

## **MINUTES - November 7, 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: Mayor Scheffler, President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross, Mr. Schwering (student rep).

Absent: Mr. Dorworth.

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

Mr. Norcross made a motion to approve the minutes from October 3 and October 11, 2011, President Brahl second the motion. All members voted in favor of the approval for October 3, 2011 and all members except Mr. Bostock who abstained from the vote, voted in favor of the approval for October 11, 2011.

## **COORESPONDENCE.**

**A.** Letter of Appreciation-Mayor Scheffler read a letter of appreciation and thanks from Grace Carr, expressing her feelings on the dedication and plaque in honor of her son at Legion Field.

## **DISCUSSION ITEMS**

**A.** Community Center Policies-Mr. Gural informed council that the Community Center/YMCA steering committee consisting of Eric Phieffer, Mindie Wiener, Gina and himself drafted some recommendations for the community center policies as well as policies for the kitchen in the center. Mr. Gural requested that council review the information presented to them for approval at the next meeting. The policies would take effect on January 1, 2012 and that the committee recognizes that it is a living document that will constantly change as the needs for the center change. Mr. Phieffer agreed with the need to constantly having the document available for change as there is no way to figure out the going rates, since no other community around Palmyra offers a center. Mr. Rosenberg discussed that the initial document could be an ordinance with changes made by resolution. President Brahl thanked the committee for their hard work with the policies and procedures. Mayor Scheffler discussed that this document helps council with the needed guidance for the center. Mrs. Wiener explained that she is excited about the potential of all types of activities in the center. Mr. Gural will forward the master copy to Mr. Rosenberg so that he can review for legal wording and it can be placed in ordinance form. Mayor Scheffler requested that it be available for introduction for the next meeting.

**B.** Colonial Life-Ms. Kim Haist, Benefits Counselor discussed with council the need for the Borough to have a flexible employee benefit plan for health care. The funds would be an automatic deduction from the employees pay check. Ms. Haist explained that they offer disability insurance, accident insurance, life insurance and also special risk insurance. Mr. Gural explained that he and Mrs. Lewis have talked to a number of providers who also provide the same type of coverage. Colonial Life had given a presentation at the October staff meeting and also met with some of the staff on a 1-1 basis. The borough has to have a plan in place by January 1, 2012 and it can be completed by resolution. Four quotes were solicited and three responded. Mayor Scheffler recommend that council have a resolution

available at the next meeting.

**C. JIF INSURANCE.** Mr. Gural reported that Mr. Bostock, Mrs. Sheipe, Mrs. Lewis and himself met with the representatives of the Burlington County JIF. They had presented a slide presentation to explain the values and opportunity available to the Borough through the county JIF. The statewide JIF provides workers comp and Travelers no longer does. Mr. Gural explained that the borough has two options for insurance this year, the Statewide JIF or the Burlington County JIF. The county JIF is requesting an application fee of \$1500.00, so that the other members of the JIF are not paying for the work on the Borough's quote. Mrs. Lewis discussed that she would recommend them and that they are very safety ordinate. Mr. Bostock discussed that insurance rates are going up and that the insurance should be under one entity, not split among several. Mr. Bostock explained that he had requested an excel sheet from the JIF with the claims loss for the Borough. The JIF will review the borough's application on December 20th, so the council will not be able to take action until after that. Mr. Gural explained that council would have to either hold a special meeting for the insurance approval or give him the ability as the administrator to sign the contract with council's approval. Mr. Rosenberg recommend having someone review the financial stability of the JIF and the ability to handle pending claims. Mr. Gural explained that the borough would rely on the Risk Consultant for the information on the JIF. The resolution tonight is to start the process of the application and to approve the \$1500.00 application fee. Resolution 2011-204, Resolution To Join Municipal Joint Insurance Fund Subject To Approval of Assessment. 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, Mrs. Dobbs, Mrs. Riener, Mr. Bostock, Mr. Norcross.

NAYES: None.

**D. Driveway Ordinance.** Mrs. Locke-Chairman of the Land Use Board explained that the majority of the changes were due to impervious coverage issues. The Land Use Board has reviewed the ordinance for the last nine-ten months and that this is the final draft that is being presented to council. Mr. Beck, Land Use Board discussed that stormwater issues were also reviewed for state compliance. Mrs. Riener explained that the ordinance would prohibit lawn parking. Mayor Scheffler discussed that residents parking on their lawns is not friendly to the neighborhood and that she is recommending the ordinance be introduced at the next meeting. President Council Brahl inquired if the ordinance required a parking space to be black top or concrete. Mrs. Riener replied that it would be required for new driveways.

Mr. Gural recommend that the date of effect for the ordinance should be June 1, 2012. Mr. Rosenberg will prepare the ordinance for the next meeting for introduction.

**E. Employee Handbook.** Mr. Gural discussed that there have been some discussions on the handbook and a few items need to be discussed in executive session. Mr. Gural recommend introducing the handbook ordinance by title next week and having final adoption on December 12th. Council does have a reference of the items that need to be changed. Mr. Gural informed council himself, Mrs. Lewis, Mrs. Sheipe, Mr. Ryan and Mrs. Kilmer are meeting to review the handbook items that need to be changed or updated.

**F. Mortgage Subordination.** Mr. Gural explained that due to the recent mortgage crisis a number of residents wish to refinance their mortgage, but they have liens from the Regional Contribution program that helped repair their homes. Mr. Rosenberg explained that the borough has a program available to help rehab some of the housing stock in the borough. The governing body has approved a number of loans with a mortgage, but the bank is the first mortgage holder and the borough is the second. The majority of the homeowners wanted to subordinate their mortgage so that the first mortgage takes precedent over the boroughs lien or mortgage. Mr. Rosenberg explained that being in second position of the property does not hurt the ability to collect the debt. There is a formula to subordination-if debt to equity ratio is no more than 90%, the subordination can be approved. The homeowners are required to provide a current appraisal to the borough to start the process of the loan. Mr. Gural inquired if the borough is already in second position and the owners want to refinance for a lower interest rate what harm is there to the borough? Mr. Rosenberg explained that if the owner only wants to refinance for a lower interest rate it does not really change the holders of the mortgage. If it is a new mortgage company they will be first holder and the borough will be second.

**G. RCA-change order.** CPG & H is asking for a change order for administrative cost from the Evesham RCA. The cost of the change order would be charged to the RCA account.

**H. Surplus Vehicles.** Mr. Gural explained that there are a number of vehicles available for sale that the borough either owns or has confiscated through legal means. Mr. Gural advised council that the vehicles would be placed on Gov-deals for public auction.

**I. Awnings.** Mayor Scheffler discussed that the BID had sent out a letter to businesses listing ways to make improvements and that she felt that the BID should of advised council

and also seek their input before sending out the letter.

**J.** Sewer Connection Fees. Mr. Rosenberg discussed that there are two aspects to the fee. There is the annual fee that every business pays and there is also the connection fee. The annual fee is established by ordinance as well as the connection fee. Mr. Rosenberg will be able to adjust the connection fee in the ordinance with amendment if council decides to lower the fee for businesses. Council discussed the need to lower the fee and Mr. Rosenberg will prepare an ordinance for the next meeting.

**K.** Deputy Registrar. Mrs. Sheipe explained that the state requires a deputy registrar to be appointed for the vital statistics office. Resolution 2011-198 Resolution Appointing Tanyika Jones as deputy registrar until December 31, 2012. President Brahl made a motion to approve the resolution, Mr. Norcross second the motion. All members present voted in favor of the motion.

**L.** Borough Parking Lot. Mr. Gural informed council that he had written letters to the county and the bridge commission for assistance with the borough parking lot. The bridge commission has indicated that they are not interested in providing help with the lot. The county has not responded to the request as of yet. Mrs. Riener inquired if the borough could move forward, while waiting for a county response. Mr. Rosenberg recommended waiting for the county to respond.

**M.** Market Street. Mayor Scheffler discussed that Market Street is in need of repair and to be repaved. The borough is going to do sidewalk and lighting along Market Street and had requested the Bridge Commission to repave the street. Mr. Gural informed council that at this point the Bridge Commission has informally agreed to repave the street after the other repairs are completed.

**N.** Revaluation. Mr. Rosenberg met with the tax assessor and the assessor is working on the specs for the revaluation company. The specs have to be submitted to the county and are scheduled to be approved on December 14. The borough will go out for bid in January.

**O.** Hill Street. Mr. Rosenberg informed council that he is waiting for legal descriptions from Land Engineering to process the Quit Claim Deeds.

**P.** Election Districts. Mr. Gural explained that there was some discussions at the primary election on the number of machines at the polling places. New polling places should be considered for more efficient and better ADA access. Mr. Gural explained that the discussion has been to move some of the districts from the firehouse for better accessibility for the handicapped.

**Q.** Curfew. Mr. Rosenberg discussed that two model ordinances had been submitted to him and that he is looking to take the better portion each ordinance to create one for a better ordinance for the borough.

**R.** Traffic study. Mayor Scheffler had received a letter from a resident in Riverton about the intersection of Elm and Fourth Street and that there is a problem there and is requesting that Palmyra and Riverton do a traffic study. Chief Pearlman informed council that he also received a copy of the letter and has spoken to Land Engineering. Riverton is looking for support from council for the traffic study. Mayor Scheffler requested that Land Engineering be reached out to for the Borough. Mrs. Riener inquired about a traffic study for the corner of Cinnaminson and Charles. Chief Pearlman explained that he had already spoken with the county about the school crossing there and that they are aware of the Borough's concerns Chief Pearlman explained that Spring Garden and Public Road is the worse intersection and that the trees are a major issue at the intersections.

**S.** Health Study. Mr. Gural informed council that there are a number of health benefit plans available to the employees under the state health benefit program. The council does have an option to not use certain plans.

**T.** Cell Tower. Mr. Rosenberg explained that the existing antenna will be replaced and that Mr. Dreby has signed off on the agreement on safety and that they are requesting council to act on the issue. President Brahl made a motion to authorize the required changes, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Mrs. Riener, Mr. Bostock, Mr. Norcross.

NAYES: None.

ABSTAIN: Ms. Dobbs.

## **RESOLUTIONS.**

**A.** Resolution 2011-195, Resolution Authorizing A Change Order For South Broad Street Overlay, Contract 2011-2. This resolution was tabled until the next meeting, due to needing more information from Land Engineering.

**B.** Resolution 2011-196, Resolution Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40A: 4-87, Chapter 159: Juvenile Justice Summer Expansion Program. Mrs. Riener made a motion to approve the resolution, President Brahl second the motion. At the call of the roll, the vote was:

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

NAYES: None.

#### **PUBLIC COMMENT**

President Brahl made a motion to open the public portion, Ms. Dobbs second the motion. All members present voted in favor of the motion. Resident-East Fourth Street-the intersection at Elm and Fourth Street needs a stop sign, cars race up Fourth Street because there is no stop sign at the intersection. Mayor Scheffler agreed that there is a problem with some of the stop signs in that area. Public Works and the Police Department will review the area for signage.

Mrs. Locke-Pear Street-inquired if the Borough charges a fee for processing the mortgage subordination? Mr. Rosenberg replied that there is no fee according to the regulations of the program and that the program is run by CGP & H. Mr. Gural explained that when someone requests subordination, council is not informed of the name of the person for confidential reasons. Mrs. Locke inquires as to why the Borough is choosing to file deeds for Hill Street vacancy and also complete a quit claim deed. Mr. Gural replied that during the public hearings on the ordinance, the council agreed to do both as a courtesy to the owners. Mr. Rosenberg explained that the Borough was also required to file the ordinance with the county deed department.

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

**CLOSED SESSION.**

Resolution No. 2011-199, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975(litigations, BID, contracts, negotiations). 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, Mrs. Riener, Ms. Dobbs, Mr. Bostock, Mr. Norcross.

NAYES: None. Council went into executive session at 8:36pm.

**PUBLIC SESSION.**

Council returned to public session 9:26pm.

Resolution 2011-200, Resolution Adopting Policy Establishing Guidelines Regarding The Use Of Emails To Discuss Municipal Business. Mr. Bostock made a motion to approve the ordinance, Mr. Norcross second the motion. At the call of the roll, the vote was:

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

NAYES: None.

Resolution 2011-201, Resolution Authorizing The Administrator To Advertise For The Position Of Court Administrator and Deputy Court Administrator. Mr. Norcross made a motion to approve the resolution, President Brahl second the motion. All members present voted in favor of the motion.

**Adjournment.**

Ms. Dobbs made a motion to adjourn at 9:28 pm, President Brahl second the motion. All members present voted in favor of the motion.