

**BOROUGH OF PALMYRA
MINUTES-November 13, 2012**

CALL TO ORDER

ROLL CALL:

Present: Mayor Scheffler, President Brahl, Mrs. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross and Ms. Kane (student representative).
Absent: None.

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.

RECOGNITION

A. Halloween Parade Committee. Mayor Scheffler recognized the following individuals for all of their assistance and planning of the Halloween Parade-Mindie Weiner, Geneva Ditaranto, Gina Tait, Nicole Shipley, Ed Kearney, Renee Rusco, Anthony Fratto, Kathy Russell and Teree Bankowski. Mayor Scheffler thanked the Halloween Committee and all of the volunteers for an excellent parade.

B. Mayor Scheffler and Mr. Norcross presented Elmer Bostock will a certificate of appreciation for his years of service as a Marine.

CORRESPONDENCE.

- A. Mayor Scheffler read a letter of retirement from Judge McCloskey effective December 31, 2012.
- B. Mayor Scheffler read an invitation from Islamic Center Of South Jersey for a dinner to

be held at the Community Center on Saturday, November 17 at 6pm.

ORDINANCES ON SECOND READING.

A. Ordinance 2012-27, An Ordinance Of The Borough Of Palmyra Repealing Ordinance 2010-26 Creating A Special Improvement District For The Borough Of Palmyra. Mayor Scheffler announced that this ordinance will be held until the December 3, 2012 meeting at 7pm.

B. Ordinance 2012-33, An Ordinance Amending Chapter 197 Of The Code Of The Borough Of Palmyra. (peddler, solicitor). President Brahl made a motion to open the ordinance for the public hearing, Mr. Norcross 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, Ms. Dobbs second the motion. All members present voted in favor of the motion. Mr. Norcross made a motion to adopt the ordinance on second 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: None. This ordinance was adopted on second and final reading and will take effective after publication according to law.

C. Ordinance 2012-35, Ordinance Amending The Code Of The Borough Of Palmyra Chapter 90 Vehicles And Traffic To Regulate Parking On Portions Of Morgan Avenue. 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 motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Dorworth second the motion. All members present voted in favor of the motion. Mr. Norcross 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, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

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

D. Ordinance 2012-36, Ordinance To Regulate Unsafe Buildings, Dwellings and Structures. Mrs. Riener made a motion to open the ordinance for public hearing, Mr. Dorworth second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, Mrs. Riener made a motion to close the public portion, Ms. Dobbs second the motion. All members present voted in favor of the motion. Mrs. Riener 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, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

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

E. Ordinance 2012-37, An Ordinance Amending Chapter 230 Of The Code Of The

Borough Of Palmyra (yard waste, construction debris). President Brahl made a motion to open the ordinance for a public hearing, Mr. Norcross second the motion. All members present voted in favor of the motion.

Mrs. McKnight-109 Firth Lane objected to the ordinance. She stated that due to health reasons she is unable to rake her own leaves out to the curb and had to hire a landscaper. The landscaper informed her that he would charge her extra to remove the leaves if the borough did not pick them up. Mrs. McKnight inquired as to why she should pay to have her leaves removed from the front of her house, when her neighbors get it for free. She pays the same taxes as her neighbors and the leaves are in front of her house. Mayor Scheffler replied that the borough was spending a lot of time and effort picking up leaves and construction material in front of homes that was left by contractors whom had performed the work in other towns. It is unfair to have the taxpayers pay for leaves that are not from the borough. Mr. Norcross explained that the staff of the public works department was cut in half due to budget constraints and that they have to take care of the entire town. Mrs. McKnight explained that the leaves in front of her house are coming from borough and neighbors trees. Mrs. McKnight inquired if she paid the neighbor to rake the leaves out front would the borough take them? Mr. Norcross replied that a contractor is charging the owners to remove the leaves and still leaving them for the borough.

No one else from the public wishing to be heard, Mr. Norcross made a motion to close the public portion, President Brahl 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. 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. This ordinance was adopted on second and final reading and will take effective after publication according to law.

F. Ordinance 2012-39, An Ordinance Amending Section 304(f) Of The Land Development

Code Of The Borough Of Palmyra. (accessory buildings). President Brahl made a motion to open the ordinance for a public hearing, Ms. Dobbs second the motion. All members present voted in favor of the motion. No one wishing to be heard, President Brahl made a motion to close the public portion, Mr. Norcross second the motion. Mr. Rosenberg informed council that the ordinance should be sent to the Land Use Board for their review and comments before final adoption. The ordinance was continued until the December 3rd meeting.

ORDINANCE ON FIRST READING.

A. Ordinance 2012-40, An Ordinance Establishing A Juvenile Curfew In Chapter 98

Of The Borough Of Palmyra Code (Curfew). This ordinance will allow the borough to enforce times for juveniles to be off the street and also place a curfew for Halloween and Mischief Night. Mr. Norcross made a motion to adopt the ordinance on first reading, 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. The ordinance will be heard on second and final reading at the council meeting of December 3, 2012.

B. Ordinance 2012-41, Ordinance Rescinding Parking On Jefferson Street. Ms. Dobbs

inquired if any response had been received from the neighbors on Jefferson Street about removing the parking restrictions. Mrs. Sheipe replied that the neighbors were in agreement with removing the restrictions and that she had not heard of any complaints. Mr. Dorworth inquired if the ordinance was just for the one block of Jefferson? Mr. Norcross replied that yes it was for the 600 block and that he would like to hold off the ordinance until after the holidays. Lt. Campbell explained that the flea market does get crowded for Christmas shopping, but it is hard to tell where they will park. Mrs. Riener discussed that the residents have requested that the no parking be removed, and that they have to understand that it will not be put back in place. Mrs. Sheipe informed council that the ordinance will not take effect until December 28, if adopted on December 3 due to the publication dates. Ms. Dobbs made a motion to adopt the ordinance on first reading, 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.

NAYES: Mr. Norcross. The ordinance will be heard on second and final reading at the council meeting of December 3, 2012.

C. Ordinance 2012-42, An Ordinance Of The Borough Of Palmyra, In The County Of

Burlington, State of New Jersey Appropriating \$8,500. For The Acquisition Of Computer Hardware/Software And Installation Services For Community Center. This ordinance is for the computer relocation of the tax office to the community center due to the HVAC installation at Borough Hall. Mr. Norcross 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.

NAYES: Mr. Norcross. The ordinance will be heard on second and final reading at the council meeting of December 3, 2012.

RESOLUTIONS. Consent Agenda- Items A-S 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 resolutions into the record by title. Mr. Norcross made a motion to approve the consent agenda, 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.

- A. Resolution 2012-221, Resolution Extending The Municipal Sewerage Contract With Freehold Cartage Inc. For The Removal Of Sludge For 2013.**
- B. Resolution 2012-222, Resolution Of The Borough Of Palmyra Approving A Change Order For Traffic Lines Inc. For Columbia/Garfield/Wallace Intersection.**
- C. Resolution 2012-223, Resolution Of The Borough Of Palmyra Approving A Contract Change Order For Lewandowski Construction For Various Street Improvements.**
- D. Resolution 2012-224, Resolution Approving A Change Order For Thor Construction Group Inc. For Community Center Site Amenities & Improvements.**
- E. Resolution 2012-225, Resolution Approving Change Order #2 For Thor Construction Group Inc. For Ethel B. Hardy Park.**
- F. Resolution 2012-226, Resolution Authorizing The Purchase Of A 2013 Ford Explorer For The Fire Marshall.**
- G. Resolution 2012-227, Resolution Authorizing Engineering Services To Environmental Services For Berkley Avenue, Pump Station Bypass, B Plant Stair Repair, Tide Valve Installation on the Sewer Plant Storm Water Outfall and Firth Lane Drainage Improvements.**
- H. Resolution 2012-228, Resolution Requesting Approval of Items Of Revenue And Appropriation N.J.S.A. 40A: 4-87 Recycling Tonnage Grant. (Chapter 159).**
- I. Resolution 2012-229, Resolution Amending Resolution 2012-88, Resolution Authorizing Salaries For The Borough of Palmyra.**
- J. Resolution 2012-230, Resolution Authorizing The Placement Of A Lien For Property Maintenance For 505 Legion Avenue.**
- K. Resolution 2012-231, Resolution Authorizing The Placement Of A Lien For Property Maintenance For 201 Cinnaminson Avenue.**
- L. Resolution 2012-232, Resolution Requesting Approval of Items Of Revenue And Appropriation N.J.S.A. 40A: 4-87 DCA-Small Cities. (Chapter 159).**
- M. Resolution 2012-233, Resolution Rejecting Bid For Fire House Generator.**
- N. Resolution 2012-234, Resolution Authorizing Additional Construction For ERI For ADA Project In The Amount Of \$4294.51.**
- O. Resolution 2012-235, Resolution Authorizing Transfers In The 2012 Budget.**
- P. Resolution 2012-236, Resolution Rescinding Resolution 2012-200- Change Order#2 For Market Street Gateway Improvements Federal Project NO STP-BOOS (899) In The Amount Of \$5,236.50.**
- Q. Resolution 2012-237, Resolution Approving A Change Order#2 For Market Street**

Gateway Improvement Federal Project NO STP-BOOS (899) In The Amount Of \$5,232.00.

R. Resolution 2012-238, Resolution Authorizing Refund Of Overpayment For Tax Payment.

S. Resolution 2012-239, Resolution Approving The Payment Of Bills.

T. Approval of Treasurer's Report. President Brahl made a motion to approve the treasurer's report, Mr. Dorworth second the motion. All members present voted in favor of the motion.

DISCUSSION ITEMS.

A. Trash Specification. Mayor Scheffler announced that bids for the new trash removal will be held on January 30, 2013. A copy of the specification was included in the council packets for comments and review.

B. Miscellaneous Equipment for community center. Mrs. Lewis, CFO, discussed that with the change orders passed this evening that she will need to review the amount of money for the equipment. Mrs. Lewis explained that a resolution was not required for the purchases.

C. Council Meetings to be held on 1st and 3rd Mondays of the month in 2013. Mayor Scheffler announced that council will be changing their meeting dates to the first and third Monday of each month. The Land Use Board will change their meeting dates as well.

COMMITTEE REPORTS.

Police and Public Safety Committee. Mr. Dorworth reported that the police report is on file and that a crossing guard was injury at her post. Lt. Campbell informed council that Mrs. Hancock was struck by a vehicle at her post. Two students stayed with her until help arrived. She is home from the hospital and resting comfortably. Lt. Campbell discussed that Mrs. Hancock is 81 years of age and has been a crossing guard since 1989.

Land Use, Shade Tree, Construction and Code Enforcement. Mrs. Riener reported that the shade tree committee has reviewed 12 complaints. The construction and code enforcement report was given to council members. Mrs. Riener thanked Mrs. Kilmer for her excellent work. Mrs. Riener also thanked public works and the police for an excellent job with Hurricane Sandy.

Public Works and Sewer Department. Ms. Dobbs reported that the public works and sewer report is on file and that the pro-action of the public works department with removing the debris from the street and storm drains before the storm really helped.

Finance- President Brahl thanked public works for all of their efforts with the limb and tree removal during and after the storm. President Brahl also thanked the Halloween Committee for an excellent parade.

Board of Education and BID. Mr. Bostock reported that the Board of Education was the same night as council last month due to the Monday holiday. The BID has filed for an extension on the tax, while waiting for their status. Mr. Bostock thanked public works and all of the organizations for their hard efforts during the storm.

Student Report. Ms. Kane informed council that the Invisible Child assembly was well received. The Youth in Government did a vote for President with a mock election.

Public Events. Mr. Norcross announced that December 7th at 7pm would be the tree lighting at the Band Shell and Santa would be at the Community Center following the tree lighting. Mr. Norcross thanked the fire department, emergency squad, OEM, police department and public works for the work during the storm.

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. Bostock-Memorial Avenue thanked council for the certificate of appreciation and to please remember all those that did not return and those who were injured. Mr. Bostock inquired if clocks could be purchased for the community center. Mayor Scheffler replied that they are on the list of items that council approved tonight.

Mr. Taddei-Harbour Drive discussed that he was past president of the homeowners association at the Harbour and that he understands that there are some legal issues between council and the Harbour. Mr. Taddei inquired if they dated back a few years ago when he was president and did it involve him personally. Mayor Scheffler replied that the matter is contract negotiations between the Harbour and the Borough and that it was pertaining to the Kelly Bill. Mr. Rosenberg explained that since the matter is not settled, council is not at liberty to disclose all of the negotiations.

Mrs. Veitenheimer-Rowland inquired about the increase planned for the sewer rates. Mayor Scheffler explained that the rates would be based on water flow for certain periods of the year and a base rate for the rest of the year. Mrs. Veitenheimer explained that she uses less than 2,000 a quarter and should not have to pay for a higher amount. Mayor Scheffler explained that the base rate was set on the average homes usage and that the flow rate usage will benefit the homeowner who uses less water. The business rates as well as the residential rates will increase.

Mr. Turley-Charles Street inquired as to whom picks up the leaves at the Harbour since they use a contractor. Mayor Scheffler replied that due to the Kelly bill law the borough is required to pick up the leaves three times a year at the Harbour and that they are reviewing the issue. Mr. Rosenberg explained that the leave pick up is one of the issues under the contract discussions.

Mrs. Ditaranto- thanked council for their support of the Halloween committee and parade.

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.

Adjournment. President Brahl made a motion to adjourn at 8:30 pm, Mrs. Riener second the motion. All members present voted in favor of the motion.