

## **Minutes - August 2, 2010**

### **BOROUGH OF PALMYRA MINUTES - AUGUST 2, 2010**

#### **CALL TO ORDER**

#### **ROLL CALL**

Present: Mayor Gural, Mr. Scott, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

Absent: Ms. Scheffler and President Dobbs.

#### **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 MINUTES.**

Minutes of July 12, 2010. Mr. Scott made a motion to approve the minutes, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: Mr. Scott and Mr. Norcross.

NAYES: None.

ABSTAIN: Mr. Norcross and Mr. Dorworth.

#### **CORRESPONDENCES.**

A. Public Notice-Small Cities Hearing on August 9, 2010 at 6:30pm For Palmyra To Apply for Funding For ADA Curbing. This grant will be used to install curb cuts and brick pavers throughout areas of the Borough.

#### **NEW BUSINESS.**

A. Resolution No. 2010-116, Resolution Supporting The Over The Limit Under Arrest 2010 Statewide Crackdown. Chief Pearlman explained that this is for enforcement on the Labor Day week end for DUI's.

B. Resolution No. 2010-117, Resolution To Submit A Grant Application And Execute A Grant Contract With The NJ DOT For The Heritage Trail-Final Phase. Mr. Fox, engineer explain that this is the third extension of the Heritage Trail Grant. Mr. Norcross inquired if a letter has been sent to the Bridge Commission requesting them to improve Market Street before the Borough starts the lights and sidewalks. Mr. Fox will send a letter to the Bridge Commission requesting them to repair Market Street. Mr. Scott discussed that the street needs new curbing also. Mr. Fox explained that the DOT grant will do the curbing and street lighting. Mr. Norcross made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: Mr. Scott, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

NAYES: None.

C. Resolution 2010-118, Resolution Authorizing The Mayor To Execute Palmyra Neighborhood Preservation Housing Rehabilitation Program In Favor Of Division of Housing & Community Affairs, Division of Housing & Community Resources, NPP. This is a standard resolution for the NPP program as a project assignment. Mr. Dorworth made a motion to approve the resolution, Mr. Norcross second the motion. All members present voted in favor of the motion.

#### **DISCUSSION ITEMS**

A. Borough parking lots-parking restrictions. Mayor Gural discussed that the EDC is looking for a project to complete for the Borough and that they should review the parking in the business district area of Broad Street. Mayor Gural explained that Chief Pearlman has given some input and that the EDC would make recommendations to council. Chief

Pearlman discussed that Chapter 90 was passed in 2008 that covers two hour parking on the Borough lot between Leconey and Cinnaminson Avenue adjacent to Broad Street. Mr. Rosenberg explained that the ordinances are all over the place and that they should be combined into one parking ordinance. The ordinances need to be in a structure matter. Mr. Scott inquired if the EDC would do all of the parking in the Business Improvement District or just the Broad Street area. Mr. Fox discussed the one way parking on Cinnaminson Avenue and the site triangle problem from Leconey. The Borough lot should be a one way in and one way out. Mr. Fox explained that the problem would be that cars would have to back out towards Cinnaminson Avenue if there is no place to park, because there is not enough room to turn around. Mr. Norcross discussed that there has been a child hit already by the cars crossing the sidewalk when coming out of the lot. Mayor Gural discussed adopting an ordinance to make it one way in and one way out and still have the EDC look at the parking issue for now. Mr. Fox discussed that the Borough could place a sign that says do not enter and to exit only through Leconey since the goal is to stop a vehicle from exiting on Cinnaminson Avenue. Mr. Scott discussed that the Borough has the same problem with the Curran's Lot. Mr. Bostock inquired if it would be a one way in from Cinnaminson Avenue. Mr. Norcross inquired if Mr. Fox could have a draft sketch of a design of the lot for the next meeting. Mayor Gural requested that Mr. Fox have a draft sketch for the next meeting and also check for any easement on the tax map. The EDC will look at the parking and also some of the intersections. Mr. Rosenberg explained that an ordinance could be adopted to prohibit traffic from exiting the parking lot onto Cinnaminson Avenue. Ordinance 2010-13, An Ordinance Amending The Traffic Section Of The Code Of Palmyra. Mr. Norcross made a motion to adopt the ordinance, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: Mr. Scott, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

NAYES: None.

The ordinance was adopted on first reading and will be heard on second and final reading at the council meeting of September 13, 2010. Mayor Gural inquired if council wanted to have the EDC review the parking on Broad Street. Mr. Bostock made a motion to approve the EDC to investigate and study the parking issues, Mr. Norcross second the motion. All members present voted in favor of the motion.

B. Hill Street-vacating. Mayor Gural discussed that Hill Street is overgrown and has many vehicles and campers parked on it. Mr. Rosenberg explained that council could vacate

the street to adjacent property owners, but there could be complications if one owner puts a fence on the property and denies access to the other owners. There could be cross easements done for each property owner and still give access to the Borough for sewer lines. Mr. Norcross discussed vacating with the easements. Mayor Gural requested that Mr. Rosenberg review the cross easement issue and that the matter be placed on the agenda for the next meeting. Mr. Scott discussed inviting the residents to a meeting to discuss Hill Street. Mayor Gural explained that notices were sent out to the residents of the street by Mr. Rosenberg and that a few residents attend the meeting and do not want council to vacate the street, but also did not want the codes enforced on the street. Mr. Rosenberg advised council that they could just close the roadway and not allow anyone to drive on the property. Mr. Bostock discussed that he did not feel closing the road was an option due to emergency vehicles and police patrol, etc. Mr. Rosenberg explained that the adjacent property owners would have the additional property listed on their assessment to the tax bill and the Borough would not be responsible to maintain it. Chief Pearlman explained that part of the enforcement problem is that there is no way for an officer to know where the roadway starts and ends to issue tickets. Some of the street is paved and some is overgrown with grass. Council discussed the cost of fully repairing the street with paving and curbing.

C. Discussion on Administrative Surcharge for Third Party Agency (construction). Mrs. Kilmer (construction official) reported to council that most municipalities who use a third party agency like BIU charge an administrative surcharge fee. The surcharge would cover the technical assistant's time with the paperwork and final processing of the permit. Mayor Gural requested that this be kept on the agenda and that Mrs. Kilmer needs to meet with Mr. Rosenberg to review the process.

D. Discussion on Vendors and Business License. Mr. Norcross explained that he has to meet with Mr. Rosenberg about the licenses and that he still wants to see the food vendors obtain a permit from the Borough and to have a certificate from the Board of Health.

E. Borough owned lots auction. (public auction or adjoining owners). Mr. Rosenberg will send a letter to the adjoining properties owners to see if they are interested in purchasing the lots.

F. Security System-police headquarters (engineer specs). Chief Pearlman explained that the project will be done in-house due to funding issues.

G Sidewalk repair ordinance. (waiting for shade tree committee meeting)

H. Four day work week. Mr. Fox reported to council that he and Linda Lewis had a phone conversation with the Energy Audit Company Winters and that the final report is done and that council now has to apply for the money. The Borough can apply for full reimbursement of the money if certain repairs or recommendations are completed that was recommended in the energy audit. Mayor Gural inquired if the Borough is responsible to fix the firehouse also. Mr. Fox explained that the project for the firehouse was just to have the energy audit completed. There are state certified contractors who will perform the work and get paid through the state from the grant. The next step is to fill out the recommendation form and list what work the Borough will be doing. Mayor Gural discussed that council had passed a bond ordinance in 2009 for the HVAC system. Mrs. Lewis explained that the funding is not in place yet for the bond ordinance and that council would have to borrow the money for the bond. Mr. Scott discussed that if the winter is like this summer the building is not going to be heated correctly and that losing energy is inefficient. Mayor Gural explained that the council passed the ordinance for the bond and will authorize the CFO to borrow the money. The funds are used as needed and the down payment was built into the budget. Mr. Norcross discussed that Hutchinson can do everything according to the audit specs since they are certified by the state. Mr. Bostock explained that now is the best time to do it with interest rates and the economic. Resolution 2010-119, Resolution Authorizing Land Engineering To Go Out For Pricing For The HVAC System. Mr. Norcross made a motion to authorize Land Engineering to contact Hutchinson for pricing and work on the HVAC, Mr. Dorworth second the motion. All members present voted in favor of the motion.

I. NJ League Conference (11/16-11/19). Mrs. Sheipe explained that council needs to decide how many nights the employees are allowed to stay at the NJ League Conference in November and what expenses the Borough will pay for. Mr. Norcross discussed that the employees get CEU's for their attendance at the seminars, but that they are held during the day. Mr. Norcross discussed paying for the registration for the classes, but no over night pay. Mayor Gural explained that the Borough recognizes that some employees need the CEU's but there is no funding available this year for an over night stay. Mr. Norcross recommended leaving it up to the clerk if an employee must stay overnight for CEU's. Mayor Gural recommends that council be granted one night and two days for business at the League. Mr. Norcross made a motion to approve no overnight stays for employees without prior certification and for council to stay one

night, Mr. Dorworth second the motion. All members present voted in favor of the motion. Mayor Gural discussed that police negotiations are starting formally and that letters have been going back and forth. Mayor Gural requested that if a council member had a particular issue that they wanted address, to please inform a member of the negotiation committee. Mayor Gural also explained that the subcommittee has to bring back the contract to council for full approval. Mr. Dorworth discussed the need for the salary ordinance and that the Lieutenant is entitled to the 4% and also there was a request for a salary increase for the police secretary. Chief Pearlman explained that he is also entitled to the increase from the time he was appointed Lt. until he became Chief. The ordinance will be on for discussion for the next meeting. Filbert Street- Mr. Scott reported that he had visited the laudermat and the owner was not available, so he left his card. Mr. Scott inquired if any information was available about Filbert Street. Mr. Rosenberg discussed that the issue of Filbert Street had come before council before and it was not resolved. Mr. Norcross discussed that Filbert Street and Broad Street are two different issues and that Filbert Street has large potholes. Mr. Norcross inquired if public works could place hot patch in the holes for now. Mr. Dorworth explained that the owner of the car wash has requested the road be repaired several times. Mr. Fox agreed that hot patch could be used, but that they did to cut out the hole and stone and it needs extra paving since it is used for commercial and industrial trucks. Mr. Rosenberg explained that council had placed the street on the list to be repaired with the understanding that if funds became available it would be completed. Mayor Gural requested that Mr. Fox work up an estimate for the minimum amount of work to the street for council's information. Budget- Mayor Gural discussed that health care costs are going up 11.6% next year and that the state is charging 1.5% of an employee's salary for health care. Mrs. Lewis reported that finance is working on a cost analysis of the health care and all benefits that employees received for councils review. Mr. Bostock discussed that there is also the option that children will be covered until the age of 26 as a dependent. Mayor Gural explained that with the police contract being discussed it is the time to discuss the health benefits that are providing to all employees.

#### **PUBLIC COMMENTS.**

Mr. Dorworth made a motion to open the public portion, Mr. Scott second the motion. All members present voted in favor of the motion. No one from the wishing to be heard, Mr. Norcross made a motion to close the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion. Resolution 2010-120, Resolution Excluding

The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975(negotiations, contracts). Mr. Dorworth made a motion to approve the resolution, Mr. Norcross second the motion. All members present voted in favor of the motion. Council returned to public session at 9:10pm.

Resolution 2010-121

Resolution Authorizing A Change Order For The Community Center. Mayor Gural discussed that this resolution would allow a change order for the geo-thermal wells needed for the community center. The change order will be for 8 wells and changes to the rear wall due to design changes and also for the curb limitation. Mr. Norcross made a motion to approve the resolution, Mr.Dorworth second the motion. At the call of the roll, the vote was:

AYES: Mr. Scott, Mr. Bostock, Mr. Norcross and Mr. Dorworth.

NAYES: None.

**Adjournment.**

Mr. Dorworth made a motion to adjourn at 9:30 pm, Mr. Bostock second the motion. All members present voted in favor of the motion.