

BOROUGH OF PALMYRA MINUTES-October 1, 2012

CALL TO ORDER

ROLL CALL:

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

Absent: Mr. Dorworth and Mr. Bostock

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.

COORESPONDENCE.

A. Mayor Scheffler read a thank you note from the Nowicki family for the flowers and thoughts.

B. Mayor's appointments to Board of Health-Mayor Scheffler reported that she is still searching for some residents to fill the appointments.

PROFESSIONAL UPDATES.

A. Engineering.-William Kirchner of Environmental Resolutions informed council that he has been working with the administrator to submit a letter for a loan for improvements to the plant. The loan has interest of 2% and involves a lot of red tape. There is no commitment from the council or borough with the letter of intent. The loan would be used for odor and sludge improvements as well as improvements to the pumping station. Borough council reserves the right to reject the loan at any point. Mr. Kirchner reported that design cost for sludge improvements would be approximately \$51,500 and that the work would be subcontracted for expertise. The benefit to the plant is only one fifth of the sewer budget. Mr. Gural discussed the submission to the NJDEP and that would council would have to authorize Mr. Kirchner for a fix cost of \$2,000 for the project. Mr. Kirchner discussed the odor control chemical trial and that there have been

changes in the ph level and that there will be more benefits as the trial proceeds. Mayor Scheffler announced that there will be an Open House for the sewer plant on October 20th from 9am-11am. The resident will be able to tour the plant and Assemblyman Singleton will be present at 9am. Mr. Kirchner explained that the NJDEP had recommended better communication with the surrounding neighborhood. Flow rate study- Mr. Kirchner discussed with council the study to have the borough sewer billing go to a flow rate. The amount of the sewer bill would be determined from the amount of water usage during the winter months. The amount would be a fixed rate in the summer months. President Brahl inquired if the water usage determined in the winter months would be on the April billing or the June billing. Mr. Gural replied that the sewer is billed twice a year and that the American Water company would provide the data directly to the borough in advance and that the April billing would be for the fall and winter. Mr. Gural explained that council needs to start discussing the starting rates for the sewer and if they want to charge a starting rate for the fall and winter billings for a set amount of usage. Mr. Kirchner recommend finding out what surrounding towns are charging as a starting point. President Brahl requested a list of questions that council could review to determine all of the facts. Mr. Gural explained that the process has just started and that they will keep council informed as the process moves along. Mr. Kirchner discussed that the majority of towns in the county bill by flow rate except for Medford and Edgewater Park. The flow rate billing will help seniors and other residents who do not use a lot of water as their sewer bills will drop in cost. Change Order. Mr. Kirchner discussed that due to the stripping there will be an additional reduction in the project for the ADA ramps. The time allotment to have the job completed has passed and the contractor has picked up all of the engineers cost for the time over the deadline. The bill will need to be adjusted with the reimbursement. HVAC- Mr. Kirchner informed council that the contracts for the HVAC have been signed by the contractor and they are waiting for approval from the solicitor before having the Mayor sign them. The permits for the police shed have been submitted and the Parry Avenue project is proceeding with starting date of the spring. Wastewater Management Plan- Mr. Kirchner explained that the county would like to have the Borough review their wastewater plan for sewer service. The borough's plan includes all of the redevelopment area. Charles Street- Mr. Kirchner informed council that CGPH is working on a grant to do repairs on Charles Street.

B. Engineering. Mr. Gural gave the update for Land Engineering on the Ethel B. Hardy Park and that it should be completed by the end of next week. The gazebo and benches have been installed and the swings will be put up this week. The community center outside work is moving along and will be completed soon.

APPROVAL OF MINUTES. President Brahl made a motion to approve the minutes from September 10, 2012, Mr. Norcross second the motion. All members present voted in favor of the motion.

DISCUSSION ITEMS.

1. Morgan Avenue Parking Ord.-Mr. Gural passed out a draft ordinance for Morgan Avenue limiting the hours of parking. Mrs. Riener inquired as to the exact area the ordinance would cover? President Brahl discussed that the ordinance needs to include the church's rectory as well as the church. Mr. Gural replied that the ordinance would cover the entire 600 block of Morgan Avenue. Chief Pearlman recommended a 15 minute parking limit for the area, so that the parents would be able to drop off and pick up their children. Chief Pearlman discussed the need to repeal the ordinance for the time limit parking on the other side of Morgan at the old bank. Mr. Gural explained that the entire Chapter 90 on vehicles and traffic needs to be reviewed, but this

ordinance will give immediate relief to the day care. Council will introduced the ordinance on first reading at the next meeting.

2. Solicitors/Peddlers, Vendors Ordinance. Mr. Rosenberg explained that the Chief had request some additional language in the ordinance for fingerprinting and change of fees.

3. Megan's law resolution and Put the Brakes on Proclamation for police department. Chief Pearlman discussed that the Chief's Association is pushing the issue for a change to Megan's law to require the tiering before the person is released. The items will be on the next meeting agenda for approval.

4. In-line cameras for police vehicle-Chief Pearlman reported the bids have been received and he is waiting for approval from the solicitor on the contracts. The award of the bid will be on the agenda for the next meeting.

5. Draft of accessory building. Mayor Scheffler explained that there needs to be a clear definition of accessory building for enforcement. Mrs. Riener discussed that she had inquired from Mr. Rosenberg about the definition of an accessory building. Mr. Rosenberg explained that he is looking for some directions from council on what they are considering.

6. Draft of sidewalk ordinance-This ordinance will be listed on first reading at the next meeting.

7. Draft of Handicapped Parking Areas. Mr. Rosenberg discussed having a clause in the ordinance for an expiration date of the ordinance for the resident and also a fee to cover the cost of the signage. Mayor Scheffler inquired if the ADA organization would be able to help with the cost of the signage. Mrs. Riener discussed that she is against charging a handicapped person a fee for the signage. There was a discussion about the clerk reviewing the handicapped spots annually and also the need for signage by the police department if the space was needed immediately. The consensus of council was to hold the ordinance.

8. Draft of yard waste and bulk trash collection ordinance-Mr. Gural informed council that with the new trash contract spec going out there needed to be a decision on the bulk trash pickup for the residents. There is currently a problem with contractors placing out bulk trash and also the contractors using the dumpsters at the Harbour. They are causing a lot of trash that is not from the residents. President Brahl inquired if bulk trash would remain every week, or less frequently. Mr. Gural explained that the bulk trash amount causes the tipping fees at the landfill to increase and that the bulk trash on the curbs is usually more than an average household would use. Mr. Gural informed council that they also have the option of using the large containers for trash removal, which would not hold bulk trash. Mr. Ryan informed council that the borough used to pick up bulk trash once a month and that it was changed to the trash company picking it up in the current contract. The public works department does not have the man power to pick up bulk trash. The ordinance will be on the next agenda for first reading.

9. Discussion on changes to open public meeting. Mayor Scheffler discussed that the Senate bill will change the way that municipalities have to conduct business. The agenda will have to be completed at least 48 hours in advance excluding weekends and holidays. Mrs. Sheipe explained that the bill also discusses that if there is a sub-committee meeting notice has to be given and minutes taken.

10. Liens for property maintenance. Mr. Gural explained that there needs to be a more solid method to lien a property for property maintenance enforcement. There are several different ordinances in the code book. Mr. Rosenberg will develop an ordinance that will streamline the process.

11. Legion Field-softball field. The PalRiv association is requesting permission to repair the softball field at Legion Field. They have submitted their certificate of insurance to the Borough for the use of the field. Mr. Norcross requested that the sprinklers be marked out so that there is no damage to the irrigation system.

12. Catholic Charities donation. Mr. Gural requested permission to have this issue placed

on the bill list, it is a yearly donation based on the number of domestic violence victims from Palmyra.

13. Snow removal shared services with county. Mayor Scheffler explained that this is an annual agreement for the borough to receive reimbursement from the county for snow removal and salting of the county roads.

14. Jefferson Street-parking. Mayor Scheffler discussed that previously the residents had requested no parking on the weekends on Jefferson Street due to the flea market using the spaces. A resident of the street is now requesting that the no parking be removed as it is no longer a problem and they would like to park on the street on the weekends. Council held this request until the next work session to review with the other residents if they agree to remove the no parking sign.

15. Deaf Child sign-Market and Kennedy. Chief Pearlman explained that this is a request from a resident on the corner of Market and Kennedy for her son.

16. Pan-handling ordinance. Mr. Rosenberg informed council that the request of asking for money is protected by the right of free speech in the constitution. There is no law against requesting money, but a person can be charged with harassment in connection to the request by another person.

17. Workers compensation percentage of Borough obligation-Mr. Gural explained that the current policy for workers compensation allows an employee to receive 100% of their pay while on workers compensation. The state allows for the percentage to be 70% after being out for 7 days. Mr. Gural discussed that the best practice checklist from the state also has a question if the 70% law is being followed. Council discussed that the 70% would be an incentive to employees to return to work quicker and that it is fair to the taxpayers who have to cover the cost. President Brahl discussed that he has a few suggestions about the workers compensation policy and would like to meet with the administrator to review the policy. Mr. Gural informed council that a change would not affect the police contract until the new contract negotiations.

18. Community center vending machines. Mayor Scheffler discussed that a few organizations using the community center have requested vending machines be placed so that they can have drinks and snacks during the activities. Mrs. Riener discussed the need for healthy snacks and the concern of the children having access to them. Mr. Norcross inquired about the location of the machines and the trash that they would leave behind. Mr. Gural will solicit quotes and report back to council.

19. Inter-local agreement for vehicle repairs. Mr. Gural reported that council will need to approve an agreement with Cinnaminson to allow them to repair the boroughs vehicles.

20. Dedication of paper street (Broad Street) to F.C. Kerbeck-Mr. Gural explained that F.C. Kerbecks property is adjacent to the street and that the street is not being used. It appears on the tax records as a paper street only and the borough does not maintain the street in that area. Mr. Rosenberg inquired if any other property was adjacent to the street and that those owners would the right to request the property also. Mayor Scheffler discussed that the street is in the redevelopment zone and is needed for redevelopment of the adjoining property. Mr. Rosenberg explained that the council could sell the property to the adjoining owner. Mr. Gural will review the property and prepare a report for council.

21. Noise ordinance. Chief Pearlman explained that he had requested that this ordinance be reviewed due to the confusion in the language. Chief Pearlman and Mr. Rosenberg will work on the ordinance and report back to council at the November work session.

22. Unsafe buildings and structures. Mr. Rosenberg discussed that there are three different ordinances on the books relating to this matter that needs to be combined into one clear ordinance. The old ordinances need to be repeal and a new one adopted that covers all three ordinances.

23. Mayor Scheffler announced that she will be attending a conference with other Mayors,

Commissioners and the Governor on October 26. The state will be presenting grants that will be available to municipalities as well as other information. Also that due to the holiday the next council meeting will be on Tues. October 9th at 7pm.

24. Chief Pearlman advised council that he is working on a resolution for an interlocal agreement with the towns along the Riverline and NJ Transit for Task Force. Mayor Scheffler thanked Chief Pearlman and the Chief's Association for taking charge of a solution to the problems associated with the light rail.

25. Mr. Norcross inquired about the parking lot on Cinnaminson Avenue and that nothing has been done to help with the traffic problems of exiting onto Cinnaminson Avenue. Mrs. Riener discussed that she was under the impression that the issue had been sent to the engineers for review. Chief Pearlman explained that the traffic engineer from Land Engineering had reviewed the lot. Mr. Gural informed council that there is not enough money in the budget this year for the project. Mrs. Riener discussed that it should not cost any additional funds for Land Engineering to turn over the information to the borough. President Brahl discussed requesting the information from Land Engineering and having Environmental Resolutions review the issue.

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

Mrs. Veitenheimer-Roland Avenue informed council that the large containers for trash removal would not work on all of the properties in the borough as there is not enough room between the properties to place the containers. The container would have to be drag across the grass and snow to the curblin. Mayor Scheffler replied that council will take the issue into consideration when they are preparing the specs.

Mr. May-Morgan Avenue discussed that in regards to the rabies and mosquito spraying issues there is more of a concern for public health. Mr. May invited the council representative and members of council to the board of health meetings that are held at the community center. Mayor Scheffler replied that she and council members are always willing to help out and that many residents will volunteer to help the board if needed. Mr. May inquired if the sub committees are going to be required to publish agendas under the new sponsored bill. Mayor Scheffler explained that all sub committees and boards will be required to publish their agendas and minutes per the senate bill.

No one else 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.

CLOSED SESSION. Resolution No. 2012-198, 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, Ms. Dobbs second the motion. At the call of the roll, the vote was:

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

NAYES: None. Council went into executive session at 9:15pm

Adjournment. Ms. Dobbs made a motion to adjourn at 9:45 pm, Mr. Norcross second the motion. All members present voted in favor of the motion.