

MINUTES - April 9, 2012

BOROUGH OF PALMYRA MINUTES-APRIL 9, 2012

CALL TO ORDER

ROLL CALL:

Present:

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

Absent:

Mr. Norcross.

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.

ORDINANCES ON FIRST READING.

A. Ordinance 2012-12-An Ordinance Authorizing The Borough Of Palmyra To Provide Legal Counsel And Indemnification For Officials, Employees And Appointees Of The Borough In Certain Actions Brought Against Said Officials, Employees And Appointees. Mr. Gural explained that this ordinance is a requirement of the JIF insurance. President Brahl made a motion to adopt the ordinance on first reading, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth.

NAYES: None. The ordinance was passed on first reading and will be heard on second and final reading at the meeting of May 14, 2012 after publication according to law.

B. Ordinance 2012-13,An Ordinance Banning Smoking At Legion Field. Mr. Bostock arrived. Mrs. Riener inquired if this ordinance could be amended to include all parks. Mr. Rosenberg replied that the council could add any property owned by the borough. President Brahl inquired about the amount of the fine for the ordinance. Mr. Rosenberg recommends \$50.00 for the first offense and \$100.00 for the second offense. Mr. Dorworth discussed that Ethel Hardy Park should be included and will that also include the War Memorial and band shell area. Chief Pearlman discussed placing designated areas for smoking if council included all borough properties. Mr. Rosenberg discussed signs would have to be posted and also have to give fines for the violation on the sign. Mrs. Riener recommends adding the band shell area, Ethel Hardy Park, Legion Field Complex, Community Center and War Memorial to the ordinance. Mr. Dorworth 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 Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock.

NAYES: None. The ordinance was passed on first reading and will be heard on second and final reading at the meeting of May 14, 2012 after publication according to law.

C. Ordinance 2012-14, An Ordinance Authorizing Special Emergency Appropriations Pursuant To N.J.S.A. 40A: 4-53(b) To Fund The Costs Associated With The Execution Of A Complete Program Of Revaluation Of Real Property For The Borough Of Palmyra. President Brahl made a motion to adopt the ordinance on first reading, Mr. Dorworth second the motion. At the call of the roll, the vote was:

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

NAYES: None. The ordinance was passed on first reading and will be heard on second and final reading at the meeting of May 14, 2012 after publication according to law.

D. Ordinance 2012-15, An Ordinance Providing For Various Capital Improvements.

This ordinance was held until the next meeting.

PUBLIC HEARING ON BID BUDGET.

Mayor Scheffler discussed that the public hearing is on this year's business improvement districts budget in the amount of \$72,000. There are funds left from last year's budget that can be used this year. Mayor Scheffler expressed concern that there is only \$10,000 towards the recruitment of new businesses. Mr. Fratto-BID explained that the administration budget line includes other items such as the storage of the Christmas lights, Broad Street maintenance, the audit and insurance. The retail recruitment is hinged on the survey and since it is probably not going to happen this year, they will need to look at what the area can support. Mr. Fratto explained that JGSC Group is reviewing the demographics of the area, the age of the shoppers and will add a survey to the website of the BID for people to respond to. Mr. Fratto discussed that the BID needs to have more business people, than dreamers. They need owners who know how to run a business and that JGSC is helping to find established businesses to bring to the area. Mayor Scheffler inquired about the status of the BID and the Bridge Commission working on the study together. Mr. Fratto replied that they have not heard from the Bridge Commission and did not want to wait any longer. Mayor Scheffler discussed that JGSC did not file the necessary revised proposal that the Bridge Commission had requested and that it was discussed at the last Bridge Commission meeting. Mayor Scheffler inquired about the cost of a cell phone to T-Mobile. Mr. Fratto replied that the phone is registered to the BID from the previous administrator and that there is a contract with T-Mobile. JGSC did not need the use of the phone and they want to go with a plan that is less expensive when this plan runs out. Mayor Scheffler expressed concern that the audit is not completed for the BID. Mr. Fratto explained that the BID's board of directors had no idea how involved the audit would be and that they have contact Becker and Associates to put together the audit for them. There is a letter from them requesting an extension. Mrs. Riener inquired about the raise for the director in July. Mr. Fratto replied that JGSC is requesting a raise next month for their work. President Brahl inquired as to what is the vision from JGSC for the borough. Mr. Fratto explained that they want to help recruit businesses that can succeed and that they have a mailing list from all over the northeast. President Brahl discussed that there are empty stores in every mall and town and that the opportunity is here for unique businesses and lower rents. Mr. Fratto replied that the BID

wants unique businesses, but no more dollar stores, etc. Mrs. Riener would like to see a business be able to try something once and that it could take off with the right location and need. President Brahl inquired if the BID had met with the Girl Scouts about the band shell project. Mr. Fratto replied that businesses have donated individually and that in the next BID communications there will be a note about their project. The BID is not giving them any direct donations, but will give them free space at the festival to allow them to raise funds. Mayor Scheffler explained that the Girl Scouts are working on the band shell and that the BID actually held a concert there, free of charge. Mr. Fratto replied that it was a mistake to hold the concert, and that the BID should not have wasted the money. Mr. Fratto explained that the Board of Directors of the BID voted to not donate any funds to the Girl Scouts. Mr. Bostock discussed that the audit cost was more than anticipated and also the insurance cost. Recruitment can be put together and that creating awareness includes product, placement and promotion. Mr. Bostock explained that there were five interviews for the BID position and that they would have had to be an employee of the BID. The JGSC Group is not an employee of the BID and is awarded by a contract with them. Mr. Bostock explained that the BID is attempting to get on the right path and it has only been a year. President Brahl inquired out of all the properties in the BID how many attend the monthly meetings. Mr. Fratto replied that most of the downtown businesses and a few from the other areas. President Brahl discussed that the purpose of the BID was to create a vibrant downtown and a successful business district. President Brahl explained that he is not impressed by the JGSC group and that the council had requested that the BID meet with the Girl Scouts about the band shell. President Brahl expressed that he was disappointed that the BID did not make a donation to the Girl Scouts for the improvements to the band shell as it is a major part of the downtown area and that the BID is not communicating with borough council. Mr. Fratto replied that JGSC is in town weekly or biweekly knocking on doors of businesses and offering their services. Mr. Rosenberg explained to council that the resolution functions as an ordinance by holding a first reading and then a public hearing. The resolution needs four votes to pass. Mrs. Sheipe informed council that a notice was placed in the local newspaper about the budget hearing as required by law and also a notice was mailed out to every business in the BID. Mrs. Riener inquired if the budget during the approval process could be increased or decreased. Mr. Gural explained that if the resolution did not pass the vote tonight it would have to be reintroduced with the different amount. Mrs. Riener discussed that she shares some of President Brahl's concerns with the breakdown of costs and expenses. President Brahl made a motion to open the public hearing, Mr. Dorworth seconded the motion. All members present voted in favor of the motion.

Mr. DiLeo-Morgan Avenue informed council that he has not had a business in his building for six years and that it is vacant and he pays taxes and sewer to the Borough and now the BID tax. Mr. DiLeo discussed that he had emailed all of council and request that vacant buildings not be tax additional as they do not benefit from the BID and that he could use that extra money to advertise for a business. The flash promotions do very little to bring businesses into the town. The property is producing no income and that council should reconsider the entire program. Mayor Scheffler thanked Mr. DiLeo for reaching out to council and expressing his views.

Mr. Loltonuk-Broad Street discussed that council deals with a larger budget and that not all of the residents attend their meetings either. Mayor Scheffler explained that the Mayor and Borough Council are still responsible to everyone in the borough, whether they attend the meetings or not.

President Brahl made a motion to close the public hearing, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Mayor Scheffler discussed council giving the BID the \$24,000 that was already billed and seeing what can be done and that the BID is constantly making mistakes with other taxpayer's money. Mrs. Riener discussed that she supports the BID and that her concerns are no reflection on the actual business owners, but that she is not comfortable with the consulting firm and that she has some concerns with the expenditures. Ms. Dobbs discussed that the amount of \$72,000 was not discussed by council and that it was present to council by the BID committee. President Brahl discussed that he needs to justify the spending and has not been sold that this is good for the businesses or borough. Mr. Dorworth discussed that he also has been struggling and that a no vote means it does not pass and that perhaps the doubts can be put to rest in a year, he would like to see Palmyra brought back to life. Mr. Rosenberg explained that the BID budget is to be prepared by the BID and that it is the BID's responsibility to come back to council with a new budget if council does not seek to approve this one. Council can give the BID some direction where they would like it to be at and have them resubmit their budget for approval. Mr. Dorworth inquired if there were any other business owners in the audience. Mr. Tomarchio explained that he is a business owner and that the whole question is are the right people running the BID. The committee hired someone who they thought can run the BID and also that the money was held up by the borough for a time. Mr. Tomarchio discussed that things take time to get started and that Palmyra is a difficult demographic. Mr. Tomarchio requested that council approve one more year of the budget for the BID. Mr. Bostock discussed that Collingswood and Haddonfield are soliciting successful and well established businesses to relocate in their towns. Mr. Dorworth suggested lowering the budget to \$50,000. Mr. Rosenberg informed council that in order to

amend the budget it would have to be reduced and advertised. Mr. Fratto explained that he could not agree with a new number this evening for the budget, it would have to be discussed at the Board of Directors meeting. President Brahl discussed that the amount of \$72,000 is fine with him, but the salaries listed are too high and that he will not support the budget next year if the process is not corrected. Mr. Bostock made a motion to approve the budget at \$72,000, President Brahl second the motion. At the call of the roll, the vote was:

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

NAYES: None.

RESOLUTIONS.

Consent Agenda- Resolution 2012-79 to Resolution 2012-86 will be enacted as a single motion, if any resolution needs additional discussion it will be removed from the consent agenda and voted on separately. Mayor Scheffler read the title of the resolutions into the record. President Brahl made a motion to approve the consent agenda, Mr. Bostock second the motion. At the call of the roll, the vote was:

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

NAYES: None.

- A. Resolution 2012-79,** Resolution Authorizing Engineer To Perform Services For Monmentation Location Services. (handicapped ramps).
- B. Resolution 2012-80,** Resolution Approving A Contract Change Order For Construction Of Handicapped Ramps.
- C. Resolution 2012-81,** Resolution Authorizing Engineer To Prepare Street Condition Map and Stop Sign Inventory.
- D. Resolution 2012-82,** Resolution Accepting A Certified List From Palmyra Borough Participating Volunteer Fire Companies For Eligibility In Length Of Service Awards Programs For The Year 2012.
- E. Resolution 2012-83,** Resolution Authorizing The Mayor To Sign An Agreement With The Burlington County Board of Chosen Freeholders For the 2012 Solid Waste Services.
- F. Resolution 2012-84,** Resolution Authorizing The Cancellation Of Totally Disabled Veteran for Block 152, Lot 9.02 Qualifier C6210 Tax Year 2012 And Thereafter and Refunding Taxes Paid.
- G. Resolution 2012-85,** Resolution Authorizing The Payment Of Bills.
- H. Resolution 2012-86,** Resolution Awarding Professional Services Contract To TrashPro For Consulting Services.

I. Resolution 2012-87, Resolution Awarding Contract To Professional Property Appraisers Inc. For Revaluation Of Borough. This resolution will award the contract for the revaluation of the borough to Professional Property Appraisers. Mr. Davis, from the firm informed council that the revalue was order by the Burlington County Board of Taxation and that after approval from the state on the contract, they will start sending out information to residents that will give basic information, telephone numbers, and website. The field inspectors should be starting around the beginning of June. The public will have an opportunity to appeal the decision of the revalue company around November, before the values are placed on the books. 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, Ms. Dobbs, Mr. Dorworth, Mr. Bostock.

NAYES: None.

ABSTAIN: Mrs. Riener.

J. Resolution 2012-88, Resolution Approving The Salaries For Employees. Mr. Gural explained that this resolution references the salary ordinance, but lists each position individually with the exact amount of the salary. The salaries include a 2% raise for the 2012 year and are retroactive only to April 1. President Brahl made a motion to approve the resolution, Mrs. Dobbs second the motion. At the call of the roll, the vote was:

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

NAYES: None.

K. Resolution 2012-89, Resolution Awarding Contract To Life Fitness, Inc. (community center). Mr. Dorworth made a motion to approve the resolution, Mrs. Dobbs second the motion. At the call of the roll, the vote was:

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

NAYES: None.

L. Resolution 2012-90, Resolution Appointing Certified Municipal Court Administrator. Held until after executive session.

M. Approval of Treasurer's Report. President Brahl made motion to approve the report, Mr. Bostock second the motion. At the call of the roll, the vote was:

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

NAYES: None.

PUBLIC COMMENT.

Mr. Bostock made a motion to open the meeting to the general public, Mr. Dorworth second the motion. All members present voted in favor of the motion.

Mrs. Ganges-Orchard-informed council that the traffic on Orchard is getting worse and that the cars leaving the business speed down the street. The children play basketball and the parents have to holler for the cars or trucks to slow down. There is a stop sign on Broad, but they go right through it. There is a need for a speed bump to slow the employees from Kerbeck. President Brahl remembered meeting with the residents several years ago and that it was a problem then. The police department had placed the speed trailer on the street at that time and it seems to help. Chief Pearlman explained that the trailer is on the older side and not really usable. Mrs. Ganges discussed that the speeding slowed down when the employees at Kerbeck were told to. President Brahl discussed that the car dealers test run the cars down the street and that a letter should be drafted to the businesses in the area about the problem with their employees speeding. Chief Pearlman will have the patrols stepped up in the area during the problem times. Mr. Gural informed council that a traffic study was completed about two years ago. Mayor Scheffler requested that a letter be written first and for the Chief to meet with his sergeants about the patrols. Mrs. Dobbs discussed that the Market Street road project will cause more vehicles on the side streets.

Mr. Clark-Columbia-thanked council for the handicapped ramps, but that he has some pressing concerns with the sidewalks in the borough. The people who need wheelchairs and have difficulty walking are having trouble with the broken sidewalks and tree roots coming up on them. Mayor Scheffler informed Mr. Clark that the borough is reviewing the shade tree and sidewalk ordinance to attempt to fix the problems. The ordinance should be on the agenda for first reading. Mayor Scheffler discussed that the other issue is that the borough needs to hire a code enforcement officer to monitor the issues.

No one else from the public wishing to be heard, President Brahl made a motion to close the public hearing, Mr. Dorworth second the motion. All members present voted in favor of the motion.

COMMITTEE REPORTS.

Police Committee- Mr. Dorworth informed council that Patrolman Leusner did an excellent job with a traffic stop that involved a gun and some illegal materials. The police report is on file.

School Board- Mr. Bostock informed council that the school board approved their budget and also approved a resignation of the current superintendent.

CLOSED SESSION.

Resolution No. 2012-91, 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. Dorworth second the motion. At the call of the roll, the vote was:

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

NAYES: None. Council went into executive session at 9:05 pm.

Adjournment. President Brahl made a motion to adjourn at 9:50 pm, Mr. Bostock second the motion. All members present voted in favor of the motion.