

**City of Beverly
Burlington County
November 10, 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 with the following in attendance: Mayor Randy H. Miller, Council President Robert H. Bancroft, Councilman Riccardo Dale, Councilman Robert E. Lowden, Jr., Councilman Mark Schwedes, City Administrator/Public Safety Director Richard Wolbert, Solicitor Gina LaPlaca, Esq., and Municipal Clerk Caitlin Midgette. Councilwoman Bernadine Williams was absent from tonight's meeting.

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 in-person at 5:00PM was published in The Burlington County Times on September 11, 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 Councilman Lowden to close the preliminary public comment on agenda items only. Motion carried.

APPROVAL OF MINUTES

- **Regular Session: October 27, 2020**
- **Executive Session: October 27, 2020**

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

Aye: Dale, Lowden, Schwedes, Bancroft

Nay:

Abstain:

Absent: Williams

OLD BUSINESS

No old business was presented.

NEW BUSINESS

Ad Hoc Community Outreach Committee: City Administrator Wolbert stated that an idea was proposed by Councilman Dale to establish an ad hoc community outreach committee, which would consider the implementation of an official social media account, an updated website, and other means of efficient communication with the public. The Common Council agreed to establish an ad hoc community outreach committee, and add the same to Council's official list of committees for the following year.

Noise Ordinance: City Administrator Wolbert explained that there has been an ongoing issue with a church in town holding outdoor sermons and causing noise disturbances for neighboring properties. Accordingly, discussions were facilitated with the City Solicitor as how to best approach the situation. It was ultimately determined that the City's current noise ordinance needs to be addressed. After researching the issue, it was discovered that all municipal noise ordinances require approval from the NJDEP in order to be enforced, and that under the DEP's regulations, the City would have to appoint a noise officer and establish noise disturbance procedures. In light of these requirements, Gina LaPlaca, Esq. explained that it may be beneficial for the City to repeal its current noise ordinance and instead adopt a nuisance ordinance that addresses a variety of issues, including noise. A nuisance ordinance would not require DEP approval for enforceability. After slight discussion, the Council determined that it would be in the City's best interest to consider an all encompassing nuisance ordinance for the future.

2020 Best Practices Inventory: City Administrator Wolbert stated that the City has submitted its mandatory best practices inventory for 2020. Though there are a few items the City can improve upon, the City scored high enough as to not lose any state aid.

Dog Fight Incident – 433 Jennings St.: City Administrator Wolbert explained to Council that in August of 2019, a dog fight incident took place as the result of a resident attempting to assist a loose canine. As the dog fight was the direct result of this individual's actions, it is ultimately said individual's responsibility to cover the costs of the bill from the animal hospital. After several attempts to recover the funds, totaling \$549.75, the bill to date has gone unpaid. Mr. Wolbert inquired if the Council would like to attempt to recover the funds through a small claims court, or if the invoice should be paid directly from the City's dog trust account. After discussion and consideration of the circumstances, it was directed by the Council to pay said invoice through the City's dog trust account.

RESOLUTIONS

Resolution 2020-97: Resolution Authorizing Release of Escrow Funds to Walter R. Koenig (Ridek Realty, Inc.) relating to Land Use Board Application for 90 Garfield Ave (Block 1950, Lot 22)

A motion was offered by Councilman Lowden and seconded by Councilman Schwedes to adopt Resolution 2020-97. Motion carried on a Roll Call Vote, as follows:

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

Resolution 2020-98: Resolution Approving Stipend for Construction Official Cedric Minter

A motion was offered by Councilman Schwedes and seconded by Councilman Dale to adopt Resolution 2020-98. Motion carried on a Roll Call Vote, as follows:

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

BILL LIST

Bill List for November 10, 2020

A motion was offered by Councilman Schwedes and seconded by Councilman Lowden to approve the Bill List of November 10, 2020. Motion carried on a Roll Call Vote, as follows:

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

CORRESPONDENCE

Mayor Miller read aloud a public meeting notice from the Board of Fire Commissioners where said board will consider a budget increase of \$50,000 for capital appropriations.

MAYOR/COUNCIL/STAFF COMMENTS

Mayor Miller encouraged the public to take increased safety measures due to the significant upswing of COVID-19 cases in the county.

Councilman Dale inquired when the City will consider reopening the public basketball courts, as he's received inquiries regarding same. City Administrator/Public Safety Director Wolbert recommended that the courts remain closed for the foreseeable future, as the City's number of infected residents is higher than at the first wave of the pandemic and the Governor has recently issued restrictions on sports related activities. Additionally, Mr. Dale noted that there's been interest in a pop-up shop at the riverfront, and asked that this event be considered for the future once the public health crisis has been abated.

Councilman Schwedes stated that due to the pandemic, there will be no Veteran's Day ceremony at the National Cemetery. The American Legion, however, will be holding a small function at 11:00AM at the Monument Cemetery.

Councilman Lowden noted that every day is Veteran's Day.

City Administrator Wolbert stated that this weekend, the Food Bank of South Jersey, in conjunction with the Burlington County Freeholders, will be holding a pop-up food pantry at the riverfront. It will be a drive-thru, contactless event.

PUBLIC COMMENT

John Haaf, 124 Riverbank, recommended that the newly implemented community outreach committee address the aforementioned noise issue, and that the City attempt to negotiate a decrease in the dog fight invoice. Mr. Haaf also inquired about the release of Executive Session minutes. Finally, Mr. Haaf suggested that the Council consider establishing salaries for elected officials as was done so in the past.

There being no further comments, a motion was offered by Councilman Schwedes and seconded by Councilman Dale to close public comment. Motion carried.

EXECUTIVE SESSION

Resolution 2020-99: Resolution Authorizing the Mayor, Common Council, and Support Staff to Meet in Private Session and Authorizing the Exclusion of the Public from that Portion of the Meeting Dealing with Specific Issues Requiring Non-Public Discussions

City Administrator Wolbert stated that the purpose of Executive Session will be to discuss matters of property acquisitions, and that no formal action will be taken by Council at the conclusion of same.

The Mayor, Common Council, and support staff entered Executive Session at 6:00PM. Solicitor Gina LaPlaca, Esq. left the meeting at 6:15PM. The Mayor, Common Council, and support staff exited Executive Session and returned to the public portion of the meeting at 6:22PM.

ADJOURNMENT

A motion was offered by Councilman Schwedes and seconded by Councilman Dale to adjourn the meeting. Motion carried. The meeting adjourned at 6:23PM.

Respectfully Submitted By:

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

Approved: November 24, 2020