

**BOROUGH OF PALMYRA
MINUTES-March 18, 2013**

CALL TO ORDER

ROLL CALL:

Present: Mayor Scheffler, President Dorworth, Mrs. Riener, Mr. Bostock (arrived late), Mrs. Ragomo Tait
Absent: Mrs. Dobbs, Mr. Norcross.

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 7, 2013.
- B. Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 7, 2013.
- C. Notice to All Council Members.

COORESPONDENCE.

A. **Proclamation-** Reverend Charles M. Anderson-Saint Paul's U.A.M.E. Church. Mayor Scheffler read the proclamation into the record, recognizing Reverend Anderson for his years of dedication to Saint Paul's U.A.M.E. Church.

B. **Proclamation-Arbor Day.** Mayor Scheffler explained that this is just renewing the Borough's dedication to Arbor Day as the last Friday in April.

C. **Orchard Friends School-request for Annual APPLE 5k Walk/Run.** Chief Pearlman advised council that the Palmyra Harbour has received a certificate of insurance from the school and that there is no problem with conducting the walk. President Dorworth made a motion to approve the walk/run, Mrs. Riener second the motion. All members present voted in favor of the motion.

D. **Annual Tax Collector's Statement.** Mrs. Riener made a motion to accept the report. Mrs. Ragomo Tait second the motion. All members present voted in favor of the motion.

E. **Prevention Plus of Burlington County-Letter of support concerning vacant properties.** Mayor Scheffler explained that the Burlington County Coalition For Healthy Communities express their full support for the proactive approach of addressing the vacant homes in the Borough.

APPROVAL OF MINUTES. President Dorworth made a motion to approve the minutes from March 4, 2013, Mrs. Riener second the motion. All members present voted in favor of the motion.

PROFESSIONAL UPDATES.

A. **Environmental Resolutions-**William Kirchner discussed with council that additional asbestos tile has been found under the carpet in the council/court room. The asbestos is encapsulated as required by law and does not need to be remove. Borough Council may just leave the tiles down with a barrier between the tiles and the new carpet. The price for removal would be approximately \$6,930. Mr. Gural explained that there is no danger with leaving the current tiles in place and that with all of the change orders for the project the Borough is close to going over the 20%. Mr. Kirchner explained that as long as the tiles are not disturbed, they can remain. The air quality will not be affect. Mr. Gural requested that Resolution 2013-82 and 83 be held for a future date, he would like to have some of the current projects completed before starting new ones.

ORDINANCE ON SECOND READING.

A. **Ordinance 2013-1, An Ordinance Amending Section 304(f) Of The Land Development Code Of The Borough Of Palmyra.** (accessory buildings). Mrs. Riener made a motion to open the ordinance for a public hearing, President Dorworth second the motion. All members present voted in favor of the motion. No one wishing to be heard, Mrs. Riener made a motion to close the public portion, President Dorworth second the motion. All members present voted in favor of the motion. President Dorworth 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 Dorworth, Mrs. Riener, Mrs. Ragomo Tait, Mayor Scheffler

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

B. **Ordinance 2013-2, An Ordinance Regulating The Display Of Merchandise In The Borough Of Palmyra.** Mrs. Riener made a motion to open the ordinance for a public hearing, President Dorworth second the motion. All members present voted in favor of the motion. No one wishing to be heard, President Dorworth made a motion to close the public portion, Mrs. Ragomo Tait second the motion. All members present voted in favor of the motion. President Dorworth 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 Dorworth, Mrs. Riener, Mrs. Ragomo Tait, Mayor Scheffler

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

C. **Ordinance 2013-3, An Ordinance To Exceed Municipal Budget Appropriation Limits And To Establish A CAP Bank (N.J.S.A. 40A:4-45.14).** President Dorworth made a motion to open the ordinance for a public hearing, Mrs. Riener second the motion. All members present voted in favor of the motion. No one wishing to be heard, Mrs. Riener made a motion to close the public portion, President Dorworth second the motion. All members present voted in favor of the motion. President Dorworth made a motion to adopt the ordinance on second reading, Mrs. Ragomo Tait second the motion. At the call of the roll, the vote was:

AYES: President Dorworth, Mrs. Riener, Mrs. Ragomo Tait, Mayor Scheffler

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

D. Ordinance 2013-4, An Ordinance Amending Ordinance 2012-37, Chapter 230 Of The Code Of The Borough Of Palmyra (yard waste, construction debris). Mayor Scheffler requested some language be added to the ordinance to state that it pertains to senior citizens, physically disable and residents who are unable to carry yard waste, also that the definition of a senior citizen should be anyone over the age of 55. Mayor Scheffler requested that the permit should be subject to the clerk's approval. President Dorworth made a motion to open the ordinance for a public hearing, Mrs. Ragomo Tait second the motion. All members present voted in favor of the motion. No one wishing to be heard, Mrs. Riener made a motion to close the public portion, President Dorworth second the motion. All members present voted in favor of the motion. President Dorworth 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: Mayor Scheffler, President Dorworth, Mrs. Riener, Mrs. Ragomo Tait.

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

E. Ordinance 2013-5, Ordinance Amending The Code Of The Borough Of Palmyra Chapter 90 Vehicles And Traffic To Regulate Parking On Portions Of Cinnaminson Avenue And Charles Street. President Dorworth made a motion to open the ordinance for a public hearing, Mrs. Ragomo Tait second the motion. All members present voted in favor of the motion. No one wishing to be heard, Mrs. Riener made a motion to close the public portion, President Dorworth second the motion. All members present voted in favor of the motion. Mrs. Riener made a motion to adopt the ordinance on second reading, President Dorworth second the motion. At the call of the roll, the vote was:

AYES: Mayor Scheffler, President Dorworth, Mrs. Riener, Mrs. Ragomo Tait,

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

F. Ordinance 2013-6, Ordinance Prohibiting Animals In Borough-Owned Buildings. Mrs. Riener requested that an exemption for the annual rabies clinic be included in case of bad weather. President Dorworth made a motion to open the ordinance for a public hearing, Mrs. Ragomo Tait second the motion. All members present voted in favor of the motion. No one wishing to be heard, President Dorworth made a motion to close the public portion, Mrs. Riener second the motion. All members present voted in favor of the motion. President Dorworth made a motion to adopt the ordinance on second reading, Mrs. Ragomo Tait second the motion. At the call of the roll, the vote was:

AYES: Mayor Scheffler, President Dorworth, Mrs. Riener, Mrs. Ragomo Tait.

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

RESOLUTIONS. Consent Agenda- Items A-P 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. President Dorworth made a motion to approve the consent agenda with the removal of Resolution 2013-82 and 2013 -83, Mrs. Riener second the motion. At the call of the roll, the vote was:

AYES: Mayor Scheffler, President Dorworth, Mrs. Riener, Mrs. Ragomo Tait.

NAYES: None.

A. Resolution 2013-73 , Resolution Supporting The Implementation Of A Workplace Wellness Program.

B. Resolution 2013-74, Resolution Authorizing Sale Of 2002 Ford Truck To Riverton Borough For \$6,700 #1FDAF56F02EB36593.

C. Resolution 2013-75, Resolution Appointing Thomas Ryan As Recycling Coordinator.

- D. Resolution 2013-76 , Resolution Appointing Thomas Ryan As Clean Communities Coordinator.
- E. Resolution 2013-77, Resolution Appointing Thomas Ryan As Stormwater Coordinator.
- F. Resolution 2013-78, Resolution Authorizing A Professional Services Agreement With CGP & H For Assistance In Preparation Of A Grant For The USTA.
- G. Resolution 2013-79, Resolution Appointing Corey Ahart As Municipal Court Judge For A Three Year Term.
- H. Resolution 2013-80, Resolution Authorizing Budget Transfer In The 2012 Budget.
- I. Resolution 2013-81, Resolution Appointing Dave Gerken As Chairman of BDA Steering Committee.
- J. Resolution 2013-82, Resolution Awarding Engineering Services For The Police Carport And Driveway Paving To Environmental Resolutions Not To Exceed \$12,000.
- K. Resolution 2013-83, Resolution Awarding Engineering Services For The Borough Sign Retro reflectivity To Environmental Resolutions Not To Exceed \$21,000.00.
- L. Resolution 2013-84, Resolution Awarding Engineering Services For The Sludge Thickening and Odor Control Project To Environmental Resolutions Not To Exceed \$75,000.00.
- M. Resolution 2013-85, Resolution Authorizing A Change Order For Market Street Project-Federal #STP-B00S (899) For Decrease If \$8,251.30.
- N. Resolution 2013-86, Resolution Amending The Personnel Policies And Procedure Manual Regarding Public Works And Sewer Addendum.
- O. Resolution 2013-87, Resolution Determining That The Ethel Hardy Park Project Is Complete And Authorizing Final Payment To The Contractor.
- P. Resolution 2013-88, Authorizing Approval Of Payment Of Bills For February, 2013.
- Q. Approval of Treasurer's Report. Borough Council held the treasurer's report due to not receiving the report.

DISCUSSIONS ITEMS.

- A. BDA Steering Committee. Mayor Scheffler appointed Matt Adelman, Gregory Riener Bridget Elmes, Ward Walsh, Kenneth Smith, Ken Brahl, Eleanor Gural, Chief Pearlman or designee to the BDA Steering Committee. Mrs. Reiner made a motion to approve the appointments, President Dorworth second the motion. All members present voted in favor of the motion.
- B. Code Enforcement. Mayor Scheffler explained that there is a need to look at the ordinances for enforcement with trash complaints. There needs to be a mechanism to allow the borough to require immediate action to having the trash removed from the street on non-trash days. Mr. Gural explained that Mrs. Kilmer has had a discussion with the Court Administrator and Judge to allow her to write tickets for certain violations immediately without requiring a court appearance. The person would have the option of coming into pay the ticket or appearing in court. There would be list of violations that would be affected. The Judge agrees with handling the violations this way and will send the request to the county for approval. Mrs. Riener discussed the need to having a warning system in place first before a ticket is issued. Mr. Gural replied that Mrs. Kilmer always has the option of a warning first and that it is her call. This will give Mrs. Kilmer the ability to write tickets for repeated offenders. Mrs. Ragomo Tait inquired if there is documentation of repeat offenders. Mr. Gural explained that the trash issues should begin to resolve themselves with the new trash procedure taking place in a few months. The trash carts will have to contain the trash that is placed out for pick up and any trash not in the can at the curb will not be picked up under the new plan. Mrs. Riener requested that the ticket issue be looked at again after the new policies are put in place as she would still like to make sure that there is some type of timeframe in place. Mrs. Kilmer informed the council that the borough's ordinance states that trash can only be

place at the curb the night before pick up. Mayor Scheffler discussed that the current timeframe for the trash removal is acceptable and that the new system will require a learning curve.

C. Landlord Registration-Rental Property Inspection. Mrs. Riener requested that this discussion be held until April 1st when a full council is present.

COMMITTEE REPORTS.-

Shade Tree-Mrs. Riener reported that there will be a Arbor Day event on April 26 at the Charles Street School and that the report is on file.

Police Department- President Dorworth reported that police calls have been on the rise and that the department is busy on the streets. There were several small fires at the Harbour that are being investigated. The police department report is on file.

Public Events. Mrs. Ragomo Tait announced that the Easter Egg Hunt will be held on March 23 at 9am at Legion Field. There will also be a 5k walk/run around the field sponsored by Pal/Riv for the cancer society.

PUBLIC COMMENTS. President Dorworth made a motion to open the meeting to the public, Mrs. Riener second the motion. All members present voted in favor of the motion.

Mr. May-Morgan Avenue inquired about the size of the new trash containers? Mayor Scheffler replied that they would be the same as the current recycling containers about 96 gallons. Mr. May inquired if smaller ones would also be available? Mr. Gural explained that there are a few small containers order for seniors or people who cannot handle the larger cars. Mr. May inquired as to what the residents will do with the rest of the trash that cannot be accommodated in the cart. Mrs. Ragomo Tait replied that the Public Works yard will be opened on Saturday mornings for resident to dump all of their extra trash. Mr. May inquired about the time allowed to place the trash out the night before. President Dorworth replied that it is not to be placed at the curb before 6pm the night before pick up. Mr. May inquired as to what the plan was if the next trash hauler did not use the cart containers and the borough had already purchase them. Mr. Gural explained that every company who bid on the trash system, bid on the cart containers be used in the borough and that it is the way that most towns are going. There is about a \$60,000 savings to the borough with the use of the carts and that the savings will increase over the next 5 years or so. Mr. May discussed that the community center floors are still in need of repair and will the contractor be required to do the work. Mr. Gural explained that the maintenance bond with a punch list is still in effect and that the engineers are working on resolving the issues.

Mr. Bostock arrived.

No one else from the public wishing to be heard, President Dorworth made a motion to close the public portion, Mrs. Riener second the motion. All members present voted in favor of the motion.

ORDINANCE ON FIRST READING.

A. Ordinance 2013-8, An Amendment To Ordinance 2001-20 Creating A Length Of Service Awards Program To Reward Members Of The Palmyra Fire Department For Their Loyal, Diligent And Devoted Services To The Residents Of The Borough Of Palmyra, By Providing Provisions For An Annual Increase Pursuant To N.J.S.A. 40a: 14-185(F) Due To Increases In The Consumer Price Index. President Dorworth recused. Mr. Bostock made a motion to adopt the ordinance on first reading, Mrs. Riener second the motion. At the call of the roll, the vote was:

AYES: Mrs. Riener, Mr. Bostock, Mrs. Ragomo Tait, Mayor Scheffler.

NAYES: None.

LANDLORD REGISTRATION- Borough Council resumed the discussion on the need for landlord registration. Mr. Gural discussed that after having some discussions with Mrs. Kilmer and Chief Pearlman many problems come from the multiple units. There was discussion several years ago about adopting an ordinance for landlord obligations and rules. Mr. Gural discussed that he would like to have council review the issue again. The neighboring towns already have rules and regulations in place for landlords and this just makes Palmyra more desirable for landlords. Mrs. Riener explained that she had met with Mrs. Kilmer over a year ago and discussed the issues of rentals in the Borough. President Dorworth recommend allowing the Borough employees to meet to discuss the issues and make a presentation to council. Mr. Bostock explained that when working with a committee to clean up the borough over 80% of the issues is with the multifamily dwellings. Chief Pearlman discussed that the department receives more calls from mulit family and rental units, there are complete blocks of rentals. President Dorworth discussed that Pennsauken has a very tough ordinance on rentals and has turn their properties around. Mr. Gural and Mrs. Kilmer will meet to create a draft ordinance for council's review.

CLOSED SESSION. Resolution No. 2013-89, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (contract). Mrs. Ragomo Tait made a motion to approve the resolution, Mrs. Riener second the motion. At the call of the roll, the vote was:

AYES: President Dorworth, Mrs. Riener, Mr. Bostock, Mrs. Ragomo Tait.

NAYES: None. Council went into executive session at 8:03 pm.

PUBLIC SESSION. Council returned to public session at 8:20pm.

Resolution 2013-90, Resolution Accepting Settlement Agreement With Palmyra Harbour And Authorizing The Mayor To Sign The Agreements. President Dorworth made a motion to approve the resolution, Mrs. Riener second the motion. All members present voted in favor of the motion.

Adjournment. President Dorworth made a motion to adjourn at 8:27 pm, Mr. Bostock second the motion. All members present voted in favor of the motion.