

# **MINUTES - May 7, 2012**

**Borough of Palmyra**

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## **CALL TO ORDER**

## **ROLL CALL:**

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

**Absent:** None.

## **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.** Mayor Scheffler introduced Emily Kane who will be the student representative for the 2012-2013 school year.
- B.** Request from Orchard Friends School-Apple 5K Walk/Run. Chief Pearlman explained that they are requesting approval from borough council to allow the walk to go through Palmyra. Chief Pearlman will reach out to Palmyra Harbour to make sure that they also have approval to walk through the Harbour area.
- C.** Engineering Services-Mr. Fox, Land Engineering informed council that Riverton is looking at having a study performed for a 4 way stop sign at the corner of Elm and Fourth Street. Riverton Borough Council is requesting that half of the engineering fee of \$500. comes from Palmyra as part of the intersection is located in Palmyra. Mr. Norcross inquired if they are looking into 4 way stops signs on all of Fourth Street. Mr. Kirchner, Environmental

Resolutions informed council that they would have to do an ordinance to designate a 4 way stop and that he is also looking at Columbia for a 4 way stop sign. Mrs. Riener inquired if this is duplicating the study. Mr. Kirchner explained that he was looking into rolling both locations into one ordinance. Mr. Dorworth inquired if the study was already completed? Mr. Fox explained that he was waiting for mutual agreement from both towns before beginning. Mrs. Riener inquired as to when the work would start. Mr. Gural explained that as soon as both councils' agree to pay half of the engineering fee Land Engineering would be authorized to proceed. The council can also authorize Environmental Resolutions to proceed with preparation of ordinance. Mr. Dorworth made a motion to authorize Land Engineering to conduct the study of the 4 way stop sign for Elm and Fourth in the amount of \$250. Mr. Bostock second the motion. All members present voted in favor of the motion.

**APPROVAL OF MINUTES.** Approval of minutes for April 2, 2012 and April 9, 2012. Mrs. Riener made a motion to approve the minutes from April 2, 2012 and April 9, 2012. Mr. Bostock second the motion. All members present voted in favor of the motion. Mr. Norcross abstain from the vote for April 2 and Mr. Dorworth abstain from the vote for April 9th.

#### **PROFESSIONAL UPDATES:**

**A. Land Engineering-**Mr. Fox reported that the street scape on Market Street will be starting tomorrow. PSE & G will be placing the actual decorative lights and base. Mr. Fox explained that there are some extra funds in the grant amount that council can choose to spend on Market Street. He is recommending replacing more sidewalks and PSE & G is requesting some conduit under the sidewalks. The grant will cover the cost with a change order approved by council. Mrs. Dobbs inquired if the entire sidewalk on Market Street was being replaced? Mr. Fox replied that the sidewalk would be replaced just where the new lights are going in. Mr. Fox informed council that the Ethel B. Hardy Park specs are complete and ready to out to bid. The gazebo will be an alternate bid and that he is requesting approval to advertise the bid. Mrs. Dobbs inquired as to what changes are being made to the plans for the park? Mr. Fox explained that the Burlington County Jif had conducted an inspection and that the swing set does not meet current standards, the mulch will need to be replaced and there will be two picnic tables by the basketball court and one by the sign on the concrete. The sidewalk entrance will be ADA on Market Street. Mr. Bostock inquired about the status of the fence? Mr. Fox replied that the plan is to go out for the fence separate

from the other bid, since the fence is a special detail. The estimated cost is about \$29,000 for the entire fence and that if the bids are too high the fence could be repaired in portions. Mrs. Dobbs inquired if there will be a fence on Madison and what about grills for the neighborhood use. Mr. Fox explained that there will be an opening in the fence on Market Street but no opening on Madison. There are also two grills listed on the plans. Mrs. Riener discussed the concern of the grills and being able to start a fire. Mr. Fox explained that the grills could be an alternative to the bid if council desired. Mr. Gural informed council that the grills are cast iron and there will also be some needed at the community center in the back. The seniors have requested grills for their picnics. Mrs. Riener is concerned that someone walking by could start a fire in the grills and that it could become a safety issue. Mayor Scheffler discussed that it is more of a liability to have residents bring their own grills, the Borough grills would have all of the safety features required. Mr. Fox explained that the grill at the community center would be about 30 feet away behind the center. Chief Pearlman inquired if the residents would be allowed to use the grills on weekends and what type of security that they will have. Mayor Scheffler explained that there would be signs placed with the rules for using the grills.

**B. CPG & H-Burlington County Bridge Commission Survey-BID.** Mr. Gerkens reported to council that the Bridge Commission has approved repaving Market Street after the Borough's project is completed. There is also a grant available for complete streets, which means that the street must serve motorist, bikes and pedestrians. Market Street is the last part of the Heritage Trail for completion in Palmyra and that it would have to have a bike decal placed on the street to be considered a complete street by the grants. Ms. Dobbs inquired if there would be parking on both sides of the streets. Mr. Kirchner explained that complete street program looks at certain types of vehicle traffic volumes and if there is too much traffic a separate lane is needed for bikes. Mr. Gerkens discussed the JGSC Group and the Bridge Commission. The Bridge Commission was willing to complete a survey of Palmyra and other towns along the Riverline to help the Business Improvement District with their needs. In October-November of 2011 the Bridge Commission requested support from all of the towns on the project. Delran did not respond and Delanco is not participating in the survey. In November 2011 JGSC made a presentation to the Commission. January 2012 the Commission was concerned because it was now an \$80,000 cost to the Commission. Mr. Remsa and Mr. Gerkens were to meet with the JGSC Group and review the proposal that the group was going to present. May 17, 2012 the JGSC Group was to attend the Bridge Commission meeting and submit the proposal; they did not attend that meeting. Mayor Scheffler explained that they also did not attend a borough council meeting after being requested to do so. Mrs. Riener inquired if they had submitted an audit yet? Mr. Bostock

replied that they had filed for an extension of time. Mr. Gural explained that part of the ordinance required an audit to be submitted by April 1st of the year. The only communication was to get a respond from Chris Getz that they would not be attending the council meeting. Mrs. Riener discussed that she is wrestling with the finance aspect and now wishes that the budget for the BID was not approved. Mr. Bostock explained that the audit was not part of JGSC responsibilities and that once an audit firm was hired; the BID discovered that they actually needed two separate firms. Mayor Scheffler discussed that the BID and JGSC felt that they did not have to report to council but that the Mayor's signature is required. Mayor Scheffler discussed that it is not the fault of the local businesses. Mrs. Riener explained that the BID should have some sort of responsibility to the taxpayers. Mr. Rosenberg explained that the BID ordinance reads that they are independent and not allowed to be micro-managed. President Brahl inquired if council can dissolve the BID. Mr. Rosenberg replied that council would have to adopt an ordinance rescinding the previous ordinance. Mr. Gural discussed that the survey that JGSC wanted the Bridge Commission to complete was present to council and that they need councils approval to authorize the survey application. If they were not working with council, they would not need the resolution of approval. Mayor Scheffler discussed that she does not want JGSC to appear in front of the Bridge Commission on the Borough's behalf. Mr. Bostock agreed that they need to go on their own. Mr. Gerkens informed council that the commission would not accept a proposal unless it was from the governing body. Mayor Scheffler discussed that she would like to see the BID succeed. President Brahl discussed that he had given them a year to get things in order and that he would not vote for their budget next year. Mayor Scheffler explained that the Bridge Commission only gives out so much funding yearly and that she does not want to use the funds on the survey.

**C. Environmental Resolutions-**Mr. Kirchner reviewed the projects that he is working on, the police shed with an amount of \$8,000, Parry Avenue Phase 2 for \$320,000, Broad Street for \$40,000 and the street sweeper specs have been submitted for consideration. Mr. Kirchner informed council that the ADA project is 60% completed and that the contractor is past the time allotment. There is one crew that does the ramp and then another crew goes back and does the clean-up. The HVAC system is under design and can go out to bid in June, estimate is \$500,000. The trees on Cinnaminson and Charles have been taken out by the county. He is reviewing the parking restrictions on Charles Street. Chief Pearlman discussed that the county has recommend 75 feet south of the stop sign. Mr. Kirchner informed council that the county will install "do not block the box" at Cinnaminson Avenue and Parry Avenue. He is reviewing the information for the sewer rates by flow and should have the information shortly from the water company. Mr. Dorworth inquired about the usage of water for pools

and watering of the lawns. Mr. Kirchner explained that the accounts can be set up for usage only in the winter months and straight rate in the summer months. Mr. Kirchner has submitted a draft of the road inventory and that the borough should consider placing Charles Street on next year list of road repairs. President Brahl informed Mr. Kirchner that several intersections have missing signs. Mr. Norcross informed Mr. Kirchner that there is a dip at Garfield and Melrose that will be taken care and also a two inch pipe that has to be clear. Mrs. Riener discussed that the crosswalk at Morgan and Highland needs to be repainted. Mr. Kirchner reported that he had attended the complete street workshop and that the county will be adopting the complete street program also. The program will add points to any grant submitted.

**D.** ERM- licensed site remediation professional-Mayor Scheffler discussed that the Borough needs to appoint a professional from the ERM firm to satisfy the new DEP rules and regulations. Mr. Gural explained that in order for the DEP to save some funding they have passed some of their responsibility to the towns.

Mayor Scheffler announced that Steve Schwering was selected as one of the finalist for the New Jersey League of Municipalities scholarships. Steve also will be receiving his Eagle Scout Award in June.

#### **DISCUSSION ITEMS.**

**1.** Sewer Connection Fee Ordinance. An ordinance will be introduced at the next meeting to bring the connection fee up to the recommend amount by the auditors.

**2.** Parking-Morgan Avenue-Bethany Lutheran Church-Mr. Schoen requested that something be done for the parking problems at the church. The people taking the Riverline park in the spots all day and there is no room to drop off or pick up the children from the Little Friends Nursery. The parents have to double park sometimes on Morgan. Mayor Scheffler inquired if the nursery just needs a few parking spaces for loading and unloading. Mr. Schoen replied that there is a need for more spots, because the parents have to walk the child into the nursery due to their young age. Chief Pearlman will take a look at Morgan and also Parry Avenue. The light rail takes up most of the parking spots on the lower blocks. Mr. Dorworth recommend a meeting with Mr. Schoen, Chief Pearlman and Mr. Gural and bring back a solution for council to review.

**3.** Capital Improvement Ordinance. Mr. Gural explained that there are funds in other ordinances that are not spent that can be appropriated. Most of the items for purchase were discussed at budget time. The sewer department is in need of a street sweeper/vacuum/jet

truck. The police department would like to purchase two new four wheel drive vehicles. Borough hall needs some improvements to the interior and exterior and the community center needs some updates to the security system. Mrs. Lewis, CFO explained that the capital and bond ordinances should be reviewed periodically so that there are no remaining funds left. There is some funding left in an ordinance from 2008 that the fire department can use for a generator.

**4.** Discussion on estimate tax bills-Resolution 2012-92 , Authorizing And Directing The Tax Collector To Issue And Mail Estimated 3rd Quarter Tax Bills. Ms. Johns, tax collector explained to council that estimated tax bills would have to be mailed, since the county and state will not have tax rates before the time of regular bills. It is difficult to have a delay with the August billing and residents having to pay both quarters in the fall. The estimate bills would allow residents to pay the August billing. President Brahl inquired about the additional cost of the bills. Ms. Johns replied that the cost would be two (2) mailings, but it would save other costs. Mrs. Lewis, CFO explained that the tax bills are due in August, the sewer bills in Oct and tax bills again in November. The real issue is the cash flow so that there is no hold up in payment of the bills. President Brahl made a motion to approve the resolution, Ms. Dobbs second the motion. At the call of the roll, the vote was:

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

**NAYES:** None.

**5.** Corrective Action Plan for Audit. Mrs. Lewis submitted the corrective action plan for the audit as required by the state. Ms. Dobbs requested a correction to the plan that the tax collector should say 2012 instead of 2011.

**6.** Personnel Procedures and Policy Manual. Mr. Gural informed council that the employee handbook is about 250 pages and that he would have the final document in a few days. The document will be available in electronic form as well. The JIF requirements for the CDLicense and civil rights are included.

**7.** Reimbursements for Retired Police Officers. Mayor Scheffler recommended that the HIP compliance be followed in the submitting of the bills and information to council. The state has made the decision on what reimbursements the towns have to pay for retired officers.

**8.** Unemployment Insurance for seasonal workers. Mayor Scheffler reported that the state is looking at ways to stop seasonal workers who are only hired for a short period of time from collecting unemployment.

**9.** Salary Ordinance & Resolution Amendments. Chief Pearlman requested an amendment to the salary ordinance for the position of police clerk or police secretary. He would like to hire a part time person for the department. Council will introduce the amendment at the next

regular meeting.

**10. Court Administrator-attendance at meetings.** Mr. Rosenberg informed council that the Supreme Court ruled that the court administrator cannot be required to attend council meetings.

**11. MACCS contract-Mayor Scheffler** explained that this is the contract for trash removal at the Harbour and Willow Shores. The resolution for approval will be scheduled for the next meeting.

**12. Borough Own Lots-Mr. Gural** explained that last year council had negotiate with Mr. Hollins about the purchase of a borough lot. A deadline had been set by council and as a result of the negotiations Mr. Hollins offered the Borough \$2,000 for the lot. Mr. Rosenberg will prepare the resolution for next meeting.

**13. Field Turf Proposals.** Mr. Norcross recommend that council approve a one year contract for the legion field turf. The one year visit would be for a total of \$2,000 from LandTek who was recommended by the firm that installed the field. The resolution of award will be listed on the next agenda.

**14. Mutual Aid Agreement-Police.** This was held for executive session.

**15. Garden Committee.** Mayor Scheffler requested that these appointments be discussed at a future meeting.

**16. Block Party Ordinance.** Chief Pearlman explained that there needs to be tighter rules and regulations on neighborhoods closing down streets and holding block parties. The ordinance would require signatures of the residents living on the block and discussions on insurance and security.

**17. Concession Stand Doors donation.** Mr. Norcross announce that Mr. Mozer was making the doors for the concession stand for \$2,000 for the borough and instead has decided to donate them. Mr. Norcross would like to see some type of recognition for Mr. Mozer. Mr. Gural discussed that the bulk of the expense for the cannon was also borne by Mr. Mozer.

**18. Shade Tree Committee.** Mayor Scheffler reported that the shade tree advisory board ordinance will be held on second reading at the next council meeting.

**19. Light Rail.** President Brahl discussed that there is talk constantly about the Light Rail and the problems that it brings to the borough. President Brahl would like to take a look at what the train has done for the town and that it is time to review the issues such as economic impact, crime rate, traffic, pollution, ridership, and the pollution. President Brahl explained that he is concerned about the reason why there are so many train stops in the few miles. He would like to compile some facts and information to work towards closing the station in the borough. Mr. Dorworth recommends checking with the court office for the light rail tickets that have been issued and no payment has been made. Mr. Bostock discussed that they need to

find out what the true cost is to operate the system is. Mayor Scheffler recommend that President Brahl, Mrs. Riener, Mr. Norcross and Chief Pearlman be a part of the committee.

**20. War Memorial-** Mayor Scheffler explained that the committee is working on getting incorporated. Mr. Gural informed council that Mr. Smith, attorney is referring some of the paperwork for the war memorial to Mr. Rosenberg. Council discussed the location of the new signs that the county will place near the memorial and the need for them not to block the actual memorial from view. The signs need to fit into the sentiment of the war memorial.

**21. Governor's Juvenile Justice Summer Expansion Program Grant.** Mr. Gural explained that this is the same grant that the borough and the YMCA received last year to help with scholarships for the summer camp program.

**PUBLIC COMMENTS:** President Brahl made a motion to open the meeting to the public, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Ercolono-Maryland Avenue complained about the sewer plant odor and that it has gotten worse since the trees were taken down. One tree is dead and two more are dying. The odor is better than what it was, but still it is there. Mayor Scheffler inquired if a phone call was made to report the smell. Ms. Ercolono explained that she did not call the borough because they are aware of the smell issue. Mr. Gural explained that the dead trees are being replaced and that there has been discussion about another type of screening. Mr. Norcross explained that the screening is made of vinyl and will force odors back and not allowed it to go to surrounding areas.

Resident- discussed that they are trying to work together and that if the tank was covered and there were more trees it would help. Mayor Scheffler replied that the borough is looking at it options and costs. The resident also express concerns about the noise level of the machines and they seem to be louder at night. Mayor Scheffler explained that the new trees should help with the noise level.

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. 2012-93,** 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, Ms.

Dobbs 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 9:45 pm.

**Adjournment:** President Brahl made a motion to adjourn at 10:15 pm, Mr. Bostock second the motion. All members present voted in favor of the motion.