

MINUTES - March 14, 2011

BOROUGH OF PALMYRA

MINUTES-March 14, 2011

CALL TO ORDER.

SALUTE TO THE FLAG.

MOMENT OF SILENCE.

OPEN PUBLIC MEETINGS STATEMENT.

Public Notice of this meeting pursuant to the Open Public Meetings Act has been given by the Borough Clerk in the following manner:

- A. Posting written notice on the official bulletin board at the Palmyra Borough Hall on January 5, 2011.
- B. Mailing written notice to the NewsWeekly, the Burlington County Times, and the Courier Post Newspaper on January 5, 2011.
- C. Notice to All Council Members.

ROLL CALL:

Present: Mayor Gural, President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

Absent: Ms. Dobbs.

CORRESPONDENCE.

A. Notice of Budget Hearing. Mayor Gural announced that there will be a special meeting on March 28th at 7pm to introduce the budget. On March 5th council had held an all day meeting on the budget and that spending was reduced. There are still decisions to be made to cut additional spending.

B. Mayor Gural reviewed the BID budget that was submitted and that there is a problem with the budget exceeding the amount that was approved last year. Mr. Fratto explained that he did not fully understand the budget process when the BID budget was put together. Mr. Fratto explained that at last weeks BID meeting the Board of Directors formed a new direction for the BID. There are three goals for the 2011 year, addressing vacancies in

the district, increase public and community awareness of the BID and raise additional funds without raising the tax by looking for grants and doing fundraisers. The administrator of the BID is going to present a business plan to the board of directors for their review. Mayor Gural discussed that he had expressed some concerns about the BID and had talked with Councilman Bostock and Mr. Fratto. A lot of effort was put into getting the BID approved and that he would like to hold the resolution for introduction for the March 28th meeting, to give the board an opportunity to review the budget and make any necessary changes.

APPROVAL OF MINUTES.

Mr. Dorworth made a motion to approve the minutes from February 7 and February 15, 2011. President Scheffler second the motion. All members present voted in favor of the motion.

ORDINANCE ON SECOND READING.

A. **Ordinance No. 2011-3**, Ordinance Amending And Supplementing Chapter 237 (snow removal) Mr. Norcross explained that the ordinance is subject to county approval and that the vehicles on the list would have to be removed by 7am for the plows. Mayor Gural explained that Mr. Dreby used the reverse 911 calling system for the last storm to alert residents not to park in the street. Mr. Dreby explained that it is important to adopt the ordinance and that the reverse 911 calling is free to the borough. Mr. Norcross made a motion to open the ordinance to the public, President Scheffler second the motion. All members present voted in favor of the motion. Resident- inquired what the depth of the snow had to be before the vehicles had to be removed. Mr. Norcross explained that there was a discussion about if it snowed at night and that residents would not be aware of it. The ordinance gives two hours after the start of the snow to remove the vehicles. Mr. Rosenberg explained that if the road is covered by snow the vehicles need to be removed, there is no depth regulation. Mr. Fratto-Broad Street inquired when the vehicles could be repark. Mr. Norcross explained that about two hours after the snow has stopped. Mr. Gasper-Park Avenue inquired if the vehicles had to be removed if there was just a dusting of snow. Mr. Norcross replied that the borough still needs to salt the roads. Mr. Gasper inquired why the vehicles have to be removed for salting. Mr. Norcross explained that the spinner on the machine goes close to the curb line. Mr. Norcross explained that the roads that are affect by the ordinance will have signs placed on them to notify the residents. Mr. Norcross made a motion to close the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion. Mr. Norcross made a motion to adopt the ordinance on second

and final reading, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

NAYES: None, the ordinance was adopted on second and final reading and will take effect after publication according to law.

B. Ordinance No. 2011-4, Ordinance Amending And Supplementing Chapter 237 (snow removal). Mr. Bostock explained that this will increase the fine for failure to remove snow or ice from sidewalks and require that it be done within 12 hours of the storm. Mr. Norcross made a motion to open the ordinance to the public, President Scheffler second the motion. All members present voted in favor of the motion. Resident-Washington Street inquired as to what happens like the last storm where it snowed, melted and refroze, how many hours are given to the homeowner? Mayor Gural explained that if residents shovel during the storm and within 12 hours after the storm there should not be anything on the sidewalks to refreeze. Mr. Bostock explained that the main issues is to have an ordinance in place for the residents who do not make any effort into clearing their sidewalks, especially for the safety of the children walking to school. Mr. Gasper-Park Avenue discussed that a lot of seniors cannot shovel and do not have the money to pay someone. Mr. Gasper discussed that perhaps the work release program or the boy scouts could help the seniors. Mayor Gural explained that council passes laws that are appropriate for the safety of the majority of the residents. Mr. Gasper discussed that the economic is bad and this is a blue collar town, it is not time to start fining everyone. Mr. Bostock explained that Mrs. Kilmer had conduct the research on the issue and that it is council's decision on the amount of the fine. Resident-Lincoln discussed that he is appreciative of the ordinance and that he has to use unshovel walks to get to the train station, but who will be responsible for the unoccupied properties? Mayor Gural explained that they are still owned by someone either a bank or a lien holder. Resident inquired if the borough could shovel the walks and bill the owner. Mayor Gural explained that it would be too expensive for the borough to do it and that public works would than be shoveling sidewalks instead of plowing. Mr. Gasper inquired if all of the boroughs property would be shoveled within the time limit. Mr. Norcross made a motion to close the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion. Mr. Bostock made a motion to adopt the ordinance on second and final reading, President Scheffler second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

NAYES: None, the ordinance will take effect twenty days after publication according to law.

C. **Ordinance No. 2011-5**, An Ordinance Amending Chapter To Restrict The Parking Of Trailers on the Streets of the Borough. Mr. Rosenberg explained that this ordinance would eliminate the parking of trailers on the public streets, the long term parking makes it unsightly and also interferes with the safety of the children in the street. The ordinance would require the borough to place signs that trailers are not allowed on the streets. Mr. Crude-Washington inquired if a trailer could remain on the street if it is attached to a vehicle. Mayor Gural explained that if a violation is issued from code enforcement the resident has ten days to abate the violation. Washington Street resident discussed that if he is leaving at 5am and pulls out to pack up, he will get a ticket for the trailer being on the street. Mr. Norcross explained that the ordinance does not allow the trailer to be on the street and the resident would have a length of time to remove it. Mr. Gasper explained that he has a landscaping business and no driveway the trailer would have to be parked on the street overnight. Mr. Norcross discussed that businesses are not supposed to be run in a residential district. Mr. Norcross made a motion to close the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion. Mr. Norcross made a motion to adopt the ordinance on second and final reading, President Scheffler second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

NAYES: None, the ordinance will take effect twenty days after publication according to law.

ORDINANCE ON FIRST READING.

A. **Ordinance No. 2011-7**, An Ordinance Authorizing The Sale Of Certain Properties Owned By The Borough Of Palmyra. Mr. Bostock made a motion to adopt the ordinance on first reading, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

NAYES: None, the ordinance will be heard on second and final reading at the council meeting of April 11, 2011.

B. **Ordinance No. 2011-8**, An Ordinance Amending The Land Development Code Of The Borough Of Palmyra Regarding Signs. Mrs. Kilmer explained that the land use board

has reviewed the sign ordinance for needed definitions and more clarification. Mr. Rosenberg discussed that he had several questions on the ordinance and that he feels that it needs some changes in the language also. Mayor Gural discussed introducing the ordinance by title and referring it to committee for review. President Scheffler made a motion to adopt the ordinance on first reading, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None, the ordinance will be heard on second and final reading at the council meeting of April 11, 2011.

NEW BUSINESS.

A. **Resolution 2011-51**, Resolution Authorizing A Memorandum Of Agreement. Mayor Gural explained that this agreement is required by the state DEP. Mr. Rosenberg explained that someone will also have to sign on behalf of the BDA. President Scheffler made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None.

B. **Resolution 2011-52**, Resolution Appointing Acting Superintendent of Sewerage Authority.

C. **Resolution 2011-53**, Resolution Appointing Acting Administrator. Mayor Gural requested that resolution 2011-52 and 53 be held until after the executive session.

D. **Resolution 2011-54**, Resolution Appointing Acting Payroll Clerk. Mr. Dorworth made a motion to appoint Christina Cortez as the acting payroll clerk, Mr. Bostock second the motion. All members present voted in favor of the motion.

E. **Resolution 2011-55**, Resolution Authorizing Submission Of Grant Application For Municipal Park Development Program. Mayor Gural explained that this grant would help fund the waterfront development and make it family friendly. The Burlington County Bridge Commission will pay the fee for the grant application. Mayor Gural explained that it is the area adjacent to the old pump house and borders with Riverton to the Harbour

property. There is hope to repair the seawall and have a gazebo. Mr. Bostock made a motion to approve the resolution, President Scheffler second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None

F. **Resolution 2011-56**, Resolution Tonnage Grant. President Scheffler made a motion to approve the resolution, Mr. Bostock second the motion. All members present voted in favor of the motion.

G. **Resolution 2011-57**, Resolution Authorizing The Payment Of Bills. President Scheffler made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None

H. **Request for reduction of sewer tax**.-Cinnaminson Avenue. Mr. Ryan explained that this issue was discussed at the sewer commission meeting and that it was referred back to council. Mayor Gural requested that the discussion be held until Mrs. Dobbs could be present.

PUBLIC COMMENT.

Mr. Dorworth made a motion to open the meeting to the public, President Scheffler second the motion. All members present voted in favor of the motion. Mr. Winstein-Washington discussed that it is tough to get a permit to have a dock on the river, the yacht club had a lot of issues with the permitting process. Mayor Gural explained that the Bridge Commission has also agreed to prepare the permit applications and pay for the permits as well. The Borough will be partnering with them. Mr. Stoever discussed that he has some issues to address to council. He has been an employee for 16 years and that he had set up a meeting with Mrs. Sheipe to go over unemployment and health care issues. Mr. Stoever discussed that he had also reached out to the Mayor. Mr. Rosenberg advised council that the Borough has received a notice of tort claim from Mr. Stoever's attorney and that this matter should not be discussed. Mr. Stoever inquired as to how much money the borough was saving with the lay offs and how many employees are getting benefits. Mayor Gural

explained that Mr. Rosenberg has advised them not to answer due to the pending lawsuit. Mr. Gasper inquired if he could have a copy of the trailer ordinance that was introduced. Griffin-Maryland Avenue inquired about the status of the community center? Mayor Gural replied that the Borough received the certificate of occupancy today and that furniture has been ordered. The seniors will be using the center daily. Mr. Fratto-Broad Street inquired about the meeting for volunteering? Mayor Gural explained that on April 13th there will be a seminar/discussion about the need for volunteers by the Citizens for Action group. The information will be available on the website. Mr. Schwering inquired if the council will be reaching out to the student as well. Mayor Gural explained that everyone is invited and that flyers will be going out shortly. No one else from the public wishing to be heard, Mr. Dorworth made a motion to close the public portion, Mr. Norcross second the motion. All members present voted in favor of the motion.

PERSONNEL.

Mayor Gural inquired if Mrs. Susan Doerr was given a RICE notice for this evening. Mrs. Sheipe confirmed that she was and that she had elected to have the discussion in the public section. Mayor Gural explained to Mrs. Doerr that there needed to be cuts made to personnel and that he was going to recommend that she be reduced from full time to part time. Mrs. Doerr inquired if she could work full time and not take the health benefits. Mayor Gural explained that another employee had approached them on the same issue and that council cannot do that. The state says that if you are full time you are entitled to benefits. Mrs. Doerr inquired if this was a permanent move to part time. Mayor Gural responded that the goal is to return as many employees as possible to full time. Mayor Gural recommended that Mrs. Doerr be reduced to part time with a maximum of 24 hours a week and no vacation time or other benefits entitled.

CLOSED SESSION.

A. **Resolution 2011-58**, Resolution Excluding the Public From Certain Meetings Pursuant To Section 8 Of the Open Public Meeting Act C. 231 P. L. 1975. Mr. Bostock made a motion to go into closed session for the discussion of litigation and personnel, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None. Council went into closed session at 8:11 pm.

Council returned to public session at 8:55pm.

B. **Resolution 2011-59**, Resolution Reducing Full Time Hours To Part Time As Of April 15, 2011. Mr. Brahl made a motion to approve the resolution, President Scheffler second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None.

C. **Resolution 2011-60**, Resolution Ordering A Change In Status For Various Employees Due To Budgetary Constraints. Mr. Brahl made a motion to approve the resolution, President Scheffler second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None.

D. **Resolution 2011-61**, Resolution Ordering A Change In Status For Various Employees Due To Budgetary Constraints. Mr. Dorworth made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None.

E. **Resolution 2011-62**, Resolution Appointing Michael McGongial As Sergeant Effective March 11, 2011. Mr. Norcross made a motion to approve the resolution, Mr. Dorworth second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None.

F. **Resolution 2011-63**, Resolution Excluding the Public From Certain Meetings Pursuant To Section 8 Of the Open Public Meeting Act C. 231 P. L. 1975. Mr. Bostock made a motion to go into closed session for the discussion of litigation and personnel, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None. Council went into closed session at 9:00 pm.

Council returned to public session at 10 pm.

G. **Resolution 2011-52**, Resolution Appointing Acting Superintendent of Sewerage Authority. (Thomas Ryan). Mr. Brahl made a motion to approve the resolution, President Scheffler second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None.

H. **Resolution 2011-53**, Resolution Appointing Acting Administrator. (Barbara Sheipe). Mr. Brahl made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, Mr. Bostock, Mr. Norcross
and Mr. Dorworth.

NAYES: None.

Adjournment.

Mr. Dorworth made a motion to adjourn at 10:15 pm, President Scheffler second the motion. All members present voted in favor of the motion.