



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

**COMMON COUNCIL
July 23, 2024 – 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 2024-1, was posted on the Official Bulletin Board in City Hall, published in The Burlington County Times on January 7, 2024, 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.

Kelsey Snively

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: July 9, 2024

BILL LIST

July 23, 2024

OLD BUSINESS

NEW BUSINESS

ORDINANCE – SECOND READING/PUBLIC HEARING

Ordinance 2024-12: Ordinance Establishing Provisions to Further Define the Enforcement Authority of the City’s Code Enforcement Officers for Cease and Desist Orders

Ordinance 2024-13: Ordinance Amending Chapter 75 of the Code of the City of Beverly Entitled “Police Department” to Re-establish Staffing Levels in the Beverly City Police Department

CONSENT AGENDA RESOLUTIONS

The following resolutions will be considered under Consent Agenda. Any item that requires further discussion may be pulled from the Consent Agenda and acted upon separately.

Resolution 2024-97: Resolution Authorizing Reimbursement of Overpayment for Discovery Request

Resolution 2024-98: Resolution Opposing Proposed Legislation Bypassing Local Zoning for Home-Based Businesses

CORRESPONDENCE

COMMENTS

- Mayor
- Council
- Administrator/Public Safety Director
- Professionals

PUBLIC COMMENT

ADJOURNMENT

Next Meeting: August 13, 2024 – 5:30PM

P.O. Type: All
 Range: First to Last
 Format: Condensed
 Vendors: All
 Rcvd Batch Id Range: First to Last

Received Date Range: First to 12/31/24
 Include Non-Budgeted: Y

Open: N
 Rcvd: Y
 Bid: Y

Paid: N
 Held: N
 State: Y

Void: N
 Aprv: Y
 Other: Y
 Exempt: Y

Vendor #	Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
BU001	BUGGY CONSTRUCTION,LLC	24-00178	06/18/24	SMALL CITIES GRANT PROGRAM	Open	1,724.00	0.00		
BUR005	BURLINGTON COUNTY	24-00202	07/22/24	SALT USAGE	Open	2,735.87	0.00		
EJT001	E&J TERMITE & PEST CONTROL	24-00035	01/18/24	2024 PEST CONTROL	Open	162.00	0.00		
EMSLA005	EMSL ANALYTICAL,INC	24-00203	07/22/24	2024 LEAD PAINT	Open	529.00	0.00		
ENV001	ENVIRONMENTAL RESOLUTIONS INC	24-00078	02/20/24	2024 GENERAL SERVICES	Open	6,061.25	0.00		
FLORIO005	FLORIO,PERRUCCI,STEINHARDT,	24-00091	02/21/24	2024 LABOR COUNSEL SERVICES	Open	209.00	0.00		
GAL002	GALLS	24-00187	07/05/24	Tourniquets	Open	256.00	0.00		
INTEG005	INTEGRITY INTERPRETING LLC	24-00112	03/25/24	INTERPRETING	Open	85.50	0.00		
JOSEP005	JOSEPH GITTO ELECTRICAL	24-00155	05/10/24	2024 OFFICE INSEPCETION	Open	227.00	0.00		
LOWTH005	LOWTHER SMALL ENGINE INC	24-00009	01/10/24	2024 EQUIP REPAIR&SAFETY SUPPL	Open	475.14	0.00		
		24-00200	07/16/24	SCAGG Mower Repairs	Open	<u>1,630.00</u>	0.00		
						2,105.14			
MIDGE010	D'ALFONSO, CAITLIN	24-00201	07/22/24	REIMB 2025 CCMCA	Open	50.00	0.00		
NET001	NETWORKS PLUS	24-00057	02/04/24	2024 BARRACUDA SERVICES	Open	240.00	0.00		
NIP001	NIPPINS AUTOMOTIVE	24-00072	02/20/24	2024 PW REPAIRS	Open	102.96	0.00		
RIV001	RIVERSIDE NAPA	24-00013	01/16/24	2024 PW SUPPLIES	Open	45.28	0.00		
SIR005	SIR SPEEDY PRINTING	24-00120	04/01/24	Business Cards	Open	219.00	0.00		

Vendor #	Name						
PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
VER001	VERIZON						
24-00022	01/16/24	2024 TELEPHONE SERVICES	Open	512.44	0.00		
VER003	VERIZON (AIR CARDS)						
24-00038	01/18/24	2024 AIR CARDS	Open	84.18	0.00		

Total Purchase Orders:	18	Total P.O. Line Items:	0	Total List Amount:	15,348.62	Total Void Amount:	0.00
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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	4-01	13,095.62	0.00	0.00	13,095.62
	G-02	2,253.00	0.00	0.00	2,253.00
Total of All Funds:		<u>15,348.62</u>	<u>0.00</u>	<u>0.00</u>	<u>15,348.62</u>

**CITY OF BEVERLY
BURLINGTON COUNTY**

ORDINANCE 2024-12

**AN ORDINANCE ESTABLISHING PROVISIONS TO FURTHER
DEFINE THE ENFORCEMENT AUTHORITY OF CODE ENFORCEMENT OFFICERS
IN THE ISSUANCE AND ENFORCEMENT OF CEASE AND DESIST ORDERS**

WHEREAS, the Common Council of the City of Beverly firmly believes that regulations should be established to clearly define the legal authority and rights of the City’s Zoning Officer, Code Enforcement Officer, Registrar of Animals, and City Administrator as it relates to their respective enforcement obligations of the various chapters of the City’s Code.

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

Section 1. The Code of the City of Beverly shall set forth regulations to further define the enforcement authority of the City’s Code Enforcement Officers, which shall read as follows:

A. Enforcement of the City of Beverly Code.

1. Power of enforcement. The duty of administering and enforcing the Code shall be conferred upon the City’s Code Enforcement Officers respectively, the Zoning Officer, the Code Enforcement Officer, Registrar of Animals, and the City Administrator (collectively, the “Code Enforcement Officers”). The Code Enforcement Officers shall have such powers as specifically conferred upon them by this Code and those powers as may be reasonably implied from this Code, or otherwise conferred by law.
2. Notice of violation and appeal. Where the Code Enforcement Officer, in the course of his or her duties, determines that any violation of the provisions of this Code may exist, he or she shall order the responsible party in writing to remedy such violation or condition. Said written order shall specify the nature of the violation found to exist, the remedy order and the time permitted for such action, the penalties and remedies which may be invoked by the City, and the violator's right of appeal; all as provided for by this Code as well as the laws of the State of New Jersey.
3. Maintenance of records. The Code Enforcement Officer shall maintain a record of all matters considered and all action taken by him or her. Such records shall form a part of the records of his or her office and shall be available for the use of the Common Council and other officials of the City, County, and State.

B. Jurisdiction.

The Municipal Court of the City of Beverly, or such other court of record of this State as shall be designated by the Supreme Court of the State of New Jersey, shall have jurisdiction to hear complaints for violations issued by any one of Code Enforcement Officers.

C. Cease-and-desist orders.

The Code Enforcement Officer shall first direct the offending party to cease and desist from carrying out activities in violation of this Code. Such notice shall be sent by certified and regular United States mail to the owner/agent/tenant of the premises and may be sent to any other person known to the Code Enforcement Officer to be an offending party. Each day such violation continues after the cease-and-desist order shall constitute grounds for a separate complaint. Upon the failure of the offending party or the owner of the premises, or either of them, to cease and desist such activity as is described in the notice and within the time limit specified in such notice, the Code Enforcement Officer may cause to be sworn out appropriate complaints for prosecution in any court having jurisdiction over offenses committed under this Code, and such complaint, as the case may be, shall be prosecuted by the Prosecutor of the City of Beverly or other appropriate legal representation.

D. Violations and Penalties.

Failure to comply with any provision of this ordinance, including any properly served Cease and Desist Order, shall result in a fine of not less than \$1,000.00 nor more than \$1,500.00 for the first offense and no less than \$2,000.00 for the second and subsequent offenses. Additionally, any person so convicted, may be sentenced to perform community service for a period not exceeding ninety (90) days and/or be sentenced to a term of imprisonment for a period not to exceed ninety (90) days.

Each day that a violation continues shall be a separate and distinct offense.

E. Additional costs and expenses.

In addition to the fines and/or penalties specified by this chapter, the offending party may be required to pay all costs and expenses incurred by the City of Beverly in enforcing the terms and conditions of this Code, including but not limited to publication costs, postage, legal fees, court costs and any other costs. Failure to pay over to the City of Beverly such amounts, on demand, shall entitle the City to commence appropriate collection actions, and any additional costs or expenses so incurred shall also be charged against the offending party.

Section 2. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 3. This Ordinance shall take effect immediately.

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

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

CERTIFICATION

I, Caitlin 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 9, 2024 with a second reading, public hearing, and final adoption held on _____, 2024.

Caitlin D’Alfonso, RMC, CMR
Municipal Clerk

**CITY OF BEVERLY
BURLINGTON COUNTY**

ORDINANCE 2024-13

**ORDINANCE AMENDING CHAPTER 75 OF THE CODE OF THE
CITY OF BEVERLY ENTITLED “POLICE DEPARTMENT” TO RE-ESTABLISH
STAFFING LEVELS IN THE BEVERLY CITY POLICE DEPARTMENT**

WHEREAS, the City of Beverly has determined that it is necessary from time-to-time to review and update the operation and administration of the Police Department of the City of Beverly to re-establish the staffing levels of same.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Beverly, County of Burlington, and State of New Jersey, that Chapter 75, Article I, Section 1 entitled “Composition of Police Department” is hereby amended to read as follows:

§ 75-1 Composition of Police Department.

The Police Department of the City of Beverly shall be composed of the Director of Public Safety; one (1) Lieutenant; up to two (2) Sergeants; up to one (1) Corporal; up to eight (8) Patrolmen; up to two (2) Special Law Enforcement Officers, Class II, as may be appointed by the Common Council; and up to two (2) Part Time, Regular, Fully Certified Police Officers on an as-needed basis and as appointed by the Common Council. It is the purpose of this section to establish limits on the size of the Police Department and nothing herein shall require appointments or promotions to bring the staffing up to the maximum authorized strength.

Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Effective Date. This ordinance shall take effect upon final passage, adoption, and publication in the manner prescribed by law.

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

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

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Caitlin D’Alfonso, RMC, CMR
Municipal Clerk