

**Borough of Palmyra**  
**Council Caucus Meeting Minutes, 7:00 PM**  
**Monday August 6<sup>th</sup>, 2018**

**CALL TO ORDER**

The Regular Meeting of the Borough Council of the Borough of Palmyra is hereby called to order by Mayor Michelle Arnold at 7:03 pm

**ROLL CALL**

Present: Mr. Brandon Allmond, Mrs. Gina Tait, Ms. Mindie Weiner, Mr. Lewis Yetter, Mayor Michelle Arnold

Absent: Mr. Timothy Howard, President 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, 2018.
- Mailing written notice to the Burlington County Times, and the Courier Post Newspaper on January 10, 2018.
- Notice to All Council Members.

**INVOCATION**

Prayer was given by Chaplin Ella Graham

**APPROVAL OF MINUTES**

Mayor Arnold requested a motion for approval of the July 16<sup>th</sup>, 2018 Regular Council Meeting Minutes and the July 16<sup>th</sup>, 2018 Executive Session Meeting Minutes.

Mr. Yetter made a motion to approve the minutes from the July 16<sup>th</sup>, 2018 Council Caucus Meeting and Executive Session Meeting. Mrs. Tait second the motion.

**At the call of the roll the vote was.**

**AYES: Mr. Allmond, Mrs. Tait, Ms. Weiner, Mr. Yetter**

**NAYES: None**

**ABSENT: Mr. Howard, President Russell**

## **CORRESPONDENCE**

Mayor Arnold also acknowledged a letter received from David Austin indicating he would be retiring effective August 2<sup>nd</sup>, 2018.

Mr. Gural noted the passing of former Councilman and Solicitor Ken Smith. Mr. Gural stated he was recently recuperating in a nursing home when he passed suddenly. Mr. Gural noted "Smitty" was involved for decades with the Burlington County Council of Boy Scouts of America, and a member of the BAR for even longer. He enjoyed dual-citizenship, also being a citizen of the Republic of Ireland and was a real gentleman Mr. Gural noted additional information is on our website regarding Mr. Smith and his legacy.

## **PROFESSIONAL UPDATES**

**James Winckowski, CME** – Mr. Winckowski gave the governing body an overview of the bid results of the Grove Park Improvement Project. He indicated the results came in much higher than anticipated and much higher than their engineer estimate. Mr. Winckowski noted Think Pavers was the lowest bidder in the amount of \$332,878.75, base bid plus addition A; the bid was responsive so if funding was in place it could be awarded however because it is over the original estimate CME projected all bids can be rejected. Mr. Winckowski indicated that if the governing body decided to reject to the bids they would rebid the project with a reduced scope of work. Mr. Gural stated the bids were significantly over what was anticipated however the question is; is the project what you hope for and what you want to see constructed in that area, is it what you want it to be. Mr. Gural noted if it is, then you have an opportunity to award, as we do have the additional funds necessary to award as indicated in an earlier email sent to the governing body today. If the project is not what you want it to be then you should reject it and the resolution to do so is on the agenda. Mr. Gural explained the pros and cons of moving forward and or rejecting the project. Mr. Rosenberg asked Mr. Winckowski if he had any idea why item #20 of the bid, earth work & subgrade preparation; the numbers were so drastically different as the apparent low bidder Think Pavers bid \$97,000.00, while the other bidder bid \$27,000.00 and the engineer's estimate was \$10,000.00. Mr. Winckowski stated the low bidder did what is called an unbalanced bid where they took monies from other improvements in the project and shifted it around so it wasn't in the line that was directly associated with that improvement, particularly they took a lot of their markup at costs associated with electrical improvements and PA improvements and moved it into that earth preparation item. The costs they got from their subcontractor was one lump sum for all those item including the LED signage. Mr. Rosenberg inquired if the project was rebid, do you think the Borough could enjoy a significant reduction in cost. Mr. Winckowski stated he could not really say, as at this time of year contractors are just very busy. Mr. Winckowski noted we only had two bidders and we would much rather have four or five. Mr. Winckowski stated other contractors picked up the bid package but did not return them and have not indicated why they were not returned. Mr. Winckowski stated he felt we were impacted by a ruff timing now and these are the prices that the current market would bear. Mr. Winckowski stated clearly some of the line items were undervalued in their proposal, which also attributed to the vast difference. Mayor Arnold inquired; overall what was the difference between your estimate and the bids. Mr. Winckowski indicated it was about one hundred thousand dollars. Mayor asked Mr. Winckowski to explain why. Mr. Winckowski stated, he did not feel as though

they did not receive the competitive pricing they were anticipating, most of the lime item pricing was based on recent bids of other projects of the past six months and the PA system our estimate was definitely short on valuating the item. Mayor Arnold inquired if the PA system was in the original scope of work. Mr. Winckowski indicated it was added later. Mayor Arnold inquired if reject the bids and rebid the project what are the additional engineer's cost. Mr. Winckowski stated in his opinion that we gave a fee estimate to bid a design, if we are not changing the scope of what we bid, then it's on us to make sure we deliver the project as promised. Mayor Arnold asked if they was any jeopardy with the time line and the grant. Mr. Winckowski indicated no the Borough has two year to use the funds from the grant. Mrs. Tait asked if this were rejected, does the County have to approve it again. Mr. Winckowski indicated no. Ms. Weiner inquired if the bids are rejected is there any way to go back to the County and to have discussions about the project. Mr. Gural stated there is nothing the county can do at this point, the grant was awarded based on the preliminary design in the application in 2016 and as long as we construct a project substantially similar to the design we submitted and they approved they will give us the \$115,000.00. Ms. Weiner expressed concern about the cost over the amount of the grant. Additional discussion was had regarding financing and the scope of work. Mr. Gural indicated you do have sixty days to either accept or reject the bids.

**William Kirchner, ERI** – Mr. Kirchner indicated the bids we opened for the 2018 Road Improvement Program, which had four bids submitted with the lowest bidder being Charles Maradino, LLC., with a total bid of \$733,098.00 which includes the base bid of \$689,635.00 and the three alternates, #1 \$9,121.00 #2 \$12,314.50 and #3 \$22,027.50, far under of engineer's total estimate of \$798,413.00. Mr. Kirchner indicated it includes a number of streets including Horace, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, Maple, and potentially Orchard, Filmore. Mr. Kirchner indicated this project is in conjunction with NJAW and PSE&G to try to get as much road restoration as possible and includes curbs. Mayor Arnold asked if there was a start date. Mr. Kirchner indicated he believed by the time the contracts were signed and everything else complete we are probably looking at the end of August.

**David Gerkens, CGP&H** – Mr. Gerkens indicated he had no updates until later on the agenda.

## **PRESENTATIONS**

**Joe Henry – Hardenberg Insurance Agency** – Mr. Henry from Hardenberg Insurance Agency gave a presentation called "Safety on the Agenda". The presentation centered on Distracted Driving. Mr. Henry noted our safety program is one of the best in the Burlington County Municipal JIF and indicated the great job both Mrs. Kilmer and Mr. Gural were doing. Mr. Henry also stated the Borough's Safety incentive award for 2018 was \$1,975.00 and our Wellness Incentive Allowance is \$750.00, additionally we received an optional safety budget of \$1,595.00 and a Cyber Liability Allowance of \$500.00. Overall the Borough's Safety and Wellness programs are doing a great job. Mr. Henry also noted as a member of Burlington County JIF, this safety presentation is required annually.

## COMMUNITY SPOTLIGHT

Chief Pearlman noted National Night Out is tomorrow beginning at 6:00 pm here at Boro Hall. Chief indicated many things to do, a car show, shredding event, games for the children and lots of food, so come out and have fun.

Ms. Weiner also indicated the PIA will be hosting the Porch Fest" which is a community music festival where musicians play on various resident porches in our town, on September 15<sup>th</sup>, 2018.

Ms. Weiner also noted the Community Center Program Board is finishing up their Summer Programs and recently held the Spotlights show which was very nice.

**Mr. Kirchner- ERI, Mr. Benson- Borough Sewer Operator, Mr. Haines- Sewer Superintendent, Mr. Rollins-Consultant, NJ Labworks** – Mr. Gural indicated this group was here to explain the various issues down a the sewer plant in regards to various complaints we have experienced lately. Mr. Gural introduced, and explained the various positions of the gentlemen working on the current complaints regarding the sewer plant. Kirchner explained that there have been some odor issues lately. Mr. Kirchner explained there are two tanks in public works, one is run while the other is maintenance. In April repairs were made to plant number two, it was preventative maintenance and made sure valves were working properly. When the switch was made to shut down one and bring up the other, the maintenance tank was filled however when they went to operate the valve it seized, so the switch had to be made back to tank number one which was previously in use. Mr. Kirchner indicated the way the sewer system works is, we are growing microorganism to eat waste. In switching from one tank to the other those microorganisms are diluted so they are not as robust and cannot do their job as well. Mr. Kirchner indicated in flipping over to tank two then switching back to tank one, fixing the valve on two and switching back to tank two those microorganism were very weak, additionally we had a lot of rain this year. Mr. Kirchner noted in his over 12 years of being the sewer engineer for the Borough of Palmyra, he has never seen the rain increase the flow at the sewer plant but it happen this time. Mr. Kirchner indicted the flow almost doubled in May and June which also caused a diluting of the microorganisms. Mr. Kirchner stated we were fixing the problem bring that count up when the most unfortunate event occurred on July 18<sup>th</sup>, 2018. Mr. Kirchner indicated there was an awful smell at the plant, so they took samples of the tank and under the microscope realized the microorganisms were not alive additionally they took samples of the inflow and it should signs of growth. Mr. Kirchner noted this was the result of someone discharging something into the sewer system which flowed into the tanks. Mr. Kirchner noted that there was a lot of rain and people were pumping out their basements, and to get a toxic concentration of some chemical which does not belong in the sewer it does not take a lot; if someone had a gallon of paint thinner, copper sulfate for root treatment or something which was washed in when there basement flooded and they pumped it into the sewer that would be enough to be toxic to the plant. Mr. Kirchner stated immediate action was taken to rectify the situation, by going to Riverton and request sludge from them, basically a fresh dose of microorganisms which we put into the plant. Mr. Kirchner indicated Riverton gave us as much as they had and Mr. Benson also reached out to Mt. Laurel for additional loads of sludge and Mr. Rollins got some from Evesham basically sludge was brought in from all over the county to get the system back on track. Mr. Kirchner indicated he has

noticed an improvement and hopes the residents do as well. Mr. Kirchner indicated he spoke with the Borough Administration who noted in our Ordinance is states you may not discharge Stormwater into the sanity sewer system and perhaps the Borough should look into inspecting sump pumps when properties change hands to make sure they are being properly discharged. Mr. Kirchner indicated when the budget is done next year we will be asking for monies to fix some of the leaky pipes so when we get this much water and the table rises we can keep the water on the outside of the pipes where it belong. Mr. Rollins has given us some ideas of how to improve and keep a good healthy plant. Mr. Benson indicated this has been a real learning experience and he has had a lot of help from the various gentlemen present. Mr. Rollins indicated everyone in the waste water industry susceptible to this kind of issue as we cannot control input. Mr. Kirchner again stated if basement need to be pumped out or pools drained it should go into the storm drain system not the sanity sewer system, however no hazardous chemicals should be put into either system, all hazardous chemicals should be taken to the county for disposal.

**William Kirchner – ERI** – Mr. Kirchner explained the desires for the Temple Blvd Improvements. Mr. Kirchner explained this is a proposal, a concept nothing is set in stone. Mr. Kirchner indicated there were many complaints regarding speeding, condition of the road and truck traffic which lead to this proposal. Mr. Kirchner then went thru the power point presentation explaining how this entire project came to be and what various things can be done to address the concerns of the residents on Temple Blvd and the surrounding streets regarding speeding, traffic control and the road condition. Mr. Gerkens explained the various mechanisms which would help with the financing of the project as it is very costly and could far exceed one million dollars. Mr. Gerkens explained the various organizations and how they could contribute and to which part of the project they would be focusing on. Mr. Gerkens explained the Burlington County Bridge Commission would be paying for the grant writing portions of the applications. Mr. Kirchner indicated the project limits are Temple Blvd from Cinnaminson Avenue thru Souder Street. Mr. Kirchner stated complaints regarding drainage and flooding issues are also addressed within this project by way of a “rain garden” to collect some of the rain water in the low lying areas to reduce the flooding at the Temple Blvd, Firth Lane, Leconey Circle, and Second Street intersection. Mr. Gural noted this project as presented will not cause loss of any current legal parking spaces and is designed to slow the traffic on Temple Blvd, reduce the noise and help with the flooding. Mr. Yetter asked if the retention basin is designed to drain automatically. Mr. Kirchner indicated yes. Mrs. Tait noted that the second house in on Firth already has a pipe underneath. Mr. Kirchner stated yes. Mrs. Tait asked how much destruction will there be to the home. Mr. Kirchner indicted the new pipe would be constructed on Temple and the old pipe would be filled so the home would not have to be disturbed. Ms. Weiner asked how much water can be held in that park. Mr. Kirchner indicated the rain garden and drain piping will store about 316,000 thousand gallons on rain water.

#### **1<sup>st</sup> PUBLIC PORTION**

Mayor Arnold then asked for a motion to open the Public Portion. Mr. Yetter made a motion to open the public portion for comments. Mrs. Tait second the motion

**All members present voted in favor of the motion**

**Mr. Schmidt – Temple Blvd** – Mr. Schmidt asked how would the traffic be controlled and bridge openings be handled during the period of construction. Chief Pearlman indicated we have no control over the bridge openings, and until plans are furnished and phases determined that question really can be answered. Mr. Schmidt asked if this is a plan specs project or a design and built. Mr. Gural indicates it will definitely be plan and specs. Mr. Schmidt if they would be grinding the asphalt up to recycle it or reuse it or are you bring in new material. Mr. Kirchner indicated the intension is to retain the existing concrete subbase. Mr. Gural noted there would not be any additional aggregate. Mr. Schmidt then asked where the contractor staging area would be located. Mr. Kirchner indicated we haven't gotten that far but more than likely it would be public works yard. Mr. Schmidt asked how long the project would take. Mr. Kirchner indicated between 90 and 120 days.

**Ms. Cloud – Cinnaminson Avenue** – Ms. Cloud stated she strongly encouraged council to reject the bids submitted for the Grove Park Improvement Project. Ms. Cloud state she lives at the very end of the Temple Blvd. Project and she supports the general safety improvements and the stormwater improvements and would encourage council the highlight the stormwater quality improvements during our grants writing. Ms. Cloud also stated she would like to better understand the safety bump outs in terms of whether they will be maintained as green space and the maintenance requirements of that space whether it will fall to the Borough or the residents.

**Mrs. Furrer – Maryland Avenue** – Mrs. Furrer stated she fully appreciated the work which has been done here and likes the “rain garden” idea, however who is going to maintain this piece of property. Where will the snow be placed that is usually plowed to that spot? The new park down at the river looks horrible no one is weeding it, it was not mulched and there are dead shrubs all over.

**Mr. Reed – Temple Blvd** – Mr. Reed stated you said the average speed is about 35 miles per hour and putting in the new road sometimes makes people go faster so after these bump outs are installed what average speed we will have. Mr. Kirchner stated the hope is that it would be 25 miles per hour. Mr. Gural noted the speed drastically reduced when the county reconstructed Broad Street and put in bump out at all the intersections. Mr. Reed stated just seems like many municipalities are just putting up stop signs and that slows down the traffic. Chief Pearlman noted stop signs cannot just be placed anywhere permission is required from the Dept of Transportation and you lose 50 ft. of parking at every intersection a stop sign is placed. Mr. Reed inquired where he would place his leaves if a bump out is placed out in front of his house. Mr. Reed also noted not many kids use that crosswalk currently, they just cross anywhere. Do we know how many kids actually use that crosswalk? Mr. Gural noted the numbers were given to us by the School District and although there may not be many children that use the crosswalk it is still a safety concern and a safety improvement to the neighborhood. Who is going to take care of the bump out, shoveling it out during the winter?

**Mr. Schmidt – Temple Blvd.** – Mr. Schmidt asked how much it would cost for the pocket park. Mr. Kirchner indicated about \$100,000.00. Mr. Schmidt noted so if the grant was obtained for \$344,000.00

then the actual yield is \$244,000.00, however if we do not get the grant we will spend \$100,000.00 for the park needlessly in his opinion. Mr. Schmidt stated the stormwater gathers at Firth and Temple Blvd. floods between houses 303 and 309 on Temple, will this alleviate that problem. Mr. Kirchner stated it will help and address the problem. Is it feasible to put a large pump down at the gate? Mr. Kirchner indicated no as the pipe does not extend to the Delaware River in exits into a ditch in the Riverfront so all that would do is flood out the Riverfront. Mr. Schmidt indicated the presentation was great. However he questioned how the streets would be plowed and if the bump outs would just get destroyed during the plowing process. Mr. Schmidt also noted he did not understand why we were spending all this money when the residents just wanted the speeding issues and tractor trailer issues taken care of. Mr. Schmidt indicated for a million dollars you could put an officer on the street handing out tickets and generate revenue not just spend it. Mr. Schmidt stated you should place a sign on Souder Street and direct the truck traffic up Market Street because most on Market Street is zoned commercial. Discussion was had regarding the zoning of Market Street.

**Mr. Rader- Harbour Drive** – Mr. Rader indicated Main Harbour Drive is going to be the main access to the bridge during the construction and there has been no upgrade in signage to Main Harbour Drive what can be done about upgrading that signage. Mayor Arnold indicated it is a private road and the Borough has no jurisdiction over that road. Mr. Rader stated during construction it would just be taking the problem off Temple Blvd and transferring it over to Harbour Drive. Mayor Arnold asked Chief Pearlman if traffic would be redirected thru Harbour Drive during construction. Chief Pearlman again stated until a construction plan is in place there is no way to indicate how traffic will or if it would be rerouted.

**Mrs. Butler – Arch Street** – Mrs. Butler thanked Mr. Kirchner for the explanation regarding the sewer odor it was very informative and explained the odor problems. Mrs. Butler asked why we are spending all that money on Grove Park. Mr. Gural indicated it is for improvements to the Band shell itself, sidewalk replacements, site lighting to illuminate the events which take place there, benches, tables, landscaping, walkways, an archway being paid for from the County, an electronic sign and a sound system. Mrs. Butler indicated it is only used during the summer and rarely during the winter and that seems to be a lot of money being spent for those improvements. Is there a more efficient less costly way to make the improvements to Grove Park? Mrs. Butler inquired about what is going to be done on Orchard Avenue. Mr. Gural indicated it is asphalt paving and drainage. Mr. Gural also noted Mr. Kerbeck has spent thousands of dollars already on curb improvements and sidewalks things we would normally include in our project scope. Mrs. Butler asked how much money Mr. Kerbeck has spent and did he paved Orchard Avenue all the way up to Broad Street. Mr. Gural indicted over one hundred thousand but did not go up to Broad Street he paved where his business is located. Mrs. Butler stated who benefits from that paving, Kerbeck. Mayor Arnold noted it does appear that Kerbeck will benefit directly from this and there are but there also are one of the largest tax payers in the Borough, and the road is in such deteriorated condition that it is affecting their business and damage is being done to the cars and people use the road to go to the church also. Mrs. Butler stated Kerbeck benefits and his cars are the ones that are going up and down Orchard Avenue, the residents don't go down to Kerbeck or

Jefferson Street on a daily basis. Mrs. Butler stated the traffic on that street is coming from Kerbeck it's not coming from the residents, so we are paying to fix up a road that's getting messed up by his cars. Mrs. Butler noted that 90% of the traffic on that street comes from Kerbeck. Mrs. Butler indicated that Chief Pearlman stated something about there being a 50 foot range which you cannot park in where stop signs are. Mr. Gural noted the state law prohibits parking within 25 ft. of a crosswalk. Mrs. Butler stated what she is getting at is when you come out of Race Street, Arch Street or Vine Street people are parked on the corners and you cannot see the oncoming traffic without getting out into the traffic lanes, does that law apply to that. Mr. Gural indicated yes. Mrs. Butler stated she would like to see the law enforced on those streets right now, where it's needed.

**Ms. Russell – Firth lane** – Ms. Russell indicated she did not want a park in front of her house. Ms. Russell also stated the flooding at Firth Lane occurs during high tide not every time it rains but will happen with a high tide and moderate rainfall when nowhere else in town floods. When it floods all the trash from all over town winds up in our front yards or in the street in front of the house, public works comes out and cleans it up. Just a thought it's not just clean water that goes into our sewer system and whatever washes up may be all over that park you wish to build, who will clean it up. There must be a plan to plow around them as bump outs are still on Broad Street. Ms. Russell stated she agrees that the parking issue need to be enforced on Broad Street as so often you take your life into your hands when trying to get out on Broad Street because they are parked on the corners. Ms. Russell noted every child who lives on the other side of Temple Blvd has to cross Temple Blvd to get to school, to make a couple more crosswalks for them to safety cross the street is a beautiful thing. Mrs. Russell indicated we need the drainage issue solved, insurance does not cover back-up of the drainage water. Mrs. Russell indicated she did not want a park near to her home.

**Mr. Plym – Temple Blvd.** – Mr. Plym thank Mr. Gural with his assistant with an issue down on Temple Blvd. with some patching. Mr. Plym indicated the engineer stated the average speed is thirty-five miles per hour on Temple Blvd., however the speed limit is posted at twenty-five miles per hour, why is it not enforced. Mr. Plym also noted we have signs up which indicate no trucks over 8,000 lbs. on Temple Blvd, but that does not stop the trucks, why can we make Temple Blvd to Souder Street one-way so the trucks can't get to Temple Blvd. Why can we put a stop sign in at Delaware and Temple to make it safer for the kids to cross to get to school? Mr. Gural noted to put a stop sign in it requires an engineer's study, which then generates a report which tells us if it meets certain criteria and standards to have a stop sign placed, we do not have the authority to just place a stop sign, even if the street is in our jurisdiction. Mr. Gural stated one of the criteria is the proximity to a school, Charles Street and Park Avenue obviously met that criteria. Mr. Gural stated Delaware Avenue and Temple Blvd's crosswalk exceeds the maximum distance from the school which is allowed by the state statue to be able to place a stop sign. Mr. Kirchner also noted that if we could have placed a stop sign at that location we would be losing fifty feet, in both directions and on both sides of the street, of parking. Mr. Plym inquired if the sub-road had been looked at where the work is to be completed.

**Mr. Tursi – Leconey Circle** – Mr. Tursi indicated he was in favor of the project and he liked the idea of having the “rain garden” however he didn’t want it to be too nice or to have benches. Mr. Tursi noted he just doesn’t want it to be an attractive nuisance and or become a hangout.

**Ms. McKnight – Firth Lane** – Ms. McKnight thanked the engineers for all the work they put into the presentation, it was very informative. What is going to happen on the corner of Firth Lane? Will there be parking? Mr. Gural noted that parking is not affected in the area as a result of the project as it is currently designed. Ms. McKnight inquired where the snow will be put when the park is in place as currently excess snow is plowed to that area. Mr. Kirchner indicated there would be less snow to shovel as the snow on the rain garden would stay where it is. Mr. Haines indicated public works will work it out, the snow will be removed from the street. Ms. McKnight indicated she did not understand why we would put a park in the attract people when there was very little foot traffic, and noted our money could be better spent elsewhere than in a park.

**Mr. Nowicki – Temple Blvd** – Mr. Nowicki asked Mr. Kirchner how far apart the double T intersection would be. Mr. Kirchner indicated about one hundred fifty to one hundred seventy five feet, center to center. Mr. Nowicki asked who would have the right of way at that intersection. Chief Pearlman indicated he would have to look at it, before he could answer that question. Mr. Nowicki asked if Mr. Kirchner could explain again the reasoning behind the islands on Souder Street. Mr. Kirchner explained. Additional discussion was had regarding the signage and trucks on Temple Blvd and the direction in which those trucks should be sent.

**Mrs. Carmody – 119 Temple Blvd.** – Mrs. Carmody inquired if a sign could be placed indicating left lane ends as you make the left turn onto Souder Street as some people coming around that turn, think it’s one way to/two lanes to Temple Blvd. Mrs. Carmody inquired if council would consider, at budget time, having the rain garden/ Park mosquito control as her and several residents in that area do. Mrs. Carmody also asked if the T intersections would be controlled by stop signs. Mr. Kirchner indicated yes, and the people driving on Temple will have the right of way. Mrs. Carmody also noted the presentation was wonderful and very informative.

**Mrs. Rex –Leconey Circle** – Mrs. Rex inquired about the staging area for various projects when the park is complete, where that will be. Mrs. Rex asked what the square footage of the park was. Mr. Gerkens indicated about 2200 square ft. Mr. Rex asked if the plans are available to the public and are they online. Mr. Gural indicate there are not all online however he could get the presentation from Mr. Kirchner with the cost estimates and get it posted on our website.

**Mr. Reed – Temple Blvd** – Mr. Reed asked how all the bump outs would affect people riding bicycles down on Temple Blvd, would that send them into the traffic on the street. Mr. Yetter indicated they need to be careful and attentive when out riding their bikes.

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

**All members present voted in favor of the motion.**

**ORDINANCES ON SECOND READING (Public Hearing)**

**Ordinance 2018-09**, An Ordinance of the Borough of Palmyra, County of Burlington, State of New Jersey Providing for Various Capital Improvements and Related Expenses in and For the Borough Appropriating \$755,000.00 Therefore, Authorizing the Issuance of \$717,250.00 in General Improvement Bonds or Notes of the Borough to Finance the Same.

Mr. Gural stated should you choose to fund Grove Park, one of the options discussed tonight was to amend this Ordinance, which would be the least attractive thing to do, because it would require pulling from the agenda and reintroducing the Ordinance, essentially starting over. Mr. Gural noted there is \$155,000.00 in this Ordinance for Grove Park. Mr. Gural noted eventually improvements will be made to the park which would require at least \$155,000.00, therefore he recommended council move forward.

Mr. Yetter made a motion to open the public portion. Mr. Allmond 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. Yetter second the motion.

**At the call of the roll.**

**All voted in favor of the motion**

Mayor Arnold asked for a motion to approve ordinance 2018-09. Mr. Yetter made a motion to approve Ordinance 2018-09. Mrs. Tait second the motion.

**At the call of the roll, the vote was:**

**AYES: Mr. Allmond, Mrs. Tait, Ms. Weiner, Mr. Yetter**

**NAYES: None**

**Ordinance 2018-09 passed**

**Ordinance 2018-10**, An Ordinance of the Borough of Palmyra, County Of Burlington, State Of New Jersey Providing for Various Capital Improvements for the Borough's Sewer Utility Appropriating \$374,000.00 Therefor, Authorizing the Issuance of \$355,250.00 in Sewer Utility Bonds or Notes of the Borough to Finance the Same.

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

**At the call of the roll.**

**All voted in favor of the motion**

Mayor Arnold asked for a motion to approve ordinance 2018-10. Mr. Allmond made a motion to approve Ordinance 2018-10. Mr. Yetter second the motion.

**At the call of the roll, the vote was:**

**AYES: Mr. Allmond, Mrs. Tait, Ms. Weiner, Mr. Yetter**

**NAYES: None**

**Ordinance 2018-10 passed**

**Ordinance 2018-11**, An Ordinance of the Borough of Palmyra, County of Burlington, State of New Jersey Adopting the Redevelopment Plan relating to Block 24, Lots 1 and 2 in the Borough of Palmyra, County of Burlington, State of New Jersey

Ms. Weiner made a motion to open the public portion. Mr. Allmond second the motion.

**At the call of the roll.**

**All voted in favor of the motion**

**Mrs. Butler – Arch Street** – Mrs. Butler inquired where Block 24 Lots 1 and 2 were located. Mayor Arnold indicated it was the old PNC Bank building.

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

**At the call of the roll.**

**All voted in favor of the motion**

Mayor Arnold asked for a motion to approve ordinance 2018-11. Mr. Yetter made a motion to approve Ordinance 2018-11. Mrs. Tait second the motion.

**At the call of the roll, the vote was:**

**AYES: Mr. Allmond, Mrs. Tait, Ms. Weiner, Mr. Yetter**

**NAYES: None**

**RESOLUTIONS Consent Agenda**

Mayor Arnold indicated Resolution **2018-196** to Resolution **2018-204** 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 Arnold then pulled Resolution 2018-197 from the consent agenda and asked if anything additional needed to be pulled. Ms. Weiner requested that resolution 2018-198 and Resolution 2018-199 be pulled.

Resolution **2018-196** and **Resolutions 2018-200** to Resolution **2018-204** will be enacted as a single motion.

**Resolution 2018-196**, Resolution Adopting the Form of the NJ Tort Claims Act Questionnaire Required to be Utilized by Claimants for Filing of Notices of Tort Claim Against the Borough of Palmyra in Accordance with the Provisions of the NJ Tort Claims Act, NJSA 59: 8-6 and Designating Qual-lynx as the Agent for Borough of Palmyra and to Provide the Questionnaire to all of the Claimants and to Receive the Completed Questionnaire from the Claimants

**Resolution 2018-197**, Resolution Rejecting Bids Received July 19<sup>th</sup>, 2018 for the Grove Park Improvement Project as all Bids Exceed the Engineer's Estimate, Pursuant to CME's Letter Dated July 23<sup>rd</sup>, 2018

**Resolution 2018-198**, Resolution Supporting the Application for New Jersey Department of Transportation Safe Routes to School Program

**Resolution 2018-199**, Resolution Endorsing Submittal and Certifying Maintenance Commitment for the Borough of Palmyra's 2018 Transportation Alternatives Set-Aside Program (TAP) Application

**Resolution 2018-200**, Resolution Extending the Grace Period for 2018 Third Quarter Property Taxes

**Resolution 2018-201**, Resolution Authorizing the Award of a Non-Fair and Open Contract for a Falcon Asphalt Patcher Dump Trailer (Hot Box) to McGrath Municipal Equipment in the Amount of \$37,151.00

**Resolution 2018-202**, Resolution of the Borough of Palmyra authorizing the Mayor to execute an Agreement with the Palmyra Ambulance Association, aka Palmyra-Cinnaminson-Riverton Emergency Medical Services, for a five-year term effective January 1, 2019.

**Resolution 2018-203**, A Resolution of the Borough of Palmyra awarding a contract to Charles Marandino LLC for the 2018 Road Improvement Program project per ERI's Recommendation of Award letter dated August 1, 2018 in the amount of \$733,098.00 inclusive of Alternate Bids #1, #2 and #3, subject to the Lapse of 20 days Following Publication of Final Passage of Ordinance 2018-09 as provided by Local Bond Law.

**Resolution 2018-204**, Resolution Authorizing the Tax collector to Transfer the \$11,100.00 Premium Due to the Borough of Palmyra Current Fund Account for Certificate No.15-00051

Mayor Arnold asked for a motion to approve the consent agenda Resolutions 2018-196 and Resolutions 2018-200 thru 2018-204. Mr. Yetter made a motion to approve Resolutions 2018-196 and Resolution 2018-200 thru 2018-204. Mrs. Tait seconded the motion.

**At the call of the roll, the vote was:**

**AYES: Mr. Allmond, Mrs. Tait, Ms. Weiner, Mr. Yetter**

**NAYES: None**

**ABSENT: Mr. Howard, President Russell**

**Resolutions noted in motion were approved**

Mayor Arnold then went back to Resolution 2018-197, Resolution Rejecting Bids Received July 19<sup>th</sup>, 2018 for the Grove Park Improvements Project as all bids exceed the Engineer's estimate, Pursuant to CME's letter Dated July 23<sup>rd</sup>, 2018.

Mr. Yetter indicated he hated to delay the project because he would like to look over the project and get the price lower than is bid. Mrs. Tait agreed. Ms. Weiner indicated she was comfortable with rejecting the bids. Mayor Arnold inquired what the impact was if the bids were rejected. Mr. Gural indicated the most significant is the delay to the project. Mr. Gural noted if a redesign is done, there will be additional costs. Mr. Gural noted given that lateness in the year and the meeting schedule a redesign would probably not get accomplished before the year of year. Mr. Gural indicated there is no impact with the Burlington County Municipal Park Development Program if they don't issue awards for another program this year. If they did and we are still in the design phase for this project, we may not qualify for the next round of funding because this project is still in the design phase. Mrs. Tait asked if the project was rebid but not redesigned would that speed up the process. Mr. Gural indicated yes. Mr. Gural stated if the design stays the same just the manner in which the project is bid changes whereby allowing us to take out various components and make them alternates, giving us more flexibility with the manner in which things are done and how much of the project is completed and when. Additional discussion was had regarding alternates and the manner in which things are completed in a contract with alternates. Mr. Gural stated if the governing body indicates they like the project the way it is design and do not want it redesigned then he will work on the technical aspects to get a bid that is hopefully more attractive and breaking up the rebid to give you more options. Mr. Gural again noted there are several accounts available for capital projects and we have about \$340,000.00 available in the capital improvement fund. Mr. Gural explained the capital improvement fund can be used for direct purchase of a capital improvement and can also be used for the 5% down payment which is necessary when capital ordinances are adopted. Mr. Gural also noted the capital fund balance or surplus is about \$180,000.00 and can also be used for direct purchase of capital improvement projects. Mr. Gural noted their recommendation was to take \$50,000.00 plus or minus from each of those accounts and fully fund the project as is. Additional discussion was had regarding bids, the bidding process and the current market conditions with contractors. Ms. Weiner stated this project began before she was elected to council and some things which concern her are the things which the grant is providing. Ms. Weiner stated the grant is giving \$115,000.00 but the things included are a bit much, for example a \$30,000.00 arch. Ms. Weiner indicated it is bad form to return money which was have already won however she could not justify \$300,000.00 for this park which does not even address the original structure of the bandshell. Ms. Weiner asked can we reject the bids and go back to the drawing board. Mrs. Tait stated then there will be additional engineers' costs. Mrs. Tait indicated why can't we rebid and sit back and pick and choose which items to complete, where by no additional engineers cost are incurred. Ms.

Holloway inquired how the contracts are sent out, it appears the engineers and the contractors do not appear to be on the same page. Mrs. Holloway asked, how the engineer's cost estimate and the contractors bids be so far apart; the bids need to be completed item by item. Mayor Arnold indicated the bids were bided line by line. Mr. Gural noted if you reject, no other decision needs to be made tonight about how to proceed, just know it kicks the project further down the road and we have been working on it since 2016. Mr. Winckowski indicated in speaking with the contractors who bid the project, CME undervalued the cost of the PA system. Mayor Arnold inquired if the cost of the PA system is the difference in the cost estimate and the bids. Mr. Winckowski indicated it was the biggest factor. Mayor Arnold noted the PA system was not in the original scope of work for the project. Mayor Arnold asked how much money are we off from the bids. Mr. Gural noted \$102,000.00; \$97,000.00 is the shortage in funding for the bid as it was bid currently. Mayor Arnold asked Mr. Winckowski if they would be charging the Borough for the rebid. Mr. Winckowski indicated if the bids are rejected and the project is rebid in its current design and it does not have to be redesigned then the Borough will not be charged. Additional discussion was had regarding the contractors, the bidding process, the design, the process and the grant received.

Mr. Yetter made a motion to approve Resolution 2018-197. Ms. Weiner second the motion.

**At the call of the roll, the vote was:**

**AYES: Mr. Allmond, Mrs. Tait, Ms. Weiner, Mr. Yetter**

**NAYES: None**

**ABSENT: Mr. Howard, President Russell**

**Resolutions 2018-197 was approved**

Mayor Arnold then went back to Resolution 2018-198, Resolution Supporting the Application for New Jersey Department of Transportation Safe Routes to School Program

Ms. Weiner asked if approving this resolution means, approval of the bump out at the one area on Temple Blvd. Mr. Gural indicated yes. Ms. Weiner asked if we apply for the grant and we get it we would do the project at that intersection specifically even if the other Temple Blvd. project was not done. Mr. Gural indicated yes, the project will be designed with those bump outs.

Mr. Yetter made a motion to approve Resolution 2018-198. Mrs. Tait second the motion.

**At the call of the roll, the vote was:**

**AYES: Mr. Allmond, Mrs. Tait, Ms. Weiner, Mr. Yetter**

**NAYES: None**

**ABSENT: Mr. Howard, President Russell**

**Resolutions 2018-198 was approved**

Mayor Arnold then went back to **Resolution 2018-199**, Resolution Endorsing Submittal and Certifying Maintenance Commitment for the Borough of Palmyra's 2018 Transportation Alternatives Set-Aside Program (TAP) Application.

Ms. Weiner asked if the TAP Grant was for the Rain Garden/Park. Ms. Weiner stated we have had comments from the residents, being more interested in the "rain garden" but not the park with benches, lights etc. Ms. Weiner asked if this is approved then we approve the design which was presented. Mr. Gural stated what was presented was a draft and the design can be changed. Mr. Gural noted with the Tap Grant we are hoping to win \$371,000.00 dollars of which 271,000.00 will go towards drainage improvements and unless we built something very eloquent they are not going to fund it. Mr. Gural again noted the Tap Grant does not fund transportation projects they fund transportation related enhancements, like road drainage, landscaping and gateway projects. Additional discussion was had regarding the application, applying and changing the concept plan etc.

Mr. Yetter made a motion to approve Resolution 2018-199. Mrs. Tait second the motion.

**At the call of the roll, the vote was:**

**AYES: Mr. Allmond, Mrs. Tait, Mr. Yetter**

**NAYES: Ms. Weiner**

**ABSENT: Mr. Howard, President Russell**

**Resolutions 2018-199 was approved**

## **DISCUSSION ITEMS**

### **NEW Business**

Mayor Arnold stated the town wide Yard Sale is September 8<sup>th</sup>, 2018 with a rain date of September 9<sup>th</sup>, 2018.

Mr. Gural indicated there is no mechanism in place for vendors selling wares at the Summer Concerts. If we are going to allow vendors at the summer concerts then we have to follow the same procedures and policies in place. Mrs. Weiner inquired, what do you need from the vendor and application and insurance cert. Mr. Gural indicated yes.

Mr. Gural stated he forwarded to everyone Ms. Condo's recommendations. Mr. Gural stated ,what were are trying to eliminate is the signature requirement of the governing body, as it is kind of a moot point as the entire governing body votes on the bill list and once the bill list is approved we don't need any signatures. Collectively the governing body votes on the bill list, individually one of you is required to sign. Mr. Gural indicated the bills/vouchers would still be available for your review or comments and who be available for any of the governing body to review. Mr. Gural noted it would have to be done by way of an Ordinance change.

Mayor Arnold then appointed the members of the Green Team. The following were appointed to the **Green Team.**

Chairman Lewis Yetter

Committee Members

Bernadette Russell, Mindie Weiner

Citizen Members

Loretta Kelly, Michael Cloud, Laura Cloud, Barbara Nowicki, Wendi Wence

Mr. Rosenberg indicated that there are laws in place which deals with the LOSAP program. Mr. Rosenberg noted there is not only our local Ordinance, but also the State Statute which indicates clearly the time frame in which contributions can be made. Mr. Rosenberg indicated he knows no way where by the expressed language can be avoided regarding the 30 day appeal process for the LOSAP contributions.

### **Old Business**

Mayor Arnold noted we have already spoken about Grove Park/Band Shell Project and the 2018 Road Improvement Project for portions of Horace, 2<sup>nd</sup>, 3<sup>rd</sup>, 4th, 5th, Leconey, Maple Berkley, and Filmore & Orchard Aves/Sts. Mrs. Tait stated she did not think we were doing the Independence Fire Co. No 1 parking lot. Mr. Gural noted we are not it was bid with the other project, so the Fire Company would know what the cost was and if they choose the can award it within the next 60 days.

Mr. Gural indicated everyone has the most recent copy of the Sidewalk/ Outdoor Furniture Ordinance draft and the Outdoor Dining Ordinance draft, if you recall we decided to break them in two separate Ordinance so we could better address them. Mr. Gural noted tonight it on for discussion but it will have to be introduced and adopted as an Ordinance and a Land Used Board review is required. Mrs. Weiner asked does it indicate in the Ordinance who is responsible for maintaining ashtrays, trashcans, etc. as it would not be the Borough's responsibility. Ms. Weiner questioned under B, for placement. Mayor Arnold asked which Ordinance she was talking about. Ms. Weiner indicated Sidewalk/ Outdoor Furniture Ordinance regarding sidewalk furniture in the town center B under placement, Ms. Weiner noted the measurement from the edge of the door, but the three feet from the entrance to the business, is that ADA compliance. Ms. Weiner indicated she thought the ADA requirement was on the hinged side of the door. Mr. Gural stated the ADA is not on the hinged side it's on the lock side of the door.

Discussion was had regarding the placement of tables and ADA compliance. A handicapped resident in the audience stated the ADA compliance has nothing to do with what is to the right or left of the door, it has to do with the entrance to the establishment as long as there is three feet in width to enter. Mr.

Gural stated what we will do is review the ADA requirements and we will make it as least restrictive as possible. Mr. Rosenberg inquired does ADA require that the furniture be ADA assessable as well. Mayor Arnold inquired the height of the table. Resident responded just one table per establishment. Mr.

Rosenberg indicated he is aware of lawsuits that are filed against establishments based upon failure to make the public facility handicap assessable. It may be wise to have a design professional to make sure that the Borough is in compliance with respect to its obligation regarding ADA compliance. Mr.

Rosenberg noted this is the Borough's Ordinance and the Borough has responsibilities in this not just the establishment owner. Mayor Arnold indicated in section one there is a typo, where it says subbing it should be sitting. Mayor Arnold asked if the Burlington County Engineer was consulted. Mr. Gerkens indicated no. Mayor Arnold asked if it should be done as it is a county road. Was input obtained from the Chief of Police, Fire Marshall, Fire department, and EMS Department? Mr. Gerkens noted Ms. Kilmer

did attend the meetings, but law enforcement nor EMS did. Was consideration given to the placement of the Knox boxes? Mr. Gural noted no. Ms. Weiner stated the benches would be outside and you are concerned that the bench would be in the way on the Knox box? Mayor Arnold noted yes. Mayor Arnold indicated there is nothing which address special events, would there be restrictions during those times for tables and chairs on the side walk as we are already restricted and there is increased foot traffic. Is there anything which address lighting or visibility of things out at night and are inspections going to be required for the furniture being supplied? Mr. Allmond asked if that wouldn't be addressed with the application. Mr. Gural noted no she would not be looking at the furniture or reviewing the size of furniture. Discussion was had regarding the furniture, what it is constructed of and what can be placed out and when it can be placed or if it can be placed out during special events, due to the public right of way. Mayor Arnold asked if the permit gets renewed or is it a onetime thing, Mr. Gural indicated its one time. Mayor Arnold asked if the placement of trash receptacles/ carts, recycling carts were taken into consideration when the placement of the furniture was considered. Ms. Weiner stated no. Does the owner of the building have the ability to deny the application or revoke it in a tenant situation? Ms. Weiner stated in the outdoor seating ordinance the owner must sign off on the application. Mr. Gural noted only the owner can apply for a variance and we are adopting an ordinance to keep the owner from having to apply for the variance. Mr. Rosenberg indicated for land use purposes you always need to consent of the owner of the property. Mr. Gural indicated the application should include with owners consent and should the signature should be added to the application. Mayor asked if there would be any additional insurance requirement. Mr. Gural stated no. Mayor Arnold asked who draws up the plot plan and are qualification required. Mr. Gural indicate no. Mayor Arnold inquired does the four ft. corridor need to be contiguous. Mr. Gural indicated yes because this is a public right of way. Mayor Arnold noted in section 5c it indicates that the benches may remain outside but only if they are securely attached. Mayor Arnold asked how they will be attached, they will be permitted to put anchors into the sidewalk? Mr. Gural noted yes. Mayor Arnold noted in 5f2 it describes the height and size of the lettering allowed on the benches, does that comply with what we already have for the existing benches in town. Mayor Arnold noted in 5h 2 it states no items may be attached or fixed to sidewalks that contradicts what were just discussed. Mayor Arnold noted that she is very concerned about the portion of the ordinance which reads: sidewalk furniture legally placed in the sidewalk by private parties may be reserved for the exclusive use of the business patrons of said party. Mayor indicated she is concern with enforcement and if they are not purchasing food but are a patron of the establishment then what. Does that open the Borough up potential lawsuits? Mr. Rosenberg agreed it could become an issue because it is in the public right of way. Discussion was had regarding what could potentially happen and Mr. Rosenberg suggest perhaps it should be deleted. Mayor Arnold stated section 7 emergency clause should be deleted also, all ordinances should go through the normal process.

Mayor Arnold noted some of the things she brought up apply to the Outdoor Dining Ordinance also. Mayor noted in section H it states change of ownership but it could be the tenant and not the owner. Also reads the fees must be current, does that included the sewer fees? Ms. Weiner noted the hours allowable for outdoor dining as stated indicate 11:00 am but she would like to see it changed to 8:00 or 9:00 am. Mr. Allmond stated he thought it was 9:00 am. Discussion was had however nothing was

decided. Mayor Arnold indicated in section R is there any idea say to where the tables and chairs etc. will be stored, and in section u is there an approximate number of tables and chairs each establishment can have. Mr. Weiner indicated they can only put so many depending upon the size of the sidewalk. Mayor Arnold inquired about the lighting and violations issued in the event of non-compliance. Mr. Gural indicated Mr. Gerkens will make the required changes send it back to committee and have it ready for introduction in two weeks.

Mr. Gural stated the Smoke-free and tobacco sales ordinance, we are still waiting for a response from the School Board with their comments. Mrs. Tait stated she would check on it when she attends their next meeting.

Mr. Gural stated we need to talk about the Vacant/Abandoned Property Ordinance in closed session.

Mr. Rosenberg indicated he sent a copy of the proposed complaint and summons for 400 Arch Street to Mr. Winckowski and wanted to know if he had reviewed it. Mr. Winckowski indicated he would finish reviewing it and send him the originals. Mr. Rosenberg indicated and Mr. Gural confirmed a tentative date has been set for the public hearing for 400 Arch on September 12<sup>th</sup>, 2018 at 10:00 am at Borough Hall.

Ms. Tait indicated she sent the committee comments regarding the Youth athletic groups and use of the fields to Mr. Gural who was going to send it to Michele to incorporate her thoughts. Mr. Gural stated there has been a lot going on and we have no updates currently. Mayor Arnold indicated we will place it back on the agenda for next meeting. Mr. Gural indicated in October if that is ok with council.

Council agreed, as it will not go into effect until January of 2019.

Ms. Weiner handed out streetscape plans and pictures of the various types of snowflakes for the winter light display in the business area/ town center of Broad Street and Cinnaminson Avenue. Ms. Weiner explained the diagrams, how many poles are in the area, how many they wished to illuminate and pricing of the various lights. Ms. Weiner indicated there are 32 lights in the area and the committee is currently looking at lighting 22 poles. They was discussion regarding the cost, the other decorations which are placed on Broad Street which the Borough currently owns, and the company which currently puts up, takes down and stores the lights currently. Ms. Weiner indicated the company is Raleigh's and the hope is to utilize them to purchase, install, take down and store this lights as well. Ms. Weiner indicated the cost for the 22 lights is about \$9,500.00 and the cost to store, install and take down is about \$70.00 per unit making the cost about \$1,600.00 annually. Ms. Weiner also noted that the committee wished to purchase 24 to 36 inch bows for the remaining poles all the way down Broad Street to Rt. 73 and also from Broad Street all the way down Market Street to the bridge where the decorative poles end. Ms. Weiner stated installing the bows and utilizing the rope lighting on those poles as well. Some discussion was had regarding permission from PSE & G to place the lights on the poles. Mr. Yetter stated perhaps we should wait for full council to be in attendance so everyone can voice their opinion. Mayor Arnold stated the map which was handed out shows some poles are missing lights, there is no pattern and she felt that if one was done should be done throughout. Ms. Weiner stated she is asking for lighting for 22 poles at a cost of \$9,504.00 plus \$100.00 per bow for 23 poles on Market Street and the 13 poles from Delaware Avenue to Rt. 73 on Broad Street indicated all 36 poles would cost \$2,560.00. Mayor Arnold asked if there were specs for the snowflakes indicating the weight

and the dimensions. Ms. Weiner indicated she did not have them yet, however she went with a 4 ft. presidential snowflake. Some additional discussion was had regarding the cost for the electric to light the snowflakes.

Mrs. Weiner made a motion to approve the purchase of 22 snowflakes in an amount not to exceed \$10,000.00 for the Borough's winter display of lights. Mrs. Tait second the motion.

**At the call of the roll, the vote was:**

**AYES: Mr. Allmond, Mrs. Tait, Ms. Weiner, Mr. Yetter**

**NAYES: none**

Mr. Gural indicated the old ladder truck did not sell on Govdeals.com as hoped. Mr. Gural stated the representative from the company which manufactured that truck and is aware that we are purchasing a new truck spoke with a client of theirs and expressed an interest in purchasing it from us directly. The representative called earlier today and indicated they would pay \$10,000.00 for the ladder truck, Mr. Gural indicated that was just not acceptable. Mr. Gural indicated the truck is worth considerably more than that and we should put it back on govdeal.com.

Mayor Arnold stated we have already spoken about the PCR EMS Agreement

Mr. Gural stated a sewer increase is eminent. He indicated he would know more after the current billing was complete, and would report back. Mr. Gural noted we would try to adopt by the end of this year for implementation next year.

#### **ADMINISTRATOR'S REPORT**

Mr. Gural noted the referendum for earlier hours for Sunday sales of alcoholic beverages has been submitted to the County Clerk and will appear on the ballot in November.

Mr. Gural noted the LUB Community Planning Survey is now posted on our website and we have received 84 responses thus far which breaks down currently to 42 pages on very interesting information. Mr. Gural indicated he would forward the information to the governing body when he forwards it to the Land Use Board.

Mr. Gural stated the County did give us the Tax Rate which is posted on our website and the tax bills will be going out shortly.

Mr. Gural stated included in you packet is various information regarding the NJ Paid Sick Leave Act, which was signed into law by the Governor, and goes into effect in last October. Mr. Gural indicated there is some language in the law which allows us to use paid time off, which is already offered to employees, provided it can be used in accordance with the act, sick time. We may not be required to give additional time. Mr. Gural explained the possibility of re-purposing the time already allotted to employees. Mr. Gural explained there are a lot of decisions which will have to be made by the governing body regarding this issue in the future.

Mr. Gural noted we do have one employee Mike Lunemann would was rice noticed and elected to have that discussion held in executive session.

Mayor Arnold indicated this is a reminder if you plan on attending the NJLM Conference November please let Ms. Jackson know so arrangements can be made. It is held November 13-15<sup>th</sup>, 2018 in Atlantic City, NJ.

### **COMMITTEE REPORTS**

No committee reports were given, however Mr. Allmond asked if anyone has anything for the newsletter please send it to him.

### **2<sup>nd</sup> PUBLIC COMMENT**

Mayor Arnold then asked for a motion to open the Public Portion. Mr. Allmond made a motion to open the public portion for comments. Mr. Yetter second the motion

**All members present voted in favor of the motion**

**Mr. Fratto- Broad Street-** Mr. Fratto thanked council for approving the new decorations, and indicated the businesses will appreciate it greatly. There was discussion regarding the cost of lighting and approvals to put lights on the polls. Mr. Fratto stated the LED lighting will reduce the cost of the lighting. Ms. Weiner indicated there is a one page form which needs to be completed for PSE&G requesting approval to put lights on the lamp poles. Mr. Fratto also thanked council for the work they are putting in on the outdoor dining and seating.

**Ms. Rix – Harbour Drive –** Mrs. Rix inquired if someone gets hurt on the table and chairs which are setup in the right of way, is the Borough responsible. Ms. Weiner indicated it would be the responsibility of the homeowner or establishment who put them in place.

**Mr. Rader – Harbour Drive-** Mr. Rader inquired since the last council meeting has there been any contact between the majority of Council members and the Ethics Attorney. Ms. Weiner and Mrs. Tait indicated not ask far as they knew. Mr. Rader indicated we are now at 42 calendar days since Council decided to hire this Ethic attorney and we still have no answers. Mrs. Tait indicated we are still waiting for information from the attorney as it takes time for them to gather the information and do their interviews and come back to council with their findings. Ms. Weiner stated when we know, you will know. Some discussion ensued regarding what the charges are, how long it would take to receive the report from the Attorney, when it would be made public and if apologies would be issued. Mr. Rosenberg indicated that he had review the contract from the Ethic Attorney and indicated it is in the stages of being signed by all parties.

**Mr. Bill – Broad Street –** Mr. Bill indicated they were asked to come tonight regarding the outdoor seating. He indicated they have been trying to get this passed for about 14 years. Mr. Bill indicated he goes to various other towns which have outdoor seating and it's very nice. He indicated tonight he heard people talking about getting hurt; yes, the proprietor has to make sure that things are safe their insurance has to cover things of that sort. Mr. Bill indicated when tables and chairs were put out by the Barista and Mama's cookies they were very tasteful as was Mr. Andre's bench in front of the barber shop. Mr. Bill indicated the sign ordinance also need to be addressed. Mayor Arnold stated President

Russell is currently working on the sign ordinance. Mayor Arnold also noted the changes discussed tonight will be looked into, made and brought back before council at the next meeting.

**Mr. Schwering – Broad Street** – Mr. Schwering stated he felt encouraged regarding the outdoor seating and dining ordinances, as the changes Mayor Arnold mentioned tonight will be address and working into those ordinances. Mr. Schwering indicated these changes have been going on for a long time however anything that council can do to foster the creativity and growth of the businesses is important. Mr. Schwering noted it is not easy for a new business to come here and possibly a new business packet, which indicates all the things required, should be looked into. Mr. Schwering indicated time was spent on creating an ordinance to not allow pet stores to sell puppy mill animals, that's ok however we don't have a pet store and that time and effort could have been put into something which was more relevant to the business we.

**Mr. Smith – Van Sant Drive**– Mr. Smith stated he appreciated the discussion regarding the tables and chairs and how that is going to make Palmyra “wonderful”, it's not going to help. There are a lot of other issues in town, did anyone notice the trash which was sitting out there since Friday. The trash cans on Cinnaminson Avenue which have been there for the past three months and which was brought up at the last meeting are still there, they never moved. Broad Street and Cinnaminson Avenue are the entry points to our town and they look bad. Mr. Smith indicated the tables and chairs are nice but we have bigger issues. Mr. Smith stated you should slow up on spending the taxpayer's money.

**Mr. McElwee – Columbia Avenue** – Mr. McElwee stated this meeting was out of hand. All the open talk when it was not permitted should have been stopped. Mr. McElwee indicated he received some calls regarding the sprinkler system at the War Memorial, however that was setup by Public works and its working just fine, it does not need to be changed. Mr. McElwee stated someone placed the information regarding those collecting Flags for the Beverly National Cemetery on the website and he wanted to thank them. Mr. Gural indicated he posted it about a month ago and indicated there are flags which have been donated at Borough Hall. Mr. McElwee inquired about the homes being built by Habit for Humanity on Arch and Front Street. Mayor Arnold indicated she was not aware of the time line for the Veteran applications be she would look into it and get back to him. Mr. McElwee indicated the War Memorial is over thirty years old and parts of it are deteriorating and it is beyond our financial means to do some of the improvements which need to be done. Mr. McElwee asked if it would be possible for Mr. Gerkens to look around to see if there is a grant which could help the War Memorial with repairs. Mr. Gural indicated he would make note of it and when the Burlington County Municipal Park Development Program opens we will look into it.

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

**All members present voted in favor of the motion.**

**MAYOR AND COUNCIL COMMENTS**

**Brandon Allmond** had no comment

**Gina Tait** had no comment.

**Lewis Yetter** had no comment

**Ms. Weiner** inquired if someone could go down to the Riverfront Park and look into the dying shrubs and trees. Mr. Gural indicated we are in the process of investigating it currently.

**Mayor Arnold** had no comment

Mr. Rosenberg indicated there are some issues which we need to discuss in closed session however given the lateness of the hour is it possible we can defer this until the next meeting. Mayor Arnold agreed however indicated we have rice notice which we must address.

Mayor Arnold asked for a motion to approve **Resolution 2018-205**. Mr. Yetter made a motion to approve Resolution 2018-205, Resolution Excluding the Public from Certain Meetings pursuant to section 89 of the Open Public Meeting Act C. 231 P.L. 1975 regarding **Personnel**. Mr. Allmond second the motion.

**At the call of the roll, the vote was:**

**AYES: Mr. Allmond, Mrs. Tait, Ms. Weiner, Mr. Yetter**

**NAYES: None**

**Resolution 2018-205 is approved**

Borough Council went into closed session at 11:55 pm

**Closed Session**

Borough Council returned from closed session at 12:06 AM

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

**At the call of the roll, the vote was:**

**All voted in favor**

Mrs. Tait made a motion to approve Resolutions 2018-206, Resolution appointing Michael Lunemann to the position of Mechanical Subcode in addition to his existing duties at a rate of \$30.00 per hour not to exceed 28 hours per week effective August 20<sup>th</sup>, 2018. Mr. Yetter second the motion.

Ms. Weiner asked why we are paying the additional \$5.00 on the other duties.

Mr. Gural noted Mike currently works part time, he will remain part-time by not extending his time in the office he will just take on the additional responsibilities to be done during the same period when he is already present so he will not exceed the 28 hours.

Me. Weiner indicated she was not ready to make a decision.

Mrs. Tait noted she was willing to do it and we should vote.

At the call of the roll, the vote was:

**AYES:** Mr. Allmond, Mrs. Tait, Mr. Yetter

**NAYES:** Ms. Weiner

**Resolution 2018-206 was approved**

Mayor Arnold asked for a motion to adjourn.

Mrs. Tait made a motion to adjourn the meeting. Mr. Allmond second the motion.

All voted in favor of the motion

**Meeting adjourned at 12:08 AM**

Respectfully Submitted

Doretha R Jackson

Municipal Clerk