

# **MINUTES - December 12, 2011**

## **BOROUGH OF PALMYRA**

### **MINUTES-DECEMBER 12, 2011**

#### **CALL TO ORDER**

#### **ROLL CALL:**

Present: Mayor Scheffler, President Brahl, Mrs. Riener, Mr. Bostock, Mr. Norcross,

Absent: Ms. Dobbs and Mr. Dorworth.

#### **PLEDGE OF ALLEGIANCE.**

#### **MOMENT OF SILENCE.**

#### **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.

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

President Brahl made a motion to approve the minutes of November 7, 2011, Mrs. Riener second the motion. All members present voted in favor of the motion.

## **CORRESPONDENCE.**

A. Mayor Scheffler announced that the Reorganization Meeting for Borough Council will be held on January 7, 2012 at Noon. Borough Council will also hold a special meeting on December 22, 2011 at 6pm for end of the year action and also discussion on insurance coverage. The meeting will be advertised.

B. Mayor Scheffler acknowledged that Borough Council and herself had received a letter from the BID.

## **OLD BUSINESS.**

A. Resolution 2011-202, Resolution Adopting A Cash Management/Handling Policy For The Tax Office. 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, Mr. Bostock, Mr. Norcross.

NAYES: None.

## **ORDINANCE ON SECOND READING.**

A. Ordinance 2011-26, An Ordinance Amending Sections 204 and 1400A Of The Borough of Palmyra Land Development. (driveway). President Brahl made a motion to open the public hearing on the ordinance, Mr. Norcross second the motion. All members present voted in favor of the motion.

Ms. Wills-West Fifth Street- inquired about her driveway and that it goes upto the factory.

Mrs. Riener explained to her that the Land Use office will answer questions on the driveway requirements and that there is also a waiver form for anyone who has an existing use.

Mr. Small-Delaware Avenue-inquired if he has to pay his driveway. Mrs. Riener explained that the ordinance was for the issues of residents parking on their front lawns and also having no curb cut. There are requirements from the state also concerning water run-off and that Mrs. Kilmer will look at each curb cut and determine the needs for the property. Mr. Small explained that the sewer line is under his driveway and that he does not agree with not allowing people to park on their lawns. His parents bought the house years ago and have

always park vehicles on the front lawn that they were attempting to sell. Mrs. Riener replied that the borough had received several complaints about cars left on the lawns and that people without curb cuts need to stop jumping the curb and parking on the lawn. Mrs. Kilmer will review each situation and make a determination. Mr. Small discussed that a lot of homes do not have the option of parking on the street and that the ordinance should be put upto a vote of the entire town and that it is affecting all taxpayers. Mr. Norcross explained that the actual ordinance has been on the book for years and it was only changed to allow gravel or stone to be used for improvements. Mayor Scheffler discussed that she recognizes that there is a lot of complaints about parking on lawns and that they always try to make the public aware of ordinances that council is working on. Mrs. Rex-Delaware Avenue-inquired if the council is requiring the residents to put in driveways, they should not charge to get a permit. Mr. Norcross replied that a permit is required for an inspection. Mrs. Rex explained that there are boats and cars on lawns and that the owners have a right to use their own lawn. Resident-Park Avenue discussed that there has been a trailer behind the garage since 1987. Mr. Gural explained that the ordinance is for front yards and vehicular traffic. The resident explained that last year he got a letter of violation from the Borough because he parked on his front lawn during a snowstorm due to not be able to park on the street.

Resident-Delaware Avenue explained that she has cancer and cannot park on the street to carry in her groceries and has to pull the car upto the door. Mayor Scheffler explained that the ordinance is for someone who is constantly parking on the lawn and that exceptions can be made for a limit amount of time through the zoning officer. Resident explained that due to high medical bills, that she has no money for gravel or stone. Mayor Scheffler discussed that the ordinance will not take effect until June so that residents will have time to follow the rules and regulations of the ordinance.

President Brahl made a motion to close the public hearing on the ordinance, Mr. Norcross second the motion. All members present voted in favor of the motion.

Mr. Bostock discussed that when he read the ordinance, he did not recall seeing any section dealing with medical issues. Mr. Gural explained that handicapped parking is considered on a case to case person and is usually only for parking on the streets. The land use board regulates the use of properties.

President Brahl made a motion to adopt the ordinance on second reading, Mrs. Riener second the motion. At the call of the roll, the vote was:

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

NAYES: Mr. Bostock. The ordinance was adopted on second and final reading and will take effect after publication according to law.

**B.** Ordinance 2011-27, An Ordinance of the Borough of Palmyra To Provide For And Determine The Rates Of Compensation Of Each Officer And Employee. President Brahl made a motion to open the public hearing on the ordinance, Mr. Norcross second the motion. All members present voted in favor of the motion.

Mr. Small-Delaware Avenue inquired if the last ordinance passed and was adopted. Mayor Scheffler replied that the ordinance was adopted and will take effect in June. President Brahl made a motion to close the public hearing on the ordinance, Mr. Norcross second the motion. All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance on second and final reading, 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. The ordinance was adopted on second and final reading and will take effect after publication according to law.

**C.** Ordinance 2011-28, An Ordinance Of The Borough Of Palmyra Re-Adopting And Amending The Non-Uniformed Employees Handbook Regarding Crossing Guards, Seasonal Employees, Part-Time Employees, Inclusion Of Previously Adopted Policies, Time Clock Usage, Lateness, Health Benefits, Benefits for New Hires, Drivers' Licenses Requirements, Council Meeting Attendance And Other Miscellaneous Matters. Mr. Gural reviewed the summary page that was given to council and that the last two pages of the handbook contain the bulk of the changes. President Brahl made a motion to open the public hearing on the ordinance, Mr. Bostock second the motion. All members present voted in favor of the ordinance. No one wishing to be heard, President Brahl made a motion to close the public hearing, Mr. Bostock second the motion. All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance on second and final reading, Mrs. Riener second the motion. At the call of the roll, the vote was:

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

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

**D.** Ordinance 2011-29, An Ordinance Of The Borough Of Palmyra Amending Chapter 237 Of The Code Of The Borough Of Palmyra Entitled Streets And Sidewalks By Deleting Under Article 1 Paragraph 237-1, Awnings. President Brahl made a motion to open the public

hearing on the ordinance, Mr. Bostock second the motion. All members voted in favor of the motion. Mr. Fratto-Broad Street inquired if this removes the requirement for all awnings to go to the Land Use Board? Mrs. Riener replied that Mrs. Kilmer will review the awning and make a determination. No one else from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance on second reading, Mrs. Riener second the motion. At the call of the roll, the vote was:

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

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

**E.** Ordinance 2011-30, An Ordinance Of The Borough Of Palmyra Establishing Policies, Procedures, Rules and Regulations For The Community Center. Mr. Gural explained that the ordinance allows the Borough to make further changes in the future by resolution. The community center committee put together rules for the center and the kitchen as well as rental fees. President Brahl expressed his thanks to the committee for wrapping everything into one document. President Brahl 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. Mr. Schwering Sr. inquired if the rules will be posted somewhere? Mr. Gural will have them on the borough's website as well as the form to register for the center. Mr. Schwering inquired as to how much advance notice will have to be given to use the center. Mr. Gural explained that at least two weeks notices and that there is a lot going on at the center and that they want to be flexible with the center.

Mr. Norcross requested that the rules and regulations for Legion Field also be placed on the website.

Mr. Fratto-Broad Street inquired if the organizations that currently use the center will have to reapply. Mr. Gural replied that all organizations were only given to the end of the year and that they will need to reapply.

Mrs. Jones- inquired as to how the new rules and regulations affect the senior program? Mr. Gural explained that the center is for the entire community and that the seniors will have use of the center every day and that the current schedule of groups does not affect their schedule. Mr. Gural discussed that the seniors will also have to present a certificate of insurance.

President Brahl made a motion to close the public portion, Mr. Bostock second the motion.

All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance on second reading, 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. The ordinance was adopted on second and final reading and will take effect after publication according to law.

### **NEW BUSINESS.**

Consent Agenda-A Items through E will be considered in one motion with no discussion needed. Consent agenda items which require further discussion/consideration by the council should be removed from consent agenda.

A. Resolution 2011-216-Resolution Authorizing The Cancellation Taxes of Totally Disabled Veteran For Block 127, Lot 2 Tax Year 2011 and Thereafter and Refunding Taxes Paid.

B. Resolution 2011-217, Resolution Cancelling Outstanding Checks On The Financial Records Of The Borough Of Palmyra.

C. Resolution 2011-218, Resolution Awarding Contract For Market Street And Authorizing The Mayor To Sign Agreement.

D. Resolution 2011-219, Resolution Approving The Payment Of Bills.

E. Approval of Treasurer's Report. Mr. Norcross made a motion to approve the consent agenda, 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.

F. Resolution 2011-220, Resolution Authorizing The Sale of Block 119, Lot 3. Mr. Gural reported that the Borough has been attempting to sell the lot for an extended amount of time. Mr. Hollin's was interested in a few of the lots at the previous action. At the last advertised public auction, there was only one person who showed for the bidding. Mrs. Jones bid on Block 119, Lot 3 for \$500.00. President Brahl made a motion to approve the resolution and to

authorize Mr. Rosenberg to transfer the deed to Mrs. Jones for St. Paul's Church as she has requested. Mr. Rosenberg recommended that the resolution state Mrs. Jones intent to assign her interest to the church, Mr. Norcross second the motion. At the call of the roll, the vote was:

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

NAYES: None

G. Resolution 2011-221, Resolution Appointing A Deputy Clerk. Mayor Scheffler recommend that John Gural be appointed deputy clerk with no additional salary until December 31, 2011. Mrs. Riener made a motion to approve the resolution, President Brahl second the motion. All members present voted in favor of the motion.

H. Resolution 2011-222, Resolution In Support Of A Grant Application For Pedestrian Crossing At Cinnaminson Avenue (CR607) and West Charles Street. Chief Pearlman explained that he was working on obtaining a grant for the pedestrian crossing at Cinnaminson Avenue and West Charles Street. Mr. Norcross discussed that the engineers had made the recommendation a few years ago. Mr. Norcross made a motion to approve the resolution, President Brahl second the motion. All members present voted in favor of the motion.

I. Resolution 2011-223, Resolution of the Borough of Palmyra Pursuant To Ordinance 2011-30 Establishing Policies, Procedures, Rules And Regulations For The Community Center. This resolution is in addition to the ordinance for the center. 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. Riener, Mr. Bostock, Mr. Norcross.

NAYES: None

J. Resolution 2011-224, Resolution Authorizing Transfers In The 2011 Budget. 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. Riener, Mr. Bostock, Mr. Norcross.

NAYES: None.

#### **DISCUSSION ITEMS.**

A. Ad-Hoc- Mr. May reported that materials have been submitted to Mr. Rosenberg for review from the committee and that the next meeting will be in January.

B. Ethel Hardy Park. - Mayor Scheffler requested that this discussion be held until the next meeting.

C. Trash Collection Contract- Mr. Gural discussed that in an effort to save money the Borough had signed a three year contract with Waste Management with a five year option. The cost for the year 2012 will be \$256,200.00 with collection twice in the summer months and once in the winter months. The price is a 3% increase and that council needs to review going to one day a week all day for savings of about \$20,000. Mrs. Riener discussed that with recycling; many residents only place trash out one day a week now. Mr. Norcross explained that many surrounding towns already have one day a week pick up and that the residents learn to adjust. Mr. Gural informed council that they are also looking to change the one day a week to Wednesday for the entire town. Mr. Bostock inquired if the original RFP if there was an option to change to one day for the entire town? Mr. Rosenberg explained that the specifications for waste removal are dedicated by the state and that the original contract can be amended with a change order. Mr. Gural discussed that Riverton was approached a few years ago about shared trash services, but there was not enough cost savings for either town. President Brahl discussed that the Borough needs every extra funding and that he recommends changing to one day a week trash pickup.

Resolution 2011-225, Resolution of the Borough of Palmyra Authorizing A Change Order To The Waste Management Contract. President Brahl made a motion to approve the resolution with option 7 of the contract for Palmyra Borough to have trash pick-up one day a year for the entire year of 2012, Mr. Norcross second the motion. At the call of the roll, the vote was:

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

NAYES: None



D. MACCE-Mr. Gural explained that this program was for trash removal from condo's and apartments. There are several towns in the county that are part of this service. It is part of a joint purchasing program. The program is another option for council to review for trash removal at the Harbour. Mr. Gural is requesting permission from council to have conversations with the joint program about Palmyra's interest. President Brahl made a motion to allow Mr. Gural to hold discussions concerning the MACCE program, Mr. Norcross second the motion. All members present voted in favor of the motion.

E. Police Storage Shed. Mayor Scheffler requested that this matter be held until the next regular meeting.

#### **COMMITTEE REPORTS.**

Mrs. Riener inquired about the status of the sign ordinance? Mr. Bostock replied that the committee is waiting to hear back from business community on their input. The report will be forwarded as soon as possible. Mr. Fratto replied that it should be completed by January. President Brahl requested that the intersection of Highland and Morgan Avenue be listed on the next meeting's agenda. Chief Pearlman explained that they have already requested assistance from the county highway department. The county is currently short of help on traffic control and that the traffic lights are controlled by the Light Rail. The Chief recommended making the light an active light to help with the traffic control. Chief Pearlman will review the intersection and talk to the county for reporting at the next regular meeting. Mr. Gural discussed that employees as part of the old handbook would receive permission to carry over vacation time from year to year from their committee chairman. Mr. Gural recommended that administration should be given the authority with the consent of council. Mr. Norcross suggested that carried over vacation time, be used by April 1st. President Brahl explained that the employees are not taking vacation time because they want to carry the time, they do not want to leave the Borough in a lurch. Mr. Norcross made a motion to allow the administrator to review the vacation time and also to allow current employees to carry their time this year, President Brahl second the motion. All members present voted in favor of the motion.

Mr. Gural inquired about council's recommendations for the use of Borough Hall and if the groups that are currently using the facility should be moved over to the community center. Mayor Scheffler recommends that due to energy conservation and security the groups

should meet at the community center. Chief Pearlman agreed and that the center has more security and cameras.

President Brahl reported that he had met with Stephen Schwering and other students at the school and they are looking over the old ordinances of the Borough to help locate some of them that need removing. The group will write up recommendations for council.

Mrs. Lewis reported that the auditors are in the Borough and will return in February. The departments are submitting their budgets to Mr. Gural.

Mr. Gural discussed that he is working on insurance with the JIF and is attempting to get the needs of the Borough met.

Mr. Norcross informed council that the concession stand is closed for the season and that he will have a full report for council in January. Mr. Norcross thanked Mrs. Riener for help with Santa and Christmas at the community center. Mr. Norcross and the public events committee is looking for people to help set up and work at the public events. There will be no brush pick up this time of year and public works is busy collecting the leaves.

Mr. Bostock reported that the Construction Official is on vacation, so there is no report this evening. The BID is meeting this Wednesday.

Mr. Gural reported on the police negotiations and that as soon as the contract is ready, he will make a full report to council.

Mr. Schwering thanked President Brahl for attending the meeting about youth in government and that there is a Holiday Concert at 7pm also that winter sports are starting at the high school.

#### **Public Comment.**

Mr. Bostock made a motion to open the public portion, Mrs. Riener second the motion. All members present voted in favor of the motion.

Mrs. Jones-discussed that the seniors have a hard time crossing Cinnaminson Avenue and that there needs to be bell on the train gates so that blind residents also know that a train is approaching or that the gates are down. Chief Pearlman informed Mrs. Jones and council that the police department does offer to citizens a form to file out that stays on file about their various disabilities, so that an officer can help if necessary. Mrs. Jones explained that seniors also do not have their leaves rake in time for the public works truck to pick up and that many have to wait for someone to do it for them. Mr. Norcross explained that there is a calendar for each season on the website and that with the cuts in labor at public works, it is difficult to get all of the work completed. The public works department has to follow a

schedule to make sure the entire Borough is done.

Mrs. Veitenheimer- inquired since the stand is closed will the lights around the field be turned off? Mr. Norcross replied that the lights are only on during sporting events and that the street walks and buildings are lit for security reasons. Mrs. Veitenheimer thanked council for going to one day a week trash and saving the taxpayers money, most towns that she knows of are at one day a week.

Mr. Schwering Sr.-discussed taking some of the funds spent on public works and using it for code enforcement and the police department. There are retired seniors who will work for a reasonable salary. The code enforcement office needs a part time person.

No one else wishing to be heard, 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. 2011-226, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (Personnel and contracts). 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. Riener, Mr. Bostock and Mr. Norcross.

NAYES: None. Council went into executive session at 8:30 pm.

### **Adjournment.**

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