

**BOROUGH OF PALMYRA
MINUTES-November 5, 2012**

CALL TO ORDER

ROLL CALL:

Present: Mayor Scheffler, Mrs. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock (arrived late), Mr. Norcross.
Absent: President Brahl and Ms. Kane.

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. Thank you from Myers family and Doerr family. Mayor Scheffler read a thank you card from Susan Doerr to Mayor and Borough Council and also a letter of appreciation and thanks from the Myers family in regards to the recent death of a family member.

B. Report of Palmyra Tax Sale. Mayor Scheffler reviewed the tax sale report and that 17 properties were sold and 7 properties had no bidders, so they are now municipal liens.

C. Mayor Scheffler announced that the council meeting will be held Tuesday November 13th due to Veterans Day at community center.

D. Mayor Scheffler announced that the tax deadline is extended to November 13th due to holiday.

E. Mr. Gural reported that he is in discussion with Cinnaminson Township for the

court sessions to be relocated to Cinnaminson Township for November 26, 27 and December 14 due to the renovations of the council chambers.

PROFESSIONAL UPDATES.

A. Environmental Resolutions-Mr. Gural reported that he met with Environmental

Resolutions to review the flow base rate study. Council was given a spreadsheet that shows the base rate for residential at \$192.00 for up to 24 thousand gallons and \$9.00 per thousand gallons if the gallons exceed the 24 thousand. The second tier for residential would be \$12.00 per thousand gallons if the resident exceeds 50,000 gallons in 6 months. The Palmyra Harbour has one meter for several units so that would have to work out with the owners in each building. The base rate for the business would be \$700.00 for up to 24 thousand gallons and the same cost for additional usage as residential. Mr. Gural explained that the winter billing of the sewer payments would be based on winter usage and the summer months would be the base rate, plus any additional usage. Mr. Kirchner informed council that he had completed a treatment cost analysis for 2012 and that it was approximately \$8.00755 for estimate yearly flow per gallon. Mr. Gural explained that the rates would be in the lower 25% of the county. Mr. Gural and Mr. Kirchner will present council with more information on the process at the next work session.

1. HVAC update. Mr. Kirchner reported that there was a construction meeting

held for the HVAC bid. There will be testing completed for asbestos on the ceiling tiles and also some of the floor tiles. Mr. Gural informed council that since most of the offices will be disturbed in some form, the borough hall renovations will be completed at the same time. The tax office and court office lobby will become one larger area for better security. There also will be improvements with the front doors. Mr. Norcross inquired about the actual court office? Mr. Gural replied that the court personnel should be able to stay the majority of the time in their office and if they have to be relocated they will operate out of the court office on the 2nd floor. Mr. Kirchner will keep council advised of the timeline and any changes.

2. Freehold Cartage-extension of contract. Mr. Kirchner explained that he is

recommending the renewal or extension of the contract. Freehold Cartage is lowering the price for the 2013 year and the law allows for an extension of contract without rebidding.

3. Change Order-Traffic Lines. Mr. Kirchner reported that there needs to be a

resolution authorizing a change order due to an increase of \$524. this is a difference in quantities between the original estimate and the actual construction quantities. The resolution will be on the next agenda. Mrs. Riener discussed that the crosswalk on Broad Street needs to be done every two years as it fades. Mr. Kirchner replied that there is a shared services program with the county that the Borough will participate in for stripping of the crosswalks. Mrs. Riener explained that the crosswalk at the corner of Highland and Broad goes right into a parking spot. Mr. Kirchner and Chief Pearlman will review the crosswalk.

4. Handicapped Ramps. Mr. Kirchner informed council that the project is

completed except for a few minor issues. There was a change order approved at the last meeting for the final payments.

5. Sewer Plant Improvements. Mr. Kirchner discussed that he has four small projects for the sewer plant improvements: installation of a bypass for the Berkley Avenue Pump Station, resetting the stairs to B Plant with a new foundation, installation of a 36" tide valve in an "E" inlet located onsite, installation of an "E" inlet in Firth Lane to address localized flooding issues.

Mr. Kirchner informed council that the bids for the firehouse generator are due on Thursday and that he will have a recommendation for the next meeting. The open house for the sewer plant was a success and several tours were given. Mr. Kirchner discussed that the chemical trial has helped and that there will be further improvements next year.

B. Land Engineering-Mr. Fox reported that a change order is needed to do additional fencing at Ethel B. Hardy Park as requested by council. The change order is under the maximum 20% cut off. Mr. Gural explained that the original grant was for \$57,600 and that the borough had applied for soft cost and engineering reimbursement. The grant will not reimburse the cost so that additional funding is now available for improvements to the park. Mr. Gural discussed that some of the residents had expressed a concern about the grill and the amount of concrete surrounding it. Mr. Fox explained that the grill is 20 feet away from the basketball court and that the concrete was required by the fire official for safety reasons. Mrs. Riener inquired if landscaping could be placed around the grill area? Mr. Fox was concerned about sparks from the grill igniting the landscaping. Mr. Gural will meet with Mr. Fox to review some of the concerns. Mr. Fox explained that the mold in the mulch is not harmful and that it happens to the majority of mulch products. The mold sections will be removed and new mulch placed. Mayor Scheffler requested that public works do routine inspections of the mulch to check for anymore mold spores.

1. Change Order-Lewandowski-Street Improvements. Mr. Fox reported that the project is completed and that the change order is for a decrease in the contract amount. The final payment will not be made until a maintenance bond is present from the contract.

2. Change Order-Community Center Site Amenities-Police Shed. Mr. Fox explained that this change order will also be a increase in the total contract for additional site work needed.

3. Maintenance Bond for Third Street and South Broad Street. Mr. Fox informed council that the bond for the work was about to expire and that there are a few major punch list items that need to be corrected. The minor cracks on the curbs need to be replaced. The contractor as of this date has not responded to any requests from Land Engineering. Mr. Rosenberg will contact the bonding company and informed them of the issue with the contractor. Mr. Rosenberg requested a formal resolution to allow him to notify the bonding company that the contractor is in default. Resolution 2012-219, Resolution Authorizing The Borough Solicitor Theodore Rosenberg To Contact Paramount's Bonding Company. Mrs. Riener made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Norcross.
NAYES: None.

Mr. Gural informed council that he will have the quotes for the amenities at the community center for the next meeting.

APPROVAL OF MINUTES. Mr. Norcross made a motion to approve the minutes from October 9, 2012, Mr. Dorworth second the motion. All members present voted in favor of the motion.

DISCUSSION ITEMS.

1. Mr. Gural explained that due to the resignation of Mr. Slater from the public works department there was a need to hire a full time person. Resolution 2012-217, Resolution Appointing Ryan Palmer To Public Works Effective November 1, 2012 At A Salary Of \$15.00 Per Hour Until December 31, 2012. Mr. Norcross made a motion to approve the resolution, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Norcross.
NAYES: None.

2. Mr. Gural explained that this resolution would allow the Halloween parade committee to not require the vendors to pay the borough a fee to participate. Resolution 2012-218, Resolution Waiving All Required Fees For Halloween Parade For 2012. Mr. Norcross made a motion to approve the resolution, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Norcross.
NAYES: None.

3. Discussion solicitors permit and background checks for events. Chief Pearlman discussed that the current ordinance requires a background check for all vendors. The Halloween Parade is a separate committee, but the vendors will be on the streets of Palmyra. Council held a discussion on a special event ordinance that would regulate parades and festivals in the borough.

4. Construction office/Fire Marshall vehicle. Mr. Gural informed council that the vehicle that was being used by Mrs. Kilmer for inspections and fire is unsafe and not able to be repaired. The cost of repairs would exceed its usefulness. Chief Pearlman has investigated vehicle replacements and a 2013 Explorer that is under state contract is the best deal. Mr. Bostock arrived. The resolution authorizing the purchase will be on the next meeting's agenda.

5. Ordinance 2012-39, unsafe buildings. Mr. Rosenberg requested direction from council for the ordinance regarding who will make the decision on the building. Mr. Gural recommended that it be the engineer or the subcode official. Mrs. Riener discussed that the engineer would have more expertise in the issue. Mr. Dorworth discussed that in the case of a fire, the fire marshal usually makes the decision about the occupancy of a building. Mr. Dorworth explained that the borough officials could make the call for other homes, not governed under the fire department. Mr. Rosenberg will include Mr. Dorworth concerns in the ordinance for the next meeting.

6. Ordinance 2012-36, accessory buildings. Mr. Gural explained that this will change the definition of accessory building and is on second reading at the next council meeting.
7. Curfew ordinance. Mr. Rosenberg discussed that this request is a result of the Chief's effort to combat the problem of juveniles hanging around late at night. Mayor Scheffler explained that this ordinance was rescinded and after some legal issues, council would like to have one on the books for enforcement. Mr. Bostock discussed that surrounding towns have always had one. Mr. Rosenberg replied that there was a court order about amending the curfew and that they could have been challenged. This ordinance will be on the next agenda for introduction.
8. Jefferson Street-parking. Mayor Scheffler explained that the administrator had reached out to the neighbors and that the residents are in agreement to remove the parking restrictions. Ms. Dobbs discussed that she wants to make sure that the neighbors are in total agreement and understand that the borough is not going to redo the ordinance if it does not work out. The residents had requested the parking restrictions due to the flea market and are now requesting that it be rescinded. The ordinance will be introduced at the next council meeting.
9. Shared service agreement for vehicle repairs. Mayor Scheffler request that this be tabled until further discussions with the surrounding towns take place.
10. Dedication of paper street (Broad Street) to Kerbeck. Mr. Rosenberg will send the information to Mr. Kerbeck's attorney for further information and if they want to advance the request.
11. Noise ordinance. Chief Pearlman requested that a few of the sections in the ordinance be reworded.
12. Global Connect. Mr. Gural explained that there has been discussions about the Borough having access to the Global Connect messaging so that they are not depended on central communications to send out the messages. Chief Pearlman will have further information for the December meeting.

Mayor Scheffler would like to formally invited OEM, Public Works, Police, Red Cross, Borough Employees and anyone else who helped volunteer during Hurricane Sandy to the December 3rd council meeting for recognition of their efforts. Mayor Scheffler would like to invite the Halloween Parade Committee to the next council meeting to recognize them for all their hard work and the excellent parade.

Mr. Norcross inquired about the contractors at the Harbour leaving the leaves and brush out at the curb. Mr. Gural replied that the issue is being dealt with and that he and Mr. Ryan inspected the area today. The Harbour had hired a landscaper that put the debris out on Harbour Drive for the borough to pick up. The Harbour will have the landscaper remove the debris and take it to the public works yard. Mr. Gural explained that a lot of the issue has to do with the Kelly Bill Law.

PUBLIC COMMENTS. Mrs. Riener made a motion to open the meeting to the public, Mr. Dorworth second the motion. All members present voted in favor of the motion. Mr. Austin-discussed that the public cannot hear council and that there needs to be improvements with the speaker system. Mr. Gural explained that this is the first meeting that council has held in the community center and that they are working on the issue.

No one else from the public wishing to be heard, Mr. Dorworth 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. 2012-220, 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). Mrs. Riener made a motion to approve the resolution, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: Mrs. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Norcross, Mr. Bostock.

NAYES: None. Council went into executive session at 8:40pm

Adjournment. Ms. Dobbs made a motion to adjourn at 9:15 pm, Mr. Norcross second the motion. All members present voted in favor of the motion.