



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

**COMMON COUNCIL
October 22, 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: October 8, 2024

BILL LIST

October 22, 2024

OLD BUSINESS

NEW BUSINESS

ORDINANCE – SECOND READING/PUBLIC HEARING

Ordinance 2024-17: Ordinance Adopting Revisions and Codification of the Ordinances of the City of Beverly

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 2024-139: Resolution Adopting the 2024 Burlington County Hazard Mitigation Plan

Resolution 2024-140: Resolution Authorizing Extension of Contract with Seaside Waste Services for Solid Waste Collection and Disposal

Resolution 2024-141: Resolution Authorizing the Cancellation of Unexpended Funds from the City's Capital Fund

CORRESPONDENCE

COMMENTS

- Mayor
- Council
- Administrator/Public Safety Director
- Professionals
- Endeavor EMS Report: September 2024
- Municipal Court Report: September 2024

PUBLIC COMMENT

ADJOURNMENT

Next Meeting: November 12, 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 Paid: N Void: N
 Rcvd: Y Held: N Aprv: Y
 Bid: Y State: Y Other: Y Exempt: Y

| Vendor # | Name | PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
|-----------|--------------------------------|----------|----------|-------------------------------|--------|------------|-------------|----------|---------|
| BUR013 | BURLINGTON COUNTY TREASURER | 24-00002 | 01/08/24 | 2024 COUNTY QTRLY TAXES | Open | 161,715.89 | 0.00 | | |
| DEL002 | DELANCO TOWNSHIP | 24-00004 | 01/08/24 | GASOLINE/DIESEL 2024 | Open | 1,235.49 | 0.00 | | |
| DOM00 | Domenics Auto | 24-00263 | 10/10/24 | POLICE MIRROR | Open | 82.95 | 0.00 | | |
| DOMER005 | DOMERS BONAMASSA & HYNES PC | 24-00015 | 01/16/24 | 2024 PUBLIC DEFENDER SERVICES | Open | 500.00 | 0.00 | | |
| EJT001 | E&J TERMITE & PEST CONTROL | 24-00035 | 01/18/24 | 2024 PEST CONTROL | Open | 162.00 | 0.00 | | |
| FLORIO005 | FLORIO, PERRUCCI, STEINHARDT, | 24-00091 | 02/21/24 | 2024 LABOR COUNSEL SERVICES | Open | 1,491.72 | 0.00 | | |
| GATEH005 | GATEHOUSE MEDIA PA HOLDING INC | 24-00225 | 08/23/24 | 2024 LEGAL ADVERTISEMENT | Open | 333.84 | 0.00 | | |
| GEN001 | GENERAL CODE | 24-00270 | 10/19/24 | CODE VOLUMES | Open | 13,448.00 | 0.00 | | |
| LOWTH005 | LOWTHER SMALL ENGINE INC | 24-00268 | 10/15/24 | Repair | Open | 1,033.22 | 0.00 | | |
| NIP001 | NIPPINS AUTOMOTIVE | 24-00073 | 02/20/24 | 2024 POLICE REPAIRS | Open | 2,059.00 | 0.00 | | |
| NJD002 | NJDHSS (DOG) | 24-00005 | 01/08/24 | 2024 NJ STATE DOG LICENSE | Open | 5.40 | 0.00 | | |
| NJS001 | NJ ST LEAGUE OF MUNICIPALITIES | 24-00264 | 10/10/24 | TRAINING - RECORDS MANAGEMENT | Open | 45.00 | 0.00 | | |
| TAC001 | TACTICAL PUBLIC SAFETY LLC | 24-00065 | 02/04/24 | SWITCH BOX/LABOR | Open | 190.00 | 0.00 | | |
| TDBAN005 | TD BANK | 24-00158 | 05/15/24 | 2021 BONDS | Open | 5,355.00 | 0.00 | | |
| TWINP005 | TWIN PINES CONSULTING LLC | 24-00271 | 10/19/24 | WELLNESS STRESS THERAPY | Open | 200.00 | 0.00 | | |
| VER001 | VERIZON | 24-00022 | 01/16/24 | 2024 TELEPHONE SERVICES | Open | 512.66 | 0.00 | | |

| Vendor # | Name | | | | | | |
|----------|---------------------|--------------------|--------|--------|-------------|----------|---------|
| PO # | PO Date | Description | Status | Amount | Void Amount | Contract | PO Type |
| VER003 | VERIZON (AIR CARDS) | | | | | | |
| 24-00038 | 01/18/24 | 2024 AIR CARDS | Open | 84.60 | 0.00 | | |
| WOL001 | wolbert, Rich | | | | | | |
| 24-00124 | 04/10/24 | 2024 REIMBERSEMENT | Open | 190.00 | 0.00 | | |

| | | | | | | | |
|------------------------|----|------------------------|---|--------------------|------------|--------------------|------|
| Total Purchase Orders: | 18 | Total P.O. Line Items: | 0 | Total List Amount: | 188,644.77 | Total Void Amount: | 0.00 |
|------------------------|----|------------------------|---|--------------------|------------|--------------------|------|

| Totals by Year-Fund Fund Description | Fund | Budget Total | Revenue Total | G/L Total | Total |
|---|------|-------------------|---------------|-------------|-------------------|
| | 4-01 | 180,271.37 | 0.00 | 0.00 | 180,271.37 |
| ORDINANCE 2015-06 | C-04 | 8,368.00 | 0.00 | 0.00 | 8,368.00 |
| | T-12 | 5.40 | 0.00 | 0.00 | 5.40 |
| Total of All Funds: | | <u>188,644.77</u> | <u>0.00</u> | <u>0.00</u> | <u>188,644.77</u> |

**CITY OF BEVERLY
BURLINGTON COUNTY**

ORDINANCE 2024-17

**ORDINANCE ADOPTING REVISIONS AND CODIFICATION
OF THE ORDINANCES OF THE CITY OF BEVERLY, COUNTY
OF BURLINGTON, STATE OF NEW JERSEY**

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

§ 1-1. Code adopted; existing ordinances continued.

Pursuant to N.J.S.A. 40:49-4, the ordinances of the City of Beverly of a general and permanent nature adopted by the Common Council of the City of Beverly, as revised and codified and consisting of Chapters 1 through 600, together with an Appendix, are hereby approved, adopted, ordained and enacted as the Code of the City of Beverly, hereinafter referred to as the "Code." The provisions of the Code, insofar as they are substantively the same as those of the ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments. This ordinance and the Code adopted hereby shall supersede and replace the 1989 Revised General Ordinances of the City of Beverly, as amended and supplemented.

§ 1-2. Code on file; additions and amendments.

- A. A copy of the Code has been filed in the office of the City Clerk and shall remain there for use and examination by the public until final action is taken on this ordinance. Following adoption of this ordinance, such copy shall be certified to by the Clerk of the City of Beverly by impressing thereon the Seal of the City, as provided by law, and such certified copy shall remain on file in the office of the City Clerk, to be made available to persons desiring to examine the same during all times while said Code is in effect.
- B. Additions or amendments to the Code, when adopted in such form as to indicate the intent of the Common Council to make them a part thereof, shall be deemed to be incorporated into such Code so that reference to the "Code of the City of Beverly" shall be understood and intended to include such additions and amendments.

§ 1-3. Notice; publication.

The Clerk of the City of Beverly shall cause notice of the passage of this ordinance to be given in the manner required by law. The notice of passage of this ordinance coupled with

filing of the Code in the office of the City Clerk as provided in § 1-2 shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-4. Severability.

Each section of this ordinance and of the Code and every part of each section is an independent section or part of a section, and the holding of any section or part thereof to be unconstitutional, void or ineffective for any cause shall not be deemed to affect the validity or constitutionality of any other sections or parts thereof.

§ 1-5. Repealer.

- A. Ordinances or parts of ordinances inconsistent with the provisions contained in the Code adopted by this ordinance are hereby repealed; provided, however, that such repeal shall only be to the extent of such inconsistency, and any valid legislation of the City of Beverly which is not in conflict with the provisions of the Code shall be deemed to remain in full force and effect.
- B. The following ordinances have been excluded from the Code and are specifically repealed:
 - (1) Original Sections 4-3, Appointments; 4-4, Working Conditions; 4-5, Discipline; 4-6, Meritorious Actions; and 4-7, Bonding of Officers and Employees, of Chapter IV, Personnel, of the 1989 Revised General Ordinances.
 - (2) Original Sections 5-7, Parental Responsibility, and 5-15, Leaf Collection, of Chapter V, Police Regulations, of the 1989 Revised General Ordinances.
 - (3) Original Sections 6-2, Amusement Devices, and 6-3, Pool and Billiard Parlors, of Chapter VI, Licensing – General, of the 1989 Revised General Ordinances.
 - (4) Original Sections 12-2, Fire Limits, and 12-6, Certificate of Occupancy; Change in Ownership, as amended by Ordinance No. 2007-08, of Chapter XII, Construction, Buildings and Housing, of the 1989 Revised General Ordinances.
 - (5) Original Chapter XIII, Fire Safety, of the 1989 Revised General Ordinances.
 - (6) Original Chapter XV, Sewers, of the 1989 Revised General Ordinances.
 - (7) Original Sections BH:1-1, Administration and Enforcement; BH:1-2, Licensing of Plumbers; BH:1-3, Public Health Nuisance Code; BH:1-4, Abatement of Nuisances; BH:1-5, Retail Food Establishments; and BH:1-

6, Control of Animals, as amended February 6, 1997, of Chapter BH:1, Board of Health, of the 1989 Revised General Ordinances.

- (8) Ordinance No. 1994-5, Peace and Good Order: Offenses Against Public Peace, adopted March 22, 1994.
- (9) Ordinance No. 1998-3, Police Department: Residency Requirements, adopted September 8, 1998, as amended by Ordinance No. 2008-2.
- (10) Section Two, Numbering of Buildings, of Ordinance No. 2000-7, adopted April 11, 2000.
- (11) Ordinance No. 2001-05, Solid Waste: Collection of Garbage, Rubbish and Refuse Amendment, adopted May 22, 2001.
- (12) Ordinance No. 2011-1, Animals: Vicious and Potentially Dangerous Dogs, adopted February 22, 2011.
- (13) Ordinance No. 2011-3, Solid Waste: Collection of Garbage, Rubbish and Refuse Amendment, adopted April 26, 2011.
- (14) Ordinance No. 2016-2, Animals: Tethering of Dogs, adopted February 9, 2016.
- (15) Ordinance No. 2016-5, Animals: Sale of Dogs and Cats from Pet Shops, adopted May 24, 2016.

§ 1-6. Ordinances saved from repeal.

The adoption of this Code and the repeal of ordinances provided for in § 1-5 of this ordinance shall not affect the following ordinances, rights and obligations, which are hereby expressly saved from repeal:

- A. Any ordinance adopted subsequent to August 27, 2024.
- B. Any right or liability established, accrued or incurred under any legislative provision prior to the effective date of this ordinance or any action or proceeding brought for the enforcement of such right or liability.
- C. Any offense or act committed or done before the effective date of this ordinance in violation of any legislative provision or any penalty, punishment or forfeiture which may result therefrom.
- D. Any prosecution, indictment, action, suit or other proceeding pending or any judgment rendered prior to the effective date of this ordinance, brought pursuant to any legislative provision.

- E. Any franchise, license, right, easement or privilege heretofore granted or conferred.
- F. Any ordinance providing for the laying out, opening, altering, widening, relocating, straightening, establishing of grade, changing of name, improvement, acceptance or vacation of any right-of-way, easement, street, road, highway, park or other public place or any portion thereof.
- G. Any ordinance or resolution appropriating money or transferring funds, promising or guaranteeing the payment of money or authorizing the issuance and delivery of any bond or other instruments or evidence of the City's indebtedness.
- H. Ordinances authorizing the purchase, sale, lease or transfer of property or any lawful contract, agreement or obligation.
- I. The levy or imposition of taxes, assessments or charges or the approval of the municipal budget.
- J. The dedication of property or approval of preliminary or final subdivision plats.
- K. All currently effective ordinances pertaining to the rate and manner of payment of salaries and compensation of officers and employees.
- L. Any ordinance adopting or amending the Zoning Map.
- M. Any ordinance relating to or establishing a pension plan or pension fund for municipal employees.

§ 1-7. Changes in previously adopted ordinances.

- A. In preparing the revision and codification of the City's ordinances pursuant to N.J.S.A. 40:49-4, certain minor grammatical and nonsubstantive changes were made in one or more of said ordinances. It is the intention of the Common Council that all such changes be adopted as part of the Code as if the ordinances so changed had been formally amended to read as such.
- B. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter and section number references are to the ordinances as they have been renumbered and appear in the Code.)
- C. Nomenclature changes. Throughout the Code, the following titles have been updated as follows:
 - (1) "Board of Adjustment," "Planning Board," "Planning Board and/or Zoning Board of Adjustment," "Land Development Board(s)," "Land Use Board," "Zoning Board" and "Zoning Board of Adjustment" are revised to read "Joint Land Use Board."

- (2) “Chief of Police” and “Police Chief” are revised to read “Public Safety Director.”
- (3) “City Council” is revised to read “Common Council.”
- (4) “Federal Insurance Administrator” is revised to read “Federal Insurance and Mitigation Administrator.”
- (5) New Jersey’s “Commissioner of Insurance” is revised to read “Commissioner of Banking and Insurance.”
- (6) New Jersey’s “Department of Environmental Protection and Energy” is revised to read “Department of Environmental Protection.”
- (7) New Jersey’s “Department of Health and Senior Services” is revised to read “Department of Health.”
- (8) New Jersey’s “Division of Motor Vehicles” is revised to read “Motor Vehicle Commission.”
- (9) “R.S.,” denoting the “New Jersey Revised Statutes,” is revised to read “N.J.S.A.,” denoting the “New Jersey Statutes Annotated.”

§ 1-8. Titles and headings; editor's notes.

- A. Chapter and article titles, headings and titles of sections and other divisions of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.
- B. Editor's notes indicating sources of sections, giving other information or referring to the statutes or to other parts of the Code are inserted in the Code and may be inserted in supplements to the Code for the convenience of persons using the Code and are not part of the legislation.

§ 1-9. Altering or tampering with Code; violations and penalties.

It shall be unlawful for anyone to change, alter or tamper with the Code in any manner which will cause the laws of the City of Beverly to be misrepresented thereby. Anyone violating this section shall be subject, upon conviction, to the penalty provisions of § 1-14, General penalty, of the Code of the City of Beverly.

§ 1-10. When effective.

This ordinance shall take effect immediately upon final passage and publication as provided by law.

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

| ADOPTION | | | | | | |
|-----------------------|---------------|---------------|------------|------------|----------------|---------------|
| Roll Call Vote | | | | | | |
| Council Member | Motion | Second | Aye | Nay | Abstain | Absent |
| Dale | | | | | | |
| Lowden | | | | | | |
| Snively | | | | | | |
| 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 October 8, 2024 with a second reading, public hearing, and final adoption held on _____.

Caitlin D'Alfonso, RMC, CMR
Municipal Clerk