

**BOROUGH OF PALMYRA  
MINUTES-August 19, 2013**

**CALL TO ORDER.**

**PLEDGE OF ALLIGIANCE.**

**MOMEMT OF SILENCE.**

**ROLL CALL:**

**Present:** Mayor Scheffler, Ms. Dobbs, Mrs. Riener, Mrs. Ragomo Tait, Mr. Norcross.  
**Absent:** President Dorworth and Mr. Bostock.

**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.

**APPROVAL OF MINUTES.** Mrs. Riener made a motion to approve the minutes from August 5, 2013, Mrs. Dobbs second the motion. At the call of the roll, the vote was:

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

**NAYES:** None.

**COORESPONDENCE.**

**A. Proclamation-Drive Sober Or Get Pulled Over 2013 Crackdown.** Lt. Campbell explained that the Borough had received a grant of \$4400. along with other towns in Burlington County for August 16 through September 2, 2013. This is for an enforcement crackdown to combat impaired driving.

**B. Correspondence from Dash Farrow, LLP, Attorney At Law-requesting a lien be forgiven for a RCA grant-short sale.** Mr. Rosenberg explained that there was a request for the Borough to forgive part of a loan that was through the RCA program. Mayor Scheffler explained that the RCA program is available for residents to have their homes repair in connection with the

Borough and that if a homeowner remains in the home for 10 years the loan is forgiven. Borough Council is not in favor of reducing any of the loans due to the funds coming from other towns as part of the COAH regulations. Resolution 2013-193, Resolution Denying The Request To Forgive A Loan As Part Of The RCA Program. Mr. Norcross made a motion to approve the request, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: Ms. Dobbs, Mrs. Riener, Mrs. Ragomo Tait, Mr. Norcross.

NAYES: None.

**C. Correspondence from Burlington Camden County Association Of Realtors. Mayor Scheffler read into the record a letter that was sent from the Burlington Camden County Association of Realtors.**

August 13, 2013

Dear Members of Palmyra Borough Council:

On behalf of the Burlington Camden County Association of REALTORS, we'd like to thank you for being so receptive to the concerns of the REALTOR community in regards to the rental registration ordinance that was adopted in early July. The Association believes the revised rules, which were introduced on August 5, are a much more effective solution to rental property oversight.

The new ordinance provides greater balance in ensuring rental units will be properly maintained without serving as a disincentive to investors. This is a goal that we share as REALTORS® in the community, and are hopeful you will vote to approve the revised rules on August 19.

Thank you again for the opportunity to be part of the process. We encourage you to reach out to BCCAR as a resource on property-related issues going forward.

Sincerely,

*(Diane Streichert*

Diane Streichert  
Chief Executive Office

Burlington Camden County Association of REALTORS®

*Bruce Shapiro*

Bruce Shapiro

Local Government/Regulatory Affairs

NJ Association of REALTORS®

*Libby Vinson*

Elizabeth Swanke Vinson

Vice President

Association Business Solutions, Inc.

Mayor Scheffler also discussed that there was a letter to the editor in the Burlington County Times from a resident in Cinnaminson about the rental and resale ordinance that bordered on threats.

**D. Mayor Scheffler announced that Lt. Governor Kim Guadagno will be touring the Borough business area starting at QWIC on Broad Street at noon tomorrow. There will be a roundtable for about 5 business owners at Borough Hall after the tour to discuss the help that New Jersey can provide to small businesses.**

### PROFESSIONAL UPDATES.

**A. Environmental Resolutions-William Kirchner discussed resolutions 178, 185, 186 and 187. There is a change order for the generator at the firehouse in the amount of \$850. that the fire department will pay for. There are resolutions for approval for engineering for the Small Cites grant for West Second Street, DOT grant for Broad from Park to Filmore and also West Second**

Street. Resolution 187 is for maintenance contract work for the community center, borough hall, public works garage, sewer plant and pump stations. There will be a pre-construction meeting on September 9 for residents of Parry Avenue at the community center to review the construction timeline and work that will be completed. Charles Street bids are due on September 4 with work starting in the late fall.

**ORDINANCES ON SECOND READING.** (public hearing)

**A. Ordinance 2013-23, An Ordinance Amending Ordinance 2013-14-An Ordinance Requiring The Inspection, Registration And Licensing Of Residential Rental Properties In The Borough Of Palmyra.** Mayor Scheffler stepped down from the bench. Mrs. Riener ran the meeting for the ordinance. Mrs. Riener explained that due to litigation, Mr. Rosenberg will be answering the majority of the questions from the public. Mr. Norcross made a motion to open the ordinance to the public, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Mr. McDougall-Cinnaminson Avenue inquired if council would be in favor of reformulating the ad-hoc committee that was abandoned. Mrs. Riener replied that the ad-hoc committee would have to be address by the borough council before any action could be taken. Mr. McDougall discussed that there would be an advantage to have issues discussed between the council and the community. He also recommended that there be a seminar for the landlords to review the new rules and inspections pertaining to the ordinance.

Mr. Hirsch-Cinnaminson Township-requested that council not vote tonight and wait for an ad-hoc committee to be formed again. He is in agreement that council is headed in the right direction with one registration, but inspections should be every three years unless change of tenant. The housing stock will rise after the first set of inspections. The inspections every three years would be more affordable for landlords and a good use of time for the housing department.

Mr. Rainer-Riverton Township discussed that his lawsuit accomplished what he wanted. He now does not have to be responsible for actions by his tenant and the housing stock will increase. Mr. Rainer informed council that Borough Hall outside looks terrible and that council should improve their own property before looking at others.

Mrs. Fowler-Moorestown Township-discussed that she and her parents have not gotten an answer to the question about owner-occupied units. The issues should be reviewed before final passages and her parents use the same furnace as the apartment and it should not be inspected as part of the rental inspection. Mr. Rosenberg explained that if council takes no action on the amended ordinance the original ordinance still is in effect and would have to be followed. Mr. Rosenberg requested that the questions be written down and he will answer them.

No one else wishing to be heard, Mr. Norcross made a motion to close the public portion, Mrs. Ragomo Tait second the motion. All members present voted in favor of the motion.

Ms. Dobbs 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: Ms. Dobbs, Mrs. Riener, Mrs. Ragomo Tait, Mr. Norcross.

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

Mayor Scheffler returned to the bench.

**B. Ordinance 2013-24, An Ordinance Amending Ordinance 2013-16- An Ordinance Creating A Housing Department And The Positions Of Housing Official And Housing Inspectors.** Mrs. Ragomo Tait made a motion to open the public hearing on the ordinance, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Mrs. Mertz-Cinnaminson Avenue inquired as to how this ordinance will change the deplorable condition of the homes. Mayor Scheffler explained that the housing department will be conducting the inspections and all

of the housing ordinances will be under one department. Mrs. Mertz discussed that fining people for failure to correct inspections violations will not help do the repairs, many residents and landlords do not have the funds to repair or fix their properties. Mayor Scheffler discussed that they are attempting to preserve the good housing stock and that the RCA program has funds available for landlords and homeowners who qualify to assist with fixing their properties.

Dave-Delran Township- inquired how the housing department will be funded. Mayor Scheffler explained that one option would be to give an employee an additional stipend to work in the department. The amount of funding needed will actually be determined when the bids for the housing department are received and the borough can review the cost. Mr. Gural explained that the housing official position was already created and that this ordinance will be for inspectors.

Mr. Kay-West Second Street inquired if the housing inspector would also inspector for resale of properties or just the rentals. Mayor Scheffler replied that the housing department is involved in all aspects of the housing ordinances.

Mrs. Fowler-Moorestown Township-inquired if the ordinance is still effect September 1<sup>st</sup>. Mr. Gural replied that the registration is required by September 30 and inspections will be scheduled after that date. Mrs. Fowler inquired if there is a change of tenant in September will there be another inspection after September 30, 2013. Mayor Scheffler explained that if there is a change of occupancy before the ordinance becomes effect there is still the requirement of a fire inspection and fee. That amount will be built into the ordinance so there will only be one fee.

Mr. Hirsch-Cinnaminson Township-inquired if the registration form is available yet. Mr. Gural replied that it is being finalized and will be available in September. Mr. Hirsch discussed that a lot of towns do not require the age and name of the tenants.

No one else from the public wishing to be heard, Mr. Norcross 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, Mrs. Riener second the motion. At the call of the roll, the vote was:

AYES: Ms. Dobbs, Mrs. Riener, Mrs. Ragomo Tait, Mr. Norcross.

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

C. Ordinance 2013-25, An Ordinance Amending Ordinance 2013-17-An Ordinance Requiring A Certificate Of Occupancy Upon The Sales Of Any Residential Property. Mayor Scheffler explained that this ordinance adjusts the fee schedule the same as the rental ordinance and also allows for temporary certificate of occupancy. Mr. Norcross made a motion to open the ordinance for the public hearing, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Mr. Rix-Harbour Drive inquired if this ordinance would also include resells in the Harbour. Mr. Rosenberg requested that questions be written down and he will respond.

Ms. Veitenheimer-Rowland Street inquired if the purchaser can take responsibility for the repairs for a sale? Mayor Scheffler explained that a temporary certificate can be issued at time of sale, but that no one will be allowed to live in the home till the inspection is passed. The person responsible for the repairs is upto the buyer and seller at the time of settlement. Ms. Veitenheimer inquired as to why the change in the time period from 90 days to 60. Mr. Rosenberg replied that it was to make it the same as the rental ordinance. Mr. Rosenberg explained that there is not a deadline to have someone occupy the home.

Mr. Radar-Harbour Drive inquired if the bank owned or HUD or sheriff sale properties would be also required to obtain a certificate of occupancy. Mayor Scheffler explained that the condition of sale will state in the contract who is responsible to obtain the certificate of occupancy. Mr. Radar inquired if the borough has additional cost over the amount of the \$125. where will the funds come from and will the charge be amendment for the size of the units, since it will not take an inspector as long with a smaller unit compared to a large unit. Mr. Rosenberg requested that the questions be submitted in writing and he will answer them. Mr. Radar replied that if council approves the ordinance tonight the questions in writing would be a moot point. Mr. Radar inquired about the BOCCA code and what does it mean by not inclusive guide list. Mayor Scheffler explained that it would be a list of what the inspectors are looking for generally and that the

inspectors could also look for other things that are not on the list, but are in the codes. Mr. Radar explained that he has a lot of questions as well as other people about the inspection process and that they are not getting answered. Mr. Gural explained the inspection criteria are on the borough's website and that it also listed links to other codes that are required. The codes have been used by the borough for years and the inspection relies on the borough ordinances as well as other codes.

Mr. Brooks-Delran Township- discussed that the state is every five years for inspections and that the Borough should follow their guidelines. Mayor Scheffler replied that the public portion is only for ordinance 2013-25 and that there will be an opportunity for public comment later in the meeting.

Mr. Hirsch-Cinnaminson Township discussed that as a realtors perspective a temporary certificate of occupancy is not successful and there is no real reason for the property to be repaired unless a buyer is really interested in moving in.

No one else from the public wishing to be heard, Mr. Norcross 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, Mrs. Ragomo Tait second the motion. At the call of the roll, the vote was:

AYES: Ms. Dobbs, Mrs. Riener, Mrs. Ragomo Tait, Mr. Norcross.

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

#### Ordinance 2013-26, An Ordinance Amending Chapter 230 Solid Waste Of The Borough Of

Palmyra. Mayor Scheffler explained that this ordinance will amend the time of the placement and removal of the trash carts as well as the rules and regulations regarding the new trash procedures. The ordinance will have the trash carts not to be placed at the curb before 5pm on Thursday, must be out by 6am on Friday to guarantee pick up and removed from curb by 9am on Saturday. Mr. Gural explained that the trash in the business district is picked up by 6am and then they start the rest of the borough. Mrs. Riener made a motion to open the public portion of the ordinance, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Resident- discussed that her neighbor is elderly and has a caretaker come to the home that leaves early, can the trash cart be placed out early for her. Mr. Gural replied that there will always be exemptions and that if the borough is aware of them, they will review the matter.

Ms. Veitenheimer-Rowland discussed that the time should be adjusted for the winter months so that residents do not have to wait till it is almost dark to put cans at curb.

Mr. Brooks-inquired as to who is responsible for the cans if they are damaged by the trash company. Mayor Scheffler explained that if the company damages the carts, they are responsible and have been very receptive to the issue. If the homeowner damages the carts, they are the responsible party.

Mrs. Mertz-Cinnaminson Avenue-discussed that she has a problem with recycling and the blue carts. Mayor Scheffler informed her that she would have to contact the county as they are in charge of the recycling for the entire county.

No one else from the public wishing to be heard, Mr. Norcross made a motion to close the public portion, Ms. Dobbs second the motion. All members present voted in favor of the motion.

Ms. Dobbs 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: Ms. Dobbs, Mrs. Riener, Mrs. Ragomo Tait, Mr. Norcross.

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

**ORDINANCE ON FIRST READING.**

**A. Ordinance 2013-27, An Ordinance Repealing The BID (Business Improvement District).**

Mayor Scheffler explained that this ordinance was introduced last year, but not adopted. 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:** Ms. Dobbs, Mrs. Riener, Mrs. Ragomo Tait, Mr. Norcross.

**NAYES:** None. The ordinance was adopted on first reading and will be heard on second and final reading at the council meeting of September 16, 2013.

**NEW BUSINESS. 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. Mayor Scheffler read the title of the resolutions into the record. Mayor Scheffler recognized Susan Doerr, deputy tax collector who is retiring from the Borough effective September 1, 2013 and thanked her for all her efforts and years of service with the Borough. Mr. Norcross made a motion to approve the consent agenda, Mrs. Riener second the motion. At the call of the roll, the vote was:

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

**NAYES:** None.

**A. Resolution 2013-178, Resolution Authorizing Change Order #1 For Ronald Janney Electrical Contractor For Firehouse Generator In The Amount Of \$850.00.**

**B. Resolution 2013-179, Resolution Amending Resolution 2013-95 Appointing Dale Palmer As Part Time To Public Grounds And Grounds Department At A Rate Of \$10.00 An Hour till December 31, 2013.**

**C. Resolution 2013-180, Resolution Appointing Kareemah Press As Payroll Clerk/Finance Effective August 20, 2013 For \$19.00 An Hour Till December 31, 2013.**

**D. Resolution 2013-181, Resolution Appointing Bridget Elmes As A Part Time Employee For \$16.26 An Hour Effective September 30, 2013 Till December 31, 2013.**

**E. Resolution 2013-182, Resolution Awarding A Contract For The Purchase Of A 2014 Ford Interceptor Sedan Pursuant To New Jersey State Approved Contract.**

**F. Resolution 2013-183, Resolution Authorizing The Sale Of Property No Longer Needed For Public Use On An Online Auction Website GovDeals (vehicles).**

**G. Resolution 2013-184, Resolution Approving The Payment Of Bills For The Month Of July, 2013 In The Amount Of \$460,159.60.**

**H. Resolution 2013-185, Resolution Awarding Engineering To Environmental Resolutions For Small Cities Grant In The Amount Of \$1,500.00.**

**I. Resolution 2013-186, Resolution Awarding Engineering To Environmental Resolutions For Department of Transportation Grant In The Amount Of \$3,000.00.**

**J. Resolution 2013-187, Resolution Awarding Engineering To Environmental Resolutions For HVAC System Preventative Maintenance Contract For The Palmyra Borough Hall, Community Center, Public Works Garage, Sewer Plant and Pump Stations In The Amount Of \$5,500.00.**

**K. Resolution 2013-188, Resolution Amending Resolution 2012-125, Appointing Marie Nagle As Tax Clerk, Administrative Assistant, Deputy Clerk, General Clerk At The Rate Of \$15.29 Per Hour Till December 31, 2013.**

**L. Resolution 2013-189, Resolution For Grant Management Plan For Small Cities.**

**M. Resolution 2013-190, Resolution Authorizing The Borough Of Palmyra To Apply To**

The New Jersey DCA For A Small Cities Public Facilities Grant Of Approximately \$400,000 For Infrastructure Improvements To West 2<sup>nd</sup> Street Between Market Street And Orchard Avenue.

N. Resolution 2013-191, Resolution of Fair Housing For Small Cities Grant.

O. Resolution 2013-192, Resolution For Citizen Participation Plan For Small Cities Grant.

P. Special Permit for Alcoholic Beverage Social Affair For Palmyra Cove Environmental Education For October 12, 2013.

Q. Approval of Treasurer's Report-July, 2013. Ms. Dobbs made a motion to approve the treasurers report as submitted. Mr. Norcross second the motion. All members present voted in favor of the motion.

#### DISCUSSION ITEMS.

A. Traffic Calming Study Report-DVRPC-Mr. Gural discussed that all of council has been given a copy of the report and that it will be on for discussion at the September 16<sup>th</sup> meeting to see if council would like to proceed with any of the recommendations and also apply for assistance with the project from the Burlington County Bridge Commission.

#### COMMITTEE REPORTS.

A. Mr. Norcross reported that soccer and football has started at Legion Field. There is a meeting scheduled for all of the sport teams using the field in September including the high school. The bathrooms have a security issue and additional cameras are needed. The police have increased their patrols as well.

B. Mrs. Ragomo Tait informed council that the movie nights have been going very well and that attendance has improved each week. There will a talent show on August 27 and a town wide yard sale on September 21<sup>st</sup>.

C. Mrs. Riener reported that there is a Land Use Board meeting this coming Wednesday and that the shade tree committee has purchased new trees for planting in the Borough. The funds for the new trees are part of a grant that the shade tree committee applied for.

D. Ms. Dobbs reported that the report for the Sewer/Public Works Department was on file.

PUBLIC COMMENTS. Mr. Norcross 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. Radar- Harbour Drive inquired as to why the letter from the realtors association was given to the newspaper before it was discussed at a council meeting. Mayor Scheffler replied that the Borough regularly shares public information with the newspapers and that council members were aware of the letter. Mr. Radar discussed that he felt that the public should have been informed first before the newspaper.

No one else from the public wishing to be heard, Mr. Norcross made a motion to close the public portion, Ms. Dobbs second the motion. All members present voted in favor of the motion.

CLOSED SESSION. Resolution No. 2013-194, Resolution Excluding The Public From Certain Meetings Pursuant To Section 8 Of The Open Public Meeting Act C. 231 P.L. 1975. (litigation, contracts) 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, Mrs. Ragomo Tait, Mr. Norcross

NAYES: None. Council went into executive session at 8:15pm.

**Council returned to public session at 9:10pm.**

**Resolution 2013-195, Resolution Authorizing The Tax Collector To Remove ETK, LLC From The Tax Sale List For Unpaid Sewer Charges. 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, Mrs. Ragomo Tait, Mr. Norcross.**

**NAYES: None.**

**Resolution 2013-196, Resolution Authorizing The Mayor To Sign The 2013 Municipal Services Agreement With Riverfront at Palmyra Condominium Complex for solid waste and recycling pick up and disposal, electricity for certain street lights and curbside service of leave and brush. 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, Mrs. Ragomo Tait, Mr. Norcross.**

**NAYES: None.**

**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.**