



**CITY OF BEVERLY  
BURLINGTON COUNTY  
STATE OF NEW JERSEY**

**COMMON COUNCIL  
August 22, 2023 – 5:30PM**

**AGENDA**

**CALL TO ORDER**

**OPEN PUBLIC MEETINGS ACT STATEMENT**

"The Provisions of the Open Public Meetings Act have been met. Notice of this meeting, Resolution 2023-1, was posted on the Official Bulletin Board in City Hall, published in The Burlington County Times on January 6, 2023, transmitted to the Camden Courier Post, filed with the Municipal Clerk, and was mailed to all persons requesting and paying for same."

**FLAG SALUTE**

**ROLL CALL**

Mayor: Randy H. Miller

Council Members:

Robert H. Bancroft

Riccardo Dale

Robert E. Lowden, Jr.

Mark A. Schwedes

Bernadine Williams

Staff:

Administrator/Public Safety Director: Richard Wolbert

City Solicitor Thomas J. Coleman, III., Esq.

Municipal Clerk Caitlin D'Alfonso, RMC

**PUBLIC COMMENT ON AGENDA ITEMS ONLY**

**APPROVAL OF MINUTES**

*Regular Meeting: August 8, 2023*

**BILL LIST**

*August 22, 2023*

## **OLD BUSINESS**

## **NEW BUSINESS**

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

**Ordinance 2023-9:** An Ordinance Amending the Redevelopment Plan for Block 1280

**Ordinance 2023-10:** An Ordinance to Establish a CAP Bank

**Ordinance 2023-11:** Ordinance Restricting Parking on Walnut Street

### **RESOLUTIONS**

**Resolution 2023-81:** Resolution Authorizing the 2023 Municipal Budget to be Read by Title Only

*Public Hearing on the 2023 Municipal Budget*

**Resolution 2023-82:** Resolution Adopting the 2023 Municipal Budget

**Resolution 2023-83:** Resolution Establishing Employee Salaries for Calendar Year 2023

**Resolution 2023-84:** Resolution Approving Change Order #3 for the 2021 Road Improvement Project

**Resolution 2023-85:** Resolution Authorizing Pay Estimate #3 for the 2021 Road Improvement Project

**Resolution 2023-86:** Resolution Approving Change Order #1 for the 2022 Road Improvement Project

**Resolution 2023-87:** Resolution Authorizing Pay Estimate #1 for the 2022 Road Improvement Project

## **CORRESPONDENCE**

### **COMMENTS**

- Mayor
- Council
- Administrator/Public Safety Director
- Professionals
- Endeavor EMS Report: July 2023
- Municipal Court Report: July 2023

**PUBLIC COMMENT**

**ADJOURNMENT**

**Next Meeting: September 12, 2023 – 5:30PM**

**CITY OF BEVERLY  
BURLINGTON COUNTY**

**ORDINANCE 2023-9**

**AN ORDINANCE OF THE COMMON COUNCIL AMENDING THE  
REDEVELOPMENT PLAN FOR BLOCK 1280 IN THE CITY OF BEVERLY**

**WHEREAS**, by way of Ordinance 2022-3, the Common Council adopted a redevelopment plan for Block 1280 and Block 1587;

**WHEREAS**, the Common Council has deemed it necessary to amend the redevelopment plan specific to Block 1280; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-7e, prior to the adoption of a redevelopment plan, or revision or amendment thereto, the Joint Land Use Board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan; and

**WHEREAS**, the Common Council desires to refer said amendment to the Joint Land Use Board for consideration in accordance with N.J.S.A. 40A:12A-7e; and

**WHEREAS**, subject to receipt of the Joint Land Use Board's recommendations concerning the said amendment, the Common Council believes that the adoption of the same is in the best interests of the City of Beverly.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Beverly, County of Burlington, and State of New Jersey that the amended redevelopment plan for Block 1280, upon concurrence with the Joint Land Use Board that said amendment is consistent with the City's Master Plan, is hereby approved and adopted.

| INTRODUCTION   |        |        |     |     |         |        |
|----------------|--------|--------|-----|-----|---------|--------|
| Roll Call Vote |        |        |     |     |         |        |
| Council Member | Motion | Second | Aye | Nay | Abstain | Absent |
| Dale           |        |        |     |     |         | X      |
| Lowden         |        |        | X   |     |         |        |
| Schwedes       | X      |        | X   |     |         |        |
| Williams       |        | X      | X   |     |         |        |
| Bancroft       |        |        | X   |     |         |        |

| ADOPTION       |        |        |     |     |         |        |
|----------------|--------|--------|-----|-----|---------|--------|
| Roll Call Vote |        |        |     |     |         |        |
| Council Member | Motion | Second | Aye | Nay | Abstain | Absent |
| Dale           |        |        |     |     |         |        |
| Lowden         |        |        |     |     |         |        |
| Schwedes       |        |        |     |     |         |        |
| Williams       |        |        |     |     |         |        |
| Bancroft       |        |        |     |     |         |        |

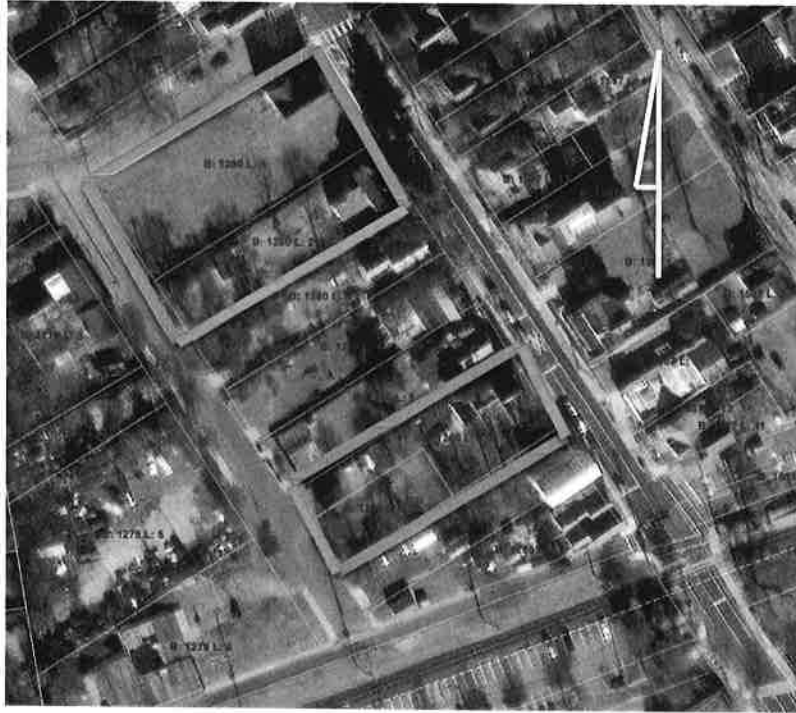
**CERTIFICATION**

I, Caitlin A. D'Alfonso, RMC, CMR, Municipal Clerk of the City of Beverly, County of Burlington, and State of New Jersey, do hereby certify the forgoing to be a true and correct copy of an Ordinance which was introduced by the Common Council of the City of Beverly at its meeting of July 25, 2023 with a second reading, public hearing, and final adoption held on \_\_\_\_\_.

\_\_\_\_\_  
**Caitlin D'Alfonso, RMC, CMR**  
**Municipal Clerk**

**2023 AMENDMENT TO THE  
CITY OF BEVERLY REDEVELOPMENT PLAN  
BLOCK 1280, LOTS 1, 2, 6.01 AND 6.02**

**PREPARED FOR: CITY OF BEVERLY  
BURLINGTON COUNTY, NEW JERSEY**



**PREPARED: JUNE 2023; REVISED: AUGUST 2023**

**PREPARED BY: MARK A. REMSA, PP, LLA, AICP, ASLA  
10 DEWBERRY COURT  
MOUNT LAUREL, NEW JERSEY 08054**

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**Mark A. Remsa, PP, LLA, AICP, ASLA  
Professional Planner License No. 33LI100403900**

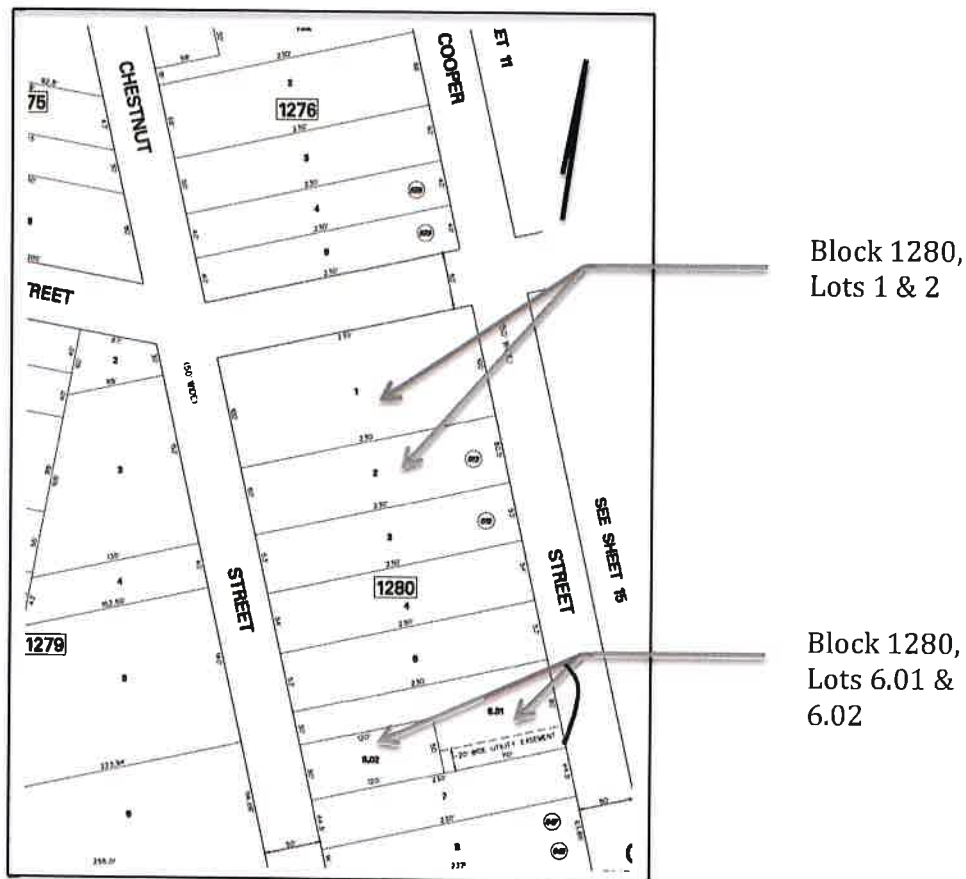
**The original copy of this document was signed and sealed according  
to state requirements**

## I. INTRODUCTION

On October 11, 2022, the Common Council of the City of Beverly adopted, by Ordinance No. 2022-3, the *City of Beverly Redevelopment Plan, 2022 Amendment for Blocks 1280 & 1587 between Chestnut & Elizabeth Streets from Railroad Avenue to Pine Street (2022 Amendment)*. The *2022 Amendment* was the first change made to the *2007 City of Beverly Redevelopment Plan (2007 Plan)*. The Common Council desires to amend the *2022 Amendment* by changing permissible residential densities and required area, bulk and height requirements for Block 1280, Lots 1, 2, 6.01 and 6.02. This *2023 Amendment to the City of Beverly Redevelopment Plan, Block 1280, Lots 1, 2, 6.01 and 6.02 (2023 Amendment)* effectuates these changes and therefore supersedes certain sections of the *2022 Amendment* as set forth herein. Sections and provisions of the *2022 Amendment* excluded from the *2023 Amendment* remain intact and in effect.

Map No. 1 shows the parcels of land that are the subject of the *2023 Amendment*.

Map No. 1 – Portion of Tax Map Sheet No. 12  
Showing Block 1280, Lots 1, 2, 6.01 and 6.02



Not to Scale

## II. REDEVELOPMENT PLAN

### D. 2022 Redevelopment Plan Amendment

#### **2. Proposed Land Uses and Building Requirements**

N.J.S.A. 40A:12A-7a(2) requires the redevelopment plan to indicate:

Proposed land uses and building requirements in the project area.

The *2023 Amendment* retains the language of the two paragraphs that follow the aforementioned paragraph on page 10 of the *2022 Amendment* which indicates the chapters of the *Beverly City Code* that apply to the redevelopment plan and which land use and building requirement standards of the *2022 Amendment* that supersede the *2007 Plan*. Notwithstanding, Section 20-6 Definitions for Yard, B. Yard, Rear and C. Yard, Site in *Chapter 20: Zoning* shall be superseded by the *2023 Amendment* whereby the following combined Rear and Side Yard definition shall apply to only Block 1280, Lots 1, 2, 6.01 and 6.02 in the following manner:

REAR AND SIDE YARD – Because Block 1280, Lots 1 and 2 fronts along three street lines (Cooper Street, Pine Street and Chestnut Street), the parcel of land shall comply with front yard setback requirements along the three street lines, shall have no side yard, and shall comply with the rear yard setback requirement for the lot line opposite the Pine Street front lot line. Because Block 1280, Lots 6.01 and 6.02 fronts along two street lines (Cooper Street and Chestnut Street), the parcel of land shall comply with the front yard setback requirements along the Cooper Street street line, shall have a rear yard requirement set back from the Chestnut Street street line, and shall comply with the side yard setback requirement for the two side lot lines perpendicular to the two front lines along Cooper Street and Chestnut Street.

The *2022 Amendment* created the Cooper Street-1 (CS-1) Redevelopment District that applied to Blocks 1280 and 1587. The *2023 Amendment* sets forth the following changes to the CS-1 Redevelopment District land use and building requirements:

#### **COOPER STREET-1 (CS-1) REDEVELOPMENT DISTRICT**

##### **A) Permitted Principal, Accessory, and Conditional Uses**

###### **1) Permitted Principal Uses:**

- c. Multi-family dwellings on Block 1280, Lots 1 and 2 permitted to having a maximum of 35 dwelling units and a maximum gross density of 41.4 dwelling units per acre, and on Block 1280, Lots 6.01 and 6.02 permitted to having a maximum of 19 dwelling units and a maximum gross density of 45.0 dwelling units per acre.



**B) Area, Bulk, and Height Requirements:**

a. Principal Uses and Structures

The following requirements of the table for Multi-Family Dwellings are corrected:

| <u>Multi-Family Dwellings</u>     | <u>Required</u>  |
|-----------------------------------|------------------|
| Minimum Front Yard Setback (feet) | 15 changed to 10 |
| Maximum Front Yard Setback (feet) | 10 changed to 15 |

The following tables are added:

| <u>Multi-Family Dwellings on Block 1280, Lots 1 and 2</u> | <u>Required</u>   |
|-----------------------------------------------------------|-------------------|
| Maximum Density (units per acre)                          | 41.4              |
| Minimum Lot Area (square feet)                            | 36,800            |
| Minimum Lot Width (feet)                                  | 160               |
| Minimum Lot Depth (feet)                                  | 230               |
| Maximum Lot Cover (percent)                               | 85                |
| Minimum Front Yard Setback (feet)                         | 10                |
| Maximum Front Yard Setback (feet)                         | 15                |
| Minimum Rear Yard Setback (feet)                          | 75 <sup>1</sup>   |
| Minimum Side Yard Setback (feet)                          | None <sup>2</sup> |
| Maximum Building Height (stories/feet)                    | 4/48              |

Multi-Family Dwellings on Block 1280, Lots 6.01 and 6.02

|                                        | <u>Required</u>  |
|----------------------------------------|------------------|
| Maximum Density (units per acre)       | 45               |
| Minimum Lot Area (square feet)         | 18,400           |
| Minimum Lot Width (feet)               | 80               |
| Minimum Lot Depth (feet)               | 230              |
| Maximum Lot Cover (percent)            | 85               |
| Minimum Front Yard Setback (feet)      | 10               |
| Maximum Front Yard Setback (feet)      | 15               |
| Minimum Rear Yard Setback (feet)       | 130 <sup>3</sup> |
| Minimum Side Yard Setback (feet)       | 5                |
| Maximum Building Height (stories/feet) | 3/46             |

<sup>1</sup> For Block 1280, Lots 1 and 2 the lot line opposite the Pine Street street line shall have a rear yard set back requirement. See the change to the definition of Yard, Rear (*Chapter 20: Zoning, Section 20-6*) provided in this *2023 Amendment*.

<sup>2</sup> Block 1280, Lots 1 and 2 lacks a side yard. See the change to the definition of Yard, Side (*Chapter 20: Zoning, Section 20-6*) provided in this *2023 Amendment*.

<sup>3</sup> For Block 1280, Lots 6.01 and 6.02 a rear yard set back shall be required from Chestnut Street to the multi-family building. See the change to the definition of Yard, Rear (*Chapter 20: Zoning, Section 20-6*) provided in this *2023 Amendment*.

**C) Parking and Loading Requirements:** The *2022 Amendment* requirements for this section are retained except for the following addition:

*Chapter 20: Zoning, Section 20-14 Off-street parking requirements.*  
Section 20-14A(7) Dwelling units shall comply with Residential Site Improvement Standards, N.J.S.A.C. 5:21-1.1 et seq.

**E) Conditional Principal Uses:** The following requirements of this section of the *2022 Amendment* shall apply to the permitted principal multi-family uses on Block 1280, Lots 1, 2, 6.01 and 6.02: IID2E)2)a) [Curb, Sidewalk and Overhead Utilities], and 4)a)-c) [Sustainability].

The following new subsection is inserted:

**G) Special Requirements for Block 1280, Lots 1, 2, 6.01 and 6.02:**

- 1) Each parcel of land, Block 1280, Lots 1 and 2 and Block 1280, Lots 6.01 and 6.02, should be consolidated into one lot as a condition of site plan approval for each parcel of land.
- 2) Because Block 1280, Lots 6.01 and 6.02 would be developed together, it is no longer necessary for the utility easement to remain on Lot 6.01. This utility easement should be extinguished as a condition of site plan approval for Block 1280, Lots 6.01 and 6.02.

#### **IV. AFFORDABLE HOUSING PROVISIONS**

N.J.S.A. 40A:12A-7b requires the redevelopment plan to indicate:

A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L. 1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.

The second paragraph on page 18 of the *2022 Amendment* shall remain intact and in effect for Block 1280, Lots 1, 2, 6.01 and 6.02.

The in-lieu provision for providing an affordable housing setaside and permits a developer's fee equal to 2.5% of the equalized assessed value of the land and improvements (third paragraph, page 18 of the *2022 Amendment*) shall not apply to Block 1280, Lots 1, 2, 6.01 and 6.02. The developer(s) of Block 1280, Lots 1, 2, 6.01 and 6.02 shall provide a 20% setaside of affordable housing dwellings within each multi-family building.

#### **VI. MUNICIPAL MASTER PLAN CONSISTENCY**

N.J.S.A. 40A:12A-7d requires that:

All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan..

The changes set forth in this *2023 Amendment* are consistent with the findings of the *2022 Amendment*, which found it was substantially consistent with the master plan or designed to effectuate the following goals and objectives from the *1999 Master Plan Land Use Plan Element*:

Neighborhood/Quality of Life

- Enhance and redevelop older residential areas.

Development/Redevelopment

- Reexamine ordinances regarding industrial, commercial and residential development requirements and provisions, i.e., setbacks, minimum area landscaping, parking, etc.

**CITY OF BEVERLY  
BURLINGTON COUNTY**

**ORDINANCE 2023-10**

**AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK FOR THE 2023 CALENDAR YEAR  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the City of Beverly in the County of Burlington finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the City Council hereby determines that a 1.0% increase in the budget for said year, amounting to \$30,375.60 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the City of Beverly hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the City of Beverly in the County of Burlington, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the City of Beverly shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$106,314.60, and that the CY 2023 municipal budget for the City of Beverly be approved and adopted in accordance with this ordinance.

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

| <b>INTRODUCTION</b>   |               |               |            |            |                |               |
|-----------------------|---------------|---------------|------------|------------|----------------|---------------|
| <b>Roll Call Vote</b> |               |               |            |            |                |               |
| <b>Council Member</b> | <b>Motion</b> | <b>Second</b> | <b>Aye</b> | <b>Nay</b> | <b>Abstain</b> | <b>Absent</b> |
| Dale                  |               |               |            |            |                | X             |
| Lowden                | X             |               | X          |            |                |               |
| Schwedes              |               |               | X          |            |                |               |
| Williams              |               | X             | X          |            |                |               |
| Bancroft              |               |               | X          |            |                |               |

| <b>ADOPTION</b>       |               |               |            |            |                |               |
|-----------------------|---------------|---------------|------------|------------|----------------|---------------|
| <b>Roll Call Vote</b> |               |               |            |            |                |               |
| <b>Council Member</b> | <b>Motion</b> | <b>Second</b> | <b>Aye</b> | <b>Nay</b> | <b>Abstain</b> | <b>Absent</b> |
| Dale                  |               |               |            |            |                |               |
| Lowden                |               |               |            |            |                |               |
| Schwedes              |               |               |            |            |                |               |
| Williams              |               |               |            |            |                |               |
| Bancroft              |               |               |            |            |                |               |

### **CERTIFICATION**

I, Caitlin A. D'Alfonso, RMC, CMR, Municipal Clerk of the City of Beverly, County of Burlington, and State of New Jersey, do hereby certify the forgoing to be a true and correct copy of an Ordinance which was introduced by the Common Council of the City of Beverly at its meeting of July 25, 2023 with a second reading, public hearing, and final adoption held on \_\_\_\_\_.

\_\_\_\_\_  
**Caitlin D'Alfonso, RMC, CMR**  
**Municipal Clerk**

**CITY OF BEVERLY  
BURLINGTON COUNTY**

**ORDINANCE 2023-11**

**AN ORDINANCE OF THE CITY OF BEVERLY, IN THE COUNTY OF BURLINGTON,  
STATE OF NEW JERSEY RESTRICTING PARKING ON SPECIFIC STREETS**

**WHEREAS**, the Common Council of the City of Beverly (the “City”) has determined that due to public safety concerns, certain roadways are too narrow to support parking on both sides of the roadway; and

**WHEREAS**, the Common Council of the City of Beverly hereby declares the following roadway shall have parking on only one side.

**NOW, THEREFORE, BE IT HEREBY ORDAINED**, by the Common Council of the City of Beverly, in the County of Burlington, State of New Jersey that:

**SECTION 1.** Schedule I set forth in Chapter XI of the Code entitled “Traffic” is hereby revised and amended to read as follows:

*SCHEDULE I*

**PARKING PROHIBITED**

In accordance with the provisions of subsection 11-2.1, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

| <i>Name of Street</i> | <i>Side</i> | <i>Location</i>                          |
|-----------------------|-------------|------------------------------------------|
| <b>Walnut Street</b>  | East        | Between Warren Street and Delaware River |

**SECTION 2.** Any and all ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 3.** In the event that any clause, section, paragraph or sentence of this ordinance is deemed to be invalid or unenforceable for any reason, then the Common Council hereby declares its intent that the balance of the ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of this ordinance.

**SECTION 4.** This Ordinance shall take effect immediately upon proper passage in accordance with the laws of the State of New Jersey.

| <b>INTRODUCTION</b>   |               |               |            |            |                |               |
|-----------------------|---------------|---------------|------------|------------|----------------|---------------|
| <b>Roll Call Vote</b> |               |               |            |            |                |               |
| <b>Council Member</b> | <b>Motion</b> | <b>Second</b> | <b>Aye</b> | <b>Nay</b> | <b>Abstain</b> | <b>Absent</b> |
| Dale                  |               | X             | X          |            |                |               |
| Lowden                |               |               | X          |            |                |               |
| Schwedes              | X             |               | X          |            |                |               |
| Williams              |               |               | X          |            |                |               |
| Bancroft              |               |               | X          |            |                |               |

| <b>ADOPTION</b>       |               |               |            |            |                |               |
|-----------------------|---------------|---------------|------------|------------|----------------|---------------|
| <b>Roll Call Vote</b> |               |               |            |            |                |               |
| <b>Council Member</b> | <b>Motion</b> | <b>Second</b> | <b>Aye</b> | <b>Nay</b> | <b>Abstain</b> | <b>Absent</b> |
| Dale                  |               |               |            |            |                |               |
| Lowden                |               |               |            |            |                |               |
| Schwedes              |               |               |            |            |                |               |
| Williams              |               |               |            |            |                |               |
| Bancroft              |               |               |            |            |                |               |

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\_\_\_\_\_  
**Caitlin D'Alfonso, RMC, CMR**  
**Municipal Clerk**