

## **Minutes - May 3, 2010**

### **BOROUGH OF PALMYRA**

#### **MINUTES-MAY 3, 2010**

#### **CALL TO ORDER**

#### **ROLL CALL:**

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

Absent: President Dobbs and Mr. Scott.

#### **SALUTE TO THE FLAG.**

#### **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, 2010.
- B. Mailing written notice to the NewsWeekly, the Burlington County Times, and the Courier Post Newspaper on January 5, 2010.
- C. Notice to All Council Members.

#### **APPROVAL OF THE MINUTES.**

Ms. Scheffler made a motion to approve the minutes from April 28, 2010, Mr. Norcross second the motion. At the call of the roll, the vote was:

**AYES:** Ms. Scheffler, Mr. Bostock and Mr. Norcross.

**NAYES:** None.

**ABSTAIN:** Mr. Dorworth.

#### **COORESPONDENCE.**

A. Comcast Leaders and Achievers Scholarship Award-Mayor Gural read a letter from Comcast announcing that the Comcast Leaders Scholarship has been awarded to Gina Black of Cinnaminson Avenue in the amount of \$1000.00. Mayor Gural requested that a

certificate be prepared and sent to Comcast to be given to Ms. Black.

B. Student representative to council-Mayor Gural explained that Hannah Collins has been the student representative for the last two years and has done an excellent job. Ms. Collins introduced Steve Schwering as the new representative for next year. Master Schwering discussed that he will be a junior next year and is looking forward to representing the school.

#### **OLD BUSINESS.**

A. Resolution 2010-67, Resolution Awarding Contract To Elite Landscaping For Legion Field Maintenance For The Period From April 15th to December 31, 2010. Mr. Norcross explained that this resolution was to maintain the fields during the season, two quotes were received and Elite came in the lowest. Mr. Norcross also explained that Land Engineering was recommending the award to Elite. Ms. Scheffler made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

**AYES:** Ms. Scheffler, Mr. Bostock and Mr. Norcross.

**NAYES:** None.

**ABSTAIN:** Mr. Dorworth.

#### **NEW BUSINESS.**

A. Resolution 2010-86, Resolution Revising The Compensation Package For The Municipal Court Judge For The Year 2010. Mr. Rosenberg informed council that he had spoken with Judge McCloskey and that he is willing to accept the same salary as last year and that the Judge is also going to waive the health care benefits and any health care opt outs for this year. Mr. Norcross made a motion to approve the resolution, Ms. Scheffler second the motion. At the call of the roll, the vote was:

**AYES:** Ms. Scheffler, Mr. Norcross and Mr. Dorworth.

**NAYES:** Mr. Bostock.

B. Resolution 2010-87, Resolution Appointing Seasonal Employees To Work The Concession Stand and Restrooms At Legion Field For The 2010 Season. Mr. Norcross discussed that the employees should be residents of Palmyra and that he is requesting for this resolution to be held until the next meeting.

C. Special Permit- Palmyra Cove Environmental Education Foundation(social affair). Mr. Dorworth made a motion to approve the permit, Mr. Norcross second the motion. All members present voted in favor of the motion.

D. Villanova Soccer Camp- Mr. Norcross explained that a soccer camp will be held from July 5th to July 9th. The cost will be \$150. per child except for Palmyra residents it will be \$100.00 a child. This year the camp will be for boys only from ages 11-14 and next year they hope to run the camp for boys and girls and an extra week for the younger children. Ms. Collins discussed that she thought it was an excellent idea for a summer activity. Master Steve Schwering discussed that a lot of soccer players will appreciate the camp. Ms. Scheffler made a motion to approve the use of Legion Field for the camp, Mr. Bostock second the motion. All members present voted in favor of the motion.

### **DISCUSSION ITEMS**

A. Dates for discussion of Borough budget-Council decided to hold the next budget meeting on Saturday, May 15th at 8:30am.

B. Discussion on family leave-maternity leave-police department. Mr. Rosenberg recommend that this be discussed in executive session.

C. Discussion on Vendors Tax-Mr. Rosenberg will have something prepared for the redevelopment meeting.

D. Discussion on Yard Sales-Mayor Gural discussed that the Borough needs stronger language regulating yard sales. Mrs. Kilmer explained to council that she had written zoning violations for 503 Delaware Avenue for running a business on their front yard. The resident has had a yard sale out front for several days. Mrs. Kilmer explained that they were given a notice to appear in court also. Mayor Gural inquired if each day was a separate violation. Mrs. Kilmer replied that she can apply the fine for each day that the violation occurs. Mayor Gural requested that Mr. Rosenberg and Mrs. Kilmer work on the language for a yard sale ordinance. Ms. Scheffler discussed that she would like to see more than 2 yard sales to allow someone who is moving to hold one. Mr. Norcross discussed placing an extra provision in the ordinance for move outs.

E. Discussion on Health Care-buy-out. This was held until executive session due to personnel issues.

F. Security System-police headquarters. Mr. Fox is working on obtaining bid information.

G. Cell Towers-Mr. Rosenberg recommend removing from the agenda as there is no new information to discuss.

H. Grant Management.-hold

I. Sidewalk repair ordinance-Ms. Scheffler will meet with Shade Tree Commission this month.

J. Four day work week-hold

K. Borough Lots.- Mr. Rosenberg explained council's various options with selling of the four Borough owned lots. Council can hold a public auction for everyone to bid on the lots, or they can sell them to the adjoining property owners. The appraisals have been completed and council can proceed. Mr. Bostock discussed that he would like to hold an auction, so as to get the best price. Mr. Norcross inquired if a public auction stills gives the adjoining property owners a chance to bid on the properties. Mr. Rosenberg explained that at the public auction anyone can bid on the lot and council can do it by open bidding or closed submitted bids. Ms. Scheffler discussed that the adjoining owners should have first right, since many of them maintain the lots.

#### **PUBLIC COMMENTS.**

Ms. Scheffler made a motion to open the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion.

Mr. Mohamed-503 Delaware Avenue advised council that he had received a zoning violation from the Borough for there yard sales. Mrs. Kilmer had told them not to place signs on the trees and poles and they took them down. Mrs. Kilmer the next day told them they have too many signs on their property. Mr. Mohamed explained that he had talked to Mrs. Sheipe about the rules for a yard sales and that he was told to talk to zoning. Mr. Mohamed explained that he and his wife were just trying to figure out what was allowed and what was not allowed with yard sales. They also received a violation notice for a yard sale on Palmyra Day and other neighbors were holding them also. Mayor Gural explained that he had driven past their property and that they could not conduct a sale every day and that it looked like new items and not yard sale material. Mr. Mohamed informed council that his wife used to do a flea market and that there were some new items at the sale. Mayor Gural explained that it is not fair to the neighbors and that they are located in a residential area. Mr. Norcross

discussed that they have been having sales every day and that it is an eyesore. Mrs. Kilmer explained that she went out on the 24th and served them with a violation and again on the 26th and the 30th. Mr. Rosenberg advised council that they should not comment on the violation or summons since the matter was listed in court. Mr. Mohamed explained that they just want to know the rules for holding a yard sale.

Terri-Tacony Circle-inquired about the school budget. Mayor Gural explained that there have been two meetings with members of the school and school board members along with CFO Linda Lewis, Councilmember Scheffler, Robert Stewart, auditor and himself. Mayor Gural explained that they are looking at every option and reviewing all of the documents with staff and line items in the budget. The council has to take action by May 19th. Terri inquired about shared services with the school? Mayor Gural replied that there is not enough shared services, but the Borough and school do share a custodian, and supplies. Mayor Gural discussed that the public works department for the Borough cuts the grass and plows the streets when it snows and that council is always open to suggestions for shared services. Mr. Dorworth discussed that the Governor has made it clear that shared services should be a priority and that home rule is hard to give up, but that someone has to start somewhere. Mayor Gural explained that the Borough had looked at consolidation of the police department, but it was not feasible. Mrs. Russell-discussed the article in the Burlington County Times about sharing services with Beverly. Mrs. Russell discussed that she would prefer to share school services with Riverton or Cinnaminson that is closer. Mayor Gural replied that he was disappointed to read the article in the newspaper and had been told the information was confidential. Mrs. Russell explained that she also was under the impression that the school board had been told it was confidential. Mrs. Robinson-Leconey Ave. inquired on the failed budget process and if the school board has to follow council's recommendations? Mayor Gural explained that the process is not clear and that council can recommend cuts on the school budget with a dollar amount, the school board can follow council recommendations or cut something else, but they have to cut the dollar amount set. It is upto the board to decide where the cuts come from. The school board can also appeal the decision of council to the Commissioner of Education to reinstate the cuts. Mrs. Robinson discussed that if council does not have full power to cut the budget, than something is wrong with the process. Mrs. Robinson informed council that nothing was cut from the administration, but yet the instructional staff was being cut. Mayor Gural discussed that the voters said no to the budget and he is under the impression that 9 teachers and 3 assistant staff are to be cut. Council cannot tell the board to reinstate the teachers. Mayor Gural discussed that the teachers are an important part of an education. Mrs. Robinson discussed that the voter's only recourse is to vote on the members of the school board. Mayor Gural

explained that council takes their positions very seriously and has a lot of information to review for the school budget. Terri-inquired if council is allowed to inform the public of their decision on the budget cuts? Mayor Gural explained that it will be in writing and council will vote on the decision. It will be made available to the public. Mrs. Brett-inquired if the meeting was open to the general public for the budget decision. Mayor Gural explained that council will hold the discussion at the open meeting on May 10th at 7pm. Mrs. Brett discussed that there was negotiations to freeze salaries and that the school needs to get rid of an administrator and return teachers. The clubs in the middle school have already been cut and also the middle school sports. The students will hang out on the streets and many of the students need the clubs to keep them busy. Ms. Ceno-Cleveland Avenue discussed that the children of the school are being shown that they do not count and that their teachers do not count. The administration is one sided and everyone needs to look at themselves and decide if they are there for the children. Ms. Collins-student representative discussed that will all of the schools cutting the clubs, it has crushed a lot of the students. The students are mad at the administration for taking away the clubs and that leadership activities are one of the assets obtained from the clubs. Ms. Collins explained that many students use the club activities on their college resumes. Ms. Collins suggested that everyone call the Governor's office and contact their representatives to express their opinion. Mayor Gural thanked Ms. Collins for taking her position so serious. Mrs. Brett discussed that the budget is not passed yet and the students should not be silent on their opinions. Mr. Bostock-Memorial Avenue discussed that he has worked on both sides of the unions and that the Governor has decided to pick on the little people in the state. The state needs to get rid of the top heavy employees and that council does its best but needs money from the state. Mrs. Brett inquired when the council and school board are looking at cuts in administration does tenure affect the decisions. Mayor Gural explained that would be a question for the school board. Mrs. Brett explained that two years ago there was a school board meeting about the opportunity to stay with Beverly and that residents spoke for hours to rescind the decision. Mrs. Brett explained that Beverly was switching superintendents at that time and looking for the business administrator to take over the K-8, but the board voted no. Mayor Gural discussed that he was not there at the vote, but that all improvements to the school are part of Palmyra's taxpayer's bill. Mrs. Brett inquired about shared services with Riverton. Mayor Gural explained that the Board of Education would have to make that decision. Mr. Schwering-Garfield Avenue informed council that the Palmyra Festival Day was a success and that it was very well run by a small group of people. This was the 15th year and it is a positive thing to keep going. Mayor Gural thanked everyone involved for a fantastic job.

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

Mr. Rosenberg informed council that a few of the properties list on the BID amendment ordinance would be removed since they were owned by the Borough or the State.

Resolution 2010- 88, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meetings Act. C. 231 P.L. 1975 for the discussion of litigation and personnel. Mr. Norcross made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

**AYES:** Ms. Scheffler, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

**NAYES:** None.

**Council went into executive session at 8:15pm.**

**Council returned to public session at 8:34pm**

**Adjournment.**

Mr. Bostock made a motion to adjourn at 8:36 pm, Mr. Norcross second the motion. All members present voted in favor of the motion.