

**City of Beverly  
Burlington County  
August 25, 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, Councilwoman Grace M. Heron, Councilman Robert E. Lowden, Jr., Councilman Mark Schwedes, Councilwoman Bernadine Williams, City Administrator/Public Safety Director Richard Wolbert, City Solicitor Thomas Coleman, and Municipal Clerk Caitlin Midgette.

Council President Bancroft called the meeting to order at 5:00PM.

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.

**PUBLIC COMMENT ON AGENDA ITEMS ONLY**

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

**APPROVAL OF MINUTES**

**• Regular Session: August 11, 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: Heron, Lowden, Schwedes, Bancroft

Nay:

Abstain:

Absent: Williams

## **OLD BUSINESS**

No old business presented.

## **NEW BUSINESS**

No new business presented.

Councilwoman Williams arrived to the meeting at 5:20PM.

## **ORDINANCE – SECOND READING/PUBLIC HEARING**

### **Ordinance 2020-6: An Ordinance Amending Chapter BH:I, Section BH:1-7 of the Code of the City of Beverly Entitled “Wild Animals, Livestock, and Fowl” and Establishing Section BH:1-8 Entitled “Keeping of Chickens”**

City Solicitor Coleman explained the Land Use Board’s recommendations as it pertains to the above ordinance, and the actions the Common Council can take regarding said recommendations. Mr. Coleman further noted that the Land Use Board determined that Ordinance 2020-6 is consistent with the City’s Master Plan.

Council President Bancroft opened the public hearing on Ordinance 2020-6. There being no comments, a motion was offered by Councilman Schwedes and seconded by Councilwoman Heron to close the public hearing. Motion carried.

A motion was offered by Councilman Lowden and seconded by Councilman Schwedes to adopt Ordinance 2020-6. No vote was taken in response to this motion due to the below considerations.

Councilman Schwedes inquired if the ordinance can be adopted if the Council accepts any of the Land Use Board’s recommendations, or if same must be reintroduced. Mr. Coleman stated that the answer to same depends on how many of the recommendations the Council chooses to incorporate, and how substantial those changes may be as it relates to the intent of the ordinance. Furthermore, Mr. Schwedes questioned that if the Council allows for rental properties to keep chickens, if the renter or the landlord would be responsible for any violations of the ordinance. City Administrator Wolbert explained that the landlord would be held responsible, but the City could still send violation notices to the renters as well. Mr. Coleman confirmed same.

Councilman Lowden expressed his opinion that the Council should incorporate all recommendations of the Land Use Board in order to include more eligible properties throughout the City, especially because the intent of the ordinance is to help provide more availability for sustainable food sources.

Mayor Miller stated that he doesn’t feel the ordinance should include all of the Board’s recommendations, as having little restrictions may result in health, waste, and smell complaints.

Councilman Schwedes noted that if Council was to lessen the restrictions within the ordinance, it may lead to increased violations of same and put a strain on the City’s limited resources for personnel in terms of on-site inspections. Accordingly, Mr. Schwedes suggested that a fee be incorporated with the registration process to help offset the administrative costs. Mr. Schwedes inquired as to who will be performing on-site inspections. Mr. Wolbert stated that depending on

the issue, inspections may be performed by the Zoning Official, Code Enforcement Officer, Humane Law Enforcement Officer, or the Burlington County Board of Health. There is no fee from the County for the latter.

Councilwoman Heron stated that though she understands the intent of the ordinance, restrictions need to be in place to ensure that any potential negative impacts on the community remain manageable. Councilwoman Williams reflected Ms. Heron's statements.

City Administrator Wolbert stated that the most significant items to consider of the Land Use Board's recommendations are the setback and acreage requirements, as fewer restrictions on same may lead to issues with adjoining neighbors if chicken shelters close to property lines are permissible.

Council President Bancroft recommended that the adoption of Ordinance 2020-6 be tabled for further consideration in light of the above discussion.

A motion was offered by Councilwoman Williams and seconded by Councilwoman Heron to table the adoption of Ordinance 2020-6 for further consideration at a future Council Meeting. Motion carried.

#### **ORDINANCE – FIRST READING/INTRODUCTION**

**Ordinance 2020-7: Bond Ordinance Authorizing the Acquisition of Capital Equipment In and For the City of Beverly, County of Burlington, New Jersey; Appropriating the Sum of \$74,200 Therefor; Authorizing the Issuance of General Obligation Bonds or Bond Anticipation Notes of the City of Beverly, County of Burlington, New Jersey in the Aggregate Principal Amount of Up to \$70,490; Making Certain Determinations and Covenants; and Authorizing Certain Related Actions in Connection with the Foregoing**

A motion was offered by Councilman Lowden and seconded by Councilman Schwedes to introduce Ordinance 2020-7. Motion carried on a Roll Call Vote, as follows:

Aye: Heron, Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent:

#### **RESOLUTIONS**

**Resolution 2020-73: Resolution Authorizing Refund of Tax Overpayment for Block 1468, Lot 18 (37 Pine Street)**

A motion was offered by Councilman Schwedes and seconded by Councilwoman Heron to adopt Resolution 2020-73. Motion carried on a Roll Call Vote, as follows:

Aye: Heron, Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent:

**Resolution 2020-74: Resolution Authorizing Refund of Tax Overpayment for 624, Lot 140.02 (214 Magnolia)**

A motion was offered by Councilman Schwedes and seconded by Councilwoman Williams to adopt Resolution 2020-74. Motion carried on a Roll Call Vote, as follows:

Aye: Heron, Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent:

**Resolution 2020-75: Resolution Authorizing Emergency Appropriations Less Than 3 Percent Total Operating Appropriations for the Purchase of LiveScan Fingerprint Machine for the Beverly City Police Department**

City Administrator Wolbert stated that there is a need to purchase a new fingerprint machine for the Police Department, as the current equipment was damaged and rendered inoperable after the latest storm due to electrical outages. A claim for reimbursement of same was submitted to the insurance company.

A motion was offered by Councilman Lowden and seconded by Councilman Schwedes to adopt Resolution 2020-75. Motion carried on a Roll Call Vote, as follows:

Aye: Heron, Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent:

**Resolution 2020-76: Resolution Appointing Full-Time Police Officer Recruit Caleb John McGlassion**

A motion was offered by Councilman Schwedes and seconded by Councilman Lowden to adopt Resolution 2020-76. Motion carried on a Roll Call Vote, as follows:

Aye: Heron, Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent:

**Resolution 2020-77: Resolution Appointing Full-Time Police Officer Recruit Ray Alexis Correa**

A motion was offered by Councilman Schwedes and seconded by Councilwoman Williams to adopt Resolution 2020-77. Motion carried on a Roll Call Vote, as follows:

Aye: Heron, Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent:

**Resolution 2020-78: Resolution Awarding Contract to South Jersey Sanitation for Solid Waste Collection and Disposal Services**

Councilman Schwedes inquired if the City or contractor is obligated to renew said contract for optional years four and five of same. City Administrator Wolbert stated that either party may choose not to renew the contract.

A motion was offered by Councilman Lowden and seconded by Councilwoman Williams to adopt Resolution 2020-78. Motion carried on a Roll Call Vote, as follows:

Aye: Heron, Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent:

**BILL LIST**

*Bill List for August 25, 2020*

A motion was offered by Councilman Schwedes and seconded by Councilwoman Heron to approve the Bill List of August 25, 2020. Motion carried on a Roll Call Vote, as follows:

Aye: Heron, Lowden, Schwedes, Williams, Bancroft

Nay:

Abstain:

Absent:

**CORRESPONDENCE**

A letter from a resident was read into the record by City Clerk Midgette commending the Public Works Department on their post storm clean-up efforts.

**MAYOR/COUNCIL/STAFF COMMENTS**

Mayor Miller commended the Public Works Department.

Councilwoman Heron hoped all were staying safe during this time.

Councilman Lowden commended the DPW, congratulated the newly hired police officers, and stated that he feels all recommendations by the Land Use Board should be incorporated into the chicken keeping ordinance.

Councilman Schwedes commended the DPW, thanked the Beverly Sewerage Authority for its assistance in the post storm cleanup, congratulated the newly hired police officers, and expressed the desire to move forward in hiring an additional employee for the DPW.

Councilwoman Williams thanked the DPW for its efforts in the post storm cleanup and noted her appreciation for same.

City Administrator Wolbert expressed that the newly hired police recruits will be a good fit for the community, noted the progress the DPW has made regarding the post storm cleanup, and stated that discussions will soon be held to determine a reopening plan for the Municipal Building during the ongoing health crisis.

The Municipal Court report for the month of July 2020 was reviewed without comment.

**PUBLIC COMMENT**

Ana Coleman, 41 Pine Street, inquired if the City will post the City’s Code on the official website for the residents’ reference. City Administrator Wolbert stated that the City is preparing to establish an E-Code. However, as a result of the unanticipated budget constraints due to the pandemic, the project will hopefully be funded next year.

There being no further comments, a motion was offered by Councilwoman Williams and seconded by Councilman Schwedes to close the public comment section of the meeting. Motion carried.

**ADJOURNMENT**

A motion was offered by Councilman Schwedes and seconded by Councilwoman Heron to adjourn the meeting. Motion carried. The meeting adjourned at 5:58PM.

**Respectfully Submitted By:**

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**Caitlin Midgette, RMC/CMR  
Municipal Clerk**

Approved: September 8, 2020