowden, Schwedes, Williams, Bancroft
Nay:
Abstain:
Absent: Heron

BILL LIST

Councilman Schwedes inquired as to the payment to Bowman and Company. City Administrator Wolbert explained that when the City was on transitional aid, the State required that the City provide separately for auditing services and non-auditing services, the latter of which includes services such as the preparation of annual financial and debt statements. Even though the City is no longer participating in the program, the City has opted to retain Bowman and Company for non-auditing purposes due to the excellent service they provide.

A motion was offered by Councilman Schwedes and seconded by Councilwoman Williams to approve the Bill List for July 14, 2020. Motion carried on a Roll Call Vote, as follows:

Aye: Lowden, Schwedes, Williams, Bancroft
Nay:
Abstain:
Absent: Heron

CORRESPONDENCE

No correspondence presented.

MAYOR/COUNCIL/STAFF COMMENTS

Mayor Miller wished everyone good health. Mayor Miller also expressed pride in the way the Council governs without the interference of politics to bring about what is best for the residents and students of Beverly.

Councilman Schwedes stated that the cooperation between the City and School District shows that the City is moving forward in the proper direction.

Councilwoman Williams stated that she received correspondence regarding the grand opening of Big Lots in Edgewater Park Township, and correspondence from a resident regarding the need to update the City's official website.

City Administrator Wolbert informed the Council that all first responder units throughout the County are currently undergoing a transition to a new radio system for communications, which has cost the County approximately 4 million dollars to purchase. Currently, the Beverly Police Department has received new portable radios, but the new base station and car radios will be installed at a later date. All new equipment is to be installed by the County. Mr. Wolbert noted that the portable radios quickly lose charge and fail to receive signal in the police station. In order to increase signal, the City will have to fund the purchase of a system to provide for same. Additionally, Beverly's Fire District was not provided with a sufficient amount of portable radios, and must purchase additional equipment at its own cost at approximately \$4,000 a unit. Mr. Wolbert noted that the Police Department is working closely with the Fire District, EMS Squad, and the County to resolve any issues.

On a separate topic, Mr. Wolbert stated that New Jersey American Water will soon begin its service connections as it relates to the pipe replacement project. Accordingly, the City's road improvement projects will have to wait until next year to be completed. Regarding the need for emergency generators, Mr. Wolbert stated that quotes are being sought for same, as well as for the purchase of a second set of entry doors to the basement to comply with a fire code violation. Additionally, the City is considering the purchase of used equipment for the Public Works Department. Finally, Mr. Wolbert stated that the first responders are preparing for a second wave of the COVID-19 pandemic, and that due to the financial impact of same, the State may decrease school and municipal aid.

Councilwoman Williams inquired if the Beverly School District will open to students in September. Mr. Wolbert responded that as no final decision has been made by the State on the matter, the School District has prepared several options to be considered.

City Solicitor Coleman informed the Council that he is waiting on final judgments from the County to complete the in-rem foreclosure process on several properties within the City.

PUBLIC COMMENT

No member of the public attended tonight's meeting.

ADJOURNMENT

A motion was offered by Councilman Schwedes and seconded by Councilwoman Williams to adjourn the meeting. Motion carried. The meeting adjourned at 6:12PM.

Respectfully Submitted By:

Caitlin Midgette, RMC/CMR
Municipal Clerk

Approved: July 28, 2020