



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

**COMMON COUNCIL
November 26, 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: November 12, 2024

OLD BUSINESS

NEW BUSINESS

ORDINANCE – SECOND READING/PUBLIC HEARING

Ordinance 2024-18: Bond Ordinance Authorizing the Acquisition of Various Capital Equipment and the Completion of Various Capital Improvements for the City Of Beverly

Ordinance 2024-19: Bond Ordinance Authorizing the Completion of Various Road Improvements for 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 2024-147: Resolution Authorizing Transfer of 2024 Budget Appropriations

Resolution 2024-148: Resolution Amending Resolution 2024-146 Authorizing the Purchase of Body Worn Cameras and Police Vehicle Cameras from Axon Enterprise, Inc. for the Police Department

Resolution 2024-149: Resolution Authorizing Special Needs Waiver for 303 Broad Street for Small Cities Grant Program

Resolution 2024-150: Resolution Authorizing the Cancellation of Certain Property Taxes on 517 Erhardt Ave due to Error on the 2024 Tax Assessment List

Resolution 2024-151: Resolution Authorizing Partial Payment to R.S Construction, LLC for Small Cities Grant Program (297 Manor Road)

CORRESPONDENCE

COMMENTS

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

PUBLIC COMMENT

EXECUTIVE SESSION

Resolution 2024-152: Resolution Authorizing the Mayor, Common Council, and Support Staff to Enter into Executive Session for Contract Negotiations

ADJOURNMENT

Next Meeting: December 17, 2024 – 5:30PM

**CITY OF BEVERLY
BURLINGTON COUNTY**

ORDINANCE 2024-18

BOND ORDINANCE AUTHORIZING THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT AND THE COMPLETION OF VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE CITY OF BEVERLY, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$690,000 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 \$668,000; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Common Council of the City of Beverly, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Beverly, County of Burlington, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$690,000;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$668,000; and
- (c) a down payment in the amount of \$22,000 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$668,000, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$22,000, which amount represents the required

down payment, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$668,000 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$668,000 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$138,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Acquisition of Various Heavy Equipment for the Public Works Department including, but not limited to, a Street Sweeper, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$120,000	\$6,000	\$114,000	15 years
B. Various Improvements to City Hall, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	100,000	5,000	95,000	15 years
C. Acquisition of Certain Real Property in the City located at 611 Locust Street (constituting Block 845, Lots 5.01, 5.02, & 5.03), together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	200,000	10,000	190,000	40 years

D. Acquisition of Various Office Equipment, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	10,000	500	9,500	5 years
E. Acquisition of Various Equipment for the Public Works Department including, but not limited to, Sewer Inspection Camera Equipment, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	10,000	500	9,500	5 years
F. Acquisition of Various Public Safety Equipment, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	250,000	0	250,000	5 years
TOTAL	\$690,000	\$22,000	\$668,000	

Section 8. The average period of useful life of the several purposes for the financing of which this Bond authorizes the issuance of bonds or bond anticipation notes, taking into consideration the respective amounts of bonds or bond anticipation notes authorized for said several purposes, is not less than 18.08 years.

Section 9. Grants or other monies received from any governmental entity including, but not limited to, any grants received from the New Jersey Department of Community Affairs in connection with the improvements set forth in Section 7(G) above, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purpose described in Section 7 above.

Section 10. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A. 40A:2-10*, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A. 40A:2-43*, is increased by this Bond Ordinance by \$668,000 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 11. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 12. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency

therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 13. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 14. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 15. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 16. All ordinances or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 17. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

INTRODUCTION						
Roll Call Vote						
Council Member	Motion	Second	Aye	Nay	Abstain	Absent
Dale			X			
Lowden	X		X			
Snively		X	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 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 November 12, 2024 with a second reading, public hearing, and final adoption held on _____.

Caitlin D’Alfonso, RMC, CMR
Municipal Clerk

**CITY OF BEVERLY
BURLINGTON COUNTY**

ORDINANCE 2024-19

BOND ORDINANCE AUTHORIZING THE COMPLETION OF VARIOUS ROAD IMPROVEMENTS FOR THE CITY OF BEVERLY, COUNTY OF BURLINGTON, NEW JERSEY; APPROPRIATING THE SUM OF \$672,610 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 \$113,050; MAKING CERTAIN DETERMINATIONS AND COVENANTS; AND AUTHORIZING CERTAIN RELATED ACTIONS IN CONNECTION WITH THE FOREGOING

BE IT ORDAINED by the Common Council of the City of Beverly, County of Burlington, New Jersey (not less than two-thirds of all the members thereof affirmatively concurring), pursuant to the provisions of the Local Bond Law, Chapter 169 of the Laws of 1960 of the State of New Jersey, as amended and supplemented ("Local Bond Law"), as follows:

Section 1. The purposes described in Section 7 hereof are hereby authorized as general improvements to be made or acquired by the City of Beverly, County of Burlington, New Jersey ("City").

Section 2. It is hereby found, determined and declared as follows:

- (a) the estimated amount to be raised by the City from all sources for the purposes stated in Section 7 hereof is \$672,610;
- (b) the estimated amount of bonds or bond anticipation notes to be issued for the purposes stated in Section 7 hereof is \$113,050; and
- (c) a down payment in the amount of \$5,950 for the purposes stated in Section 7 hereof is currently available in accordance with the requirements of Section 11 of the Local Bond Law, *N.J.S.A. 40A:2-11*.

Section 3. The sum of \$113,050, to be raised by the issuance of bonds or bond anticipation notes, together with the sum of \$5,950, which amount represents the required

down payment, and the amount of \$553,610, which amount represents grants from the New Jersey Department of Transportation, are hereby appropriated for the purposes stated in this bond ordinance ("Bond Ordinance").

Section 4. The issuance of negotiable bonds of the City in an amount not to exceed \$113,050 to finance the costs of the purposes described in Section 7 hereof is hereby authorized. Said bonds shall be sold in accordance with the requirements of the Local Bond Law.

Section 5. In order to temporarily finance the purposes described in Section 7 hereof, the issuance of bond anticipation notes of the City in an amount not to exceed \$113,050 is hereby authorized. Pursuant to the Local Bond Law, the Chief Financial Officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver the same to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their date to delivery thereof. The Chief Financial Officer is hereby directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this Bond Ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 6. The amount of the proceeds of the obligations authorized by this Bond Ordinance which may be used for the payment of interest on such obligations, accounting, engineering, legal fees and other items as provided in Section 20 of the Local Bond Law, *N.J.S.A. 40A:2-20*, shall not exceed the sum of \$135,000.

Section 7. The improvements hereby authorized and the purposes for which said obligations are to be issued; the estimated costs of each said purpose; the amount of down payment for each said purpose; the maximum amount of obligations to be issued for each said purpose and the period of usefulness of each said purpose within the limitations of the Local Bond Law are as follows:

<u>Purpose/Improvement</u>	<u>Estimated Total Cost</u>	<u>Grants</u>	<u>Down Payment</u>	<u>Amount of Obligations</u>	<u>Period of Usefulness</u>
A. Completion of Various Road Improvements for the City including, but not limited to, Laurel Street, 2 nd Street, 3 rd Street, Jennings Street, and Perkins Road, as part of the City's ongoing Roads Programs, together with the acquisition of all materials and equipment and completion of all work necessary therefor or related thereto	\$672,610	\$553,610	\$5,950	\$113,050	10 years

Section 8. Grants or other monies received from any governmental entity, if any, will be applied to the payment of, or repayment of obligations issued to finance, the costs of the purpose described in Section 7 above.

Section 9. The supplemental debt statement provided for in Section 10 of the Local Bond Law, *N.J.S.A.* 40A:2-10, was duly filed in the office of the Clerk prior to the passage of this Bond Ordinance on first reading and a complete executed duplicate original thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The supplemental debt statement shows that the gross debt of the City, as defined in Section 43 of the Local Bond Law, *N.J.S.A.* 40A:2-43, is increased by this Bond Ordinance by \$113,050 and that the obligations authorized by this Bond Ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. The full faith and credit of the City are irrevocably pledged to the punctual payment of the principal of and interest on the bonds or bond anticipation notes authorized by this Bond Ordinance, and to the extent payment is not otherwise provided, the City shall levy ad valorem taxes on all taxable real property without limitation as to rate or amount for the payment thereof.

Section 11. The applicable Capital Budget of the City is hereby amended to conform with the provisions of this Bond Ordinance to the extent of any inconsistency therewith, and the resolution promulgated by the Local Finance Board showing full detail of the amended applicable Capital Budget and Capital Program as approved by the Director of the Division of Local Government Services, is on file with the Clerk and available for inspection.

Section 12. The City hereby declares its intent to reimburse itself from the proceeds of the bonds or bond anticipation notes authorized by this Bond Ordinance pursuant to Income Tax Regulation Section 1.150-2(e), promulgated under the Internal Revenue Code of 1986, as amended ("Code"), for "original expenditures", as defined in Income Tax Regulation Section 1.150-2(c)(2), made by the City prior to the issuance of such bonds or bond anticipation notes.

Section 13. The City hereby covenants as follows:

(a) it shall take all actions necessary to ensure that the interest paid on the bonds or bond anticipation notes authorized by the Bond Ordinance is exempt from the gross income of the owners thereof for federal income taxation purposes, and will not become a specific item of tax preference pursuant to Section 57(a)(5) of the Code;

(b) it will not make any use of the proceeds of the bonds or bond anticipation notes or do or suffer any other action that would cause the bonds or bond anticipation notes to be "arbitrage bonds" as such term is defined in Section 148(a) of the Code and the Regulations promulgated thereunder;

(c) it shall calculate or cause to be calculated and pay, when due, the rebatable arbitrage with respect to the "gross proceeds" (as such term is used in Section 148(f) of the Code) of the bonds or bond anticipation notes;

(d) it shall timely file with the Ogden, Utah Service Center of the Internal Revenue Service, such information report or reports as may be required by Sections 148(f) and 149(e) of the Code; and

(e) it shall take no action that would cause the bonds or bond anticipation notes to be "federally guaranteed" within the meaning of Section 149(b) of the Code.

Section 14. The improvements authorized hereby are not current expenses and are improvements that the City may lawfully make. No part of the cost of the improvements authorized hereby has been or shall be specially assessed on any property specially benefited thereby.

Section 15. All ordinances or parts of ordinances, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 16. In accordance with the Local Bond Law, this Bond Ordinance shall take effect twenty (20) days after the first publication thereof after final passage.

INTRODUCTION						
Roll Call Vote						
Council Member	Motion	Second	Aye	Nay	Abstain	Absent
Dale		X	X			
Lowden			X			
Snively	X		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 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 November 12, 2024 with a second reading, public hearing, and final adoption held on _____.

Caitlin D’Alfonso, RMC, CMR
Municipal Clerk