

DRAFT

**BOROUGH OF PALMYRA
MINUTES-SEPTEMBER 10, 2012**

CALL TO ORDER

ROLL CALL:

Present: Mayor Scheffler, President Brahl, Mrs. Dobbs, Ms. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross and Ms. Kane (student representative).
Absent: None.

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.

APPROVAL OF MINUTES. Approval of minutes for July 9, 2012, Mr. Norcross made a motion to approve the minutes from July 9, Mr. Bostock second the motion. All members present voted in favor of the motion, Mr. Bostock and Ms. Dobbs abstained. August 6, 2012, Ms. Riener made a motion to approve the minutes of August 6, Mr. Norcross second the motion. All members present voted in favor of the motion. August 13, 2012, Mr. Norcross made a motion to approve the minutes from August 13, Ms. Dobbs second the motion. All members present voted in favor of the motion. Mr. Dorworth and Mrs. Riener abstained.

COORESPONDENCE. Mayor Scheffler read an article concerning Assemblyman Danser introducing a bill to require all inspectors for revaluation and assessments of homes have a full background check and fingerprinting in respond to the issue with an inspector in Palmyra removing some medications from a home.

Mayor Scheffler read a letter that was written to John Gural during his terms as Mayor of Palmyra expressing the wonders of the job as Mayor. The letter had been written by Emily Kane, student representative, when she was in grade school. Mayor Scheffler present Ms. Kane with the frame letter.

PROFESSIONAL UPDATES.

A. Discussion on conversion to flow base rate study. **Resolution 2012-183**, Resolution Awarding Environmental Resolutions Inc. A Contract For Sanitary Sewer Service Flow-based Rate Study & Conversation In The Amount Of \$25,500.00 Per Proposal Dated August 1st, 2012. Mayor Scheffler requested that this be held until next month for more review of a revised proposal submitted by Environmental Resolutions.

B. Updates from ERI. (open house for sewer plant, HVAC). Mr. Hirsch discussed that the

Borough has been discussing holding an open house for the sewer plant; the date has not been established. The chemical trial proposal to test effectiveness of magnius, increasing the ph. to help decrease the odor is in front of council. Mr. Gural discussed that he will request approval of a resolution under administrator report. Mr. Hirsch reported that the ADA contract for the handicapped ramps is on the punch list portion of the contract. There are a few crosswalks that still need stripping and some additional stripping that was added with a change order. President Brahl inquired if all of the crosswalks and ramps were going to be swept as part of the punch list? Mr. Hirsch explained that a lot of the soil is running off from the newly established plants and that it will be corrected as part of the punch list. The HVAC bids have been received and that Eagle Construction was the lowest responsible bidder. Environmental Resolutions is recommending award of the base bid. Mr. Rosenberg informed council that a letter of protest was received from another bidder, but that it is a mute issue with only the award of the base bid. Mr. Hirsch reported that police shed was awarded and that they were awaiting drawings for permits. Environmental Resolutions has submitted a proposal to rebid the firehouse generator, Mr. Gural will present the resolution for approval under Administrator report. All previous bids for the generator were rejected after discussions with the CFO and Administrator. Mr. Hirsch informed council that Parry Avenue would be going out to bid with construction to start in the spring. President Brahl inquired if Mr. Hirsch agreed to the language in the draft ordinance for sidewalks about using the language professional grade. Mr. Hirsch replied that he agrees that the permit should come from the construction official and that if there is a major issue, the engineers should be involved. Resolution 2012-188, Resolution Awarding HVAC System To Eagle Construction Services In The Amount Of \$550,500. Mr. Norcross made a motion to approve the resolution, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None.

C. Update from Land Engineering. (Market Street(PSE&G), Ethel B. Hardy Park, Community Center.) Mr. Gural reported that the work at the community center has started; Ethel B. Hardy Park has had the swing sets installed and are awaiting the swings. The gazebo should be installed in about a week. PSE & G is holding up the remaining work on Market Street, the engineers is awaiting the installation of the light fixtures. Mr. Gural discussed that there will be a proposal for the purchase of equipment for the community center, the state contract figures were used and the company is no longer under state contract. The proposal for Land Engineering to go out for the bid for the equipment will not exceed \$1,000.

D. Police Department-update on Light Rail. Chief Pearlman informed council that he had met with NJ Transit about the Light Rail and that there will be another meeting on September 20th. NJ Transit has set up their details in the borough and that they are attempting to be more proactive. Mrs. Riener inquired if there was an ordinance for panhandling in the borough. Chief Pearlman replied that there is a local ordinance and that the police department deals with it on case by case bases.

PUBLIC HEARING ON AMENDMENT TO BID BUDGET.

A. Resolution 2012-171, Resolution Amending The Budget For The Palmyra Borough Business Improvement District For The Period From January 1, 2012 through December 31, 2012. President Brahl made a motion to open the public hearing on the amended budget, Mr. Norcross second the motion. All members present voted in favor of the motion.

Mr. Radar-Harbour Drive inquired if the letter about the BID was available to the general public? Mayor Scheffler replied that it is located on the borough's website.

No one else 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 approve the resolution, President Brahl second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None.

ORDINANCES ON SECOND READING.

A. Ordinance 2012-27, An Ordinance Of The Borough Of Palmyra Repealing Ordinance 2010-26 Creating A Special Improvement District For The Borough Of Palmyra. This ordinance was held till the next regular council meeting on October 9, 2012.

B. Ordinance 2012-29, Ordinance Providing For Penalties For Violations Of Municipal Ordinances And Provisions Of The Borough Of Palmyra Code. Mrs. Riener inquired if this ordinance covered littering as well. Mr. Rosenberg replied that if the littering ordinance has no set violations or fines, it would cover it, but if there is already a fine in place that would precede this ordinance. President Brahl made a motion to open the public portion of the ordinance, Mr. Norcross second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Norcross second the motion. All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance on second reading, Mr. Dorworth second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

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

C. Ordinance 2012-30, Ordinance Providing For A Handicapped Parking Space For 400 Legion Avenue. Mr. Rosenberg discussed that the idea was to have the police chief designated to give approval for the spaces, but that it is not permitted by law. Mr. Norcross inquired if temporary signage could be place while waiting approval. Mr. Rosenberg replied if the Chief of Police was comfortable with the approval and that the sign could be enforced. President Brahl inquired if the space was limited to the resident. Mr. Rosenberg inquired if council would like to attach a fee to the approval to cover the cost of the signage. Chief Pearlman discussed doing a review yearly of the handicapped spaces covered by the ordinance to see if it is still needed. Mrs. Riener discussed that she was not in favor of charging a handicapped person an additional fee. Mr. Gural recommended placing a clause in the ordinance with an expiration date or to amend the ordinance that it expires in two years from the date of approval for the space. President Brahl made a motion to open the public hearing on the ordinance, Mr. Bostock second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl 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 and final reading, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

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

D. Ordinance 2012-31, Ordinance Amending Ordinance 2011-27 To Provide For And Determine The Rates Of Compensation Of Each Officer And Employee Of The Borough Of Palmyra For The Years 2011 and 2012. President Brahl 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 from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion. President Brahl made a motion to adopt the ordinance on second and final reading, Ms. Dobbs second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

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

E. Ordinance 2012-32, Ordinance Amending And Supplementing Chapter 90 Of The Code Of Palmyra Schedule IV, Time Limit Parking (Morgan). Mr. Rosenberg requested that this ordinance be held until he could obtain some further guidance from council. President Brahl and Mrs. Riener will meet to review the ordinance. President Brahl made a motion to open the ordinance for a public hearing, Mr. Bostock second the motion. All members present voted in favor of the motion. No one from the public wishing to be heard, President Brahl made a motion to close the public portion, Mr. Bostock second the motion. All members present voted in favor of the motion. This ordinance will be held until the October 9th meeting.

ORDINANCES ON FIRST READING. (public hearing Oct. 9th Tues).

A. Ordinance 2012-33, An Ordinance Amending Chapter 197 Of The Code Of The Borough Of Palmyra. (peddlers, solicitors). Chief Pearlman recommends that the fees for the ordinance be lowered to allow for the charges for fingerprinting and background checks. Mr. Dorworth made a motion to hold this ordinance till the October caucus meeting on the 1st, Mr. Norcross second the motion. All members present voted in favor of the motion.

B. Ordinance 2012-34, An Ordinance Amending Ordinance 2010-10 Fee Schedule.(Notary fees). This ordinance will allow the borough to charge \$1.00 per page for notaries. President Brahl made a motion to approve the ordinance on first reading, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None. The ordinance was adopted on first reading and will be heard on second and final reading after a public hearing on October 9, 2012.

RESOLUTIONS. Consent Agenda- Items A-D 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 of the resolutions into the record. President Brahl made a motion to approve the consent agenda, Mr. Bostock second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock, Mr. Norcross.

NAYES: None.

A. Resolution 2012-189, Resolution Waiving The Permit Requirement Fee For Yard/Garage Sales For September 22, 2012-Town Wide Yard Sale.

B. Resolution 2012-190, Resolution Authorizing Change Fund For The Police Department.

C. Approval of a Special Permit- One day alcoholic permit for Palmyra Cove Environmental Education Foundation (10/6/12).

D. Resolution 2012-191, Resolution Approving Payment Of Bills.

E. Approval of Treasurer's Report. President Brahl made a motion to approve the treasurer's report, Ms. Dobbs second the motion. All members present voted in favor of the motion.

DISCUSSION ITEMS.

- A. Sign Ordinance. Mrs. Riener reported that this ordinance is still in committee.
- B. Sidewalk Ordinance. President Brahl discussed that this ordinance needs some work on the language for clarification of the role of the shade tree and what inspections are going to be required. Mrs. Kilmer informed council that the permit fee is \$46.00 by ordinance. The ordinance will be introduced on first reading at the next regular council meeting.
- C. Scoreboard-Mr. Norcross requested that this discussion be held till next month.
- D. Liens for property maintenance. This discussion will be held till next month.
- E. Trash pickup for schools and trash specifications. Mr. Gural discussed that with the new contract the schools will be picked up two times a week in the school year and once a week during the summer months. The current discussion is to have the trash collection changed to Tues and Friday, since Mondays are usually a holiday and cause some confusion. Due to the nature of the contract discussion, this issue will be continued in executive session.
- F. Class 1/volunteers. This discussion was tabled till next meeting.
- G. Noise Ordinance. Chief Pearlman requested the need to review the noise ordinance, especially for residents and contractors working on their homes. Mr. Rosenberg explained that this ordinance was reviewed a few years ago and that the state law requires a certified noise officer if the ordinance is too strict or a person can always take someone to court if they wish to sign a complaint.
- H. Animal Control. Mayor Scheffler explained that Willingboro Township is working with the Borough to have them take off the animal control on September 17, 2012. The Chief and Administrator will meet with Willingboro later in the week.
- I. Contractors-Waste and Debris. Mr. Rosenberg requested this discussion be held till next meeting.
- J. Donation to Halloween Parade. Mayor Scheffler explained that the Halloween Committee has become their own corporation and that the borough will transfer the funds to them. Mr. Gural explained that the borough has done some of the printing for the parade and also various charges have been applied to the borough. The majority of the expenses will come from the Halloween Committee funds. Council discussed taking the \$1600 left in the public events account and \$500. from council's expense for a donation to the Halloween parade. President Brahl made a motion to donate funds to the Halloween Committee, Ms. Dobbs second the motion. All members present voted in favor of the motion.
- K. League of Municipalities. Mayor Scheffler requested that anyone going to the League of Municipalities let Mrs. Sheipe know by October 1st for pre-registration.
- L. Best Practice Checklist. The NJ Division of Local Government Services requires the Best Practice Inventory to be reviewed by the Borough Council at a regular council meeting. Mr. Gural read and explained each question and answer of the inventory. The Borough scored 48 out of 50 for a 96% score which will entitle the Borough to the full amount of the aid disbursed by the state. The inventory is attached as part of the minutes
- M. Vacancies on Board of Health. Mayor Scheffler announced that the Borough is looking for a resident to fill vacancies on the board of health.

COMMITTEE REPORTS.

POLICE- Mr. Dorworth report that the police report is on file. President Brahl read a letter of thank you to the police department and emergency squad for the quick response to a call.

CONSTRUCTION/SHADE TREE. Mrs. Riener reported that the report for the construction/zoning/fire official is on file. Mrs. Riener discussed that she has not received a report from the shade tree committee and will reach out to them.

PUBLIC WORKS/SEWER. Ms. Dobbs reported that the public works/sewer department report has been received and the new street sweeper was delivered today to the Borough.

FINANCE- President Brahl reported that the revalue is still taking place throughout the borough.

STUDENT REPRESENTATIVE.U Ms. Kane informed council that the school will be holding a mock election for the upcoming presidential election.

PUBLIC EVENTS. Mr. Norcross informed council that on Saturday, September 22, 2012 at 3pm there will be a dedication at Legion Field the plaque is already there. The town wide yard sale is on September 22 as well. Mayor Scheffler reported that the Borough will be holding a formal ceremony every five years for 911 and remind everyone to fly the flag.

ADMINISTRATOR REPORT. Mr. Gural requested a resolution for awarding bidding services to Environmental Resolutions for the firehouse generator. **Resolution 2012-192** Resolution Awarding Engineering Services For The Independence Fire Company Generator Replacement To Environmental Resolutions. President Brahl made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Bostock.

NAYES: None.

ABSTAIN: Mr. Dorworth and Mr. Norcross.

Resolution 2012-193, Resolution Rescinding The Award To GenServe For The Purchase Of Diesel Genset And Transfer Switch-Electronic Control For The Independence Fire Company #1. President Brahl made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Bostock.

NAYES: None.

ABSTAIN: Mr. Dorworth and Mr. Norcross.

Mr. Gural recommend a resolution for the community center system improvements for engineering in the amount not to exceed \$2500.00. **Resolution 2012-194,** Resolution Awarding Engineering Services For The Community Center CCTV System Improvements To Environmental Resolutions Inc. President Brahl made a motion to approve the resolutions, Mr. Dorworth second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock and Mr. Norcross.

NAYES: None.

Resolution 2012-195, Resolution Awarding Engineering Services For The Odor Control Improvements Phase 1 To Environmental Resolutions Inc. President Brahl inquired about the cost to the borough if the testing works. Mr. Gural replied that the chemicals alone would cost upto \$7,000. plus additional expenses. Mrs. Riener made a motion to approve the resolution, Mr. Dorworth second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock and Mr. Norcross.

NAYES: None.

Resolution 2012-196, Resolution Authorizing Land Engineering To Prepare and Advertise Bids For The Community Center Amenities In An Amount Not To Exceed \$1,000.00. Mr. Dorworth made a motion to approve the resolution, Mr. Norcross second the motion. At the call of the roll, the vote was:

AYES: President Brahl, Ms. Dobbs, Mrs. Riener, Mr. Dorworth, Mr. Bostock and Mr. Norcross.

NAYES: None.

PUBLIC COMMENTS. President Brahl 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 informed council that she had forwarded a sample noise ordinance from the county board of health last year to borough council for their review. The ordinance required the measuring of the noise by a certified person.

Mr. Radar-Harbour Drive discussed the placement of the American Flag at a group setting and also in front of public buildings.

Mr. Schwering-Garfield Avenue- thank council for the excellent score on the state's Best Practice Checklist.

Chief Pearlman informed council that September 29th is Take Back NJ which allows residents to drop off unused medications to the police department. The Palmyra police department accepts

unused or expired medications all the time. Mayor Scheffler reminded everyone to not flush the medications or also to not throw them in the trash. The drop off site is located outside the police department and is a no questions asked.

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

CLOSED SESSION. Resolution No. 2012-197, 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). President Brahl made a motion to approve the resolution, Ms. Dobbs second the motion. At the call of the roll, the vote was:

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

NAYES: None. Council went into executive session at 8:53pm.

Adjournment. President Brahl made a motion to adjourn at 10 pm, Mrs. Dobbs second the motion. All members present voted in favor of the motion.

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