

MINUTES - August 6, 2012

BOROUGH OF PALMYRA

MINUTES-AUGUST 6, 2012

CALL TO ORDER

ROLL CALL:

Present: Mayor Scheffler, President Brahl, Mrs. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock and Ms. Kane (student representative).

Absent: Mr. Norcross.

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.

APPROVAL OF MINUTES. Approval of minutes for June 4, 2012 and June 11, 2012. Mr. Dorworth made a motion to approve the minutes, Mrs. Riener second the motion. All members present voted in favor of the motion.

Mayor Scheffler announced that another animal had been diagnosed with rabies in Palmyra. A skunk from the area has tested positive as well as a fox and groundhog. All residents are reminded to have their animals protected against rabies and to not leave food out to attract stray animals.

PROFESSIONAL UPDATES.

A. Professional Property Appraisers-Revaluation. Mayor Scheffler reported that an arrest has been made in connection with medicine being stolen from a few residents by one of the employees of Professional Property Appraisers. Mr. Davis, owner and Vice-President Schneider reported to council that the company has been dealing with the issue and is cooperating with the police department. The employee has an addiction to prescription drugs and the company was unaware of it. There were background checks by the company and the police department that turned nothing up. The employee has been terminated and the company will implement a new drug testing policy for all employees. Mayor Scheffler discussed that she had reached out to Margaret Nuzzo and the county board of taxation for their opinion. Mayor Scheffler read the list of recommendations that council is discussing.

1. All homes originally inspected by the suspect will be re-inspected.
2. Police will issue photo ID's to all inspectors, which must be carried at all times.
3. Finger printing and multi-state criminal history reports will be completed.
4. Borough will make personnel available to any resident who request the attendance of an employee during inspection.
5. PPA will provide any data collected by the suspect to home and property owners if requested.
6. All costs associated will be paid for and/or reimbursed to the Borough by PPA Inc. Mayor Scheffler explained that council will be going into an executive session to discuss this matter and will return to general session for the remainder of the agenda, but that the public will be given an opportunity to address PPA or council before the executive session. President Brahl made a motion to open the matter to the public, Mrs. Reiner second the motion. All members present voted in favor of the motion.

Mr. Clements-Harbour Drive-former county tax administrator and also former borough tax assessor discussed that he is keeping track of the revalue process and that he has monitored over 100 revalues during his career. The drug testing of all the

employees is a good idea now days and that he knows that Professional Property Appraisers is an excellent company and that they had an employee who strayed.

Ms. Veitenheimer-Roland inquired if there was a way to see the data of her property before she agrees to another home inspection. Mr. Davis replied that they were going to reinspect a random 10% of the properties and that all of the information on the inspections is on computer tablets that can be reviewed. The employee that was terminated did an excellent job in the inspections and they have not located any errors yet in his work.

Mr. Stoops-Highland inquired as to how attentive could the individual of been if he was on drugs. Vice President Schneider explained that this was not a person who normally took drugs and that he had become additive after an accident in April. His work has not been found to have any fault with the reviews by the firm.

Mr. Vanemburgh-Highland Avenue discussed that he was shocked to hear about the appraisers arrest and that he was on vacation at the time. Mr. Vanemburgh inquired if the ipad tablet that they carried could take pictures as well? Mr. Schneider replied that the tablet was only for entering information and that it could not take pictures. Mr. Vanemburgh inquired if other items besides medication were stolen. Mr. Davis explained that the inspector for the revalue was addicted to pain medication and that he did not take any other items.

Ms. Veitenheimer-Roland inquired if tape measures were used for the rooms. Vice-President Schneider replied that all rooms were correctly measure.

No one else wishing to be heard on the subject, Mr. Dorworth made a motion to close the subject to the public, Mrs. Reiner second the motion. All members present voted in favor of the motion.

Resolution 2012-170, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (contract and possible litigations). 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, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock.

NAYES: None. Council went into executive session at 7:25 pm.

Also in attendance at the executive session: Mr. McMahon (tax assessor), Chief Scott Pearlman and Thomas Davis (Professional Property Appraisers).

Council returned to public session at 8:00pm.

Mayor Scheffler informed the public that council had discussed various issues with the contract for the Professional Property Appraisers and that the company has committed to sending a letter to all 420 properties that were affected to request a reinspection. If the homeowner does not want a reinspection, they inform the company that they are denying the reinspection. Mr. Gural explained that all of the homes were in the general area and that the borough is about two-thirds complete.

Mrs. Gasper-Garfield Avenue inquired if there were more than the two homes burglarized? Mayor Scheffler replied that it is currently up to four homes.

B. Engineer Update-Mr. Kirchner reported the ADA project is almost completed except for a few punch list items and that they are also doing some additional stripping to use the remaining grant funds that are available. The HVAC system specifications for the bidding process are complete and will go out to bid for submittal in September. The units will be located over the hallways. Mr. Kirchner explained that there is some electrically issues that will be included in the contract as well as looking for a two year maintenance contract for the center. The police shed has been awarded and should be started by the end of the month. Letters are going out to the area of Parry Avenue that will have work done this fall. Morgan Avenue-Chief Pearlman informed council that Morgan Avenue has parking restrictions already listed in the code book. President Brahl discussed that the ordinance for Morgan Avenue needs to be amended first before the new one is in place. Mr. Kirchner discussed the options for the daycare parking restrictions, but that the restrictions that are in place have not been enforced. President Brahl requested that Dan Schoen-Highland Avenue be allowed to give some input, since he first approached council about the need for parking. Mr. Rosenberg informed council that the police department does not have the option of not enforcing an ordinance. Chief Pearlman explained that the signs for the regulations were never installed. Mr. Schoen explained that there just needs to be a parking regulation to allow the parents to drop and pick up their children at the church's daycare. Mrs. Riener inquired if a

loading zone would be a solution and that the county is reviewing the intersection. Mayor Scheffler explained that the county report and any correction to the intersection would be several months away and that she recommends amending the ordinance for introduction next meeting. President Brahl explained that the main concern is the safety of the children at the daycare. Mr. Kirchner reported that they had met with the department of transportation, Burlington County and Light Rail to work on changing the signal at the intersection. They are requesting a pedestrian count and are going to wait till data is available before moving forward. Mr. Gural discussed that the Borough is not paying for any of the studies and that NJ Transit will pay for any required upgrades. Mr. Kirchner discussed that July 24 was the kick off meeting for traffic calming study and that if council desires they could investigate the need for red light cameras on Route 73. There are currently ten towns that participate in the program. President Brahl inquired about the towns that are going to drop the programs due to the certification conflicts. Community Center ADA- Mr. Kirchner has looked at the request for an ADA review of the center and borough hall. The cost would be about \$15,000 to do the review. Mayor Scheffler would like to hold this discussion until budget meetings. Street Sweeper Mr. Kirchner will have a recommendation for the next meeting for the award of the street sweeper and that the company will add additional brushes that are needed. Sewer Rates- Mr. Kirchner discussed the proposal for sewer rates by flow and that he will submit a proposal to start the process. The sewer plant has been receiving some odor complaints and that he has been keeping track of the addresses and time of day so that they can attempt to narrow it down. Seven of the items from the DEP will be implement, new trees, wind screen, extension of pipes, covering grid portion of tank and that they are still working on some of the additional issues with the grid. Two of the required items from the DEP are in the capital budget for the sewer plant. Mayor Scheffler would like a letter sent out to all residents around the plant showing what has been done and when the rest will be completed from the DEP recommendation list. Parry Avenue- Mrs. Riener inquired about the discussion of Parry Avenue and making it a one way. Mr. Kirchner replied that the discussion was concerning the 600 block and also the intersection of Spring Garden and Parry. The county traffic engineer will not support the one way of Parry Avenue. Mrs. Riener expressed concerns about the pattern on the street and the blocking of the intersection. Mr. Kirchner explained that the pattern at the intersection of Cinnaminson and Spring Garden in combination with the signs is to let traffic know not to block the intersection. The war memorial committee had a concern about too many signs located in the park and that they have attempted to

limit the number of signs. Mrs. Riener would like to see the area be better signed or marked for not blocking intersection.

Administrator Report. Mr. Gural reported that he had met with Land Engineering and that Ethel Hardy Park is under demolition and almost completed, the gazebo is on order and the project will be complete within 45 days. Ms. Dobbs inquired if the park will remain close till completion. Mr. Gural explained that for safety of all residents, the majority of the park will remain closed. Mr. Gural informed council that community center site improvement bids are scheduled for this Thursday and that he will have a recommendation for the next meeting. Ms. Dobbs inquired about the status of Market Street. Mr. Gural replied that the award amount for section 1 is completed and that they are waiting on PSG &G to have the lighting installed. Then the next phase would be for the Bridge Commission to repave the street, it is scheduled for early fall. Ms. Dobbs discussed that the soil needs to be replaced with better grass seed when completed.

RESOLUTIONS. Consent Agenda- Items A-H 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 titles into the record for the consent agenda. President Brahl made a motion to approve the resolutions, Ms. Dobbs second the motion. At the call of the roll, the vote was:

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

NAYES: None.

A. Resolution 2012-162, Resolution Amending Resolution 2012-99 Engineering Services For Street Sweeper Specifications and Bidding Services To Increase The Amount To \$5,000.

B. Resolution 2012-163, Resolution Authorizing Contract With Approved State Contract Vendor Winner Ford For Purpose Of Purchasing Goods Or Services Pursuant To N.J.S.A. 40A:11-12a. (police vehicles).

C. Resolution 2012-164, Resolution Authorizing The Borough Of Palmyra Police Department To Advertise For Bids For In-Car Videos and Back-end Software For The Department.

D. Resolution 2012-165, Resolution Establishing Change Funds For Tax Office and Court Office.

E. Resolution 2012-166, Resolution Supporting Participation In The Sustainable New Jersey Municipal Certification Program and Appointing Mindie Wiener As Palmyra's Agent For the Program.

F. Resolution 2012-167, Resolution Appointing Marie Nagle As Wellness Coordinator For The Borough of Palmyra.

G. Resolution 2012-168, Resolution Authorizing The Mayor To Execute An Agreement With Real Results Basketball To Operate A Men's Basketball League At The Palmyra Community Center.

H. Resolution 2012-169, Resolution Authorizing The Purchase of Police Car Equipment And Related Appurtenances To WPCS Of Lakewood NJ In The Amount of \$1,105.00; Emergency Accessories & Installation Of Cherry Hill NJ In The Amount Of \$17,973.00; Advanced Electronic Design of North Attleboro MA In The Amount Of \$7,366.20; and Tim Matlach Electronics Of Moorestown NJ In The Amounts Of \$7,966.15 and \$1,173.39 Subject To CFO Certification of Funds.

DISCUSSION ITEMS.

1. Class I-volunteers. President Brahl discussed that he had read in the League of Municipalities magazine about using Class I volunteers to help with traffic security and the parks. They would report under the Chief of Police. Chief Pearlman explained that he has spoken with other towns that have used the Class I volunteers and that they are provided training and have limit power. There is also limit ways to protect their selves. President Brahl explained that the community center and the parks are his main concern and that Class I's would be able to help the department with those areas. Chief Pearlman will report back to council in September on this issue.

2. Solicitors/Peddlers, Vendors Ordinance. Chief Pearlman advised council of the need to have more extensive background checks on the solicitors and vendors. Chief Pearlman is recommending that the ordinance fee be lower to 60 dollars from \$100.

to accommodate for the extra charge for the fingerprinting. Mrs. Riener discussed that she was approached a few weeks ago by a solicitor and was not sure where to check. Chief Pearlman replied that residents should call Borough Hall. Mrs. Sheipe explained that all solicitors are registered through the clerk's office and given a copy of their permit with their picture attached.

3. Shared services-vehicle repair. Mr. Gural reported that Cinnaminson Township has been doing their own in house repairs and is willing to do a shared services agreement with the borough for the public works vehicle repairs. Cinnaminson will be able to turn the repaired vehicles around quickly. Mr. Gural will prepare a share service agreement with Cinnaminson Township and report back to council.

4. Harbour agreement and Harbour reimbursement report. Held for executive session.

5. Commercial Contractor Trash removal. Mr. Gural informed council that they are working on the new trash contract for 2013.

6. Penalties Ordinance. Mr. Rosenberg discussed that President Brahl had request him to review the penalties for graffiti due to the recent vandalism at Legion Field and the fountain. Mr. Rosenberg inquired if council would like to have the penalty the maximum of \$2,000. President Brahl discussed the spraying of graffiti at all the parks and also at the fountain. The maxim penalty may help get the word out that the Borough is serious about prosecuting the offenders. Mr. Rosenberg explained that this cannot be applied against the parent of a juvenile and that the juveniles will be heard in county court. Mrs. Riener inquired if it would apply to litter and trash in public areas as well. Mr. Rosenberg replied that it would apply to all municipal ordinances except zoning and housing. Mr. Rosenberg will prepare an ordinance for introduction for the next meeting.

7. Municipal Liens for property maintenance. Mayor Scheffler discussed that Mrs. Kilmer has been appointed as code enforcement officer and that there are times when her hands are tied to get grass cut or a property cleaned up. The ordinance needs to provide a mechanism for the Borough to cut the grass or clean the property and place a lien on the home. The code enforcement officer needs more tools available to her. Mr. Rosenberg will draw up an ordinance concerning placing liens on the properties for maintenance. Mrs. Riener discussed that the housing ad-hoc committee was

making recommendations for the height that grass could be. Mrs. Kilmer replied that she has received no recommendations as of this date.

8. Property Maintenance-vehicles, trampolines. Mayor Scheffler discussed that she is concerned about an injury occurring with the trampolines in the front yards as well as the backyards. Mayor Scheffler also discussed the number of vehicles that are parked on a yard. There is no ordinance to limit the number as long as they are registered and insured. President Brahl explained that council has dealt with the need to have vehicles parked on an improvement surface. Mrs. Kilmer and Mr. Rosenberg will review the issue for the next work session.

9. Draft of sign ordinance. Mrs. Riener explained that she and Mrs. Kilmer had met on the ordinance since Mr. Rosenberg was not available. Mrs. Riener discussed having some of the recommendations of the BID incorporation into the sign ordinance, especially for Route 73. Mrs. Riener requested that this item be listed on the agenda for the next work session.

10. Sidewalk obstructions-Land Use Board. Mr. Gural informed council that there have been several complaints of businesses that are using the sidewalk area to sell their merchandise. The land use board will discuss recommendations in September. Mrs. Riener inquired if the ordinance should not be created by council first and sent to the Land Use Board for their review before second reading. President Brahl discussed that the main concern is that the sidewalks are a tripping concern when broken. Mr. Gural read sections of the current sidewalk and that the issue is not about shade trees but broken sidewalks. President Brahl discussed that sidewalks are on the right of way and do not belong to the property owner. Mr. Rosenberg replied that the homeowner is responsible for the sidewalks out to the street, but that the borough has an easement on the sidewalks that cannot be blocked. Mrs. Riener recommended that Mrs. Kilmer meet with her, President Brahl and Mayor Scheffler to review the sidewalk ordinance. Ms. Dobbs discussed that the borough also needs to look at fixing their sidewalks.

11. Light Rail report and Highland Ave site meeting. Mayor Scheffler reported that she, Chief Pearlman and Mr. Gural had attended a meeting in Riverside held by Assemblyman Singleton. The majority of the people present were upset about the events that have happened since the Light Rail has started. There is a major concern about the quality of life issues. NJ Transit claims that they have no funding for this

region and that their main focus is the Newark area. NJ Transit has four officers in this area, but not on the trains, they are in vehicles. Mayor Scheffler discussed that NJ Transit does not capture the idea of what the towns along the River line deal with every day. Chief Pearlman informed council that there is a meeting with the Chief's on August 15th and that they will be discussing officers on the trains and platforms. Mr. Gural explained that there is limit resources from transit and that they have stated that there is no resource to help the towns with crime from the train. President Brahl discussed that the committee is doing a comprehensive study of the Light Rail and the actual cost to the towns.

- 12.** Tax payments-partial payments. Mr. Gural reported that residents are concerned that they are not allowed to make partial payments on their taxes. Partial payments can cause internal problems, but that many residents are not able to pay full amounts. Mayor Scheffler requested that the resolution to allow the partial payments be placed on the agenda for the next meeting.
- 13.** Discussion on animal control of wild animals. Held for executive session.
- 14.** BID Audit and BID. Mr. Bostock informed council that the audit was completed today. Mayor Scheffler required that it be listed on the agenda for the next council meeting.
- 15.** Discussion on changes to open public meeting. Mrs. Sheipe, Mr. Gural and Mrs. Nagle will be attending a seminar on the new changes in September. Council will review the discussion at the October meeting.
- 16.** Website upgrades. Mr. Gural discussed that Networks Plus is revamping and upgrading their site and it would be a perfect time for the borough to review and assess their website. Mrs. Riener requested that the Land Use Ordinances be placed on the website.
- 17.** Salary Ordinance & Resolution. Hold for next meeting
- 18.** September 4th-Tuesday Council Meeting. Mrs. Dobbs made a motion to cancel the meeting on September 4 due to lack of quorum, President Brahl second the motion. All members present voted in favor of the motion.

19. Pedestrian Flashing light-Cinnaminson & Charles. Mayor Scheffler discussed that there still needs to be additional work completed at Cinnaminson and Charles. Chief Pearlman explained that they are waiting for a grant that is a federal grant but administrated by the state.

PUBLIC COMMENTS. President Brahl made a motion to open the meeting to the public, Mr. Bostock second the motion. All members present voted in favor of the motion.

Mr. Smith-Van Sant- thanked Mrs. Kilmer for the changes in the properties and trash around town; she has addressed all of his complaints. Mr. Smith addressed the wild animals and the rabies. Mayor Scheffler explained that a fox and groundhog have been determined to have rabies and that a skunk was also diagnosed today. The borough is attempting to notify residents. Mrs. Riener inquired if the reverse 911 call system could be used for the alert. Mr. Smith discussed that many of the streets are filthy and need cleaning. Mayor Scheffler replied that the borough is borrowing a sweeper from other towns, but that a new sweeper will be arriving in September.

Ms. Veitenheimer-Roland-discussed that she is concerned about the rabies and how widespread is it. Chief Pearlman replied that officers on the street are aware and that residents should let the officers make the determination. Ms. Veitenheimer discussed that the driveway ordinance should cover the property maintenance issue. Mayor Scheffler explained that there are a few loopholes in the ordinance and that council is attempting to close them.

Mr. Thomas-Van Sant requested that council consider the intersection of Cinnaminson Avenue and Temple for stop signs. Mayor Scheffler replied that it is a county intersection and that they do not feel that there is a problem with the intersection currently.

Resident- discussed that property maintenance took years to require the homeowner to fix his property. The wild animals are a concern with the rabies and that he saw a cat that looked like it was in trouble, M & R Wildlife respond and also the police department. Resident informed council that the War Memorial Committee has processed all the paperwork required for a non-profit organization. They now have insurance.

Mr. Dorworth made a motion to close the public portion. Mr. President Brahl second the motion. All members present voted in favor of the motion.

CLOSED SESSION. Resolution No. 2012-170, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (Litigation and contracts). 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, Mrs. Dobbs, Mrs. Riener, Mr. Dorworth and Mr. Bostock.

NAYES: None. Council went returned to executive session at 10:10 pm.

Adjournment. Ms. Dobbs made a motion to adjourn at 10:30 pm, second the motion. All members present voted in favor of the motion.