

**BOROUGH OF PALMYRA
BOROUGH COUNCIL MINUTES
MAY 2, 2016**

CALL TO ORDER.

SALUTE TO THE FLAG.

MOMENT OF SILENCE.

OPEN PUBLIC MEETING STATEMENT

Public Notice of this meeting pursuant to the Open Public Meeting Act has been given by the Municipal Clerk in the following manner:

- A. Posting written notice on the Official Bulletin Board at the Palmyra Borough Hall on January 10, 2016.
- B. Mailing written notice to the Burlington County Times, Courier Post newspaper on January 10, 2016.
- C. Notice to all Council.

ROLL CALL: Present: Mayor Michelle Arnold, President Norcross, Mrs. Tait, Ms. Tucker, Mr. Kearney, Mr. Howard, Mr. Yetter.
Absent: None.

INVOCATION: Mr. Gural gave the invocation.

APPROVAL OF MINUTES- President Norcross made a motion to approve the minutes from April 18, 2016, Mrs. Tait second the motion. All members present voted in favor of the motion. Mr. Howard abstain.

CORRESPONDENCE.

- A. **BURLCO JIF-** Special Recognition Award-Mayor Arnold read a letter congratulating Chief Pearlman on receiving a Burlington County Municipal Joint Insurance Fund's 2015 Safety Incentive Program Special Recognition Award. The award is given in appreciation of outstanding communication to fellow employees. Chief Pearlman was nominated by Tracy Kilmer.
- B. **DEP-**Letter from Division of Air Enforcement-NJ Administrative Consent Order. Mayor Arnold read the letter into the record.



State of New Jersey

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Air Enforcement
Bureau of Air Compliance & Enforcement-Central
Mail Code 22-03A
P.O. Box 420, Trenton, NJ 08625-0420
Tel: 609-292-3187 fax: 609-292-6450

BOB MARTIN
Commissioner

April 14, 2016

John Gural, Borough Administrator
Borough of Palmyra
20 West Broad Street
Palmyra, New Jersey 08065

Re: PALMYRA BORO WWTP - PI # 45351
New Jersey Administrative Code 7:27-5.2(a)
Administrative Consent Order with
EA ID#: NEA130001 - 45351

Dear Mr. Gural:

As a result of a review of the ACO Progress Report, dated March 5, 2016, it has been determined that PALMYRA BOROUGH WWTP has demonstrated to the satisfaction of the Department that all obligations imposed by the referenced Administrative Consent Order are satisfied. In accordance with paragraph 39 of the referenced Administrative Consent Order, the referenced Administrative Consent Order NEA130001 is hereby terminated effective April 14, 2016.

If you should have any further questions, please contact Elizabeth Dorry of my staff at (609) 292-3187.

Sincerely,


Christopher Odgers, Manager
Bureau of Air Compliance & Enforcement-Central

New Jersey is an Equal Opportunity Employer / Printed on Recycled Paper and Recyclable

C. Thank you card from The Washington and Howard Family. Mayor Arnold read a thank you for the flowers during their mothers hospital stay.

PROFESSIONAL UPDATES.

A. William Kirchner-ERI-Mr. Kirchner explained that the letter from DEP

was the results of the upgrades to the sewer plant and that all improvements have been met. There are two change orders listed on the agenda to close out the projects. The centers generator change order is due to the gas line installation increase in pricing and the road program change order is for six large patches that were done throughout the Borough by the contractor. The patch work was too large for public works to complete. Mr. Kirchner reported on the accordion wall and that the discussion is whether or not two sprinkler lines have to be moved and the permits needed to do the work. The actual installation will be done in May.

B. Anthony LaRosa-Maser Consulting-Mr. LaRosa advised council that the plans for the steps outside Borough Hall will be ready by May 11th. The construction part of the project should be completed by the end of July. Mr. LaRosa is still obtaining information on the tank that was removed in back of Borough Hall, they are currently looking for old records. The concession stand and Legion Field improvements are being reviewed. NJ American Water has replaced a lot of the water mains in the Borough. There will be a meeting about the Riverfront Park Grant project to review the scope of work needed. Mr. LaRosa will be coordinating with Chief Pearlman the drug free zone map update. There was a meeting with the school about 4th Street and there have been some minor adjustments. The flow of traffic in and out of the parking lot was discussed. Mr. Howard inquired if vehicles will be able to make a safe turn if there are parking spaces near the end of Delaware Avenue. Mrs. Tait inquired as to when the public outreach meeting will be. Mr. Gural suggested that the timeline is about May 17th or the week of May 23rd. Superintendent McBride has informed the Borough that the plan was passed at the subcommittee meeting and will now go to the full board for approval. Mr. Gural explained that just the concept plan is being approved and then it will go to an outreach meeting for the public before any final action is taken. Mayor Arnold explained that the Borough Council will not move forward without a resolution of approval from the school board. Mr. Kearney inquired if consideration of the street traffic on Race and Broad Street has been taken into account. Mr. LaRosa explained that there will not be any additional traffic on those streets, it will still be the same number of vehicles going to the school. Chief Pearlman had traffic counts done in the area and they are processing the data now. Mrs. Tait inquired if there was any suggestion to the school board about opening different doors to help with the traffic. Mr. LaRosa explained that the school has their own security plan. Mr. Gural explained that it is important to understand that the school resource officer several years ago proposed this change and also the current school resource officer and Superintendent. President Norcross discussed that the Borough has been made aware of the safety issues involved and that something has to be done or the Borough could be held accountable if something happens. Mrs. Tait agreed that it is a problem but why was the burden put on the Borough instead of the school to look for a solution. There could be other ways to relieve the issue without changing the direction of the street. Mr. Kearney discussed that he also believes that the school should do something about the doors with the traffic issue, when the doors were changed a few years ago is when the traffic problems started. Mayor Arnold explained that the school has made it clear that due to safety and security only certain doors could be opened. Mayor Arnold inquired about the timeline for the park at the Riverfront Park. Mr. Maser replied that there is not a lot of engineering involved and that it will depend on the bids.

PRESENTATION BY ED FOX -River Route Strategic Plan. Mr. Fox explained that he is presenting the regional strategic plan update to see if the Borough is interested in participating with other communities along the Riverline in an update of the original plan. Palmyra and Florence were the original towns to form the River Route Committee. In 1995, the Freeholders wanted to have one voice to help with grants and recommendations and

also to prioritize what was needed to help the towns along the Riverline. All the towns collectively were going to look at quality of life issues such as: land use and development, housing and neighborhoods, economic development, transportation, recreation and open space, historic preservation, public facilities and services and intergovernmental coordination. Four representatives from each town were select by their governing bodies to meet with the other members. The Freeholders would now like to update the information that was given for the original plan. The new report will be more concise and will include the updates on the quality of life issues that were changed since the original plan. Mayor Arnold discussed appointment of 4 four members to the Board and that she has participated in the committee and will continue. Mr. Fox advised council that the committee communicates mostly by email. Mr. Howard inquired if the service is free for the participating towns. Mr. Fox replied that there is no charge to be a part of the committee. The resolution will be placed on the council meeting for support of update to River Route Corridors' strategic revitalization plan.

PUBLIC PORTION- This public portion is for discussion on professional updates, resolutions and ordinances listed on the agenda. Please sign in and state your name and address for the record. Council will give all comments appropriate consideration. Each citizen will be allotted up to five (5) minutes to speak, in order to allow everyone an opportunity to ask questions and express their opinions or concerns. Please direct all comments to the Mayor. Each resident may only speak once during each public portion.

President Norcross made a motion to open the public portion, Mr. Kearney second the motion. All members present voted in favor of the motion.

Ms. Veitenheimer-Rowland inquired as to the cost the Borough has for the 4th Street project. Mr. LaRosa explained that the Borough has applied for a Department of Transportation Grant to repave 4th Street, but that the project for the school is about \$15,000. Ms. Veitenheimer inquired if the grant is not awarded will the project just be the \$15,000 for the schools project. Mr. Gural explained that without the DOT grant funds the project will involve stripping, signage and other details needed for safety on 4th Street in front of the school.

Mr. H. Norcross-Temple- discussed that the doors on 5th Street are open for the students taking the buses and that another door is opened till 10am. The door security has been done for several years. There are cameras that take pictures of people coming and going. Mr. Norcross informed council that he is the one that started the request for the changes due to safety of the students.

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

COMMUNITY SPOTLIGHT. Mayor Arnold explained that this section of the agenda is for groups or individual to announce or discussed that events are happening with their organizations.

A. NJ Conference of Mayors- Mayor Arnold attend the conference of Mayors

held in Atlantic City and got a lot of useful information from the conference. Mayor Arnold explained that one of the emphasis is that even if you are doing yard work in the front before digging you should call dial 811. The transportation fund was also discussed as well as pension reform and school funding. Mayor Arnold will be working with Mayor Daniels of Westampton Township to form a Burlington County Mayors Association.

B. Pal/RV Color Run-May 14th will be a Splash of Color Run hosted by PTO and PTA of Palmyra and Riverton. Start time is 9:00am. Mayor Arnold and Mayor Wells of Riverton will be cutting the ribbon to start the race.

C. Palmyra Day- Mayor Arnold discussed that the weather was good and that she would like to see some changes made for next year.

D. Spring Fling-the Senior Program is having a spring dance on May 21, from 1pm to 4pm at the Community Center. The cost at the door is \$12.00

E. Governor Christie has declared May as Military Appreciation Month.

F. Mayor Arnold announced that she is available to perform weddings and that they can call Borough Hall to reach her.

G. Mrs. Tait announced that the Community Center Board is holding a blood drive on May 7th from 9am-1pm. Everyone can pre-register on the American Red Cross website.

H. Mr. Howard announced that a tree was planted for Arbor Day at the Charles Street School. Mr. Yetter explained that he was there when they planted a tree in the 60's as a student.

RESOLUTIONS. Consent Agenda- Resolution 2016-128 -Resolution 2016-136 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 Norcross requested that 2016-130 be pulled from the consent agenda. President Norcross made a motion to approve the consent agenda, Mr. Kearney second the motion. At the call of the roll, the vote was:

AYES: President Norcross, Mrs. Tait, Ms. Tucker, Mr. Kearney, Mr. Howard, Mr. Yetter.

NAYES: None.

A. Resolution 2016-128, Resolution Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40A: 4-87(chapter 159): NJ Recycling Tonnage Grant,

B. Resolution 2016-129, Resolution Requesting Approval Of Items Of Revenue And Appropriation N.J.S.A. 40A: 4-87 (chapter 159): NJ DEP Community forestry Management Plan.

C. Resolution 2016-130, Resolution Of The Mayor And Council Of The Borough Of Palmyra, County Of Burlington Authorizing The Entry Into A Cooperative Pricing Agreement. Mrs. Tait discussed that her only issue with the program is that you cannot opt-out of the program before it starts. There will be people who won't understand that they have to call to opt-out. President Norcross recused himself from the vote. Mr. Yetter made a motion to approve the resolution, Ms. Tucker second the motion. At the call of the roll, the vote was:

AYES: Ms. Tucker, Mr. Kearney, Mr. Yetter.

NAYES: Mrs. Tait.

ABSTAIN: Mr. Howard.

D. Resolution 2016-131, Resolution Authorizing Refund Of Interest To F.C. Kerbeck.

E. Resolution 2016-132, Resolution Approving Change Order # 2 To Curb Con

Inc. For The South Broad Street And 2015 Road Improvement Program In The Amount Of \$9,094.80 For A Total Contract Price Of \$525,613.72.

F. Resolution 2016-133, Resolution Approving Change Order #1 To Municipal Maintenance For Community Center Emergency Generator Project In The Amount Of \$4,705.00 For A Total Contract Price Of \$177,905.00.

G. Resolution 2016-134, Resolution Extending The Appointment Of Tracy Kilmer As Housing Official For The Borough Of Palmyra Till May 31, 2016.

H. Resolution 2016-135, Resolution Rejecting The Request For Proposal For Housing Inspector Submitted By Community Grants, Planning and Housing.

I. Resolution 2016-136, Resolution Of The Borough Council Of Palmyra Authorizing The Sale Of Property No Longer Needed For Public Use On An Online Auction Website. (2003 Ford Expedition).

DISCUSSION ITEMS.

A. SRO update. Mr. Gural reported that he has received no negative comments about the agreement and that the subcommittee of the Board of Education has agreed to forward the agreement to the Board on May 11th.

B. Capital Ordinance-Mr. Gural explained that he will have the capital ordinance ready for introduction at the next council meeting and final adoption in June. The items included would be the ones already listed on the budget.

C. Broad Street signs- Mr. Gural informed Council that he has contacted the owners of the properties along Route 73 about placement of a sign.

D. Short Sale- a home on Delaware Avenue has a housing rehab lien on it from the Borough's program. The owner has to pay off the lien to the Borough to be able to sell the property. The owner would have to enter into an agreement with to pay the Borough back about \$3,000. Mayor Arnold explained that it would be an unsecure loan.

E. Safe Routes To School-Superintendent McBride is reviewing the previous application and that the discussion is to apply for the Charles Street School drop off that was denied in previous years.

F. Cellphones-Mayor Arnold discussed that cellphones for the Mayor and Borough Council were discussed at budget time. Chief Pearlman has reached out to councilmembers about the phones and what kind they wanted. Mayor Arnold discussed that Borough business cannot be discussed on private phones and that no employee or representative of the Borough will be allowed to communicate on private phones for Borough communications. Mayor Arnold explained that things will be done as properly as they can be. For those not using Borough phones email will be the only form of communication. The cell phone numbers for the Mayor and Council will be published on the website and when there is a change to the positions the phone will stay with that position. Councilmembers will be accessible to the public through the Borough's main telephone system or Borough cell phones.

ADMINISTRATOR REPORT.

A. Tri-boro Vets- Mr. Gural updated Council that the property is authorized to sell and that he is waiting to hear back from Habitat.

B. Personnel moves-a resolution will be on the next agenda to make part time employee

full time and also resumes have been submitted for the public works position. Mayor Arnold and Councilman Yetter have copies as well as Mr. Henry. Chief Pearlman has advertised for a new officer for the department.

C. Governor's Occupation Safety and Health Awards Program-Mrs. Kilmer, Councilman Howard and Councilman Yetter attended the dinner.

D. Electronic Waste Management Act.-Mr. Gural explained that the County recycling program is attempting to get a bill passed that would require companies to absorb some of the cost of recycling electronics. The County will no longer accept electronics from municipalities, only private residents.

PUBLIC COMMENT. Please sign in and state your name and address for the record. Council will give all comments appropriate consideration. Each citizen will be allotted up to five (5) minutes to speak, in order to allow everyone an opportunity to ask questions and express their opinions or concerns. Please direct all comments to the Mayor. Each resident may only speak once during each public portion.

President Norcross made a motion to open the public portion, Mrs. Tait second the motion. All members present voted in favor of the motion.

Mr. Patel-Cinnaminson informed Council that he had received a new water bill and that it was \$5,000 for the billing from September, 2015 to February 2016. There was a leak in the system and that the billing was when the old owner owned the building. Mr. Patel explained that the same \$5,000 will be used for his next sewer billing. Mr. Gural explained to Council that the Borough uses the same water usage from the September to February amount for the entire year. Mayor Arnold inquired if it was a private sale or real estate sale. Mr. Patel explained that it was a private sale between him and the previous owner. Mr. Patel discussed that the water is not dirty water going into the sewer system and that the water is recycled. Mr. Gural explained that one of the reasons for the water usage system for the laundromat is that the previous owner sued the Borough for not using the water usage system so the Borough had to adopt an ordinance for water usage billing. Mayor Arnold inquired if any consideration can be given for the leak and water usage at the laundromat. President Norcross discussed that the water billing is for the fall and winter months when less water would be used and that a home or business with a sprinkler system does not go into the sewer system. Mr. Gural explained that the ordinance does not address a property that has a leak and uses an excess amount of water. Mayor Arnold discussed in selling hundreds of properties there is always a final water reading called for before settlement and that the new owner pays from the date of settlement forward. Mr. Patel replied that his sewer bill did not come till after settlement. Mr. Gural discussed that Mr. Patel could bring in his water bills for the next half of the year and that the tax collector could adjust his October billing to reflect if there is less usage. Ms. Grant, solicitor suggested that Mr. Patel could also be placed on a payment plan so that he would not have to pay the bill in full. Mr. Schwering-Broad Street inquired about the judgement from JGSC lawsuit and that he understands there was a settlement. Mayor Arnold explained that there was a settlement and that the Borough is responsible for a portion of it. Mr. Gural informed Mr. Schwering that the settlement was for a total of \$162,500 and that the Borough share was \$37,500. The insurance company will pay the balance. Mr. Schwering inquired if Council would consider some time of management team for the businesses. The people that run the businesses have their time tied up in running the business and someone is needed to promote the businesses. Mayor Arnold replied that the Borough has learned a lot and is looking to do a better job. Chief Pearlman-informed Council that he is looking for the best officer to serve the Borough and that they dropped off flyers to all the police academies in the region and to all

the churches in Palmyra as well as the Burlington County NAACP. Thirty-eight applications have been sent out per request and that 20 have been received back.

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

MAYOR AND COUNCIL COMMENTS.

Mr. Yetter inquired if the vehicles for the public works/sewer department will be on the capital ordinance. Mr. Gural replied that if they were listed on the capital budget they will appear on the ordinance.

Mr. Howard thanked everyone for the support and help with Palmyra Day. The police department and public works did a great job. The public works trucks were on displayed and many of the residents commented about them.

Mr. Kearney expressed that Palmyra Day was a great event.

Mrs. Tait informed Council that she had met with Mr. O'Brien about the chickens and will be sending something out to the rest of Council. Mr. Yetter inquired if anyone talked to any of his neighbors about the chickens. Mrs. Tait replied no, not yet.

Mayor Arnold discussed that she is the defactor member of all committees and that she is to be included in all meetings notices and also minutes should be taken. Mayor Arnold explained that moving forward if someone is going to be absent or late they should contact her as well as Mr. Gural. Any items of discussion or things wanting to be placed on the agenda need to be approve by her, as she sets the agenda with the help of the administrator. Mayor Arnold reminded everyone that no one is to use the Logo without permission.

Mr. Gural and Ms. Grant (solicitor) discussed the COAH matters.

ADJOURNMENT. Mrs. Tait made a motion to adjourn, President Norcross second the motion. All members present voted in favor on the motion. Council adjourned at 9:05 pm.