

BOROUGH OF PALMYRA
BOROUGH COUNCIL MINUTES
December 5th, 2016

CALL TO ORDER

ROLL CALL

Present: Mayor Michelle Arnold, President Bryan Norcross, Mr. Tim Howard, Mr. Edward Kearney, Mrs. Gina Tait, Mr. Lewis Yetter
Absent: Ms. Shelby Tucker

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

OPEN PUBLIC MEETINGS STATEMENT

Public Notice of this meeting pursuant to the Open Public Meetings 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, and the Courier Post Newspaper on January 10, 2016.
- C. Notice to All Council Members.

INVOCATION

Mr. John Gural gave the invocation.

APPROVAL OF MINUTES

November 21st, 2016 regular minutes November 21st, 2016 Executive minutes

Mrs. Tait made a motion to approve the regular meeting and executive meeting minutes from November 21st, 2016. Mr. Yetter seconded the motion.

At the call of the roll.

AYES: President Norcross, Mr. Howard, Mrs. Tait, Mr. Yetter

NAYES: None

Abstain: Mr. Kearney

CORRESPONDENCE

Mayor Arnold acknowledged a thank you card received from the Van Emburgh Family.

PROFESSIONAL UPDATES

David Gerkens, CGP & H – Mr. Gerkens was just returning from out of town however will provide a written report, which will be forwarded to the governing body.

John Hogue, ERM – Mr. Hogue will also provide a yearend report after the meeting scheduled on December 13th, 2016; which will be forwarded to the governing body.

William Kirchner, ERI – The annual sewer maintenance contracts were bid on November 30th, 2016. Most of the contracts came where we expected to see them; some with a slight increase as anticipated. The big savings was the sewer general maintenance contract, which is about 8,000.00 less than the previous year. The sludge disposal and HVAC maintenance contracts were bid as two year contracts, the sludge disposal contract is a little more than last year as anticipated due to raising fuel cost and the HVAC maintenance contract is a little less than last year; with a \$7,500.00 dollar allowance built into that contract, so if something needs to be replaced, the money is already set aside in the contract to replace it. The emergency on call contract is the same bidder as last year however is about \$3,000.00 less than last year's contract. These contracts will be on the agenda in January to be awarded.

The reports were turned over in regards to the ownership of the road/ditch in the Riverfront. The Borough does not own the road or the ditch.

The Harbour Drive evaluation has started, the cores were completed last week and the inventory of the road itself is halfway complete, the traffic counters are out and will be out for the next two weeks.

Anthony LaRosa, Maser Consulting – The TAP Grant to extend the pedestrian walkway along the Riverline from Chestnut Street to New Jersey Avenue has been submitted.

The contract documents are complete for the Riverfront Park Project and it is advertised to go out for bid on the 12th of December, 2016, with a bid opening date of January 24th, 2017. We are hoping to award in February and begin the project in March or April of 2017.

The concept plans for the Grove Park project are complete along with the cost estimating. The Grant has been applied for and we are waiting for a response regarding the approval.

The DOT grants have been applied for regarding the Safe Routes to School Grant; we had not had an update from them yet.

A meeting has been scheduled for December 6th, 2016 with NJ American Water to review the punch list for the paving work they completed earlier this year. They will be working on a number of streets, residents will be notified and emergency vehicles will still be able to get thru and the Police Department has been notified to help with traffic controls. NJ American Water is hoping to have this completed before the end of the year.

The concession stand inspection report will be completed this month.

The Borough Hall exterior conditions report was turned into Mr. Gural today and once comments are received will determine the direction in which the Borough wishes to proceed.

The Borough Hall step project outside of the building is now complete. The paperwork for a variance has been submitted and we are waiting for written approval of compliance for the railings.

The traffic report for the 4 way stop on Charles Street and Park Avenues is complete and has been dispersed for your information, many recommendations are made in regards to where the stop signs should be placed, how the street should be stripped, etc., once council has decided how they wish to proceed we will be ready to move forward with that project. Mr. Gural expressed that this project along with the grove park project and the sewer contracts Mr. Kirchner spoke about earlier will all have to be addressed in the new calendar year, as the CFO cannot certify funds in this calendar year.

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 citizen may only speak once during each public portion.

Mrs. Tait made a motion to open the public portion, Mr. Yetter second the motion.

All members present voted in favor of the motion.

Ms. Veitenheimer –Rowland Street – How do you justify spending \$34,000.00 on engineering fees for the band shell area? Mayor Arnold indicated, Resolution 2016-265 would not be moving forward as we have applied for a grant for that project and we don't have that approval from the county yet. Mr. Larose indicated the \$34,000.00 is everything from getting the application submitted for the grant, design plans, administration of the bids, awarding of the bids and handling the project from start to finish.

John Casparro – Morgan Avenue – Mr. Casparro asked was anything put out to the public regarding the designing of the grove park, as there seems to be a concept already approved for the grove park.

Mayor Arnold indicated, this project is still very conceptual, that in order to apply for the grant, plans needed to be submitted giving the program some idea of what we wanted to do, it's not etched in stone, we are very much still in a conceptual stage, if you have something you would like to submit please do. Mr. Casparro asked how flexible is the plan? Mayor Arnold indicated the basic outline and concept of the park are determined however the nuances can be changed. Mr. Gural further indicated the pre-development design must appeal to the grant administrators, there are requirements and certain criteria that they are looking for and they will only award funds for the projects which meet the criteria. The funding amount will not change once awarded however we can change the project design.

Bernadette Russell – Parry Avenue – Mrs. Russell wished to address the reorganization meeting date. It was her hope that council would consider having the meeting on Saturday January 7th, 2017, as she will be out of the country and not returning until January 2nd, 2017 and her family will not be available until January 7th, 2017.

No one else from the public wishing to be heard, Mrs. Tait made a motion to close the public portion. Mr. Yetter seconded the motion.

All members present voted in favor of the motion.

ORDINANCES ON SECOND READING (Public hearing)

Ordinance 2016-10, An Ordinance Of The Borough Of Palmyra, County Of Burlington, State Of New Jersey Amending Chapter 90 Section 90-10 Vehicles and Traffic of The Code of The Borough Of Palmyra Providing For Directional Change In Traffic Flow on W 4th Street Between Race Street and Delaware Avenue

Ordinance 2016-10 was withdrawn by Mayor Arnold, because the alternate plans tried, worked and the Superintendent of the High School indicated that the safety committee of the Board of Education met and the safety issues of concerns have been addressed so there is no need to move forward with Ordinance 2016-10.

Ordinance 2016-19, An Ordinance of the Borough of Palmyra Regulating Towing and Towing Operators

Mr. Yetter made a motion to open Ordinance 2016-19 to the public for comment. Mr. Howard second the motion

All members present voted in favor of the motion.

Mr. Norcross – Cinnaminson Ave – It's taken 40 years to finally get it.

President Norcross made a motion to close the public comment. Mr. Howard seconded the motion.

All members present voted in favor of the motion.

President Norcross made a motion to adopt Ordinance 2016-19 on second and final reading.
Mr. Yetter seconded the motion.

At the call of the roll, the vote was:

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

NAYES: None.

Ordinance 2016-19 was adopted on second and final reading and will take effect after publication according to law.

RESOLUTIONS Consent Agenda- Resolution 2016-262 thru Resolution 2016-268 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.

- A. **Resolution 2016-262** Resolution Approving Participation With The Municipal Park Development Grant Program
- B. **Resolution 2016-263**, Resolution Authorizing The Cancellation of the Reserve For Revaluation
- C. **Resolution 2016-264**, Resolution of the Borough Of Palmyra Authorizing the Cancelling of Certain Reserve Balances
- D. **Resolution 2016-265**, Resolution Awarding A Contract to Maser Consulting for the Design Documents and Construction Management for the Grove Park Improvements Project (Band Shell Area) in the Amount not to exceed \$34,000.00.
- E. **Resolution 2016-266**, Resolution Authorizing the Chief of Police to Execute a Release and Refunding Agreement Pursuant to the \$20,000.00 Bequeathed to the Palmyra Police Department under The Terms of The Last Will of James R Mitchell.
- F. **Resolution 2016-267**, Resolution Awarding A Contract to County Conservation Company for the Receiving of Leaves for the Period of October 1st, 2016 thru December 31st, 2016 in an Amount Not To Exceed \$17,500.00
- G. **Resolution 2016-268**, Resolution Supporting the Drive Sober or Get Pulled Over 2016 Year End Holiday Crackdown

Mayor Arnold request resolution #2016-265 be removed from the consent agenda.

Mr. Yetter made a motion to approve the consent agenda Resolution 2016-262 thru Resolution 2016-264 and Resolution # 2016-266 thru Resolution 2016-268. Mr. Kearney seconded the motion.

At the call of the roll.

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

NAYES: None

Resolution 2016-265, Resolution Awarding A Contract to Maser Consulting for the Design Documents and Construction Management for the Grove Park Improvements Project (Band Shell Area) in the Amount not to exceed \$34,000.00.

Mayor Arnold tabled this resolution until we determine if we receive the grant.

COMMUNITY SPOTLIGHT

Santa Claus is arriving on the fire truck on Friday December 9th, 2016. He will be making his way around town and will arrive at the Grove about 7:00 pm to light the Christmas tree. Immediately following the tree lighting you may join him in the community center for photos, fun activities and milk and cookies.

Mayor Arnold thank F.C. Kerbeck for their very generous donation for our Holiday Celebration.

Mr. Kearney indicated that the Barista is sponsoring a fundraiser, "stick a fork in cancer", and giving a portion of their profits from this week to fight cancer.

Mayor Arnold also indicated the Islamic Center of South Jersey held an event last Friday evening which was very informative and the attendance was great.

DISCUSSION ITEMS

Much discussion was held regarding the date of the Reorganization meeting of the Borough Council.

Mrs. Tait made a motion to hold the meeting on January 7th, 2016 at 10:00 am. Mr. Howard seconded the motion.

At the call of the roll.

AYES. Mr. Howard, Mr. Kearney, Mrs. Tait, Mr. Yetter,

NAYES. None

Abstain. President Norcross

Discussion was had earlier regarding the four way stop at W. Charles Street and Park Avenue. Mr. Gural indicated that we should get the recommendations in the engineer's report done as soon as possible after the beginning of the New Year.

The Bridge Commission is having a meeting December 7th, 2016 regarding the Bridge Commission's potential involvement in the AST Fuel Storage and Distribution Project. More information will follow once we have heard back from the Bridge Commission.

Mayor Arnold announced that Councilmen Shelby Tucker has resigned her council seat effective December 1st, 2016, which has created a vacancy on Borough Council. Mr. Jason Furrer of the Burlington County Republican Party Municipal Committee indicated the party had come up with three

names they wished to submit to fill the vacant council seat. The three names submitted were Frank Cosky, Jim Countryman, and Sue VanEmburch. Mr. Furrer further indicated all the candidates were present and available to tell council about themselves and to answer any questions council may have. Frank Cosky introduced himself, indicated he is a lifetime Borough resident, an attorney with a practice not too far from the Borough, and he has also served on Borough Council before. Sue VanEmburch indicated she too is a resident of Palmyra, with strong ties to the community, her grandfather served on Borough Council, and she is very involved with the Palmyra High School Band Parents association. Jim Countryman indicated he was a Palmyra resident and the Facilities Director for the Burlington City School District, and would like to help improve the town.

Mr. Furrer requested that council fill the vacancy this evening. After much discussion regarding the candidates presented Mr. Yetter indicated he would like to move forward this evening; President Norcross made a motion for the vacant seat on Borough Council be filled by Mr. Frank Cosky. The motion was seconded by Mr. Yetter. Mrs. Tait made a motion to fill the vacant council seat with Mr. Jim Countryman. The motion was seconded by Mr. Howard. Mr. Howard Made a motion to amend President Norcross's Motion to change the name to Jim Countryman. The motion was seconded by Mrs. Tait. Roll call was taken on Mr. Howard's motion.

At the call of the roll.

AYES: Mr. Howard, Mrs. Tait

NAYES: Mr. Yetter, Mr. Kearney, President Norcross Motion failed

Returning to the original motion made by President Norcross a roll call vote was taken.

At the call of the roll.

AYES: Mr. Kearney, Mr. Yetter, President Norcross

NAYES: Mr. Howard, Mrs. Tait

Mr. Frank Cosky was selected to fill the vacant council seat. Mr. William Burns administered the oath of office and Mr. Cosky then took his seat on the dais.

The regular Council Meeting scheduled for December 19th, 2016 will be cancelled. The Holiday schedule for the Borough Offices will be as follows: instead of half days on both Friday December 23th, 2016 and December 30th, 2016, all Borough offices will be closed on Friday December 23th, 2016 for the entire day and December 30th, 2016 all Borough Offices will be open for the entire day.

The pole has finally been moved in the South Broad Street project. Some residents however have concerns about that intersection. The Mayor indicated, the intersection will be striped at New Jersey Avenue, so residents will know where the middle of the street is, and the stop sign will be reinstalled.

ADMINISTRATOR'S REPORT

Mr. Gural indicated he will be sending a letter to the Islamic Center indicating that the handicapped parking space requested on Garfield Avenue cannot be approved.

Mr. Gural and Mayor Arnold have met with Mr. Kerbeck and various property owners from the Filmore Avenue area. They have physically inspected the areas however are waiting for more information from our tax accessor, therefore the full report won't be ready until late January of 2017.

RFP's are due December 9th, 2016 by 2:00 p.m. They will be organized and placed in the conference room for council to pick-up and review.

Mr. Gural asked the governing body to establish a policy for totally disabled veteran tax refunds. Currently the staff has had some discussion as to exactly how our governing body would like or interpret what our policy should be. Currently we have reimbursed the applicant for the current year requested, and the first previous year. We have asked the governing body to adopt a policy so the staff has a clear and concise understanding of what the refund policy is. Once the information is gathered, it will be forwarded to council for their consideration.

A conference called is planned for this coming Wednesday, with the Burlington County JIF Administrative staff and our Risk Management consultant regarding the insurance coverage for our members on the CERT team. The Burlington County Joint Insurance Fund thinks the insurance liability should be shared with the other municipalities of the Tri-Boro CERT Team, so we are looking at a potential share service agreement in the long term, however much must be resolved prior to that.

On December 13th, 2016 the Mayor, Mr. Gural, Mr. Hogue of ERM, The New Jersey Department of Environmental Protection, Mr. Burns and National Amusements will be meeting to work on the access agreement to their property for the continued remediation of unexploded ordnances on their property. We will report back at next meeting.

Mr. Gural requested a meeting with the Riverfront Property Manager, Tony Sorrentino regarding the sink hold repair on Riverfront Drive, sewer operations proposal, and the property ownership of the drain ditch, he will report back to council once more is known.

Mr. Gural indicated we have reached a proposed agreement with retired police officers regarding co-pay and medicare coverage when reaching age 65. There remains a minor issue, still to be worked out. Mr. Gural requested the governing body make a resolution authorizing the Mayor and or Administrator to exercise that agreement once reached between the retirees and the Borough. Mrs. Tait made a motion, Resolution 2016-269 Authorizing the Mayor and or Administrator to execute a settlement agreement between the two retired police officers. The motion was seconded by Mr. Kearney.

At the call of the roll.

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

NAYES: none

ABSTAIN: Mr. Cosky

As discussed in the past, we had requested monitors so that the public could follow along and view various documents in real time, as you can see they are in and hopefully the public as well as council will enjoy the benefit of them. It should also be noted they we paid for with left over capital project funds from Borough Hall improvements.

Information is posted on our website regarding the Burlington County Energy Aggregation Program. Some of our residents' experienced higher rates with the program than what they would have been charged if they had the local utility company; we were guarantee Tri-Eagle Energy charges would never be higher than the local utility. We requested an explanation for this and were told this we due to a reconciliation charge which temporally lowers the default supply rate for a month. Tri-Eagle Energy has indicated they will be refunding all customers affected and began issuing refunds last week to resident's accounts. All Information is posted on our website regarding this Burlington County Energy Aggregation Program update and if any of our residents have additional questions they can call: 855-200-2648.

Mr. Gural and Mayor Arnold thanked Mr. Benson for completing his C 2 Level Sewer Collections certification; many congratulations to Greg on that accomplishment.

Shade Tree Contractor, Greenscape Landscape of Glenside, PA has been notified that they are in breach of their contract and their services are no longer required. We will have to rebid that contract in the upcoming year.

COMMITTEE REPORTS

President Norcross. Brian asked if it was possible to put an advertisement on our website regarding Maple Shade street hockey program. Mr. Countryman will supply info for site.

Gina Tait. No report

Tim Howard. Mr. Howard reported the shade tree committee meeting is scheduled for Wednesday at 7:00 pm and the youth and recreation committee has a meetings scheduled for December 15th, 2016 at the community center.

Lew Yetter. Mr. Yetter indicated a sewer meeting was held last week with the Mayor and the public works superintendent. The sewer department has also had substantial savings on sludge removal and sewer maintenance. Public works is hoping to have the statue installed in the War Memorial before the weather gets to cold. He further reported that public works is still in the process of collecting leaves.

Edward Kearney. No report

Mayor Arnold. Mayor Arnold indicated she has a meeting scheduled with the Mayor of Camden regarding the revitalization of Camden, and hope there might be some things we may be able to work together on. Mayor Arnold also indicated she was working with the Superintendent of Palmyra Public Schools to come up with some guidelines with him so that we can place a student representative back in place with council. Mayor also received a compliment from a resident regarding public works and leaf pick-up.

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 citizen may only speak once during each public portion.

Mr. Yetter made a motion to open the public portion, President Norcross second the motion.

All members present voted in favor of the motion.

Tom McElwee of Columbia Avenue- Mr. McElwee indicated there were 281 boxes of cookies raised to be sent to the troops, and he thanked everyone for their effort.

Howard Norcross of Cinnaminson Avenue- Mr. Norcross reminded everyone that Thursday is the 75th Anniversary of Pearl Harbour.

No one else from the public wishing to be heard, President Norcross made a motion to close the public portion. Mr. Yetter seconded the motion.

All members present voted in favor of the motion.

MAYOR AND COUNCIL COMMENTS

Mr. Cosky – Mr. Cosky indicated it was great to be back on council.

Mrs. Tait – Mrs. Tait wished everyone a great Holiday and a Happy New Year.

President Norcross – Mr. Norcross thanked the borough staff for their efforts, dedicated work, and congratulated Mindie Weiner and Bernadette Russell on their new positions. Happy Holidays to everyone.

Mr. Yetter – Mr. Yetter reminded everyone that Santa will be coming to town on Friday and indicated he looked forward to working with Mindie and Bernadette.

Mr. Howard – Mr. Howard thanked Mr. Norcross and Mr. Kearney for their service and indicated he was looking forward to working with Mrs. Russell and Ms. Weiner. Mr. Howard wished everyone a Happy and safe Holiday. Mr. Howard also indicated he was meeting with the Rutgers in Camden for a South Jersey Fair Share Event. Mr. Howard indicated he would have some information for council next year regarding funding for grants.

Mr. Kearney – Mr. Kearney indicated he enjoyed working with everyone and wished everyone a safe and happy holiday season.

Mayor Arnold– Mayor Arnold wished Mindie and Bernadette the best, and thanked Ed and Brian for their service. Mayor wished everyone a Happy Holiday and reminded everyone to be good neighbors.

Mr. Gural indicated we received an itemized bill from ERM at closing today, which exceeds the amount we allocated in the budget. Mr. Gural requested a resolution authorizing the CFO to make necessary transfers in budget in the amount of \$24,945.00 for redevelopment support.

President Norcross made a motion to approve Resolution 2016-270 to authorize the CFO to make the necessary budget transfers totaling \$24,945.00 for redevelopment support. Mr. Kearney seconded the motion.

At the call of the roll.

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

NAYES: None

ABSTAIN: Mr. Cosky

Resolution 2016-271 Resolution Excluding the Public from Certain Meetings Pursuant To Section 8 of the Open Public Meeting Act C. 231 P. L. 1975. Litigation, Contracts, Negotiations

Mr. Yetter made a motion to approve Resolution 2016-271. Mrs. Tait seconded the motion.

At the call of the roll.

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

NAYES: None

Council went into executive session at 8:47 pm

CLOSED SESSION

Council returned to public session at 9:19 pm

Mrs. Tait made a motion to close Executive Session, Mr. Howard seconded the motion.

All members present voted in favor of the motion.

Mrs. Tait made a motion to adjourn. Mr. Yetter seconded the motion.

All members present voted in favor of the motion.

ADJOURNMENT

Council adjourned at 9:21 pm.

Respectfully Submitted,

Doretha R Jackson

Acting Municipal Clerk