

**BOROUGH OF PALMYRA  
MINUTES-April 1, 2013**

**CALL TO ORDER**

**ROLL CALL:**

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

**Absent:** Mrs. Dobbs.

**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.**

**APPROVAL OF MINUTES.** Mrs. Riener made a motion to approve the minutes from March 9, 2013, President Dorworth second the motion. At the call of the roll, the vote was:

**AYES:** Mrs. Riener, Mrs. Ragomo Tait, Mr. Norcross.

**NAYES:** None

**ABSTAIN:** President Dorworth.

**PROFESSIONAL UPDATES.**

A. **Engineering-** Mr. Kirchner, Environmental Resolutions discussed that change order #3 was on the agenda for approval this evening. The change order had been discussed at the March meeting. The NJ American Water Company has completed most of Market Street and is working on Charles and Parry Avenue. A letter was sent to the contractor about the issues that need to be addressed at the Community Center before the bond can be released. The sludge thickener grant project for the sewer plant was hand delivered to the state today and it will require a public hearing before final approval. (Mr. Bostock arrived). Mr. Gural discussed that it would be a good idea to

reach out to the resident surrounding the sewer plant about the hearing so that they are aware of what is happening.

**B. Wellness Program**-Mr. Gural reported that there will be pedometer available from Marie Nagle for anyone wishing to take part in a walking program offered by the borough. Mrs. Ragomo Tait reported that there was a walk for cancer during the Easter Egg hunt that raised about \$290.

#### **PUBLIC HEARING ON 2013 BUDGET.**

**A. Resolution 2013-91, Resolution For Self-Examination Of 2013 Budget.** President Dorworth made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

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

**NAYES:** None.

Mayor Scheffler reported that the tax levy will is \$5,498,895.93 and that the borough is under the maximum levy by \$63,470.67. the average assessed home of \$148,175.25 will see an increase in their local property taxes of \$31.10. The budget uses about \$300,000 of surplus. Mr. Stewart, auditor commends council on their good work of the budget it is within the state guidelines. Mayor Scheffler expressed her thanks to everyone for their hard work on the budget and that the employees worked hard to keep their budgets in place. President Dorworth made a motion to open the public hearing on the 2013 budget, Mr. Norcross second the motion. All members present voted in favor of the motion. No one wishing to be heard on the budget, Mr. Norcross made a motion to close the public hearing, Mr. Bostock second the motion. All members present voted in favor of the motion.

**B. Resolution 2013-92, Resolution Adopting The 2013 Budget For The Borough Of Palmyra.** Mr. Norcross made a motion to approve the resolution, President Dorworth second the motion. At the call of the roll, the vote was:

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

**NAYES:** None.

#### **ORDINANCES ON SECOND READING.**

**A. Ordinance 2013-7, An Ordinance Of The Borough Of Palmyra In The County of Burlington Providing For Various Capital Improvements and Related Expenses In and For The Borough Appropriating \$155,000 Therefor Authorizing The Issuance Of \$147,250 In General Improvement Bonds Or Notes Of The Borough To Finance The Same.** Mr. Bostock inquired if there was funding in the ordinance for additional carts. Mr. Gural replied that there are funds built into the ordinance for extra carts if needed. Mr. Norcross inquired as to the amount of carts a resident will be allowed to purchase extra. Mr. Gural explained that it cost the borough about \$85.00 per year for each resident for trash removal. Any owner would be able to purchase one additional cart for about \$52.00 and that extra carts will create more tipping fees for the borough. The taxpayers pay the additional tipping fees already for all of the business trash in the downtown area. Mrs. Ragomo Tait discussed that the council should look at what a normal amount of trash from a resident is and make a determination. Mr. Norcross discussed that the apartment units have a tendency to empty out the entire units onto the curbs and expect the borough to clean it up. Mr. Gural explained that the trash carts should start about June 1 so council has time to make a decision on the number of carts for each household. Mr. Bostock inquired about a container at the

public works garage. Mrs. Ragomo Tait explained that there will be a dumpster opened on Saturday mornings for the residents to use. Mr. Gural explained that no contractors will be allowed to dump at the public works site and that it is not fair to allow the business owners to use the site on Saturdays either. Mrs. Ragomo Tait explained that she does not want to see residents who are trying to do spring cleaning to suffer because of limited trash pick-up. Mrs. Riener discussed that Mrs. Kilmer has a lot of latitude for citing violations and will start with repeated offenders. Mr. Bostock inquired if Mr. Rosenberg needs to create a new ordinance for trash removal and the containers. Mr. Gural explained that there a lot of ideas and that a committee will review them all and bring them to council. Mr. Bostock 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. No one wishing to be heard on the ordinance, Mr. Norcross made a motion to close the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion. Mr. Norcross 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 Dorworth, Mrs. Riener, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None.

**NEW BUSINESS. Consent Agenda- Items A-F** 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 titles into the record. Mr. Rosenberg informed council that he is recommending that the tree service bids be rejected due to incomplete bids. Mr. Gural requested that language be added into the resolution for Dave Austin to list him also an employee for shade tree. Mr. Rosenberg advised council that after talking to Robert Stewart, auditor, they are both under the impression that resolution 2013-96 does not need to be adopted. The law allows for a contract to be extended if bidding process is going on and the contract is an extension of a current contract. Mrs. Lewis discussed that the extension was awarded without a fair and open process and should be done by resolution to clearly state the fact. Mr. Rosenberg explained that he relies on Bob Stewart as the auditor and that there is no problem. Mr. Gural informed council that there was no pay to play involved with the extension of the contract. 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 Dorworth, Mrs. Riener, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None.

- A. **Approval of a Raffle License-Palmyra PTA-April 26, 2013.**
- B. **Resolution 2013-93, Resolution Rejecting Bids For Tree Service.**
- C. **Resolution 2013-94, Resolution Appointing Dave Austin To The Public Works Department And As Deputy Code Enforcement Officer At A Rate Of \$18.50 Per Hour Effective April 1, 2013.**
- D. **Resolution 2013-95, Resolution Appointing Dale Palmer To The Public Buildings And Grounds Department Effective March 26, 2013 At A Rate Of \$10.00 An Hour Not To Exceed 20 Hours Per Week.**
- E. **Resolution 2013-96, Resolution Extending Waste Management Contract Thru April 1<sup>st</sup>.**
- F. **Resolution 2013-97, Resolution Approving A Change Order #3 For Eagle Construction Services Inc. For HVAC Replacement Project.**

## DISCUSSIONS ITEMS.

**A. Landlord Registration.** Mayor Scheffler recused herself from the discussion. President Dorworth presided over the discussion. Mr. Norcross discussed that this ordinance is overdue and that a landlord registration also helps the police department with information on the owners and tenants. There are very few towns that do not have a rental ordinance. Mr. Gural explained that this discussion has been going on for 10 years or more in the borough. Mr. Rosenberg advised council that the state has regulations also about the landlord registrations and that they are required to file a form annually with the borough clerk. There are some legal questions if the municipalities are allowed to request additional information than required by the state. Mr. Gural explained that the borough is requesting that all rental properties be inspected by the borough and that more discussions are needed. Mrs. Riener discussed that a rental property ordinance will also help identify illegal conversions of apartments. Mr. Norcross inquired as to the fee that would be charged to the landlord to register the units. Mr. Rosenberg discussed that there should actually be two fees, one for the actual registration and one for the inspections. Mrs. Kilmer explained that the process of registering landlords was proposed several years ago and that it needs to get done. The residents who live next to a bad rental property or the tenants that live there should not have to look at a bad property due to no standards. The rental registration and inspection would help pay for the process and time that is needed, there would not be an additional cost to the taxpayers. Chief Pearlman explained that many residents complain about the condition of the homes that are rentals. Mr. Rosenberg advised council to have the ordinance in line before adoption since many landlords will be upset over a new ordinance. Mrs. Riener offered to set up a committee to review the ordinance. President Dorworth recommend that Mr. Gural and Mrs. Kilmer be included on the committee. Mr. Norcross expressed an interest in being on the committee as well.

**B. Code Enforcement.** Mr. Gural reported that with the new trash regulations starting soon the ordinance would have to be rewritten and that he will meet with Mrs. Kilmer. Mrs. Ragomo Tait inquired about the process to inform the residents about the changes. Mr. Gural replied that the Borough is putting together a calendar that will have all of the information about trash, recycling, leaves, brush, phone numbers etc. for the residents. There will also be some pictures of the borough included. A blast email and notification by Global Connect will also be done.

**C. Business/Mercantile License.** Mr. Gural discussed that he had conversations with Councilperson Riener and Councilperson Bostock about placing the borough's businesses on the website. The Borough currently has no listing of all of the businesses. Mrs. Nagle has mailed out request to the business and only a few have been returned. A business registration would also help the police department to locate owners for emergencies. Mr. Rosenberg explained that it is very common for towns to have business registrations and charge a small processing fee. Mr. Gural explained that the business will be placed on the borough's website and Facebook page. The borough's website was ranked in the top 20% in the state by a recent study, so people are looking at the site for information.

**D. Video Broadcasting.** Mr. Gural discussed that the borough is obtaining new microphones and sound recording system. The system has the capability of doing videos for broadcasting of the council meetings. Borough Council will hold further discussion on the video.

**E. Crossing Guard salaries-new hires.** Mr. Gural informed council that the majority of the positions in the borough have a starting range, but the crossing guards are just one flat rate. A crossing guard who has been with the borough for a number of years makes the same amount as someone newly hired. There should be a different starting amount for the guards. Mayor Scheffler discussed that it should not be the same rate for someone starting out and that it should be addressed in the salary ordinance.

**F. Salary for non-uniformed employees.** Mr. Gural will present the resolution at the next meeting. There is a general 2% increase for most employees.

**G. Cell Tower.** Mr. Rosenberg informed council that he has had several request to purchase the leases on the tower. One of the companies would like to take off the tower, but Mr. Rosenberg explained that his opinion is that the borough would have to go out for bid. Mr. Gural explained that the amount of money is substantial to the Borough but that it is a lot of responsibility to the borough. President Dorworth discussed that the Borough is liable for maintenance on the tower and if it falls over in a storm, the Borough would be liable. Mr. Norcross discussed that there is also a county agreement for radio that has to stay on the towers. Mr. Rosenberg replied that AT & T has advised him that the county communication equipment will remain. Mayor Scheffler discussed the borough having Mr. Gural and Mr. Rosenberg hold discussions with AT & T about the towers.

**H. Legion Field Rental.** Mr. Gural informed council that there has been discussions about the use of Legion Field and what organizations are allowed to use the fields. Mr. Norcross discussed that the ordinance provides for Palmyra residents only to use the fields or an organization that has a majority of residents. Mr. Bostock inquired about the adult soccer team that is using the fields on Sunday and if they are Palmyra residents and have permission to use the field. Mr. Norcross explained that he also saw them last week and removed other people that were using the field. Mrs. Riener informed council that the soccer team was there at noon on Sunday and it looks like it is a men's league. Mrs. Ragomo Tait explained that they are from the age of 18 and up and were there late Saturday night and early Sunday. Mrs. Ragomo Tait discussed the people coming off of the Light Rail and that they walk down to use the field as well. There is a problem with control of the fields. Mr. Norcross discussed that it is not fair to the youth associations and to the school who help maintain the fields and that the Borough does not need any more damages. Mrs. Ragomo Tait also discussed that there needs to be more smoke-free signs at Legion Field and that the basketball courts also need to be control. Mr. Norcross and Mrs. Ragomo Tait will meet with the school and organizations to discuss the fields and regulations.

**I. Audit Report-Corrective Action Plan.** Mr. Gural informed council that the audit report was completed and that there will be a resolution to accept the report at the next meeting.

**J. Gold and Silver, Precious Gems Licensing.** Chief Pearlman is working with Mr. Rosenberg to prepare an ordinance regulation the sale and purchase of gold and silver in the borough.

**K. Vision and Mission Statement for Borough update.** Held till the work session of council.

**L. BID ordinance.** Mr. Bostock reported that he gave Mr. Gural a packet of financial reports and that Mr. Rosenberg has it for review. Mr. Gural informed council that the Borough has received an invoice for payment for the outdoor Christmas display, which was being paid for by the BID. Mr. Gural inquired if Mr. Bostock can sign the purchase order for payment for the Bid. Mr. Norcross explained that the company also does an upkeep of the display and storage. Mayor Scheffler discussed a resolution limiting the amount of funds that Mr. Bostock can sign for the BID. Mr. Rosenberg express his concern that the BID does not exist so no one has the authority to spend any of the remaining funds without court approval. Mayor Scheffler explained that the Borough Council did not dissolve the BID as the council was waiting for all of the tax issues to be resolved. Mr. Rosenberg explained that in his opinion the BID is a separate organization and private entity. The remaining funds can only be distributed by the courts. Mr. Gural discussed that the company has the Borough's Christmas decorations and that they need to be paid. Mr. Bostock will meet with Mr. Rosenberg and Mr. Gural to review the issue.

**ADMINISTRATOR REPORT.** Mr. Gural requested that Mrs. Elmes hours are extend per week and that he will have a resolution on the next agenda. Mr. Gural informed council that there is an advertisement for a deputy court administrator and that he will keep council informed. A payroll

clerk has been hired for the finance department and will start tomorrow. There will be no benefits involved and it will be for 28 hours a week. The Palmyra Harbour contracts are ready for signature and it will require a resolution allowing the Mayor to sign the contracts on behalf of the Borough. Mr. Gural informed council that the Senior Program has requested legal advice about the need for a hold harmless agreement per their insurance carrier. They are requesting that Mr. Rosenberg help them.

#### **COMMITTEE REPORTS.-**

Mr. Norcross discussed that there is a problem with the trucks coming in and out of the landfill on Route 73, the trucks are lined up on the side of the road and also they are leaving a large amount of debris on the roadway. Mr. Rosenberg advised council that he was informed that the owners had leased out the business. Mr. Norcross discussed that there is a lot of stuff coming down from the storm up North Jersey. Mrs. Kilmer will review the issue and make sure that there is not a change of use at the site and that they do not a permit from the Burlington County Soil Conservation currently. Chief Pearlman has been to the site and discussed the issues with the owners.

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

Ms. Veitenheimer-Rowland discussed that on the borough's website there are a lot of outdated pages, especially the Land Use Board. There are dates from last year for the meeting schedule. Ms. Veitenheimer inquired if the new law for the agendas was passed by the state yet. Mayor Scheffler replied that it has not passed the Senate yet. Mrs. Veitenheimer explained that the EDC Committee used to pay for the decorations before the BID did. Mrs. Veitenheimer inquired if any funds had been received from the rental of the community center. She did not see any listed under revenue in the budget. Mayor Scheffler explained that the YMCA funding is through a grant and not listed under revenue and that the basketball program paid with in kind funding. Mr. Gural replied that most of the groups using the center are small groups or groups sponsored by the borough that pay a small amount. Mrs. Lewis, CFO explained that the centers rental fees is not listed as budget revenue line item since it is not a large amount. Mrs. Ragomo Tait explained that on the borough's website there are the rules and regulations for renting the center and an explanation of the fees. Mrs. Veitenheimer discussed that the borough should charge for the use of the fields to people from out of town and not charge the businesses or landlords. Mrs. Ragomo Tait replied that the goal of the fields and center is for residents to use and that organizations from out of town are charged for the use. Mayor Scheffler explained that the borough does not want outside organizations to use Legion Field. The taxpayers pay for the maintenance and upkeep of the field. Mr. Bostock discussed that usages of the field should not be allowed to outside organizations because the borough is liable for the damages if any occur. Mrs. Veitenheimer inquired if all non-profit groups in the borough should get the hold harmless agreement coverage. Mr. Gural advised her to check with her insurance broker about the need for the coverage.

No one else from the public wishing to be heard, President 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. 2013-98, 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, Mr. Norcross.

**NAYES: None. Council went into executive session at 8:40 pm.**  
**PUBLIC SESSION. Council returned to public session at 9:10pm.**

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**Adjournment. President Dorworth made a motion to adjourn at 9:30pm, Mr. Bostock second the motion. All members present voted in favor of the motion.**