

## **Minutes - August 8, 2011**

### **BOROUGH OF PALMYRA**

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#### **CALL TO ORDER**

#### **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: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross, Mr. Schwering (student rep).

Absent: None.

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

President Brahl made a motion to approve the minutes from August 1, 2011. 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.

**CORRESPONDENCE.**

A. Resolution 2011-154, Resolution of the Borough of Palmyra Joining The National Moment of Remembrance of the 10th Anniversary of September 11th. Mayor Scheffler read the resolution into the record. Mr. Norcross announced that on September 11th, there will be a memorial service and the information will be posted on the website. Mr. Norcross made a motion to approve the resolution, Ms. Dobbs second the motion. All members present voted in favor of the motion.

B. Resolution 2011-146, Resolution Appointing Class II Officers To The Borough of Palmyra Police Department. Mr. Dorworth explained that due to budget cuts and the retirement of a few offices, Class II officers are the best fit for the police department. Mr. Dorworth made a motion to appoint Brian Norcross and Elvin Nunez as Class II officers, President Brahl 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.

ABSTAIN: Mr. Norcross left the room at the beginning of the discussion due to a conflict with the resolution. Mr. Norcross also resigned from the public safety committee due to conflicts.

**OLD BUSINESS.**

A. Resolution 2011-120, Resolution Approving A Contract Change Order For Parry Avenue Improvements. Mr. Bostock 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, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None.

ABSTAIN: Mrs. Riener.

B. Resolution 2011-155, Resolution Authorizing Payment of \$6,468.58

To Charles Marradino LLC For The Parry Avenue Improvements, Release Performance Guarantee and Acceptance of Maintenance Bond. Mr. Dorworth made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

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

NAYES: None.

ABSTAIN: Mrs. Riener.

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

A. Ordinance 2011- 15, Ordinance of the Borough of Palmyra Restricting The Possession Of Alcoholic Beverages By Persons Under The Legal Age To Purchase Alcoholic Beverages While On Private Property. President Brahl inquired as to why this ordinance was on the agenda for this evenings meeting. Mr. Gural explained that this ordinance was on the agenda due to publication of a public hearing for this meeting. Council had requested that this ordinance be removed at the last meeting and a new ordinance be introduced Ordinance 2011-19, dealing with under age drinking. The public hearing for 2011-19 will be held on September 12th. President Brahl explained that he had requested some updated language changes after reviewing the ordinance from Toms River.

B. Ordinance 2011-16, An Ordinance Designating Linda Lewis To Serve As The Purchasing Agent For The Borough Of Palmyra. Ms. Dobbs made a motion to open the ordinance to the public, Mr. Bostock second the motion. All members present voted in favor of the motion.

Mr. Radar-inquired if this was a new position or just a personnel change? Mayor Scheffler explained that Mrs. Lewis has been the purchasing agent and that this ordinance is needed according to the state statue. Mr. Gural discussed that it allows the Borough to do better when purchasing items and going out for bids or quotes.

Ms. Dobbs made a motion to close the public portion, Mr. Dorworth second the motion. All members present voted in favor of the motion.

Ms. Dobbs made a motion to approve the ordinance on second reading, Mr. Dorworth second the motion. At the call of the roll, the vote was:

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

NAYES: None. The ordinance was adopted on second reading and will take effect after publication according to law.

ABSTAIN: Mrs. Riener.

C. Ordinance 2011-17, An Ordinance Of The Borough Of Palmyra In The County Of Burlington, NJ Canceling Certain Funded And Unfunded Appropriation Balances In The Amount Of \$353,693.81 And Reappropriating Said Funds For Other Capital Improvements And For Other Purposes. Mr. Norcross made a motion to open the ordinance for a public hearing, Mr. Bostock second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Norcross second the motion. All members present voted in favor of the motion. Mr. Gural explained that this ordinance cancels certain appropriations in previous bond ordinances and reappropriates them to different areas. President Brahl made a motion to adopt the ordinance on second reading, Mr. Dorworth second the motion. At the call of the roll, the vote was:

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

NAYES: None. The ordinance was adopted on second reading and will take effect after publication according to law.

ABSTAIN: Mrs. Riener.

D. Ordinance 2011-18, An Ordinance Of The Borough Of Palmyra In The County of Burlington, NJ Providing For Various Capital Improvements And Related Expenses In And For The Borough Appropriating \$866,500.00 Therefore And Authorizing The Issuance Of \$823,175 In General Improvement Bonds Or Notes Of The Borough To Finance The Same. Mr. Gural explained that this ordinance provides funding ability for capital improvements, such as the road program and parks grants. The ordinance does not give the ability for the Borough to spend the money. President Brahl made a motion to open the ordinance to the public, Mr. Bostock second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Norcross second the motion. All members present voted in favor of the motion. Mr. Norcross made a motion to adopt the ordinance on second reading, President Brahl second the motion. At the call of the roll, the vote was:

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

NAYES: None. The ordinance was adopted on second reading and will take effect after

publication according to law.

ABSTAIN: Mrs. Riener.

**ORDINANCE ON FIRST READING. (public hearings on Sept. 12).**

A. Ordinance 2011- 20, Ordinance of the Borough of Palmyra Amending Chapter 60 and Chapter 259 of the Code of the Borough of Palmyra. (shade tree). Mayor Scheffler explained that the shade tree commission has been working on this ordinance and that it updates the current ordinance and also eliminates the hitching of animals to post and trees. Mayor Scheffler requested that additional wording be added to the ordinance to give council the ability to make decisions on the trees in case of an emergency. President Brahl made a motion to adopt the ordinance on first reading with the changes, 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: The ordinance will be heard on second and final reading at the council meeting of September 12, 2011 after publication according to law.

B. Ordinance 2011-21, Ordinance Establishing That A Business Entity Which Makes Political Contributions To Municipal Candidates and Municipal And County Political Parties In Excess Of Certain Thresholds Shall Be Limited In Its Ability To Receive Public Contracts From The Borough Of Palmyra. Mayor Scheffler informed council that this ordinance is an update to the pay to play ordinance that is currently in the code book. The ordinance needed to be updated to the current revision. Mr. Gural explained that it is modeled after the state adopted ordinance and was a recommendation on the best practice checklist. President Brahl made a motion to adopt the ordinance on first reading, Mr. Norcross 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: The ordinance will be heard on second and final reading at the council meeting of September 12, 2011 after publication according to law.

C. Ordinance 2011- 22 Ordinance Amending The Non-Uniformed Employees Handbook To Establish A Transitional Duty Police To Encourage Employees To Return To Work Who Were Injured In A Work Related Incident And Out On Workers

Compensation. President Brahl made a motion to adopt the ordinance on first reading, 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: The ordinance will be heard on second and final reading at the council meeting of September 12, 2011 after publication according to law.

D. Ordinance 2011-23, Ordinance of the Borough of Palmyra To Vacate

Hill Street. Mayor Scheffler explained that council has been discussing this issue for over a year and the engineer needs to do a survey before final action can be taken. Mr. Gural informed council that Harry Fox, Land Engineering will be able to get the survey completed before the next meeting and that he had given an overview at the last discussion on Hill Street. President Brahl made a motion to adopt the ordinance on first reading, Mr. Norcross 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: The ordinance will be heard on second and final reading at the council meeting of September 12, 2011 after publication according to law.

E. Ordinance 2011-24, An Ordinance Repealing Chapter 242 Of The

Code Of Palmyra And Adopting A New Chapter 242 Entitled "Body Art Procedures". Mr. Rosenberg informed council that the state has a statute dealing with the inspections and regulations of body art shops. Borough Council will have to decide if they want to be the lead on the health inspections done and approved by the body art shop or if they would like to have the local board of health handling the issue. The County Board of Health will take the lead on the inspections and is the enforcing agency. The council will have to create a license form and also charge a fee. The current fee is \$100.00 per year. President Brahl made a motion to adopt the ordinance on first reading, Mr. Norcross second the motion. At the call of the roll, the vote was:

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

NAYES: The ordinance will be heard on second and final reading at the council meeting of September 12, 2011 after publication according to law.

ABSTAIN: Mrs. Riener.

**NEW BUSINESS.**

A. Resolution 2011-144, Resolution Authorizing Refund of Tax Sale

Certificate #200512 Erroneously Sold at Tax Sale. Mr. Gural explained that this was for a property that was sold at tax sale by mistake. Mr. Norcross made a motion to approve the resolution, President Brahl 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.

B. Resolution 2011-145, Resolution Establishing An Attendance Policy

For The Mayor, Members of Council and Members of all Boards, Commissions and Committees Appointed by the Governing Body of the Borough of Palmyra. Ms. Dobbs made a motion to approve the resolution, Mr. Norcross 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.

C. Resolution 2011-147, Resolution Appointing Seasonal Worker For

Public Works And Sewer Department. Mr. Norcross made a motion to appoint Ryan Palmer to the public works department, 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.

D. Resolution 2011-148, Resolution Authorizing Contract With

Approved State Contract Vendor Trico Equipment Services LLC For Purpose Of Purchasing Case Brand Part Pursuant To N.J.S.A. 40A:11-12a. Mr. Norcross made a motion to approve the resolution, Mrs. Riener 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

E. Resolution 2011- 149, Resolution Authorizing Contract With Approved State Contract Vendor DFFLM LLC t/a Ditschman/Flemington Ford Pursuant To N.J.S.A. 40A:11-12a. Mr. Bostock 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.

F. Resolution 2011-150, Resolution Adopting A Policy Requiring Elected Official To Attend Instructional Courses Regarding Their Responsibilities And Obligations While Serving In Local Government. Mr. Norcross made a motion to approve the resolution, Mr. Bostock 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

G. Resolution 2011-151, Resolution Adopting A Policy Requiring Annual Employment Practice Liability Training For Its Elected Officials, Administrator, Managers, Department Heads and Supervisors. Mr. Norcross made a motion to approve the resolution, Mr. Bostock 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

H. Resolution 2011-152, Resolution Adopting Policy Regarding Mayor Performing Weddings and Civil Unions. Mayor Scheffler read the resolution into the record regarding a policy for performing weddings and civil unions by the her. Ms. Dobbs made a motion to approve the resolution, Mr. Norcross second the motion. All members present voted in favor of the motion.

I. YMCA & Community Center- appointments to committee. Mayor Scheffler recommended



appointing Ronald Broomhead to the committee. Mr. Norcross made a motion to accept the appointment, President Brahl second the motion. All members present voted in favor of the motion.

J. Resolution 2011-153, Resolution Authorizing The Payment Of Bills. Ms. Dobbs made a motion to approve the resolution, President Brahl 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.

#### **COMMITTEE REPORTS.**

Mr. Bostock requested that Mr. Fratto give the report on the BID. Mr. Fratto reported that the BID had advertised for a new administrator and conducted many interviews. The committee has selected a company from Merchantville to be the administrators of the BID. The JGSC Group will administer the BID and will designate one person to help Palmyra. Mr. Christopher Getz of JGCS explained that their goal is to increase awareness of business and to help bring more business to Palmyra. Mr. Fratto explained that the BID will attend the council meeting in a few months with timelines and set goals. Mr. Fratto requested that the BID have some representation on the sign committee as it will affect the businesses. Mayor Scheffler assured Mr. Fratto that the BID can be represented. Mrs. Riener recommended that the BID have a member on the Ad-Hoc committee for housing.

President Brahl reported that he had met with Mr. Gural during the week and that the main goal is the best practice checklist so that the Borough can get 100% aid from the state. Mayor Scheffler announced that Mrs. Riener has agreed to be the council liaison on the shade tree commission.

Ms. Dobbs reported that the sewerage commission has no pressing issues. Mr. Ryan reported that the back up generator is in the process of repair.

Mr. Norcross reported that public works had worked overtime due to the storm and the damage it created on Lincoln and Washington. Also the website has been updated to reflect the current brush schedule of every second Monday. Mr. Norcross expressed his appreciation to the employees of public works for stepping up to the plate with the manpower shortage. The Borough looks great.

Mr. Bostock reported on the construction office and that Mrs. Kilmer has been very thorough in construction as well as zoning and fire. There were several violations given for not having permits.

Mr. Dorworth reported that the Chief has done some homework and that crimes in Palmyra are mostly committed by non-residents. The Chief has a police log on the website for information. Mrs. Riener inquired about the crimes committed by non-residents. Chief Pearlman explained that criminal complaints have risen this year due to economic and also the light rail. There have been more bike thefts also. Chief Pearlman explained that Cinnaminson, Evesham and Medford are also reporting an increase in crimes. Mr. Dorworth stressed that everyone should call the police if they see something or even suspect something.

Mr. Schwering informed council that there was a concert at the band shell on Saturday and also that the marching band for the high school has started practicing.

#### **PUBLIC COMMENT**

Ms. Dobbs made a motion to open the public portion, President Brahl second the motion. All members present voted in favor of the motion.

Mr. Flarety-Palmyra Condo Association inquired if the reimbursement for snow removal was approved this evening. Mr. Gural replied that council approved the reimbursement.

Mr. Fratto-Broad Street discussed the concert this past Saturday and that over 100 people attend as well as food from the area restaurants. September 10th is the annual festival and they hope to have a great day.

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

#### **RICE NOTICES.**

Mr. Rosenberg inquired if the employees receiving RICE notice agreed to hold the discussion in executive session. Mrs. Sheipe replied that all RICE notices were returned requesting executive-close session.

**CLOSED SESSION.**

Resolution No. 2011-156 Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975(personnel). Ms, Dobbs made a motion to approve the resolution, Mr. Brahl 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. Council went into executive session at 8:05pm.

**PUBLIC SESSION. Council returned to public session at 9:45pm.**

Resolution 2011-157, Resolution Appointing Donna Browne As Interim Court Administrator. 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.

Resolution 2011-158, Resolution Appointing Tracey McGill As Part Time Deputy Court Administrator. President Brahl made a motion to approve the resolution, Mr. Norcross 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.

**Adjournment.**

President Brahl made a motion to adjourn at 9:55 pm, Mr. Norcross second the motion. All members present voted in favor of the motion.