

MINUTES - April 2, 2012

BOROUGH OF PALMYRA MINUTES-APRIL 2, 2012

CALL TO ORDER

ROLL CALL:

Present:

Mayor Scheffler, President Brahl, Mrs. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross and Mr. Schwering (student representative).

Absent:

Mr. Dorworth.

PLEDGE OF ALLEGIANCE.

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 12, 2012.
- B.** Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 12, 2012.
- C.** Notice to All Council Members.

COORESPONDENCE.

A. Department of Transportation Award-Parry Avenue. Mayor Scheffler announced that the Borough had received a grant in the amount of \$200,000 for Phase II of the Parry Avenue Improvements from the NJDOT 2012 Municipal Aid Program.

B. Rental Unit Registration request-Mayor Scheffler inquired if Mrs. Kilmer, Construction/zoning has been involved with the process? Mr. May replied that Mrs. Kilmer had given him the paperwork that he gave to council and that the ad-hoc committee had found out many things. There are some homes that are uninhabitable and also some that the board of health has been involved with. The ad-hoc committee would like to have the landlords register their properties at a minimum. The committee would also like to do landlord registration for owner occupied units, but it is not required by the state. Mr. May discussed that there is also no penalty for not completing the form. Mayor Scheffler inquired as to what Mr. May recommended for getting this information to the community. Mr. May requested that a local ordinance be passed requiring the landlord to give the correct information and address. Also that the information be placed on the website and put in the tax bills for mailing. Mayor Scheffler explained that the bills would be going out in June or July and that the ordinance requires a certain amount of time to be adopted. Mrs. Riener inquired if Mr. May was recommending every taxpayer receive the information. Mr. May discussed that there are 62 rental units within two blocks of his home and that he feels that the information needs to be mailed to everyone to reach all rentals. Mayor Scheffler discussed that some language is needed from the committee to write the ordinance. Mr. May will work through Mr. Bostock to try to create an ordinance.

APPROVAL OF MINUTES. Approval of minutes for March 3rd 2012 and March 12, 2012. Mr. Norcross made a motion to approve the minutes from March 3rd and March 12, 2012. Mr. Bostock second the motion. All members present voted in favor of the motion. Mrs. Dobbs abstain from the vote for March 12th.

PUBLIC HEARING ON MUNICIPAL BUDGET. Mayor Scheffler explained that the total budget is \$7,691,180.18 an increase of about \$18.93 for the average home in the borough. President Brahl made a motion to open the hearing on the budget, Mr. Bostock second the

motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Mrs. Dobbs second the motion. All members present voted in favor of the motion.

Resolution 2012-73, Resolution Adopting The 2012 Budget. President Brahl made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross.

NAYES: None.

AUDITOR AND TAX ASSESSOR.

A.Revalue proposals and ordinance for funding. Mr. Gural explained that there were two responses to the request for bids for the revaluation of the borough. The amounts were within the discuss funding that council had discussed. The proposals also include some additional equipment that will be needed to complete the revalue. Mr. McMahon discussed that the last revalue was completed in 1993 and that when completed owners will be able to look at their property cards and gather information for their home. Mr. McMahon explained that the two firms that submitted bids were close and that one firm is better on site work and the other is better in land value. Mr. Gural discussed that funding has to be introduced prior to award and that he is requesting an additional \$50,000 for operation costs and equipment that will be needed. Mayor Scheffler recommends that the council introduce the ordinance for funding at the next meeting and also award the contract to Professional Property Appraisers at the next meeting. Mr. Bostock inquired if the funding for the project was spread out over five years or all at one time. Mr. McMahon replied that it starts the following year after approval for five years. Council will introduce the ordinance at the next meeting in the amount of \$275,000 to cover the costs of the revalue.

Capital Ordinance- Mr. Gural discussed that capital ordinance items that were not in the general budget would be a generator for the fire department, and also vehicles for the police department. E-ticketing was going to be place in the capital, but it is not an allowed item, so the police vehicles will be moved from within the budget and placed in capital. E-ticketing funding will be taken from the general budget. Mr. Bostock recalled that last year police vehicles could not be in the capital budget, unless they were four wheel drive. Mr. Gural replied that the vehicles in the operation budget that will be moved to capital are going to be four wheel vehicles. Mr. Gural and Mr. Stewart will work on the capital ordinance and have it prepared for introduction for the next meeting.

RESOLUTIONS.

A. Resolution 2012-74, Resolution of Receipt of Audit. Mr. Bostock made a motion to approve the resolution, President Brahl second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross.

NAYES: None.

B. Resolution 2012-75, Resolution Closing Public Assistance Accounts 1 and 2 And Transferring Funds To The Current Fund. Mr. Stewart explained that there were funds in an old account for public assistance and that it was closed out and given to the county several years ago. The trust fund was kept for a number of years in case there was an emergency. Since the funds are no longer needed by the borough the funds should be cancelled and return to the general fund. President Brahl made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross.

NAYES: None.

C. Resolution 2012-76, Resolution Authorizing The Application For Tonnage Grant. Mr. Bostock made a motion to approve the resolution, President Brahl second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross.

NAYES: None.

ORDINANCES ON SECOND READING. (public hearing).

A. Ordinance 2012-3, An Ordinance Providing For The Creation Of A Shade Tree Commission Of The Borough Of Palmyra For The Purpose Of The Regulation, Planting, Care And Control Of Shade And Ornamental Trees And Shrubbery In The Streets, Highways, Public Places Of The Borough Of Palmyra And Providing For The Enforcement Thereof. This ordinance was continued from the March meeting. Mayor Scheffler explained that there a lot of issues with easements and right of ways. The committee needs to meet and review the issues and also get legal advice from the solicitor or engineer on the easements. The public works department will handle the shade tree complaints for the time being. The ordinance was held until the May 14th meeting.

B. Ordinance 2012-5, An Ordinance Amending Chapter 248 Taxicabs. This ordinance was continued from the March meeting. Mr. Rosenberg reviewed that the state law now authorizes the borough to put out to bid for taxi licenses. There is a current fee and an investigation that the borough does now for the licenses renewal. The council needs to decide the fees and if they wish to go out to bid. President Brahl discussed that the finance committee should meet on this ordinance and to continue the ordinance until the May 14th meeting.

C. Ordinance 2012-8, An Ordinance To Amend And Supplement The “Route 73 South Redevelopment Plan” As Adopted By Ordinance 2003-7 And Ordinance 2005-16A Of The Borough Of Palmyra. Mr. Rosenberg informed the public that this ordinance was the result of a settlement that was reached with Fillit on Route 73. This ordinance is the final obligation of the borough to comply with the terms of the agreement. President Brahl made a motion to open the ordinance to the public, Mr. Bostock second the motion. All members present voted in favor of the motion. Mr. Schwering inquired as to what the settlement was for? Mr. Rosenberg replied that Fillit will withdraw its challenge to the Borough for the adoption of the redevelopment ordinance. The Borough has agreed to amend its plan to allow certain additional uses as part of the Redevelopment Overlay. Mr. Schwering inquired as to what use Fillit is requesting. Mr. Rosenberg explained that they want to use their property for the next five years and deal with environmental services without worrying that the borough will take their property.

No one else from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Norcross second the motion. All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance on second reading, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross.

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

D. Ordinance 2012-9, An Ordinance Rescinding Ordinance 2006-22, An Ordinance of the Borough of Palmyra Creating A Sewer Advisory Commission. Mayor Scheffler explained that this would dissolve the commission. President Brahl made a motion to open the ordinance to the public, Ms. Dobbs second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Ms. Dobbs second the motion. All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross.

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

E. Ordinance 2012-11, An Ordinance Amending Ordinance 1998-1, An Ordinance Amending Code Of The Palmyra Entitled “Dogs” section 2A-Expiration; Fees. Mrs. Sheipe explained that this ordinance will change the date the dog and cat licenses are due from May to January 1st of each year. Ms. Dobbs made a motion to open the ordinance to the public, President Brahl second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Ms. Dobbs second the motion. All members present voted in favor of the motion. Ms. Dobbs made a motion to adopt the ordinance, President Brahl second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross.

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

PUBLIC COMMENTS. Mr. Norcross made a motion to open the meeting to the public, Ms. Dobbs second the motion. All members present voted in favor of the motion. Mr. Schwering inquired if members of the shade tree commission are part of the discussion on the ordinance and the revisions. President Brahl explained that at this point in the discussion the council needs to get legal clarifications as to what can be regulated and what can't. The committee will attempt to figure out what is current rules and regulations and what

will require the solicitors review before they move forward and include members of the shade tree.

Mr. Howard inquired about when the shade tree commission would be dissolved. Mr. Gural explained that the time is depending on the adoption and publication of the ordinance. Mr. Howard inquired as to whom the complaints from the on-line form will go to since it is being sent directly to the commissioners now. Mayor Scheffler replied that Mr. Ryan will have the forms redirected to him for the time being. Mr. Howard informed council that at the end of April the shade tree commission usually does a tree planting for Arbor Day with the school. Mrs. Riener inquired if community representatives could handle the event. Mr. Gural reminded council that if it is not a committee appointed by the borough there is no insurance coverage. Mrs. Riener inquired if public works could do the planting and the shade tree members do the ceremonial part. Mr. Gural explained that an ad-hoc committee would have to be appointed. Mr. Gural will have a notice placed on the website about the shade tree committee and the procedure for filing a tree complaint. Mrs. Riener explained that a lot of the ordinances need to be gone through from long ago and there needs to be a clear understanding of what the duties of the commission is. President Brahl explained some of the other ordinances may also need to be abolished to have a clear definition on the trees and sidewalks.

Mr. Schwering inquired as to the amount that was budgeted for the shade tree? Mr. Gural replied that there was \$28,000 placed in the line item, but that other expenses besides trees come from that budget account.

President Brahl made a motion to close the public portion. Mr. Bostock second the motion. All members present voted in favor of the motion.

CLOSED SESSION.

Resolution No. 2012-77 Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (litigation and contracts).

Mr. Norcross made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Dobbs, Mrs. Riener, Mr. Bostock and Mr. Norcross.

NAYES: None. Council went into executive session at 7:55 pm.

GENERAL SESSION. Council returned to open session at 9:05pm.

DISCUSSION ITEMS.

A. Engineer updates-Environmental Resolutions. Mr. Kirchner gave an update on the handicapped ramp project. Mrs. Riener inquired if there were different landscaping crews. Some of the areas look great and others look like they have been rushed through. Mr. Kirchner explained that the project is about 53% completed and that it should be completed by Memorial Day. Mr. Kirchner discussed that he has received some of the complaints about the ramps and that some of the ramps are too high and others are too low. Mayor Scheffler informed Mr. Kirchner that one of the ramps near the crossing guard on Charles Street was supposed to have been completed on President Day week end and it still is not completed. Mr. Kirchner explained that at various locations there has been an issue with the concrete monuments marking the locations and that they are requesting a change order to have the monuments marked and set correctly. Mr. Gural explained that the change order would be for about \$7,150 of additional work. Council will review a resolution at the next meeting for an amount not to exceed \$4,000 for ERI to work on the concrete monuments. Mr. Kirchner informed council that the HVAC system is ready to go out to bid in June, the street inventory is being completed and also a street map of the conditions of the streets. Mr. Gural explained that the street map will also have additional information such as stop sign locations, storm water inlets mark outs and that it is not a reproducible map. The map will be charged to the sewer department. Mr. Kirchner reported on the stop signs that he was requested to review. The stop signs are recommended for a 4-way stop control with stop signs on Wallace Avenue, Garfield Avenue southbound and Columbia Avenue northbound. Garfield Avenue, northbound traffic would be redirected to Columbia Avenue with striping modifications and a stop sign. Mr. Kirchner also recommend that a 4-way stop for the intersection of Garfield and Spring Garden Street, there are several vehicles that park on both Spring Garden and Garfield Avenue that create a sight distance issue in both directions. Mr. Kirchner recommend that a 4-way stop be placed on Columbia Avenue and Charles Streets. There is also a large tree located on the corner of Columbia Avenue which inhibits sight distance for vehicles. Mr. Kirchner discussed that the county has a shared service program to use the strippers for the sidewalks. Mrs. Riener discussed that there is a problem with the crosswalk being too far back into the site triangle. Mr. Kirchner will contact the county engineer for

putting up signs and getting stripes placed. Mr. Gural requested that council consider using Environmental Resolutions for the police shed and allowing Land Engineering to continue with the Ethel B. Hardy Park there is currently no funding left for engineering for this grant and Land Engineering has already submitted the original bids.

B. Discussion on Redevelopment of Route 73. Mr. Bostock informed council that he had requested this item be placed on the agenda. A few weeks ago, Mr. Bostock was at Dredge Harbour and heard Mr. Eric Rucker. Mr. Rucker discussed the redevelopment funds that were available to the borough from the government. Mr. Bostock informed Mr. Rucker that he would bring the conversation to borough council for their opinion and position. Mr. Gural discussed that Mr. Rucker had defaulted on a contract and that two lawsuits were just settled from when Mr. Rucker was involved in the redevelopment. Mr. Norcross discussed that he does not feel that Mr. Rucker is the right fit for the borough.

C. Salaries for non-uniformed employees. Mr. Gural will have the salary resolution with the break downs for the next meeting. The non-uniformed employees are receiving a 2% raise. Mrs. Riener inquired about additional funds for the code-enforcement position. Mr. Gural discussed that he had a conversation with the current construction official and that there is money in the budget to hire someone part time and that they would report to the construction official. Mrs. Riener thought that as part of the budget process there were funds in place for a stipend for the construction official for acting as code enforcement. Mr. Gural discussed that the amount was placed in the budget to hire a code officer.

D. Discussion on storage of records and asbestos abatement. Mr. Gural explained that there needs to be an offsite storage center, so that the old records can be secured while the current storage rooms are being upgraded and improved. Mr. Gural proposed a storage unit for about \$169.00 a month at the Riverline Storage center.

E. Community Center secretary. Mr. Gural requested that council consider a secretary for scheduling of the community center at \$10.00 an hour. The scheduling takes a considerable amount of time, with insurance requirements, tours and juggling the schedule. Mayor Scheffler inquired as to the amount of hours that would be required. President Brahl discussed that Mr. Gural also needs a part time secretary to handle some of his paper flow and scheduling. Mr. Gural informed council that the YMCA is inquiring about handling the center on the borough's behalf.

F. Concession stand and RFQ. President Brahl inquired about the previous request by council to have the concession stand and community center managed by an outside person. Mr. Gural informed council that there was a meeting with all of the sports teams that use Legion Field and no one is currently interested in handling the operations of the stand, except during their individual games. Someone is needed to handle the operation

for the entire sport season. President Brahl inquired about the key cards for the concession stand and community center? Mr. Gural replied that it is part of the funding with the revalue to obtain a printer that will print out the individual cards. Mr. Gural requested that the council approve a RFP for the concession stand. President Brahl agreed and would like to have it up and running for the summer.

G. Mattmuller parking lot. Mr. Gural requested that the lot be included in the next round of street improvement funding.

H. Employee's Manual update. Mayor Scheffler inquired if the handbook was completed. Mr. Gural explained that the manual needs to be complete by May 1st and that he is still working with the labor attorney for the correct language and legality of the handbook.

I. Payment Procedure for Claims and Billing update. President Brahl discussed that new language is needed for the handling of the vouchers and processing of the bills for payment. The bills are now signed by the chairman of each individual committee and if that person is not available for signature the bill does not get process. The process will be review.

Mr. Norcross requested that an ordinance be created to limit smoking on Legion Field.

CLOSED SESSION. Resolution No. 2012-78, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (litigation and personnel).President Brahl made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Dobbs, Mrs. Riener, Mr. Bostock and Mr. Norcross.

NAYES: None. Council went into executive session at 10:20 pm.

Adjournment. President Brahl made a motion to adjourn at 10:40pm, Mr. Bostock second the motion. All members present voted in favor of the motion.