

Borough of Palmyra
Regular Council Meeting Minutes, 7:00 PM
Monday September 18th, 2017

The Regular Meeting of the Borough Council of the Borough of Palmyra was called to order by Mayor Michelle Arnold at 7:00 pm.

ROLL CALL

Present: Mayor Michelle Arnold, Mrs. Gina Tait, Ms. Mindie Weiner, Mr. Lewis Yetter, President Timothy Howard

Absent: Mr. Frank Cosky, Mrs. Bernadette Russell

The Pledge of Allegiance was recited followed by a 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:

- Posting written notice on the official bulletin board at the Palmyra Borough Hall on January 10, 2017.
- Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 10, 2017.
- Notice to All Council Members

INVOCATION

Prayer was given by Sister Reena from The Meditation Center, 910 Riverton Road, Riverton, NJ

Sister Meta Reena indicated the Meditation Center, located on Riverton Road in Riverton, New Jersey, has been there for 11 years. Sister Reena stated what they teach is positive thinking and how to direct your thoughts in the right way. Sister Reena indicated the Meditation Center is open Monday thru Friday from 6:30 PM to 7:30 PM for meditation and also indicated there was a workshop coming up titled, In the World of Doing, Doing, Doing, Just Be. That workshop will be held on Saturday September 18th, 2017 from 11:00 AM to 2:00 PM and everyone is welcomed.

APPROVAL OF MINUTES

Mayor Arnold asked for a motion to approve the Council Caucus Meeting Minutes of August 7th, 2017 Mr. Yetter made a motion to approve the Council Caucus Meeting Minutes of August 7th, 2017. President Howard second the motion.

At the call of the roll.

AYES: Mrs. Tait, Ms. Weiner, Mr. Yetter, President Howard

NAYES: None

Mayor Arnold asked for a motion to approve the Executive Session Minutes of August 7th, 2017
Mr. Yetter made a motion to approve the Executive Session Minutes of August 7th, 2017. President Howard second the motion.

At the call of the roll.

AYES: Ms. Weiner, Mr. Yetter, President Howard

NAYES: None

ABSTAIN: Mrs. Tait

CORRESPONDENCE

Mayor Arnold acknowledged thank-you notes received from Alex Alven and Mr. and Mrs. David Oliver.

Mayor Arnold read letters received from Rachel Sears of FEMA Floodplain Management Division and from the Burlington County Recycling Center.

Mayor Arnold acknowledge an e-mail received from the Tree City USA Program regarding the application due date in February of 2018.

Mayor Arnold noted an invitation received for the governing body to attend the Water Festival in Cinnaminson.

PUBLIC PORTION

This public portion is for discussion on professional updates, resolutions and ordinances listed on the agenda. **Please sign in at the podium, 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. President Howard second the motion.

At the call of the roll.

All voted in favor of the motion

••It should be noted Councilman Frank Cosky entered the meeting at 7:19 pm

Joe Ventura – Cinnaminson Avenue– Mr. Ventura stated he was here to speak about the wall. Mayor Arnold gave Council the proposed graphic art for the wall. Mayor Arnold indicated there are two proposed applications, one a vinyl which is adhered to the wall and the other flex face which is stretched on an aluminum frame. Mayor Arnold indicated in order to put the adhesive on the wall, the wall needs some attention and the estimate for that was about \$2,000.00, for the wrap to be adhered directly to the wall the estimate is \$3,360.00 and the estimate for the aluminum frame with the flex face stretched is \$5,678.00. The total cost should be less than \$6,000.00. Mayor Arnold indicated in conversations with the property owner, the companies involved and the installer, the best way to go is with the aluminum frame, it will hold up the best and has the ability to be changed if we so desired. Mayor Arnold also indicated the aluminum frame will be installed 7ft. from the ground, and in the second phase of the wall mural we are looking at commemorating business which have been in town

for a long period of time in the space directly below the mural. Mayor Arnold indicated, tonight she is looking for permission to move forward with the graphic, and the installation of the aluminum frame and the flex facing, not to exceed \$6,000.00. Mr. Ventura stated he thinks the aluminum frame is the best way to go and allows for the most flexibility, as this is a big piece of art work. Mr. Ventura indicated he was 100% on board with what the art work he has seen. Ms. Weiner asked if there was any idea of how long it will last. Mr. Ventura indicated he was not sure but could find out. Mayor Arnold indicated she thought it was about 10 years. Mr. Ventura stated he was sure there was some sort of warranty. Mr. Ventura said the art work is exactly what he envisioned. After some additional discussion President Howard made a motion to approve Resolution 2017-203, Resolution Authorizing the proceeding with the stretch mural and graphics presented at the Borough Council meeting held September 18th, 2017 in an amount not to exceed \$6,000.00. Mrs. Tait second the motion.

At the call of the roll.

AYES. Mr. Cosky, Mrs. Tait, Ms. Weiner, Mr. Yetter, President Howard

NAYES. None

Mr. Ventura asked about the time frame of completing the bottom portion of the mural, honoring the business. Mayor Arnold stated currently we want to get the top portion complete while gathering information about the various business to be placed at the bottom, hopefully we should have it done in the spring.

No one from the public wishing to be heard, President Howard made a motion to close the public portion. Mr. Yetter second the motion.

At the call of the roll.

All voted in favor of the motion

ORDINANCES ON FIRST READING (Public Hearing to be held October 16th, 2017).

Ordinance 2017-11, An Ordinance of the Borough of Palmyra, County of Burlington and State of New Jersey, Establishing an Abandoned Property List in Accordance with N.J.S.A. 55:19-55.

Mayor Arnold read Ordinance 2017-11. Mr. Gural asked Mr. Rosenberg if some items in the ordinance could be changed. Mr. Rosenberg indicated some things, yes, however others maybe statutory. After some discussion it was agreed by Borough Council, Mayor Arnold and Administrator Gural that the following change would be made to Ordinance 2017-11; In section one, designation of public official the wording should read the Code Enforcement Office, or such other person designated annually by the Mayor with advise and consent of Borough Council, who shall be responsible for identifying abandoned properties,.....

President Howard made a motion to approve Ordinance 2017-11. Mr. Yetter second the motion.

At the call of the roll.

AYES. Mr. Cosky, Mrs. Tait, Ms. Weiner, Mr. Yetter, President Howard

NAYES. None

ORDINANCES ON SECOND READING Public Hearing

Ordinance 2017-09, An Ordinance of The Borough of Palmyra Amending Chapter 126 of the Code of the Borough of Palmyra. Flood Damage Prevention, as adopted via Ordinance 2009-1.

Mrs. Tait made a motion to open the public portion. President Howard second the motion.

At the call of the roll.

All voted in favor of the motion

Mr. Rosenberg inquired if this is considered to be a land use ordinance, and if so it would have to be referred to the land use board. Mr. Gural stated that this is a FEMA requirements and they instructed us as to what had to be updated, they reviewed it and are aware that it was introduced. Mr. Gural stated he would suggest adopting it unless the governing body feels otherwise.

No one from the public wishing to be heard, President Howard made a motion to close the public portion. Mr. Cosky second the motion.

At the call of the roll.

All voted in favor of the motion

A motion was made by Mr. Cosky to approve Ordinance 2017-09 as read. President Howard second the motion.

At the call of the roll, the vote was.

AYES. Mr. Cosky, Mrs. Tait, Ms. Weiner, Mr. Yetter, President Howard

NAYES. None

Ordinance 2017-09 Adopted 09/18/2017

Ordinance 2017-10, An Ordinance of the Borough of Palmyra, in the County of Burlington, State of New Jersey, providing for various capital improvements and related expenses in and for the Borough of Palmyra appropriating \$1,889,000.00 therefor authorizing the issuance of \$1,765,500.00 in General Improvement Bonds or Notes of the Borough of Palmyra to finance the same.

Mr. Cosky made a motion to open the public portion. President Howard second the motion.

At the call of the roll.

All voted in favor of the motion

No one from the public wishing to be heard, Mrs. Tait made a motion to close the public portion. Mr. Cosky second the motion.

At the call of the roll.

All voted in favor of the motion

A motion was made by Mr. Cosky to approve Ordinance 2017-10 as read. President Howard second the motion.

At the call of the roll, the vote was:

AYES: Mr. Cosky, Mrs. Tait, Ms. Weiner, Mr. Yetter, President Howard

NAYES: None

Ordinance 2017-10 Adopted 09/18/2017

RESOLUTIONS Consent Agenda

Resolution **2017-198** to Resolution **2017-202** 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.

- **Resolution 2017-198**, Resolution Appointing Howard Dreby, Kathleen Petite And Amy Austin As Part-Time Substitute Crossing Guards For The Borough Of Palmyra For 2017 Effective September 6th, 2017
- **Resolution 2017-199**, Resolution Awarding a Contract to Eastern Environmental for the 2017 and 2018 Tree Maintenance Contract Effective August 1st, 2017 to December 31st, 2018
- **Resolution 2017-200**, Resolution of the Borough of Palmyra, County of Burlington, State of New Jersey, Pursuant to NJSA 52:34-6.2(b)(3) to Enter into a Interlocal Agreement with a Nationally Recognized Cooperative Entity For the Purpose of Purchasing Fire Apparatus.
- **Resolution 2017-201**, Resolution Authorizing the Payment of Bills for the Month of September 2017 In the Amount of \$1,446,436.65.
- **Resolution 2017-202**, Resolution Authorizing the Payment of Bills for the Month of September 2017 In the Amount of \$477.00.

A motion was made by Mr. Yetter to approve the consent agenda as read. Mr. Cosky second the motion.

At the call of the roll, the vote was:

AYES: Mr. Cosky, Mrs. Tait, Ms. Weiner, Mr. Yetter, President Howard

NAYES: None

MOTION TO APPROVE TREASURERS REPORTS

Mr. Cosky made a motion to approve the Treasurer's Reports dated August 2017. Mr. Yetter second the motion.

At the call of the roll.

AYES: Mr. Cosky, Mrs. Tait, Ms. Weiner, Mr. Yetter, President Howard

NAYES: None

MOTION TO APPROVE SOCIAL PERMIT

Mr. Cosky made a motion to approve the Palmyra Cove Environmental Education Foundation, Inc. social permit request. Mrs. Tait second the motion.

At the call of the roll.

All voted in favor of the motion

COMMUNITY SPOTLIGHT

Mayor Arnold stated the Town Wide Yard Sale will be held September 23rd, 2017, anyone interested should sign up at Boro Hall, there is no fee to participate and we have about 100 homes signed up so far.

Mayor Arnold notified all that the Palmyra Fire Department Ladies Auxiliary unit is accepting donations to aid the Hurricane Harvey victims, donations may be dropped off at the Fire House on Mondays, Wednesdays and Fridays thru October 2017.

Mayor Arnold indicated Sacred Heart Church is doing a car raffle on September 30th, 2017, tickets are \$25.00.

Palmyra Community Center Program Board has posted its fall schedule of Classes.

Mrs. Tait thanked Councilman Cosky for a job well done with the Film Festival and Councilman Yetter for another year of great summer concerts and a job again, well done. Mrs. Tait also reminded everyone that the Halloween Parade is coming.

Mayor Arnold stated Santa will be coming to town on December 8th, 2017.

Ms. Weiner asked if it was possible to place a plaque near one or some of the new trees planted in the Palmyra Promenade in memory of Jim May. Mayor Arnold indicated the Historical Society had reached out to her in regards to the Borough and Historical Society doing something to commemorate Mr. May. The Historical Society is going to submit some ideas to us so we can decide how we want to do it.

DISCUSSION ITEMS

NEW Business

Mayor Arnold appointed Mr. Richard Dreby to the Land Use Board as an alternate.

Mayor Arnold stated the Palmyra Promenade Project is almost complete, and we are planning a grand opening soon. Mr. Gural stated Mayor Arnold, he and Mr. Haines from Public works inspected the park last week and some additional planting are going to be placed in the park which will create an change order in the amount of about \$525.00. Mr. Gural indicated we received comments from the DEP and there are going to be additional requirements which we are going to have to comply with in keeping with the Waterfront Development Permit we received, those requirements could cost as much as \$6,500.00. Mayor Arnold stated that the fees cannot be paid thru the grant we received. Mr. Gural stated we have sufficient funds to pay it from the capital account. Mr. Rosenberg asked if the additional fees would have been incurred if the application had been completed in a timely manner by Maser. Mr. Gural stated he did not know. Mr. Rosenberg asked the Mayor if they could consider holding the invoice for payment until the administrator has had the opportunity to look into whether it is possible to determine if the delay caused some additional cost. Mr. Gural indicated that is possible.

Mayor Arnold indicated the Chief stated he is waiting for the final paperwork on the new police hires and will have them on the agenda to be sworn in along with another Police Chaplin on October 2nd, 2017.

Mayor Arnold stated the 40 Mayors/40 Developers Networking Exchange will be held on October 13th, 2017, she and Mr. Gural will be attending.

Mr. Gural stated our attorney is advancing the foreclosures on those nine properties. Mr. Gural indicated our tax collector received a series of questioners regarding the properties which asked if we had knowledge of any underground storage tanks or information regarding environmental

contamination on those properties. Because the properties were privately owned we have no knowledge. Mr. Gural explained the Burlington County JIF has a program they call EJIF (Environmental JIF) where they will do the equivalent of a light Phase I Investigation, which is a paper search of the properties in question. Mr. Gural stated the properties are small and he did not know how much the fees would be, but it could potentially delay the foreclosures three to five months. Mr. Gural asked Council how they wanted to proceed. After some discussion it was decided that we would proceed as is not doing the light phase I Investigations, however research our permit records on those properties and answer the questions as best as possible.

Mayor Arnold indicated the Palmyra Housing Rehab Program received a subordination request for Block 121 Lot 16. Mr. Gural stated the refi loan amount is \$130,129.00, the property is appraised at \$183,000.00 making the LTV 71%, per our policy the property qualifies as the LTV is less than 80%.

Mr. Cosky made a motion to approve Resolution 2017-204 Resolution to approve the subordination of the Palmyra Housing Rehab lien on Block 121 Lot 16, allowing the new first mortgage to supersede the Borough of Palmyra Housing Rehabilitation Program Lien. Mr. Yetter seconded the motion.

At the call of the roll.

AYES: Mr. Cosky, Mrs. Tait, Ms. Weiner, Mr. Yetter, President Howard

NAYES: None

OLD Business

Mayor Arnold indicated the Palmyra Police Association/ CBA negotiations will begin on September 22, 2017.

Mr. Gural stated we are applying to the state municipal aid program for the proposed improvements to Temple Blvd, and the Burlington County Bridge Commission is paying for Mr. Gerken's services.

Mr. Gural indicated he spoken with the Bridge Commission regarding the Fuel Storage/Distribution Project, and all are aware that we were trying to work out a shared service regarding the project. Mr. Gural stated the Bridge Commission simply cannot do both projects, Temple Blvd and fuel storage/distribution. Mr. Gural indicated a choice needed to be made regarding which project we would like to pursue with the Burlington County Bridge Commission, after some discussion the Temple Blvd Project was chosen.

Mr. Gural indicated he and Councilwoman Weiner met with representatives from P S E & G regarding the trimming of trees within the Borough limits. Mr. Gural indicated the Board of Public Utilities regulates how often the utilities must inspect power lines. Currently they are requiring a four year inspection and tree trimming around those power lines, any limb within 10 feet side to side or 12 feet below the power line they deem a potential disruption to their service, and is required to be trimmed. Mr. Gural stated they are very understanding, however their concern is power distribution. Mr. Gural indicated there is new criteria which was put in place in 2016, which indicates that all non-mature trees will not be permitted to extend above the power lines within 10 feet side to side, which means, trees planted below the power lines will be cut off below the power line and not be permitted to grow any higher. Some additional discussion was had regarding the trimming and our trees by Council. Councilwoman Weiner stated it was a very sad meeting, and there is absolutely nothing we can say or do about the trimming as they are required to do it by the Board of Public Utilities. Ms. Weiner indicated we need to plant on the other side of the street where there are no power lines. Mr. Gural also

stated that they do not trim lines with less than 600 volts, meaning, the service line which feeds various houses from the utility pole usually has about 480 volts so PSE & G will not trim those lines.

ADMINISTRATOR REPORT

Mr. Gural stated the volunteer insurance policy will be in effect as of September 1, 2017.

Mr. Gural notified Council that we are currently accepting applications for the Community Center Scheduling Assistants and will have names for those positions in October.

Mr. Gural stated the NJ DEP, Water Compliance Settlement Agreement, details, and fines were forwarded to Council, they have been taken care of and we are now in full compliance.

Mr. Gural and Chief Pearlman stated the Police Department has received many noise complaints. Chief Pearlman stated he spoken the Captain of the 15 District of Philadelphia Police Department and learned that there was a new park built just across the water, because it was not locked up at night there were impromptu parties and the speakers for the music were pointed towards our side of the river. The park sits behind the new Dietz & Watson building and parking lot, so no noise was being heard by the residents of the City. Chief Pearlman stated he received an email indicating they would be locking up that area so that should take care of the complaints.

Mr. Gural stated the video conferencing project in the court room is complete the old equipment is out and the new equipment is currently in use.

COMMITTEE REPORTS

Councilmen Yetter – Public Works and Sewer – Mr. Yetter indicated the Green Team will be meeting soon. The public works and sewer committee met with John Haines at public works and gave the committee a tour. Mr. Yetter also indicated the four way stop at Charles Street and Park Avenue are going in and the police will be issuing warnings for two weeks.

Councilwoman Weiner – Business & Community Development, Administration & Finance – Ms. Weiner indicated the Administrative/Finance Committee had their meeting with the Administrator Mr. Gural and CFO Donna Condo, it went well and they will be trying to hold that meeting every Friday before regular council meeting. Ms. Weiner also indicated the Farmer's Market will be going for another two weeks, and the Business and Community Development Committee will be having a meeting next week.

Councilwomen Tait – Public Grounds and Buildings – Mrs. Tait stated that although they are telling people to stay of the baseball and softball fields, people are still going on them. Mrs. Tait asked if it would be possible to put something up warning everyone to stay off those fields. Mr. Gural indicated yes. Mrs. Tait indicated the sports at the high school are doing well. Mrs. Tait also stated that the School Board indicated the test results are in and the scores do not look good, as so many parents are opting their kids out of the test, the numbers are not as they appear. Mrs. Tait stated the sports teams are up and running and are doing great.

Councilmen Cosky – Construction – Mr. Cosky indicated the new flood maps are in will be effective as of December 2017, anyone is welcomed to come into the office and see it. Mr. Cosky stated the Fire department will be utilizing the Knox box system soon. Mr. Gural stated it will be on the agenda at our

next meeting. Mr. Cosky indicated the construction committee will be setting up a new meeting date soon.

President Howard – Parks and Playgrounds –President Howard indicated the Youth and Recreation committee has not had a meeting but will be meeting soon. President Howard stated more volunteers are needed to help with the winter program for basketball, and he will be meeting with PAL/RIV this week and then back with the committee. President Howard stated that public works has a striping machine and is hopeful that something can be worked out regarding striping the fields. President Howard also stated the Parks and Playgrounds committee will be meeting soon.

Mayor Arnold – Mayor Arnold indicated the public safety committee has met and will be meeting again on the 22nd of September to begin the CBA negotiations. Mayor Arnold indicated in the police report there was a letter from a resident thanking Sgt. Leusner for his negotiating skills, professionalism and calm manner. Additionally another individual sent an email to the Chief thanking Sgt. Murphy and Officer Quintero for their professionalism and assistance in helping him and his son with an incident which occurred. Mayor Arnold indicated the Citizens Police Academy begins Thursday September 21st, 2017. The communications committee will be meeting soon. Mayor Arnold also indicated on August 22nd, 2017 the Borough gave away about 100 back packs during the summer concert, additionally she thanked the Office Depot Foundation, and National Foundation of Women Legislators for donating the backpacks.

PUBLIC COMMENT Please sign in at the podium 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. Mr. Cosky second the motion.

At the call of the roll.

All voted in favor of the motion

Ms. Veitenheimer –Rowland Street – Ms. Veitenheimer suggest everyone look at their electric bill this month as she was charged the wrong rate which was higher than the PSE & G rate. Ms. Veitenheimer indicated she would like to see more code enforcement, more riding around and looking at properties than has been in the past.

Mr. McElwee – Columbia Avenue– Mr. McElwee indicated the War Memorial Committee will be giving out metals on Saturday November 11th, 2017, Veterans Day, at 11:00 am. Mr. McElwee stated Veterans Day is November 11th, 2017 not November 10th, 2017, even though the offices are closed on November 10th, 2017. Mr. McElwee stated he was very disappointed that the Chief and Lieutenant where not given the raises requested.

No one else from the public wishing to be heard, Mr. Cosky made a motion to close the public portion.
Mr. Yetter second the motion.

At the call of the roll.

All voted in favor of the motion

MAYOR AND COUNCIL COMMENTS

Councilman Yetter – Mr. Yetter inquired because we are working on the fields is there another field we can direct them to. President Howard indicated the Borough does not have another field which we can direct them to.

Councilwoman Weiner – Ms. Weiner asked if it was possible to reach out to Tri-Eagle Energy about the charges, and see if this is a problem which everyone experienced. Mr. Gural stated we could reach out to them and if a credit was owed it will catch up.

Councilmen Cosky – Mr. Cosky indicated the Film Festival will continue this Friday and thanked everyone for helping. Mr. Cosky also stated he heard the movie being shown this Friday had big heroes.

President Howard –No Comment

Mayor Arnold– Mayor Arnold thanked everyone for coming to the meeting and indicated their comments and concerns are noted. Mayor Arnold stated, “Be kind to one another and be good neighbors”.

Resolution 2017- 205, Resolution Excluding the Public from Certain Meetings Pursuant To Section 8 of the Open Public Meeting Act C. 231 P. L. 1975. Litigation

Fillit Litigation

Mr. Cosky made a motion to approve resolution 2017-205 Excluding the Public from Certain Meetings Pursuant To Section 8 of the Open Public Meeting Act C. 231 P. L. 1975. The motion was second by President Howard.

At the call of the roll, the vote was.

AYES. Mr. Cosky, Mrs. Tait, Ms. Weiner, Mr. Yetter, President Howard

NAYS. None

Council went into closed session at 8:50

CLOSED SESSION

Council returned from closed session at 9:16 pm

Mrs. Tait made a motion to open to the public portion. President Howard second the motion.

All members present voted in favor of the motion.

Mr. Yetter made a motion to adjourn. President Howard second the motion.

All members present voted in favor of the motion.

Meeting Adjourned at 9:17 PM

Respectfully Submitted

Doretha R Jackson

Acting Municipal Clerk