

## **Minutes - April 11, 2011**

### **BOROUGH OF PALMYRA**

#### **MINUTES-April 11, 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. Norcross and  
Mr. Dorworth.

Absent: Ms. Dobbs and Mr. Bostock.

#### **CORRESPONDENCE.**

APPROVAL OF MINUTES. Mr. Norcross made a motion to approve the minutes from March 5, 2011. Mr. Dorworth second the motion. All members present voted in favor of the motion.

#### **NEW BUSINESS.**

#### **ORDINANCE ON SECOND READING.**

A. Ordinance No. 2011-7, An Ordinance Authorizing The Sale Of Certain Properties Owned By The Borough Of Palmyra. Mr. Rosenberg discussed that this ordinance will allow

the Borough to sell the lots that they own to the adjoining property owners. A notice will be sent to the adjoining owners and they will be given a chance to bid on the lots. President Scheffler made a motion to open the public hearing on the ordinance, Mr. Brahl second the motion. All members present voted in favor of the motion. Mrs. Butler-Arch Street inquired what happens if no one bids on the property? Mr. Rosenberg explained that if no bids are offered, the matter goes back to council who can authorize a private sale or a public bid. The property must be sold for the appraised value. No one else wishing to be heard, Mr. Brahl made a motion to close the public portion, President Scheffler second the motion. All members present voted in favor of the motion. Mr. Norcross made a motion to adopt the ordinance, Mr. Brahl second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, 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. 2011-8, An Ordinance Amending The Land Development Code Of The Borough Of Palmyra Regarding Signs. Mrs. Kilmer explained that the land use board reviewed the sign ordinance and addresses the issues with sizes and locations of the signs. Mr. Rosenberg discussed that council had directed the ordinance to a sub-committee and that it should be held until further review. Mayor Gural expressed that he would still like to hold the public hearing, since it has been advertised. Mr. Brahl made a motion to open the ordinance to the public, President Scheffler second the motion. All members present voted in favor of the motion. Mr. Schwering-Broad Street inquired if he could obtain a copy of the ordinance. Mr. Fratto-Broad Street inquired if this change would affect any of the existing signs. Mr. Rosenberg explained that it is for new signs, but if an existing sign is removed; they would have to follow the new ordinance. Mr. Dorworth made a motion to close the public section, Mr. Brahl second the motion. All members present voted in favor of the motion. Mr. Brahl made a motion to hold the ordinance, President Scheffler second the motion. All members present voted in favor of the motion.

C. Ordinance No. 2011-9, An Ordinance Authorizing The Borough of Palmyra To Enter Into A Lease Agreement Pursuant To N.J. S.A. 40A:12-14© With The YMCA of Burlington and Camden Counties, A New Jersey Not-For- Profit For Use Of The Palmyra Community Center. Mr. Rosenberg discussed that the final contract will the affirmative action has been received and that it is council's decision. Mr. Brahl made a motion to approve the ordinance, Mr. Norcross second the motion. All members present voted in favor of the motion. Mrs. Butler-Arch Street inquired as to why the contract for the center was turned over

to the YMCA? Mayor Gural explained that the whole center is not being used by the YMCA. It is just for an 8 week summer program for summer camp. Palmyra residents will receive a 10% discount and also can apply for camperships. There will be a fee given to Palmyra for children from out of town. Mrs. Butler inquired as to the cost per week? Mayor Gural replied that it was about \$225.00 for a full week. Mrs. Butler explained that municipal alliance did the summer camp for less per child. Mayor Gural explained that the YMCA employees will be certified with background checks and have professional insurance covering the employees. Mrs. Butler inquired if the YMCA would be hiring students, since the alliance gave the students summer jobs. Mayor Gural explained that the YMCA has stated that they will attempt to hire Palmyra residents and that they have a policy of 15 children to 1 adult ratio. Mayor Gural explained that there is no one at the current time to run the alliance program and that Mrs. Dobbs has asked several residents. Mayor Gural announced that there is a kick-off program on Wednesday that will explain about volunteering for your community and how to get volunteers as well as raise money. Mrs. Butler discussed that she does not understand why there are no volunteers to help the Borough. Mayor Gural explained that he does not understand it either, but that they are attempting to reach out to residents with the summit on Wednesday night. Mrs. Butler discussed that she did not received a flyer in the mail on the budget and what happens to the center when the YMCA is done with it. Mayor Gural explained that the YMCA is looking to run other programs at the center and that the camp is just a starting point for them. Karen-Arch Street inquired how much is the lease and will it benefit the residents. Mayor Gural explained that this is the first program being offered in the Borough by the YMCA and that all Borough children will be given a 10% discount. Karen inquired as to what department the funds will go to from the YMCA. Mayor Gural explained that the money would be placed back into the general fund. Mr. Proctor-Arch Street inquired when the grand opening would be. Mayor Gural replied that this week there is a call to service summit and that it is a good opportunity to see the center, but that a grand opening will be scheduled later. Tracy-Arch Street inquired as to the plan for the center to benefit the residents. Mayor Gural replied that the seniors will be able to move from the church to the center and that the athletic programs will be able to use the gym, as well as volunteers are needed for a basketball clinic. Mayor Gural discussed that Legion Field took a while to get running and now it is full of children and adults and is constantly being used. Mr. Brahl made a motion to close the public portion, President Scheffler second the motion. All members present voted in favor of the motion. Mr. Norcross made a motion to adopt the ordinance, President Scheffler second the motion. At the call of the roll, the vote was:

AYES: President Scheffler, Mr. Brahl, 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.

### **OLD BUSINESS.**

A. Resolution 2011-65, Resolution Introducing the BID budget. Mr. Fratto explained that the Director had to leave due to an emergency at her store. Mayor Gural discussed that Mr. Bostock who also sits on the board is not present and that he would like to have him included on the discussion. Mr. Fratto discussed that he had met with the Director this morning and had prepared some comments. Mayor Gural explained that council's largest concern is that they are responsible for the taxes and the collection of the taxes. Council needs to know what is going on with the BID, so that they can approve the budget. Mr. Fratto informed council that the festival is rescheduled till fall and that they have sent out over 100 letters for sponsorships and received less than a \$1,000. The BID would like to sponsors with someone to help with the vendors. The BID has established their tasks and goals. Mayor Gural explained that they are paying a part time director of the BID almost as much as the Borough's acting administrator. Mr. Fratto replied that Mr. Grossman, the consultant had helped with the employment ad and the salary request. Mr. Fratto explained that the director provided a lot of value information and created the website as well, the BID is trying to be more responsible and professional. President Scheffler discussed that it is hard to justify to residents that the Borough cannot hire police and are laying off employees and that she hears more about the BID tax. Mrs. Lewis explained that the current budget for the BID is \$72,000 and that it was started in November and the collection was only \$14,000 instead of \$18,000. The BID was given the first two quarters of this year as well. Mr. Brahl inquired if the resolution could be held? Mr. Rosenberg explained that if the budget is not adopted, than no further funds should be released until the matter is settled. Mayor Gural agreed that the matter should be held until Mr. Bostock and the Director of the BID have a chance to talk with council.

### **NEW BUSINESS.**

A. **Resolution 2011- 71**, Resolution Refunding Tax Payments Made In Error. President Scheffler made a motion to approve the resolution, Mr. Brahl second the motion. At the call of the roll, the vote was:

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

NAYES: None.

B. **Resolution 2011-72**, Resolution Certifying Recycling Tax. President Scheffler

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

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

NAYES: None.

C. **Resolution 2011-73**, Resolution Appointing Greg Benson To Supervise the Concession Stand And Restrooms at Legion Field For The 2011 Summer Season. Held until after executive session.

D. **Resolution 2011-74**, Resolution Appointing Seasonal Employees To Work The Concession Stand and Restrooms At Legion field For The 2011 Season. Held until after executive session.

E. **Resolution 2011-75**, Resolution Approving The Receipt of the 2010 Audit. Mayor Gural explained that the finance committee had met with Mr. Stewart, the auditor to review the audit. President Scheffler made a motion to approve the resolution, Mr. Brahl second the motion. At the call of the roll, the vote was:

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

NAYES: None.

F. **Resolution 2011-76**, Resolution Approving The Payment of the Bills. Mr. Dorworth 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. Norcross and Mr. Dorworth.

NAYES: None.

G. **Resolution 2011-77**, Resolution Accepting A Certified List From Palmyra Borough Participating Volunteer Fire Companies For Eligibility In Length Of Service Awards Program For The Year 2011. (LOSAP). 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. Norcross and Mr. Dorworth.

NAYES: None.

H. **Resolution 2011-78**, Resolution Releasing Performance Guarantee Upon The Posting Of Maintenance Guarantee-Pointe Properties LLC. 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. Norcross and Mr. Dorworth.

NAYES: None.

## **DISCUSSION ITEMS.**

A. Discussion on appointment of a Clean Communities Coordinator and Recycling Coordinator. Mayor Gural referred this to the public works committee.

### **COMMITTEE REPORTS.**

Mr. Brahl-Finance committee-April 28th is the budget meeting. Mayor Gural explained that there still will be an increase to the budget due to health care cost even with all of the lay offs. President Scheffler-shade tree-the committee's budget was cut as part of the budget process and that the commission will probably run out of money before the end of the year, except for emergencies. Mr. Norcross-public works- the large brush and leaves are being picked up the month of April and that the yard is cleaned up. Mr. Norcross discussed trying to limit the days and hours of the dumpsters. The Borough pays for the dumpsters and most of the time it is contractors who do the dumping. Mr. Norcross reported that the Memorial Day event will be at 10am and that the concession stand is opening on week ends. Mr. Dorworth-police reported that the police report for the month is on file. Chief Pearlman announced that on April 30th the DEA and other police departments will be doing operation take back for safe disposal of prescriptions. The global connection for reverse 911 has been added to the website, it automatically picks up land line phones, but cell phone users must register. Mr. Schwering-student representative reported that the student government club had proposed bills and that one of the bills will be receiving attention.

### **PUBLIC COMMENT**

President Scheffler made a motion to open the meeting to the public, Mr. Brahl second the motion. All members present voted in favor of the motion. Mrs. Carr-thanked council for scheduling the plaques to be placed into the ground at Legion Field. Mr. May-Board of Health announced that the rabies clinic will be held on April 30th. There is also information in the council packets about from the Delaware River Basin Commission on the waterway going and coming to the river and about the digging going on. Mr. Brahl inquired as to what council and the Borough can do? Mr. May explained that all comments regarding the matter can be email by Saturday and that it is a loop hole in the clean air act. Karen-Arch Street inquired if the Borough could give notice when the street sweeper is coming on the street. If a resident does not know or leaves for work, the car is still in the street and the sweeper has to go around it. President Scheffler discussed that Mr. Norcross and public works could look at how to notify residents. Mrs. Butler-Arch Street discussed the snow on the streets and that she got a call, but the residents with unlisted numbers or cell phones did not receive a call. Mr. Norcross explained that the residents have to register their cell phones on the reverse

911 system to be called. Mrs. Butler inquired if the municipal alliance coordinator was paid. Mayor Gural replied that there is a stipend attached to the grant for the coordinator. Mrs. Butler inquired when the Ethel B. Hardy park would be started. Mayor Gural discussed that the engineers have to do the design work and figure out exactly what is needed. Mrs. Butler inquired if there will be any input from the residents as to what is needed. Mayor Gural requested that at the next caucus meeting the engineer will present a draft design plan. Mrs. Butler discussed that a committee to identify families of sons and daughters who have served in World War II and also those that have more than one member in the service for memorial day. Mr. Norcross explained that Memorial Day is the main event and that the names have placed on the stone memorial. Mr. Schwering-thanked council and all those responsible for the call to service summit. He also discussed that the War Memorial Committee should have been a part of it and that they could point out the history and request if anyone had more names for the memorial. Mr. Brahl made a motion to close the public portion, President Scheffler second the motion. All members present voted in favor of the motion.

#### **CLOSED SESSION.**

A. **Resolution 2011- 79**, Resolution Excluding the Public From Certain Meetings Pursuant To Section 8 Of the Open Public Meeting Act C. 231 P. L. 1975. Mr. Norcross made a motion to go into closed session for the discussion of contracts and personnel, President Scheffler second the motion. At the call of the roll, the vote was:

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

NAYES: None.

Council went into executive session at 8:45pm.

#### **PUBLIC SESSION.**

Council returned to public session at 9:10pm.

A. **Resolution 2011-73**, Resolution Appointing Greg Benson To Supervise the Concession Stand And Restrooms at Legion Field For The 2011 Summer Season. 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,  
Mr. Dorworth.

NAYES: None.

B. **Resolution 2011-74**, Resolution Appointing Seasonal Employees To Work The Concession Stand and Restrooms At Legion field For The 2011 Season. 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,  
Mr. Dorworth.

NAYES: None.

C. **Resolution 2011-75**, Resolution To Reimburse Greg Benson For Time Worked At The Concession Stand From April 1, 2011 to 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,  
Mr. Dorworth.

NAYES: None.

**Adjournment.**

Mr. Dorworth made a motion to adjourn at 9:15 pm, President Scheffler second the motion. All members present voted in favor of the motion.