

**BOROUGH OF PALMYRA
MINUTES-April 15, 2013**

CALL TO ORDER

ROLL CALL:

Present: Mayor Scheffler, President Dorworth, Ms. Dobbs, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross and Ms. Kane (student rep.).

Absent: Mrs. Riener.

PLEDGE OF ALLIGIANCE.

MOMENT OF SILENCE. Mayor Scheffler requested a moment of silence for the Boston tragedy.

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.

MAYOR'S APPOINTMENTS.

A. Land Use Board-Mayor Scheffler appointed Joan Byrem for a four year unexpired term till 12/31/16.

B. Land Use Board-Mayor Scheffler appointed Nancy Myers as Alternate #1 term till 12/31/14.

C. Shade Tree Committee-Mayor Scheffler appointed Mark Allen till 12/31/13.

APPOINTMENTS.

A. Resolution 2013-99, Resolution Appointing Arek Arargil As A Patrolman For The Borough Of Palmyra Police Department Effective April 15, 2013 At A Salary Of \$36,996.30. Ms. Dobbs made a motion to approve the resolution, President Dorworth second the motion. At the call of the roll, the vote was:

AYES: President Dorworth, Ms. Dobbs, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None. Mr. Rosenberg swore in Arek Arargil as a patrolman. Chief Pearlman thank the council for their support of the department and explained that Arek Arargil was a Class II Officer and has received rave reviews. Chief Pearlman informed council that on June 7th Patrolman Arargil will run through Palmyra as a participate of the Special Olympics torch run.

APPROVAL OF MINUTES. President Dorworth made a motion to approve the minutes from March 18, 2013, Mr. Bostock second the motion. All members present voted in favor of the motion.

PROFESSIONAL UPDATES.

A. Environmental Resolutions-William Kirchner informed council that the punch list for the community center was sent to the contractors on March 25, 2013. The contractors have agreed to do the punch list. Mr. Rosenberg explained that formal action will need to be taken to protect the rights of the Borough with the bonding company. Mr. Kirchner informed council that the EQ tank at the sewer plant will be taken off line for the summer months.

ORDINANCES ON SECOND READING. (public hearing).

A. Ordinance 2013-8, An Ordinance to amend Ordinance 2001-20 Creating a Length of Service Awards Program (LOSAP) to reward members of the Palmyra Fire Department for their loyal, diligent and devoted services to the residents of the Borough of Palmyra, by adopting provisions for an automatic annual increase pursuant to N.J.S.A. 40A:14-185(f), equivalent to the annual increase in the Consumer Price Index. Mayor Scheffler explained that this ordinance will allow an annual increase to the firefighters for the LOSAP program. Mr. Norcross 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 from the public wishing to be heard, Ms. Dobbs made a motion to close the public portion, Mr. Norcross second the motion. All members present voted in favor of the motion. Ms. Dobbs 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: Ms. Dobbs, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None.

ABSTAIN: President Dorworth. The ordinance was adopted on second and final reading and will take effect after publication according to law.

ORDINANCES ON FIRST READING. (public hearing May 20, 2013).

A. Ordinances 2013-9, An Ordinance Regulating The Sale Of Precious Metal, Gems and Secondhand Goods. Chief Pearlman explained that there needs to be an ordinance to assist the police department and victims of crime in recovering stolen gold and silver. Mr. Rosenberg informed council that he will meet with Chief Pearlman to review the ordinance to make sure that it has all of the criteria that is required. President Dorworth 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 Dorworth, Ms. Dobbs, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None. The ordinance was adopted on first reading and will be heard on second reading at the council meeting of May 20, 2013.

B. Ordinance 2013-10, An Ordinance Requiring All Businesses Operating In The Borough Of Palmyra To Register Annually With The Borough Clerk. Mayor Scheffler discussed that the majority of surrounding towns require a business to register with them. The information will be

mainly used for public safety and also allow the borough to keep their website updated. Mr. Gural explained that similar ordinances were reviewed and that the amount that a business would be charged is \$20.00 annually. Mr. Norcross made a motion to approve the ordinance on first reading, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: President Dorworth, Ms. Dobbs, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None. The ordinance was adopted on first reading and will be heard on second reading at the council meeting of May 20, 2013.

C. Ordinance 2013-11, An Ordinance Of The Borough Of Palmyra To Provide For And Determine The Rates Of Compensation Of Each Officer And Employee Of The Borough Of Palmyra For The Years 2013 and 2014, this ordinance expires December 31, 2014 unless amended. Mayor Scheffler explained this ordinance provides a range of salaries by title and that a resolution lists the exact amount of salary for each employee. Mr. Bostock made a motion to adopt the ordinance on first reading, Mr. Norcross second the motion. At the call of the roll, the motion was:

AYES: President Dorworth, Ms. Dobbs, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None. The ordinance was adopted on first reading and will be heard on second reading at the council meeting of May 20, 2013.

RESOLUTIONS. Consent Agenda- Items A-J 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. Gural explained that there were 2% increases across the board for most employees. Some employees did not receive an increase due to being recently appointed. Also the police department received a 1.75% increase. The effect date will be April 1, 2013 of the resolution. President Dorworth 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, Ms. Dobbs, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None.

- Resolution 2013-100, Resolution Endorsing The Submission Of The Recycling Tonnage Grant.**
- B. Resolution 2013-101, Resolution Certifying The Recycling Tax.**
- C. Resolution 2013-102, Resolution Awarding Contract To Fillit Inc. For The Receiving Of Brush, Branches And Leaves For The 2013 Year.**
- D. Resolution 2013-103, Resolution Of Compliance With N.J.A.C. 5:30-6.5 Receipt Of Audit.**
- E. Resolution 2013-104, Resolution Authorizing Refund Of Overpayment For Taxes.**
- F. Resolution 2013-105, Resolution Establishing The Annual Rate Of Compensation And/Or Hourly Rate To Be Paid To Employees Effective April 1, 2013.**
- G. Resolution 2013-106, Resolution Authorizing Borough Solicitor To File Tax Appeals.**
- H. Resolution 2013-107, Resolution Authorizing Approval Of Payment Of Bills For March, 2013.**
- I. Resolution 2013-108, Resolution Approving Request Of L.T. For The Subordination of a Mortgage Held by the Borough Pursuant To the Borough's Housing Rehabilitation Program.**
- J. Resolution 2013-109, Resolution Authorizing The Borough Solicitor To Take Whatever Action Is Necessary To Notify Bonding Company Of Claims Relating To The Community Center.**

ADMINISTRATOR REPORT. Mr. Gural discussed the need to have a special projects engineer and that he has a meeting with Christopher Noll of Environmental Resolutions. Mr. Gural

requested a resolution amending Resolution 2013-71, a resolution amending the hours for Bridget Elmes, public works department. Mrs. Elmes will still remain a seasonal worker. President Dorworth made a motion to approve Resolution 2013-110 to increase Mrs. Elmes hours, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Dorworth, Ms. Dobbs, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None.

Mr. Gural informed council that Mr. Zimmerman of the Fire Department dropped off the specifications for the new fire truck and that he will have Mr. Rosenberg review them. The ordinance for landlords to register their units is still being discussed and he will have an update for the next meeting.

Mayor Scheffler discussed that the sprinkler system at Legion Field accidentally went on during a sporting event and that it was no one's fault or intention to disrupt a game or practice. There were emails going back and forth about the incident that Mayor Scheffler said that she considered a threatening nature. The restrooms are a problem and the lights that go on at sunset. The lights have been turned on several times and there is no game, this is a waste of taxpayers' funds. Mayor Scheffler will meet with Brian Norcross of Pal/Riv baseball and softball to discuss some of the issues. There is an ordinance regulating the use of Legion Fields and who may reserve the fields. Mayor Scheffler discussed that it may become necessary to charge for the lights similar to the fees to use the community center. The lights are now being paid for by all taxpayers and that the ordinance requires that the majority of the rosters show Palmyra residents. Mr. Norcross informed council that there is a meeting with himself and Mrs. Ragomo Tait with all of the sports organizations. The Board of Education will also be sending someone to represent the school as they also use the fields. Mrs. Ragomo Tait inquired if there is a schedule and process available for the public to review. Mr. Norcross replied that on the website there is a calendar of events for Legion Field and that they should call and give a schedule change for the lights and restrooms. Mr. Norcross explained that they need to get in touch with Ms. Wiener who handles the scheduling for Borough. Mayor Scheffler discussed the importance of the organizations getting the schedules and fields handled during their off season so as have things in place for the season. Mr. Norcross discussed that the issue of the lights and scheduling of the games is discussed every year with the organizations. Ms. Dobbs inquired if it is council's responsibility to notify the organizations of what is in the ordinance regulating Legion Field. Mr. Bostock discussed that the organizations may want to add to their bylaws about contacting the borough with schedules and cancellations of games.

COMMITTEE REPORTS.-

Shade Tree Committee and Land Use Board-Mayor Scheffler reported that there was no Land Use Board meeting due to a lack of business. Arbor Day is set for April 29 at the Charles Street School.

Public Works/Sewer- Ms. Dobbs reported that the monthly report is on file and that there will be the hearing on the improvements to the sewer plant on May 20t.

Police/Public Safety- President Dorworth reported that the report is on file and the he would like to compliment Chief Pearlman on the appointment of Patrolman Arargil. There has been increase in burglaries complaints and that the Detectives have closed out a number of cases. President Dorworth discussed that the specs for the new fire truck have been submitted for review.

Public Events- Mrs. Ragomo Tait reported that May 3rd is the art show at the community center and that she is working with the art teachers to showcase students work. The Memorial Day Celebration will be on May 27 and that the essay contest is being conducted in the schools. Mr. Norcross informed council that the War Memorial Committee has a meeting on May 1st at the

Community Center to review Memorial Day Celebration. Mrs. Ragomo Tait informed council that she is also doing voters registration drives at the high school.

Student Representative- Ms. Kane discussed that three delegates from the high school went to Trenton and that they introduced three bills, but none were passed. The Interact Club helped clean up the Palmyra Cove and the students are getting ready for the Prom in May. Mrs. Ragomo Tait thanked the Interact Club for an excellent job with the Easter Egg Hunt.

Mrs. Dobbs informed council that this Sunday at 3pm the Boys Choir will be performing at the high school.

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

Mrs. Jones-West 5th Street discussed that she is requesting that the borough refrain from scheduling any activities on Wednesdays at the Community Center. The senior citizen group uses the entire facility and should not have to move for other groups. The months of July and August the seniors do not meet and will not need the center. Mr. Gural explained that the borough has a fitness/wellness day schedule at the center on a Wednesday and that Ms. Wiener has the activities schedule on the calendar on the website so that the center is not overbooked. Legion Field and the Community Center are for the entire community to use and the Borough tries to be accommodating as possible. There are also many recurring events. Mrs. Jones inquired if the officers of the senior group are covered, she has had discussion with Barclay Insurance who covers the senior organization and they are recommending directive insurance coverage in addition to the current insurance. The concern is that if someone is injured at a scheduled activity they could also sue the officers for the scheduling of the event. It would be an additional \$1,000 that the group would have to raise. Mr. Rosenberg informed council that he had discussed the issue with Mrs. Jones and that they are a private organization separate from the borough. Mr. Gural discussed that they may have some protection since they are incorporated and that the borough does not have the authority to help with insurance of a private organization. Mr. Bostock discussed that the organizations should have the additional insurance due to the cost of a defense. Mrs. Jones discussed that she will meet with the other officers and decides what direction to take. Mrs. Jones discussed 605 West 5th Street and that the property needs to be secured and clean up. She and other neighbors keep the front of the property cut and cleaned but there is an unsecure swimming pool in the backyard and it is breeding mosquitoes as well as a hazard situation for children. Mrs. Kilmer explained that she has had discussions with Chief Pearlman about securing the location and has sent several violations to the owners but they have been returned undeliverable in the mail. Chief Pearlman explained that the unsecure pool in the back is a real safety issue and that there is no owner around, it is an abandon home. The pool can be emptied and public works will attempt to secure the backyard.

Ms. Veitenheimer-Rowland-inquired if the War Memorial Committee should investigate getting the same insurance that the senior group is discussing. Mr. Bostock advised Ms. Veitenheimer that any group can be held liable and that if the board is taking votes to hold a function they should obtain additional insurance. Ms. Veitenheimer explained that their current policy is up for renewal with Barclay Insurance. Mayor Scheffler discussed that the War Memorial Committee is different from the senior group because they do not hold events. The Memorial Day is co-sponsored by the Borough and covered by Borough insurance. Mr. Bostock explained that there is greater exposure for the officers of the senior group than the War Memorial Committee. Ms. Veitenheimer inquired if the streets that are being torn apart by the water company will be repair back to the original street or will there be a bump in the road. Mayor Scheffler replied that the water company is required to repair the street after doing a temporary patch and that the borough has a list of streets that need to be repair that was prepared by the engineers.

Mr. Clark-Columbia Avenue-inquired if the pedestrian light at Charles Street would be an audible as well and that there also needs to be one at the corner of Cinnaminson and Broad Street. Mayor Scheffler explained that the light at Charles Street is really to help the children cross for school. There are a lot of accidents at the intersection even after the removal of the trees. The borough has attempted to get grants to help with the expense of the light, but have always been denied. The light will be funded through the capital budget. Mr. Gural explained that the light will be functional all hours of the day and that he will have the engineer look at the possibility of making the light audible. Chief Pearlman discussed that the light will stop the traffic on Cinnaminson Avenue but that there is a stop sign on Charles Street. Mr. Norcross explained that Broad and Cinnaminson Avenue is county road so the borough would have to consult with the county before any installation of lights.

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. 2013-111, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (contract).

Mr. Bostock made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Dorworth, Ms. Dobbs, Mr. Bostock, Mrs. Ragomo Tait, Mr. Norcross.

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

Adjournment. President Dorworth made a motion to adjourn at 9:40 pm, Mr. Bostock second the motion. All members present voted in favor of the motion.